

Legislative Assembly of Alberta

Title: Tuesday, March 14, 2006

8:00 p.m.

Date: 06/03/14

head: **Government Bills and Orders
Committee of the Whole**

[Mr. Marz in the chair]

The Chair: We'll call the Committee of the Whole to order.

Bill 9

Income and Employment Supports Amendment Act, 2006

The Chair: Are there any comments, questions, or amendments to be offered with respect to this bill? The hon. Member for Calgary-McCall.

Mr. Shariff: Thank you, Mr. Chairman. I'm pleased to speak in Committee of the Whole on Bill 9, the Income and Employment Supports Amendment Act, 2006. During second reading of Bill 9 some important questions were raised that I would like to address. The most important change in the amendment act will update the province's Alberta Works legislation to provide more flexibility in decision-making for grant-funded students. This will be achieved primarily by outlining the one year out of school rule in regulations so that more exceptions can be made for people applying in certain circumstances. The change will benefit the immigrant with limited English skills or the single parent who needs more skills to earn sufficient wages to support her family.

I would like to clarify that this change will not prevent any student from completing a high school diploma. Current regulations already ensure that at-risk youth under 18 years can get the supports they need to remain in the school system.

For those who pursue occupational training, I want to clarify that the government is not interested in forcing anyone into low-paying work. Rather, the government is committed to helping people increase their income through working so that all Albertans can obtain the self-reliance and independence they deserve. That's why so much is done to help people enter training programs for occupations like machinist, licensed practical nurse, drywall installer, and pharmacy technicians. All of these occupations are in high demand with good salaries.

Alberta Works also provides services that help single parents to get child support in addition to the financial assistance they receive.

The second change being proposed here is strictly housekeeping. One of the references to the minister's authority to establish forms pertaining to child support agreements is missing. Now it will be added. Parents have a legal obligation to support their children. The government is not interested in depriving single parents of the child support they deserve. That's why free services are provided to Alberta Works' clients to ensure that this is obtained.

Before I close, I would also like to acknowledge the observation that none of these changes speak to an increase in rates. As announced in the throne speech, the government is raising rates for Alberta Works' clients who cannot work. This government believes that more assistance is needed for this group, and I'm given to understand that more details will be announced at budget.

Mr. Chairman, thank you very much. I look forward to answering any other questions that may be raised at the Committee of the Whole stage.

The Chair: The hon. Member for Edmonton-Manning.

Mr. Backs: Thank you, Mr. Chair. I'm very pleased to rise to speak to Bill 9, the Income and Employment Supports Amendment Act, 2006. I thank the mover for some of the clarifications that were brought up in second reading. They were very helpful. The opposition certainly is interested in seeing that people can learn, can get an opportunity to be self-reliant, can have the training and the ability to partake of training with proper child support, with help in their English skills, with help for some of the peculiar problems that they run into as single parents.

While these amendments in themselves are not contentious, the problem with the Income and Employment Supports Act remains. There is too much reliance on regulations, and there is no way to measure exactly how much people living in poverty truly need. Without indexing rates to inflation and tying it to an accepted measure such as the market-basket measure, there is no accurate determination of what people need to survive. Apparently, the government believes it can determine this through regulations.

We've been speaking quite a bit in this House on health care in the last couple of weeks. You know, there's been some discussion of the social determinants of health, and they continue to be a major cause for concern in terms of the health care costs, the actual health of the people in our population. The need to address especially those who cannot work and their income levels is apparent, and it has been apparent for a long time. The health costs for those populations are often very much higher and very much more complicated than those for the population in general.

On the impacts and outcomes of Bill 9, removing the provision that made eligibility for income support and benefits tied to not attending school for the previous year and amending it to just include meeting the age allows people who attended school in the past year to apply for and receive benefits if they meet the requirements. Previously those eligible for benefits and income support were precluded from applying for and retaining income supports if they attended an educational institution in the previous year.

The amendment that addresses those under the age of 18 is questionable as to whether it serves its purpose. The effect of this amendment is to allow the minister through regulations to determine eligibility for part-time training benefits for high school dropouts. The sample form on the Human Resources and Employment website states that an eligible person "must be out of public high school for 24 months" in order to receive training support for part-time study. It appears that this requirement placed an undue burden on high school dropouts who wanted to re-enter an educational institution the next year but could not afford it or who were perhaps faced with other obstacles that required exiting from high school.

The question here is whether the suggested amendment serves the purpose of allowing those who dropped out of a training facility while under the age of 18 to access benefits even if they left the educational facility within the past year or two. If it does, then it will have a significant impact on those under 18 who require assistance, such as unmarried mothers who left school due to pregnancy or those whose family circumstances or financial circumstances forced them to discontinue their education.

The other main impact of this act is to give the minister more authority to make regulations prescribing the form and contents of support agreements, specifically related to the director assisting a person who is in receipt of assistance under another act or who is qualified for assistance but has not received it from the person obligated to pay support and arrears. The amendment makes a change to allow the minister to make regulations to determine the form and contents of a support agreement between parties. Previously the ability by the minister to make regulations was not mentioned specifically but, rather, was implied.

8:10

This amendment is rather a housekeeping change to make the regulation-making ability of the minister specific and not implied. However, while there is no problem with the specific change in Bill 9 in this area, the more global problem here is that almost everything in the Income and Employment Supports Act is subject to the regulations. I spoke to that in second reading. It's not detailed in the legislation. The main problem with the entire act is that it allows for the content and form of almost everything to be determined in the regulations. While this specific amendment is merely housekeeping, the overriding problem is that this entire act is subject to the minister's or the Lieutenant Governor in Council's ability to make regulations.

Another criticism not only of this amendment act but the Income and Employment Supports Act in general is that it does not address some critical problems already associated with the government's social assistance programs. The amendments in this act are not troublesome taken in context with the act that it amends, but the original act attempted to expand an already flawed system without addressing those problems.

There is an overriding problem with the act that amends the Income and Employment Supports Act. The act took a system that was already flawed. When that one came in, it did not adequately meet people's needs and, really, expanded that flawed system. Bill 9 at least attempts to address some of the problems by taking out the requirement that an eligible recipient of income support and benefits could not have attended school in the previous year. It's a good step, but more people need to apply for assistance to get the training that they need to obtain employment.

There is a need, perhaps, for additional amendments to the Income and Employment Supports Act in order to address some of the problems with it. Increasing the social assistance rates is a vital step in supporting independence. These rates, as I've already mentioned, must be indexed to inflation and tied to an accepted measurement tool like the market-basket measure. Only by incorporating the market-basket measure can the government determine what income support and benefits are needed for individuals and households and what basic necessities actually are. The Income and Employment Supports Act does not define what basic necessities are, and this ambiguity can lead to an inaccurate assessment of benefits. While this specific act, Bill 9, does not address these issues, perhaps it is time that this government takes action to ensure that low-income Albertans have a decent standard of living.

Some of the training programs that we so often see supported by Human Resources and Employment are of little value. Sometimes they are put forward as a money-making device for some of the companies that are involved. I think there has to be sufficient and adequate supervision of some of these types of schools, types of contracts, types of endeavours to ensure that they're not just a way for someone to take the government's largesse and interest in getting people off the welfare roll, so to speak, to ensure that they are in fact getting proper training, that they are in fact getting a good basis in language. I've talked to a number of students in these schools. There's no attendance taken. There's no sense of any need for achievement. The main thing is that they're getting their forms done, their money paid from the government, and that's all that the schools, if we want to call them schools, have an interest in. There are some huge difficulties that have been related to us by many of these students. Sometimes it's very difficult to prove that because they meet some rather lax requirements under HRE in skills development and some of these other areas. You know, there is such a tremendous push to satisfy the need in small business and in our

smaller centres, our smaller communities, for workers. Throwing money at this item and thereafter reducing so-called welfare statistics seems and looks good. In reality we're not doing anything for our economy. We're not doing anything to properly train the required skills that many employers need to put people into the workforce.

Why is it that we still have such a high, high level of youth unemployment? Across Canada it's well over a million people in the 18 to 24 age group, yet we're looking for temporary foreign workers. Why is it that we have so many aboriginals that remain without access to real programs to properly train them? There have been, certainly, some improvements. There have been some great increases, I guess you might say, percentage-wise, but the actual numbers in comparison to the population are still not very large. Yet we look at the city of Edmonton, for example, an urban centre that's going to be the largest centre of aboriginal population in Canada of any major city.

The opposition, in looking at this particular bill, gives qualified support. There are some good improvements in it, but it does not go far enough. With that, Mr. Chair, I'll end my words.

The Chair: Hon. members, before I recognize the next member to speak, may we revert to Introduction of Guests?

[Unanimous consent granted]

head: **Introduction of Guests**

The Chair: The hon. Member for Calgary-Bow.

Ms DeLong: Thank you very much, Mr. Chairman. I grew up in a family of girls, an older sister and a younger sister, and I'm very pleased to have here up in the gallery my younger sister, Isabella Bishop. I would hope that she would stand up, and everyone give her a good welcome.

The Chair: Members in the gallery, you may notice that some of the members don't have their jackets on. We're in the committee stage of a bill, when members can remove their jackets and sit in a seat other than their own and perhaps carry on quiet conversations. I would like to encourage all members to make sure that your conversations are quiet as I recognize the Member for Edmonton-Decore.

Bill 9 **Income and Employment Supports Amendment Act, 2006** *(continued)*

Mr. Bonko: Thank you, Mr. Chairman. I'm not sure whether this change will accomplish its goal in allowing high school dropouts, which was mentioned in section 2, to go back into training programs without having to wait the year or two or 24 months. It's questionable because under section 2 it says: that the individual "is at least 18 years of age and did not attend school in the immediately preceding year, or meets the age or other requirements provided in the regulations." So, again, my question is whether it will accomplish that specific task or not.

I've got some specific questions with regard to it. How does this affect the person who is essentially single but because of income or lack of income thus shares with a roommate or parent? How does this affect them in their ability to access this particular program? As to the bill's extent, the purpose, I guess, is to provide programs for persons in need . . . for food, shelter, [clothing,] personal items and medical and other benefits as are essential

to their health and well-being and, in particular, to provide training and other measures to facilitate their movement toward more independent living, outside of a dependent, such as, you know, those that are living still within the households with their parents or having to rely on someone as joint income, preventing them from being out on their own.

Does this open a door for people who were previously turned down for assistance if they can't take the training because they live in remote areas or they're without a vehicle or a computer or the Internet courses? I know that we talk about the Internet being wide ranging and spread from one end of the province to the other, but in some areas it's just not feasible, or they just can't afford it.

You know, section 3 talks about directors as well: in accordance with the Public Service Act, one or more directors may be appointed to administer the act under the minister's direction. If more than one director is appointed, the responsibilities are to be determined by the minister for each individual. Will these directors be in addition to the people that are currently holding administrative positions and presiding over the programs? Or will the current administrators be laid off with benefits or with parachute packages? This sometimes happens to those in government service that are being let go.

Where is the accountability? When any organization or employee is asked to do any duty or function, does that include handing out training contracts and money? There's got to be some specific kind of criteria or checks and balances when we're talking about public money trying to benefit the public in general.

8:20

Those would be just a couple of specifics that I would have. Overall, it doesn't look like a bad program, but there are some specifics that we have raised on a number of issues that we're hoping would be clarified or at least would be tightened to ensure that the effectiveness of the bill is able to be met then.

Thank you.

The Chair: The hon. Member for Edmonton-Centre.

Ms Blakeman: Thank you, Mr. Chairman. This would be the Committee of the Whole debate on Bill 9, Income and Employment Supports Amendment Act, 2006. This is a very important bill for two groups of people that both reside in my constituency of Edmonton-Centre but also have their primary training and support organizations located there. Specifically, they're the participants in the Terra program and also a number of immigrants and new Canadians who tend to cluster in Edmonton-Centre and are attending programs like NorQuest. They're looking for educational upgrading and in many cases ESL training to be able to move into a productive life here in Edmonton and Alberta and Canada.

With the changes that came through with the new act in 2004, we ended up with this bizarre and very wrong situation. I'll use the example of Terra because I actually wrote a letter to the minister on this. The whole point of the Terra program is dealing with young women who have chosen to carry pregnancies to term. There they are, usually in high school, sometimes in junior high school, now with a baby. This program is to support them to go back and complete their education. That's the entire point of the program. It has enlarged its services, and now it goes as far as to offer sort of support and counselling for the fathers of these children if they wish to participate in such a program.

Here we had Terra, whose very purpose was to be helping these girls finish their education, and many of them were reliant upon funding through what was then called SFI and then, more recently, the Income and Employment Supports Act. With the change in the

legislation they got cut off, and they couldn't get funding anymore. So a number of these girls had to literally leave Terra, the very program that's there to help them, and go out and get a job because they could no longer get funding to help them stay in Terra and complete their education. So just a total mess, a really bad scene. I don't think that it was what the government intended to do, but nonetheless it did it.

It's taken us a good year to straighten this out, which is unfortunate because there will have been some young women who were not able to recover from the setback that they experienced because of the changes in the program. But credit where credit is due: even though the government were the ones that originally messed this up, they did recognize their mess and cleaned it. So good on you for doing that.

The second group that I referred to is the ESL and upgrading students who attend NorQuest. I get invited to come out and speak to them two or three times a year, and I'm happy to go because I think it's important for people who are new and are integrating into our country. Let's face it; some people have been here four or five years or may have even come when they were youths. The more that we can acculturate them to our society and have them come to see their political representatives as someone that they work with is a good thing, in my opinion, so I'm willing to spend my time there.

I can't tell you how many people have said to me as I visit their classes: "Please, please, can't you do something about the level of support that we get? You know, we're expected to work hard and be successful at our studies here, and we're also expected to earn something on our own. We do that, and we do it happily, but we can't work too much or we're neglecting our class time or we're neglecting our study time, and the amount of money that we're receiving is just not enough. We're suffering here. We can't eat properly. We can't find ourselves accommodation that is safe for us," for many of them who are women, for men, even for people with families. On their behalf I want to put those concerns on the record.

I understand that this bill is not in fact giving them an increase in their support payments, but it will be allowing some of them that got caught in this thing of where you had to have been out of school for two years before you were eligible to receive support payments again to go back to school. There can be all kinds of reasons why these particular individuals have had an intermittent educational career, if I can put it that way. We are seeing more and more people coming from Africa where some of them have been involved in some terrible episodes that we in this very safe, protected environment cannot even believe. We can't possibly imagine what they've been through. Some of them are victims of torture. Some have lived for long periods of time in refugee camps in other countries and have made their way here sort of bunny-hopping across a number of other countries to settle here. So they may have episodes of flashbacks where they're having to cope with the aftermaths of torture or from having viewed that sort of activity, and it can affect their ability to stay in school and to be successful. Then to put further barriers in their way just was not helping.

One of my colleagues has already talked about the need for workers and why aren't we looking at helping our own workers to be successful and able to participate fully in the job market first, before we start bringing in boatloads of people on a temporary worker permit from another country? And I agree. People of aboriginal societies, people that are coming here from other countries, immigrants and new Canadians, are certainly two of the groups that we could be looking at and working with very closely, and those are the people who primarily are filling the classes at NorQuest. As a matter of fact, Mr. Chairman, I introduced one of

those classes in the Assembly this afternoon, and I read out a little description of the program that they were in, which was job opportunities and vocational upgrading. That's exactly the people who are qualifying for this income support and who really need it. It's a good investment on our part, and it really pays off for us in the long run. By assisting these people, we certainly get our investment back many times over.

On behalf of those people who are participating in the Terra program and those who are attending the NorQuest classes and some others, I thank the government for recognizing that they had made an error earlier and for being able to correct it.

Just a few other things that I want to note with this legislation. I know that a number of other people have spoken about the increasing move of the government to push the decision-making and detail work into the regulations. I note that this bill is rife with it, and what a mistake I think that is for Albertans and for our future. We need to have some of that detail brought into this Legislative Assembly and the ability of our constituents to view it, to download it, and to talk to us about it and we can bring their comments into this Assembly. None of that happens when you are dealing with regulations. It's not available to people widely. It's not available on the Internet or through Our House or on www.assembly.ab.ca, so it's very difficult for people to get hold of.

8:30

One of my colleagues was talking about instituting a market-basket measurement for deciding what levels of income and benefit are appropriate, and I certainly support that. We have a fairly wide disparity in Alberta between appropriate levels of benefits, between rural areas, for example, and cities, even smaller centres. This is important. We're probably spending too much in some places and not enough in others, and there are simple ways to deal with that.

The last two things are the need to index the support and benefit payments to something. I don't particularly advocate one indexing scheme over another, but I think it should be indexed on a yearly basis. Whether you're going to index that to the rate of inflation or you want to index it to the Alberta weekly wage or any other reasonable annual measurement, fine. Work that out. But it should happen so that we have an incremental increase that happens. I mean, people receiving these support benefits are having to deal with inflationary costs in groceries, in transportation, in housing, in utilities just like all the rest of us, but we, especially we here in this Assembly, are privileged enough to have our salaries tied to annual indexing with the Alberta weekly wage.

Why do we take the most vulnerable, the poorest in our society, and send them out there in a leaky boat, push them off from the pier and just send them out there in the middle of the ocean, never being able to come back and dock anywhere and have any kind of annual review? Then when five or ten years go past and all of a sudden they are so far behind that it's a huge amount of money to bring them back even with everybody else, there's this huge hue and cry about how expensive it is. Well, you know, get a grip. Do this on a reasonable basis and quit making this such a grand patriarchal handout. It's just inappropriate, and frankly it's grandstanding. So get on it: index it to something.

Tied with that is the need for a review on some sort of reasonable basis. I said this afternoon, when we were talking about the AISH benefits, that I didn't feel an annual review was necessary, that it's probably onerous to look at the whole program on an annual basis. Maybe even two years still might be too soon, but probably at three years you should definitely be looking at all aspects of the program to see if they're still relevant, if you should tweak the program here or there. Maybe you should be dropping a program.

Maybe there's something new that really needs to be addressed. If you made no changes at all, no one would have telephones installed in their homes, and now we're at the point where we've got Internet. You've got to continue to review these programs in light of what's going on in the world around them. The government's insistence on refusing to do this is quite tiresome, frankly, and I think very old-fashioned and, as I said, patriarchal, and they've just got to move away from that. It's not a reasonable way to deal with people in our society.

Those are the comments I wanted to make. Thank you for the opportunity. I appreciate it.

The Chair: The hon. Member for Edmonton-Beverly-Clareview.

Mr. Martin: Thank you, Mr. Chairman. I will be relatively brief. I spoke before on this particular bill, and I said at the time that I certainly see the intent of it as being reasonable. I understand that it's giving more flexibility to people that are falling between the cracks. I think a couple of those 148 people that I raised in question period today that had to deal with the Winspear Foundation might have been helped with this bill. So I think it's a step in the right direction.

I won't go on about the rates as I did in question period because I know that's coming on another day. I mentioned today that the rates are appallingly low. We've virtually had no increases at all since 1993, and I think that's causing more people to fall between the cracks. But we'll save that debate for another day after the budget.

I will support the bill because I think that for the groups that the member bringing it forward talked about, we do need that flexibility to deal with those sorts of groups.

I know what the member said, and I take him at his word, and I'm sure he'll be reminding the minister, but I think that when you have this sort of flexibility when people are trying to learn the language – they may be very good academically, and they may have a lot of potential, but because they're struggling with the various issues that the member referred to earlier on, there can be a tendency for: well, let's get them into some training right away, or let's move them into some lower paid jobs. I think we have to be somewhat careful of that.

I'm not sure how you do that when you move it into regulations. I think we shortchange people when we say – just from my own experience as an MLA in the inner city, it used to be that we said of these kids in the inner city coming from very tough backgrounds: well, the best we could hope for is to socialize them. Thankfully, I trust that we've gone away from that. We're demanding that they learn to read and write and have those literary skills. So the only caution I have about this is that it can be fairly easy, then, especially when people are clamouring for workers, that we shortchange these people and say: well, you'd be better off here rather than continuing with your formal education in some way. When it's not out in the legislation, we don't know what's going on behind closed doors, if that's happening or not.

I guess that I would ask the person bringing the bill forward just what precautions we might have for that. As I say, that concern is not enough for me not to support the good intentions of this bill. I think the intentions are good, but I think there is that potential for abuse, Mr. Chairman. So I'm asking for some clarification on how we can recognize how this program is going to work, if we're ever going to know how it's going to work if it's behind closed doors in terms of regulations.

As I said, Mr. Chairman, we'll save the debate about the adequacy of the supports programs that people are facing. I'll be

looking forward very much to seeing what's in that budget. As I said, it better be substantial, or there are going to be some serious questions because all the bills in the world won't solve that problem unless we raise those rates for people. The majority of these people are trying. It's not that they're lazy and not trying – I think the member would agree; you know, this is why we're bringing this bill forward – but they do need adequate help to help themselves.

So I'd be interested in how the member sees the problem that I'm laying out. Again, it's certainly not enough for me not to support the bill.

Thank you, Mr. Chairman.

The Chair: The hon. Member for Calgary-McCall.

Mr. Shariff: Thank you, Mr. Chairman. I want to begin by first thanking all the four speakers before me for accepting in principle the amendments that I'm bringing forward. I do understand that they do have a number of different issues that they have raised, and with some of them I do agree. I think it's very important that our services that are provided stream our young people into training that will be meaningful for them and not just send them to low-paying training because they do not have the English skills. I agree with you a hundred per cent.

There were also concerns raised about the level of social benefits to people on social assistance or AISH or other such programs, and I agree that the amounts that we do give out are not sufficient, particularly if you're living in a big urban centre where housing cost is phenomenally high. To live on \$600, \$700, \$800, or a thousand dollars is just difficult. None of us in this room would be able to live on that. I agree, but that's beyond the scope of the amendments that I'm bringing forward.

8:40

One of the beauties about committee stage is that members are able to stretch the concept to bring in arguments and debates on various subjects, and we've heard quite a few today. I do understand the experience of the Terra program or AISH or the Winspear centre, but again I think those are all arguments for a debate at a later stage with a different matter. For now, as far as the two amendments that have been brought forward, I do understand that there is an agreement in principle. As far as the other issues are concerned, I think every member in this House should be concerned about it, should be raising it, and certainly I agree with some of the arguments that have been brought forward.

With that, Mr. Chairman, if there are no further questions, I'd call the question.

The Chair: Are you ready for the question on Bill 9, Income and Employment Supports Amendment Act, 2006?

Hon. Members: Agreed.

[The clauses of Bill 9 agreed to]

[Title and preamble agreed to]

The Chair: Shall the bill be reported? Are you agreed?

Hon. Members: Agreed.

The Chair: Opposed? Carried.

Bill 22

Appropriation (Interim Supply) Act, 2006

The Chair: The hon. Member for Edmonton-Centre.

Ms Blakeman: Thanks very much, Mr. Chairman. I just wanted to briefly comment on what has now become an institution in this Assembly. This is my 10th spring session, and I've seen an interim supply bill every single time, so I'm having to admit that this is part of the government's agenda.

[Mr. Shariff in the chair]

Unfortunately, I don't see any meaningful movement towards changing this, what is now an institution. I think there's something wrong with that.

For the people reading this at home, what the situation is is our budget year runs from the first of April to the end of March. It takes us about five weeks to work our way through all of the debates on the various budget departments and then the appropriation bill that follows that. So, really, in order to have a budget completely debated and passed prior to its implementation on the first of April, we would have to start debating this back in sort of mid to late February.

This government has increasingly moved our start date for the spring session to about that time and has been moving back the introduction of the budget to very late. At this point we're now expecting that the budget will not in fact be introduced until barely a week before the end of the fiscal year. So in order to have permission to cut the cheques to pay the people who work so hard in the government bureaucracy and to, you know, purchase those supplies that are necessary and keep various programs up and running, the government has to give itself a little bit of operating money to tide it over, so to speak. That's what the interim supply budget is: it gets you through the interim.

We now have this government habit of pushing the budget later and later and later, and it has to grant itself interim funding. We end up, as the opposition, with a document booklet that basically sort of takes 60 days worth of operational money from each department, figures it out as a percentage, and says: this is what we need for this department. We get no information that goes along with it. It doesn't say how many people are going to be paid for how many days of work or which projects are going to be commenced or whether there's full funding given to certain programs to get them started or no money at all to various other programs that don't commence until the fall. We don't get any information. We just get a line item that says: this department is asking for X million or billion dollars to get them through the 60 days.

So it's very, very bad planning. From a government that prides itself on its fiscal responsibility, in quotes, this is appalling behaviour. The members of the opposition regularly get up about this time every year and flog the government with its poor behaviour around this interim supply, and it seems to have not the slightest bit of effect upon the government, so I'm taking it that they really don't care that they're appallingly bad fiscal managers and that they can't seem to understand when the 1st of April is and be able to back the budget up enough to do that. It's not going to stop me from trying to influence the government.

I think that what really bothers me about this is that I don't see any movement forward. I don't see the government learning anything, and I'm really concerned with the lack of information, that decreasing information that is provided around budget documents overall. All I can do for that is go to other observers of the govern-

ment's fiscal behaviour for some assistance in holding the government to account. So I go back to the Auditor General's report, and I look at the recommendations and key recommendations that he and his staff have made and say: "Okay. Well, has the government learned anything here? Is anything being done about this?" If I'm now being asked to just blanket give you 60 days' worth of operational money in all these departments, do we have any sense of whether lessons have been learned and changes are being made to implement some things that are fiscally responsible?

I'll also point out, Mr. Chairman, as you are well aware having been a previous member of the Public Accounts Committee, that the Public Accounts Committee in Alberta has only permitted itself to sit while the session is in, so this committee doesn't meet outside of sitting. We're also aware that this Alberta Legislature sits fewer days than any other Legislature in the country. The argument that I'm immediately met with from the other side is: yes, but we sit at night too, so that actually makes more days. Well, it doesn't when you're only meeting on Wednesday mornings while we're in session.

What's happened is that we meet for so few weeks that we are now examining about a third of the ministries every year. Some ministries, obviously, come up more often. The big ones like Health are going to get viewed every year. You can have a ministry like Infrastructure or Science or Gaming or Aboriginal Affairs that does not come under scrutiny before the Public Accounts Committee for four or even five years. The committee has not permitted itself to look at anything outside of the year under question, so even though you're only seeing this department once every four or five years, you're not allowed to question at that point for the four and five years that's gone on between the last time you saw them. You can only question them for the year that's under examination at the time. So we're missing a lot of scrutiny here, and a lot of fiscal lessons are not being learned.

I will just bring to the government's attention once again the number of key recommendations that have been made that aren't likely to be dealt with in Public Accounts this year, just given, you know, how many ministries are likely to be scrutinized. We have a couple of cross-ministry recommendations that have been made, and interestingly two of the five in the cross-ministry were recommendations that were in fact brought forward in Motion 502, proposed by the Member for Edmonton-Gold Bar, around appointments: recruiting, evaluation, and training of boards of directors. The first recommendation was that "the Deputy Minister of Executive Council update Alberta public sector governance principles and guidance so that they are consistent with . . . good practices for recruiting, evaluating and training directors" who would be appointed to these various agencies, boards, and commissions.

The second recommendation was that "the guidance include a statement that governing boards evaluate and report publicly their own performance against both Alberta public sector principles and their own board governance policies." The intent of that was included under the motion from my colleague from Edmonton-Gold Bar, and surprisingly and shockingly, Mr. Chairman, that motion was voted down by the Assembly. It was a great disappointment. Another key recommendation in the cross-ministry. Again this doesn't get to be talked about in Public Accounts because it's meaning to be dealt with by a number of ministries or possibly all ministries, which is why I'm bringing it up in the context of interim supply because we're supposed to be granting money to operate in a fiscally responsible manner for 60 days.

8:50

So I'd like to know if these are being incorporated and, in fact, if they are being accepted and integrated.

We also have a recommendation – it is a key recommendation – that "the Deputy Minister of Executive Council provide audit committees with guidance for overseeing internal audit departments, including identifying related training."

There are two other, one unnumbered and one numbered, additional ones under cross-ministry: one for linking government and ministry business plans, just a recommendation that they, in fact, be links, and that "the Department of Finance identify and describe core businesses in the government business plan," and a numbered recommendation, number 4, that "the Department of Finance develop guidance related to the purpose, definition and use of societal [norms]."

Now, there are a number of recommendations on seniors' care and programs. I'm hoping that we are going to get that minister in front of Public Accounts.

Then we have Sustainable Resource and Environmental Management, and I think that minister might be coming.

Advanced Education. I don't think we will see that minister, so we have recommendation 15, designating programs as eligible; 16, departmental compliance tests; 17, public postsecondary institution purchasing; 18, research roles and responsibilities – this is at the University of Calgary; an unnumbered recommendation on research policies, again specific to the University of Calgary. Oh, my Lord, there are actually 11 more recommendations from the Auditor General specific to the Advanced Education department, so I recommend people have themselves a read of the Auditor General's annual report, 2004-2005, on page 20, to get the rest of those recommendations.

Agriculture, Food and Rural Development has five recommendations. Three of them are numbered. Recommendation 20 again recommending that the department "evaluate the performance of its grant programs in meeting Ministry goals." Recommendation 21 recommending that the Agriculture Financial Services Corporation "clearly define eligibility criteria," "document its evaluation of the loan applicant," "analyze the borrower's financial condition," and a number of other suggestions that they're making on that. Recommendation 22 is around managing the beginning farm loans program. Recommendation 23 recommending that "the Agriculture Financial Services Corporation improve controls over the administration of the Canadian Agricultural Income Stabilization program," and a number of recommendations they make there. Finally, an unnumbered recommendation on the testing of advance payment methodology.

Children's Services. There are two recommendations there.

Community Development. Ah, yes, Wild Rose grants to Applewood. Recommendation 26 recommending that "the Wild Rose Foundation review the results of [their] audit into the grants to Applewood . . . Community Association and take appropriate action." Now, I'm pretty sure that Community Development will not be coming before Public Accounts this year, and I'd be very interested in hearing from the minister as part of the interim supply debate during Committee of the Whole what, in fact, has happened with that. There's also an unnumbered recommendation that the Wild Rose Foundation systems for the international development program improve its grant systems and again three different specific recommendations on how they should do that.

One numbered recommendation for Education.

Three recommendations, all of them numbered, two of them key recommendations, for Energy.

One on Environment.

Finance has three of them. Two of them are numbered recommendations, and one is a numbered and a key recommendation.

Gaming. There are three recommendations.

Government Services, one.

Infrastructure and Transportation, three.

Restructuring and Government Efficiency performance measures. In numbered recommendation 37 they again recommend that the Ministry of Restructuring and Government Efficiency:

- clearly define its performance measures and targets, and
- develop systems to monitor and report results.

Now, when they say “again recommend,” they’re very subtly and quite elegantly pointing out that they have made this recommendation before and there’s been no satisfactory response from the government. In fact, this was made in the 2001-02 year and again in ’02-03, and now we’ve got it coming up again in ’04-05. Really, I think that’s telling us that the Restructuring and Government Efficiency department doesn’t know what it’s doing since it can’t even clearly define its own performance measurements and targets. Dear Lord, Mr. Chairman. I mean, sometimes you really do have to question what the heck is going on when you’ve got a whole government department that doesn’t know what its own performance measurements are supposed to be and that the Auditor General has to tell it not once, not twice but three times to try and figure that out for itself. “Develop systems to monitor and report results.” Oh, please.

I think that’s all I need to say about this government and interim financial reports and its ability to be fiscally responsible, open, accountable, and transparent. There’s a lot of work to be done here.

Thank you.

The Deputy Chair: The hon. Member for Edmonton-Ellerslie.

Mr. Agnihotri: Thank you, Mr. Chairman. I’m pleased to rise and debate on Bill 22, the interim supply estimates, 2006-07, general revenue fund and lottery fund. The focus of the interim supply is to make sure that the government has operating grants when they have not yet completed the budgeting process. Even when this government has a budget, they end up overspending. This is not a new thing for us. I saw the same thing last year. They keep on repeating the same thing again and again. I think the main reason is because they have 62 members in this House and the opposition has 21. They don’t care. If we have differences, they can ask for a vote, and they can do whatever they like. But they are forgetting one thing: they have to answer to their constituents, who elected them. So I just warn them: if not this time, next time be careful. They should make the budget process properly.

Even when this government has a budget, they end up overspending like they did last year. How foolish can that be for a government that cannot organize its time? It’s in their hands. They are in power, and they have the staff, and they can do it. Once again they want us to write a blank cheque without giving us any details. It tells us that there is progress in place to start planning, and that’s what is critical. If we are going to be fiscally responsible, as they always proclaim, they should do the job right. If it’s fiscally proven in this province, we have got to signal them – that’s all we can do – so that the proper budget planning can be undertaken so that we can have a reflection of the needs of the agencies that are going to be doing the expenditure planning on our behalf.

Mr. Chairman, we need to have the detail that’s associated with being able to say that these are the types of expenditures. We don’t know why they don’t give us the full details. We don’t know what they are spending, so how can we comment on them appropriately?

This is the booklet they gave us, a few pages, all the portfolios. Community Development is just two lines: Expense and Equipment/Inventory Purchases, \$93,600,000. I’m not sure about this. The same with the other portfolios: no details at all. They don’t give us any detail before they give us this booklet, and they expect us to

debate on this. This is not fair. Next time they should do the job right. If I show this booklet to my accountant and tell him, you know, “This is the way my government is doing it,” I think that any good accountant would laugh at the government. I don’t know why they are repeating again and again.

9:00

It’s really a huge amount in this booklet, a huge amount with no details. I want to ask the Minister of Community Development because I’m the critic for Community Development, and the figure I see in this booklet is a huge amount but no full details. I can’t see the breakdown of some \$93 million, which the government mentions in this supply list, \$93 million or whatever they are spending on expenses and equipment/inventory purchases. I mean, I don’t know what they call it. How much money will be spent on the programs or the services? We don’t know. When we ask them, well, nobody gives us the proper answer. Is it possible to receive full details in the future, a full breakdown of the whole amount found under each line, under each item where they are spending it?

These are just a few questions that I raise, but there are definitely many, many more questions to ask. Maybe I will ask in detail when the question period comes.

Mr. Chairman, as in the last year, this year once again they are asking us to sign a blank cheque. They can’t bring a financial budget before us in a timely fashion. They have only had three months. I mean, I think we had a budget in November. How long does it take when they start preparing for these budgets way back in November?

I guess one of the things that’s really difficult as we go about talking with Albertans is focusing on the kind of debate around what the expenditures are. I know that the normal answer to that is: well, wait till the budget comes. But if we are supposed to vote on this judiciously and in the spirit of appropriate government recognition of expenditure, we need to have full details, which we don’t.

I notice that during question period, when we ask them questions, sometimes they expect us to direct them to the departments. Last week I asked a question of the Minister of Education about one of the problems in my riding. It was a water problem, and I contacted the people concerned a few times. When I asked him, he said: well, you are welcome to do it. When I asked him again, he said: it’s your problem. I mean, this is the attitude. We all are here for the people. They elect us. We are answerable to them. So I can only request each and everybody sitting in this hall: if they choose us, we should respect their judgment. They have so many expectations of us.

My next question is from this booklet. I don’t know. Where is this funding going? Where are they going to spend the money? We don’t have details. They don’t give us the answer. How would we find out? What are we doing here?

I know some people are saying: oh, we are wasting time here. No, we are not wasting time here. Somebody here is not doing the job right. If I were the CA, chartered accountant, and the budget is something like this, I would just throw that paper out and say, “You’re fired,” right away. I said the same thing last year. Nobody listened. Now I think most of the MLAs sitting here are not listening, Mr. Chairman. They are talking. They’re not listening.

Some Hon. Members: We’re listening.

Mr. Agnihotri: Are you? Okay. Thank you.

Being the critic of Community Development in my portfolio my priorities are, like I asked the minister many times, to increase the funding for the arts. I heard from the stakeholders that they want us to double the funding. We are getting approximately \$20 million for

arts funding, and they said that the reasonable amount they want is \$40 million. But every budget they say: well, just wait for the budget. I listened to the same thing last year, and I'm going to listen, I think, to the same thing this year. Nobody listened. I mean, we are here for the people who elected us.

Another thing in my portfolio is the Human Rights Commission, and I asked questions a few times. I mean, people are waiting. Some people made complaints to the Human Rights Commission, and the cases are there for two, three years.

We are fortunate. We have sufficient money, and this is a very important department as the Minister for Community Development agreed. I mean, he said: "Yes, it's very important. We should look into it." Still, when I talk to my stakeholders, they are not happy. When I listen to the ministers here, they always say: education, we are number 1; number 3 on this; health care, yeah, yeah, we have done this or that.

I went to the Grey Nuns hospital. I'm the witness. I took my wife there, and we had to wait nine hours. Nine hours. She was crying like a baby. It's serious. When we put the question to the ministers, I remember the wording from the health minister: I talked to somebody in Europe. They say: "Oh, you guys are really lucky. You are ten times ahead of us." I mean, I don't want to know the position in Europe. I'm talking about here in Alberta, especially in my riding. The people are suffering, and nobody's listening. Every time everything is okay, okay.

9:10

We are fortunate. We have money. But we don't plan properly; we don't have long-term sustainable policies here. That's what we need.

One of the stakeholders in Calgary – I don't want to mention his name. He's very important. [interjections] It's very interesting. Please listen. He said that he talked to 20 MLAs from Calgary, and nobody listened to him. What they want is a proper sports policy. I even wrote a letter to the Minister of Community Development, and he replied: yes, in the next session we will introduce sports policy. I'm still waiting for that. Cultural policies; sports policies; resource policies. What do you have? Every time we ask you the question: where is your policy? Then we show you the policy, and you throw that policy out. Are you guys listening? [interjections] I'm not finished yet.

If the government is serious about making Alberta number one in health, make Alberta active and healthy and save dollars from Alberta health care. Where's that plan?

An Hon. Member: It's the fourth way.

Mr. Agnihotri: Yeah. Fourth way, fifth way, seventh way, maybe no way. No way.

You will see. If there is pressure from the public, you guys will change your opinion just like that. So think about it. The reason I'm saying this is because I heard so many times from the minister of health: "The priority is to make Albertans active. If we make them active, we can save tons of money in the health care system. Alberta helps society by accepting and implementing all the recommendations in the Alberta sports plan." This or that I've heard so many times but no answers. I want the government to begin to develop a strategy that will promote and support Alberta's sports plan. I'm going to ask that question to the Community Development minister when he's here maybe next time during question period. This is very, very important.

Okay. Now I want to talk a little bit about the economic priorities, long-term sustainable funding. So many times we discuss the

policies. Where are your policies? You guys always ask the opposition, always blame the opposition parties. I've never seen your policies on resources.

Ms Blakeman: Or land use policies.

Mr. Agnihotri: Did you see one?

Ms Blakeman: No.

Mr. Agnihotri: You, Mr. Chairman? Anybody? [interjections] Well, why don't you admit that you don't have any policies?

The Deputy Chair: Hon. member, it would really help if you would direct your statements through the chair rather than going across the floor.

Mr. Agnihotri: What I am trying to say, Mr. Chairman, is very simple. It's taxpayers' hard-earned money, and this government should spend money very wisely, very wisely. And do you know what? The Tories are always blaming Alberta Liberals: oh, Alberta Liberals, party of spending; they spend money like crazy. Now you see your record. I think that if you see your record, you are the biggest spenders in the history of Alberta – the biggest spenders in the history of Alberta. [interjections]

Chair's Ruling Decorum

The Deputy Chair: Hon. members, please. I know that a lot of members wish to speak. We are at committee stage. There's ample opportunity for everyone to participate in this debate, and the chair would be happy to recognize each and every one of you. So rather than interjecting, let me know, and I will recognize you, and you can speak next.

The hon. Member for Edmonton-Ellerslie has the floor.

Debate Continued

Mr. Agnihotri: Thank you. I simply want to make sure that taxpayers' hard-earned money improves the lives of Albertans. This is where the money should go, not \$45 million on horse racing. The gap between rich and poor is increasing, widening. What are we doing? You go somewhere – I don't want to mention the place . . .

The Deputy Chair: Hon. member, I regret that the time allocated has run out.

The hon. Member for Edmonton-Beverly-Clareview.

Mr. Martin: Well, thank you, Mr. Chairman. Again, I will try to be brief. I want to take a different attack. For one, back in the days when I was here before, we always had interim supply. I think the one thing that we could do, that we used to do, is have the budget sooner after the Speech from the Throne. As I and maybe some people here recollect, it used to come about a week after the Speech from the Throne.

An Hon. Member: And elections right after.

Mr. Martin: Yeah, there were elections right after that the odd time too.

But I see no reason why we couldn't do that. The interim supplies then would probably be a month rather than two months.

In saying that, it's not the interim supply that I'm as worried

about; it's the overall, what the budget means when we do see it next week. The budgets that I've been seeing in the last couple years: we pass them, we have a debate in estimates, we go through the procedure, and then the budget is basically outdated as soon as we pass it. We have to come back in the fall with supplementary estimates. This year, as I recollect, was \$3 billion or \$4 billion – \$3 billion or \$4 billion – in supplementary estimates. Then we come back a few weeks later, and we're dealing again with supplementary estimates in January.

The point, Mr. Chairman, that I make is that it seems that the budget doesn't mean much. I can live with an interim budget. I think it could be a month if we did it the proper way. But I want the budget and the estimates that we're debating come next week to mean something. I don't want to have to come back in November and be dealing with \$3 billion or \$4 billion again in supplementary estimates. That makes no sense at all.

Clearly, Mr. Chairman – and it's been alluded to – we have to tighten up the way we do things. I mean, money's rolling in here. It's not because of the brilliance of the government; we happen to be sitting on resources. The money's rolling in. But we do not have the ability on both sides of the House to deal with the budget in a tough-minded priority way. We just spend it. If we don't like what's going on, we'll spend and bring in supplementary estimates.

Our Public Accounts, we know, is a joke compared to other places. We should be having smaller committees. To the House leader: smaller committees looking at the budget in more detail; perhaps not every department all the time, but some of that should go on. It happens in other places, and I would think the leadership candidates that are coming hopefully will take a look at tightening up the budget process.

Mr. Chairman, as I say, it bothers me that next Wednesday we'll have a budget, then we will debate the estimates for 30-some days, and then that budget won't mean anything because the spending will go on after. If the Premier decides some other important thing has come up in his mind, on a paper napkin, there'll be more money spent there, Mr. Chairman.

9:20

So the point that I think this government should get – there's another for leadership; there are a few of them around here – is that they used to call themselves fiscal conservatives. [interjection]

I didn't know that the Member for Edmonton-Castle Downs was running, but it's good to know.

The point that I make is that we should be tightening up this whole process. So an interim supply bill? Yeah. Let's begin to move the budget process closer to the Speech from the Throne so it doesn't have to go as long. A month it used to be. That makes sense. Then let's make the budget mean something. Sure, we still have supplementary estimates. There are emergencies that sometimes you just can't predict, like the floods in southern Alberta or forest fires in northern Alberta. That was always there, but that should be limited to emergencies.

It shouldn't be, you know, a spending thing where you can spend \$3 billion or \$4 billion dollars in the fall and another, I think, \$245 million again in November, and we're back here. I would think that for people that call themselves fiscal conservatives, that should make sense to them, that we should be tightening up this whole process.

I guess that I will hope and see that this budget that's coming down next week, Mr. Chairman, is actually a budget that does list the government's priorities, and they intend to live with that budget for 12 months and not go on a spending spree as they did last year and spend whenever they feel like it. It's undemocratic, and it's just not a good way to fiscally run the province.

We will see – we will see – Mr. Chairman, if they've learned

anything. We won't know probably till – well, we'll know all along. There'll be announcements all the way along in the press, you know, as we go along the budget. But I really suggest to the people and the leadership candidates out there that this is one process that we can all agree has to be tightened up. Let's have a budget that actually means something when we pass it in March and April.

Thank you, Mr. Chairman.

The Deputy Chair: The hon. Member for Edmonton-Manning.

Mr. Backs: Thank you, Mr. Chair. I'm very pleased to rise to speak to the interim supply estimates for 2006-2007. You know, I've only been in this Legislature for a year and some months, and I've seen in that time a supplementary supply, an interim supply, a budget, a supplementary supply 1, a supplementary supply 2, now an interim supply, and a budget next week. Clearly, we seem to be doing supply after supply after supply, budget after budget. We're voting again and again and again on money, and we're not really dealing with any real budgetary process, which I would think would deal with these things on an annual basis and maybe on some occasions only for emergency monies.

You know, what are we going to be dealing with next in terms of these supply bills? An extra supply bill, an additional supply bill, something that says the more supply bill or the simply supply bill or the pie in the sky supply bill or the gone awry supply bill? I mean, what are we getting into here? The dealings that we're having here and the lack of budgetary discipline on the part of this government are clear.

I look at this document for interim supply estimates, and it's seven pages long, seven pages and a lot of blank space. I look at line items: Health and Wellness, \$2,291,700,000; I look at Advanced Education, \$344,700,000; \$224,500,000 for – that's all of the information that we get, Mr. Chair. I mean, I'm just amazed. We're arguing mainly on process here because we're getting no information. Is that responsible to the voter? Is that responsible to Albertans? Is that responsible to the people that elect us? The Member for Edmonton-Ellerslie asked time and again in his remarks that were just finished: are you listening? We heard, "yes, we are; we are; we are" from the government's side, but I don't hear any active listening. I don't see these processes ending. I look at time and time again a whole list of these supply things.

Mr. Chair, I think it's time to look at a real budget process. I think that any small business, any corporation, gosh, a meeting of shareholders would dump the executive if they saw this sort of process in place. A union meeting would dump their executive if they saw this sort of process in place, and yet we seem to see it continue time and again with massive amounts of money on the part of the government.

With that, I conclude my remarks and hope that we might see in the future some sort of budgetary process. Thank you.

The Deputy Chair: Are you ready for the question?

Hon. Members: Question.

[The clauses of Bill 22 agreed to]

[Title and preamble agreed to]

The Deputy Chair: Shall the bill be reported? Are you agreed?

Hon. Members: Agreed.

The Deputy Chair: Carried.

Bill 1**Alberta Cancer Prevention Legacy Act**

The Deputy Chair: Are there any comments, questions, or amendments to be offered with respect to this bill?

Some Hon. Members: Question.

The Deputy Chair: Hon. Member for Edmonton-Beverly-Clareview, did you want to speak on this?

Mr. Martin: Yes.

The Deputy Chair: You have been recognized.

Mr. Martin: Thank you.

I thought you waited with bated breath for me to stand up there, hon. member.

Mr. Chairman, certainly we all spoke on this bill before. It would be hard – it would be like kicking a puppy – to vote against it, but we mentioned that there are things that should go with it, smoking and the rest of it.

I thought that the Minister of Finance might look at this because our concern with Bill 1 is that it's going under the minister's purview rather than the Cancer Board's. One of the things that's very clear when you deal with the Cancer Board: you have to deal with ethical funds, and the obvious ethical fund that you should not be investing in is tobacco companies. That's not true if you take it to Finance necessarily. Now they may well do it, and I hope they do, but it seems to me that it would be quite hypocritical if we did not do that, if we had an endowment fund and there were no ethical standards put on those particular investments.

I think this makes sense, and I'd like to bring in an amendment. Certainly, we support the intent of the bill. The only amendment that I have, if I could send this up, is to move that Bill 1, Alberta Cancer Prevention Legacy Act, be amended in section 3(2) by adding "subject to subsection (2.1)" before "the Minister of Finance shall hold and administer" and by adding the following after subsection (2): "(2.1) the Minister of Finance shall not invest the Fund or any portion of the Fund in securities of companies in the tobacco industry."

Now, surely this is an amendment that makes common sense. If we're going to have an endowment fund of \$500 million and we want to cut down cancer and all the things that the Premier talked about that they want to do with the endowment fund, this just makes good housekeeping sense. How embarrassing would it be for the government if the opposition checked the endowment fund down the way and found out that there were investments in securities of companies in the tobacco industry? So I would hope that this would be a friendly amendment to make the bill even better.

Thank you, Mr. Chairman.

9:30

The Deputy Chair: Hon. Member for Edmonton-Beverly-Clareview, I just want to check with you. Do you have the original copy with your initials?

Mr. Martin: Yes, I do.

The Deputy Chair: I will require that.

Hon. members, the amendment is being circulated. We shall refer to this amendment as A1. We'll give a minute for distribution, if you don't mind.

The hon. Government House Leader.

Mr. Hancock: Thank you, Mr. Chairman. The amendment that's been tabled by the hon. Member for Edmonton-Beverly-Clareview is one that I think provokes some interest. I know that there were a number of members tonight who were hoping to speak to the main bill in committee. I'm not sure those members were necessarily prepared to speak to the amendment. Because there wasn't any previous notice of the amendment coming forward, I would propose that we adjourn debate at this point on Bill 1 so that members can reflect on the amendment and come back to deal with it at a later date.

[Motion to adjourn debate carried]

Bill 3**Protection Against Family Violence
Amendment Act, 2006**

The Deputy Chair: Are there any comments, questions, or amendments to be offered with respect to this bill? The hon. Member for Red Deer-North.

Mrs. Jablonski: Thank you, Mr. Chairman. I'd like to take this opportunity to address some of the questions raised during second reading. I was asked if the addition of stalking to the definition of family violence would result in an increase in the number of people charged with this offence. I must emphasize that the sole purpose of this proposed legislation is to protect victims. The Criminal Code is the mechanism responsible for laying charges. As such, the addition of stalking to the definition of family violence is not for the purpose of increasing charges against stalkers. Its intent is to increase the number of people who can be protected from this type of behaviour. I'd like to note that the definition of stalking in Bill 3 is similar to the definition in the Criminal Code; therefore, these pieces of legislation will complement each other.

There was also concern that the definition of stalking is too broad and does not specify that it is a repetitive behaviour. Mr. Chairman, the definition specifies repeated conduct and recognizes stalking as a series of events, not an isolated incident. Furthermore, the definition is based on Manitoba's domestic violence legislation, which has successfully withstood a constitutional challenge.

There was also a question regarding how a judge or justice of the peace determines if controlling behaviour exists and if an emergency protection order should be granted. Controlling behaviour is only one of the factors being considered when determining if an order should be granted. The proposed amendments provide a more comprehensive explanation of family violence based on research and best practices. This means that judges and justices of the peace will have a better understanding of the dynamics of family violence, and this will allow them to make more informed decisions about family violence situations.

Concern was also raised that aboriginal and immigrant families were not identified in the proposed amendments. Although Bill 3 does not specifically identify these populations, it does ensure protection for all vulnerable populations. The dynamics of family violence and the unique needs of specific populations will be addressed in more appropriate ways such as training, public awareness, and education initiatives.

My colleagues also asked if the appropriate resources and supports are in place at the community level to respond to stalking and family violence. Family violence is a crime, and police are involved in investigation and enforcement activities. Furthermore, women's shelters exist throughout the province to assist those fleeing family violence. Support for these important services will continue. Mr. Chair, as a point of clarification let me just say that no one is ever sent away without help.

During second reading concern was raised that the proposed amendment would result in a need for more shelter beds. In fact, we hope that the opposite will occur. By keeping victims and their children in their own homes and requiring the abuser to leave the residence, victims won't need to leave their homes and seek shelter elsewhere. In circumstances where a victim must flee to a shelter, an emergency protection order may still be granted to allow time for the family to put measures in place to support a safe return home.

I also received a question about the proposed amendment to section 8 regarding the confidentiality of a victim's address. This is a common-sense amendment, Mr. Chair. It's intended to clarify the duties of a clerk respecting the requirement to keep the location of a claimant confidential. It simply clarifies that where a judge orders that a respondent stay away from a particular address, the clerk can disclose this, and they won't be in contravention of their duty.

The Protection Against Family Violence Act has been very effective since it first came into effect in 1999. The proposed amendments are based on several evaluations and reviews that have taken place since then. I believe Bill 3 will better protect victims of family violence and will help make an already good piece of legislation even more effective.

Thank you, Mr. Chairman.

The Deputy Chair: The hon. Member for Edmonton-Centre.

Ms Blakeman: Thank you very much, Mr. Chairman, for the opportunity to speak in Committee of the Whole to Bill 3, Protection Against Family Violence Amendment Act, 2006. I did raise a number of issues when I spoke in second reading and talked about stalking.

I hope that members of the government caucus are aware of the excellent and, I think, unique work that's being done by a special unit of the Crown prosecutors here in Alberta and in particular by a woman named Val Campbell. The previous Minister of Justice is well aware of the good work that she's doing. I've heard her speak a couple of times, and she really makes an impression not only for her passion and commitment to the issues but also because she's just loaded with statistics, facts, figures, connections and has really started to bore down on this issue through the many layers that I talked about when I was addressing this in second reading.

There's a fundraising breakfast that the legal community, particularly the women in the legal community, have held for many years approximately around the date of International Women's Day. Sometimes it's shifted a bit so that it's around the anniversary of women getting the vote in Alberta, which would have been April 17, I think it was.

The breakfast happened to be last Friday, and Val Campbell was the guest speaker there. I got to hear her presentation again, and it drove home particularly the stalking component. I know that there's government support for this. I hope that all my colleagues in the opposition and in the other opposition parties in the Assembly are going to support this bill. We really are starting to see the connection of behaviours that are around violence against women and their children. These should not be viewed as separate activities and separate aggressions. These are about control. This is about somebody trying to control their intimate partner or their family members every living, breathing moment. It is about having someone completely under your control and mostly using fear to do that.

9:40

One of the ways that they do that is by stalking. As mentioned by the sponsoring member, the definition of stalking that appears in this bill is indeed very similar to the stalking definition that appears in section 231(6) of the Criminal Code. Essentially, it's about

following from place to place either the individual or a family member or someone precious or known to the family member, communicating directly or indirectly with that individual or someone known to them. It can be just as effective to control a mom by threatening or controlling her kid or even her sister or her parents. So this is not necessarily about, you know, directly pounding on somebody. A lot of these control issues are about other means of making that person bend to your will.

We've also got another section that talks about being present or watching the home or the place of business or a place where they're likely to be present; for example, the store where they buy all their groceries, the gas station where they always stop to gas up their car, or some place where it's likely that person is going to be. To have somebody standing there, watching them, signalling to them, staring at them, that's stalking, and we need to be clear about that behaviour and what the purpose of that behaviour is.

In Alberta we have the highest stalking rates in Canada. We now know that stalking is connected to homicide rates. It's one of the factors that we find turns up consistently. When we look at all the factors that were in place when we actually have a spousal homicide, there are some consistent ones, and stalking is one. So if we can start to get on top of stalking activities, we may be able to prevent another woman dying at the hands of her intimate partner. I know that I'm going to get cards and letters saying that there are women that kill men. Yes, that's true, but we're dealing with a percentage here in Alberta of 85 per cent.

Alberta has, I'm not happy to report, the highest rate of spousal abuse in Canada – I've already talked about the highest stalking numbers – and the highest domestic murder/suicide rates in the country. What on earth are we doing in this province that we cannot get on top of this? We're not getting better. This is not improving year to year. We are not leaders here, unless you want to be leading in a trend for murdering women. Why can we not get on top of this? I watch initiatives like this one, which is a good initiative, and of course I'll support it, but I go: "Okay. What else is needed?"

We get some special units like this Crown prosecutors' team approach – excellent idea – where we've got Crown prosecutors that are highly trained and experienced in dealing with these kinds of cases. They know what to look for. We've got Val Campbell out there doing I don't know how many public appearances and lectures every year to try and get the police to understand how to investigate these episodes, what to look for, how not to be hoodwinked, to understand what the situation is that they're walking into, and to be alive to the possibilities of it. We're trying to do some things here, and we still can't get on top of this. Somehow we're allowing a culture to exist in this province that still says that it's okay to do this despite the attempts that we're making through a pretty enlightened Department of Justice, I have to say, both the previous minister and the current minister for keeping this up, but obviously there's a lot of work we need to be doing in other places because we're not succeeding.

One of the things that I'd like to remind people about is what the cost to society is of violence. When we look at the other departments, the social service agencies that have to be pulled in on this, here's a fairly short list: law enforcement; the Crown; emergency shelters; child protection services; a civil or a family lawyer; victim services through the police; social services through the government; Edmonton community services, the municipal ones that are offered; Capital health; housing; mental health. We're looking at prevention programs, parenting counselling, sexual assault services, aboriginal services, multicultural addiction, off-site treatment for offenders, treatment for victims, treatment for children. All of that costs money.

I talk about how we can reduce the need for acute-care services

and emergency services and those costs to our health care system, which is an entirely preventable activity that we could be doing. We could cut those costs right out of the health care system and move that money over and spend it on something else. This is one of the areas that I like to talk about. If we could reduce and completely eradicate domestic violence, we could take a huge chunk of health care spending and move it over to spend it on something else, but we haven't been successful at doing that, and we continue to treat women and their children in emergency services and in clinics and doctors' offices for the myriad of things that manifests itself as a result of family violence.

The other issue that I want to talk about in connection to this is how important it is to keep the separation of concepts between access to children and the maintenance payments. Again, this government has been good about understanding that concept. They haven't fallen in that hole where they start to attach the two things. You can see why it becomes a natural connection for people because they think: "I'm paying for something. I'm paying you money, so I'm paying for access. It is connected." It cannot be connected particularly because this is what you end up with.

We've had a couple of terrible murder/suicides here in Alberta. In particular, one in Red Deer was directly connected to access to a child, and that child was being used as a way of controlling the mother and keeping the mother within the reach of the father. Always they want to put together the access and the maintenance, and it absolutely cannot be. This is a good example of why we need to keep those two concepts separated. We need to keep them separated through the programming, separated through the legislation. Every time we approach this in the courts, we have to understand that they are separate concepts and not let them get linked together because when they do, we end up with terrible, terrible tragedies.

I wanted to use this opportunity to congratulate Val and her team for the work that they're doing. I think it's worthwhile. I think it's paying off. I know it's tough for her and the other people working on this concept. I've met some people that are working through the city of Edmonton services in the same sort of small teams. A very tough thing to do day after day after day. My thanks to them; my congratulations to them. I believe what you're doing is working. Don't lose hope. You are having an effect. We have to look in some of the other areas of our lives and the other areas of our influence in this Assembly as to how to help you in the work that you're doing.

Thank you for the opportunity to raise a couple of additional points while we're in Committee of the Whole on Bill 3, and I look forward to hearing the debate from my colleagues in this Assembly.

The Deputy Chair: The hon. Member for Edmonton-Decore.

9:50

Mr. Bonko: Thanks, Mr. Chairman. A pleasure to speak on Bill 3, Protection Against Family Violence Amendment Act, 2006. We have to remember that this isn't associated with just those of low economic income or inner-city residents. This is widespread. It's something that affects each and every one of us in some way, shape, or form. The problem is, like I said, that it's not associated just with those with low income. It might be associated with those with high incomes; they are strapped to the very end, and they resort to violence.

Some specifics that were raised about the stalking – and I'm glad the member from Red Deer gave a little bit of clarification that it would not increase or lead to increasing charges with regard to stalking. That was one of the concerns that I had when I originally looked at this. I don't know if this is going to do much good if we don't have the bodies in place to enforce it and to in fact give some

education as to what is and what is not acceptable as far as family violence goes.

We have an increased amount of immigrants coming into the country, and what may be acceptable to one culture as to how they do control their family in their motherland certainly is going to be different and less acceptable when they are here. In fact, some could be of the Muslim faith, who have strict dress codes for their women: how they can act in public, how they can dress in public. This can in fact lead to violence. When they come to a different country, they may want to experience something a little bit different. In fact, they may want to meet new people, but because where they came from doesn't allow for that, this could be the exact reason why there is family violence: they are trying to experience and maybe acculturate themselves as new immigrants with some other people, say at the Mennonite centre. There's obviously resentment as to their losing their dependence on the spouse. Maybe some violence occurs from that. So I think some of it has to come with education to be able to back up or at least add a little bit more of a topping up to this particular bill as to what is and what is not acceptable for immigrants coming into the country.

Not to just list aboriginal people, but there are a great deal of aboriginal people especially on the reserves or in the northern areas where there is a lot of violence, and it's a lot because of their isolation. They might just find that this is the only way to come to terms with one another because they are not used to speaking civilly to one another.

I've just highlighted a couple of specifics here with regard to the bill with new immigrants and with the distance and the lack of actual mediation or supports to be able to help the people with regard to their problems. Perhaps if there were more inner agencies, as the Member for Edmonton-Centre mentioned, to be able to catch these people before they continue to go down the cycle of violence, that would certainly go a long way. If we did have the people in place, such as the Edmonton Police Service or in the rural areas the RCMP, to be able to do this – but that's not their main focus: to be able to prevent family violence. Their main focus is to protect and to serve the citizens. They need separate departments to be able to reach out and to give a little bit of support to families who are experiencing this.

Thank you, Mr. Chairman.

The Deputy Chair: The hon. Member for Edmonton-Beverly-Clareview.

Mr. Martin: Thank you, Mr. Chairman. I won't take much time. As I said before, this is a very good bill. I think that the member has realized that we do have a serious problem. It's been mentioned before that we have the highest stalking rate in the country. The member said and I say that this is a very important step, but I don't think that we can be sure that this isn't going to add to extra work by the police and other people. I don't think we know at this point. I guess that's the only point I would make: if the members can use their influence to deal with the whole problem. I think we were told last week that 40 per cent of the homicides – you know, one step will lead to another – are domestic disputes. So this stalking can lead to some very serious matters down the way.

We do need more resources. I think it's clear in a boom economy – I was told that in places like Fort McMurray and others there are some serious problems. So we do need more resources. It's nice to have the legislation – we need that – but I think it's clear we need more resources. I mentioned earlier on that Edmonton WIN House alone had to turn away more than a thousand women seeking assistance because of lack of funding, and I'm sure that's true right throughout the province. We need, as mentioned, more education

for front-line workers: the social workers, police officers. We need more police officers. I mean, this is just a part of the boom economy.

Certainly, it's a good bill, but I don't think that we recognize that by passing legislation here, we'd solve all the problems. We do need to have the backup services. So I would say to the hon. Member for Red Deer-North that any influence she can have in the budget that's coming up and in talking to the minister – as we put these bills through, let's provide the backup services.

Thank you, Mr. Chairman.

The Deputy Chair: The hon. Member for Edmonton-Manning.

Mr. Backs: Thank you, Mr. Chair. I'll just be brief. I'm pleased to rise in support of this bill, and I echo the Member for Edmonton-Centre in commending the work of Val Campbell and others in this area in trying to bring this terrible societal problem into the public sphere to try to limit it somewhat. It is much more pervasive than we would like to think: the ability to intimidate, the ability to instill fear, the desire of some to have power over another human being just through stalking. I believe the use of emergency protection orders, the greater power they'll give for police to use them, will be a positive thing and reduce the potential for increased violence.

I'm very pleased to support this bill, and I'll just say that, Mr. Chair.

The Deputy Chair: The hon. Member for Edmonton-Ellerslie.

Mr. Agnihotri: Thank you, Mr. Chairman. I'm pleased to rise in debate on Bill 3, Protection Against Family Violence Amendment Act, 2006. I'll be very brief.

An Hon. Member: We're listening.

Mr. Agnihotri: You're listening. Okay.

Just one point that should be made regarding this bill, Mr. Chairman, is that it does not mention or address the high rates of family violence and stalking that are experienced by aboriginal people. I think my colleague already mentioned violence against ethnic people. Violence against women is a very important issue. I support this bill because principally this is a good bill. We need to be seen as advocates for women and all victims of family violence. By showing our support for this particular bill, we will demonstrate our commitment to reducing our occurrence rate of family violence. I don't want to go into details. Maybe I will speak at the next stage. Mr. Chairman, I want to adjourn this debate.

Thank you.

The Deputy Chair: Hon. member, did I hear you that you wanted to have it adjourned? [interjections] Are you ready for the question?

Hon. Members: Question.

[The clauses of Bill 3 agreed to]

[Title and preamble agreed to]

10:00

The Deputy Chair: Shall the bill be reported? Are you agreed?

Hon. Members: Agreed.

The Deputy Chair: Opposed? Carried.

The hon. Government House Leader.

Mr. Hancock: Thank you Mr. Chairman. I would move that the committee now rise and report bills 3, 9, and 22 and report progress on Bill 1.

[Motion carried]

[Mr. Shariff in the chair]

The Acting Speaker: The hon. Member for Edmonton-Ellerslie.

Mr. Agnihotri: Thank you, Mr. Speaker. The Committee of the Whole has had under consideration certain bills. The committee reports the following bills: Bill 9, Bill 22, Bill 3, Bill 1. I wish to table copies of all amendments considered by the Committee of the Whole on this date for the official records of the Assembly.

The Acting Speaker: Hon. member, I presume you meant to say: report progress on Bill 1. Is that correct?

Mr. Agnihotri: Yeah. Thank you.

The Acting Speaker: Hon. members, the hon. Member for Edmonton-Ellerslie just proposed that we report three bills and report progress on Bill 1. Does the Assembly concur in the report?

Hon. Members: Concur.

The Acting Speaker: Opposed? So ordered.

The hon. Government House Leader.

Mr. Hancock: Thank you, Mr. Speaker. Just for the record the motion, then, was that bills 22, 3, and 9 were reported. That's what we just concurred in.

The Acting Speaker: That's correct. I meant three bills, not only Bill 3. Three bills, yes.

Mr. Hancock: And those three bills were reported out of the committee.

The Acting Speaker: That's correct.

Mr. Hancock: I then would move that we adjourn until 1:30 p.m. tomorrow.

[Motion carried; at 10:03 p.m. the Assembly adjourned to Wednesday at 1:30 p.m.]

