

## Legislative Assembly of Alberta

**Title:** Tuesday, May 9, 2006

**8:00 p.m.**

Date: 06/05/09

head: **Committee of Supply**

[Mr. Shariff in the chair]

**The Deputy Chair:** Hon. members, we'll call the committee to order.

head: **Main Estimates 2006-07**

### Economic Development

**The Deputy Chair:** The hon. Minister of Gaming on behalf of the Minister of Economic Development.

**Mr. Graydon:** Thank you, Mr. Chairman. I'm pleased to move the estimates for the Ministry of Economic Development.

I don't think there's a person in the Assembly this evening that wouldn't be happier if the Member for Lethbridge-West, the Minister of Economic Development, could be here presenting his own estimates, and that certainly includes me. But between the first Acting Minister of Economic Development, who is the minister of agriculture, and myself we're pleased to do this on behalf of our colleague and happy to report that he's doing well and moving along after some of his health issues during the last few weeks.

There are several staff members with us this evening, and I'm just going to introduce a couple of them as opposed to all of them. We're fortunate tonight to be joined by Shelby MacLeod, the executive assistant to the Minister of Economic Development. The deputy minister, Rory Campbell, is with us as well as some others.

I am pleased to present the business plan for Alberta Economic Development and ask for your support for the next year of departmental activity. The business plan spells it out in detail, but in a nutshell the staff of the department bring together the people and information to create opportunity. Staff of Alberta Economic Development include economists, who know every nuance of trade data; marketers, who help you see that Alberta is the best place to visit and do business; policy analysts, who can tell you about cost competitiveness across the continent; engineers looking for ways to help industry create a competitive advantage; and trade officers, who help businesses to access international markets. They have a variety of jobs. They work in 11 regional offices across the province, headquarter offices in Edmonton and Calgary, and nine international offices around the world. Travel Alberta also has staff in Calgary, Ottawa, the U.S., and beyond.

These people share a vision. That vision is that Alberta is the best place to live, work, and do business. Their clients range from a millionaire investor in Europe to a Montana housewife planning a family holiday to a Medicine Hat graduate starting a business to a Manchester welder thinking about coming to work in Canada. In every case: people, information, and opportunity. The department helps investors understand that Alberta is not just a safe place to work and to park their money but a thriving place to grow it.

When a German investor was looking for ways to produce a new product for Europe, we were ready. Staff matched the German investor with an Alberta company, and the result is a food processing facility that can meet the European Union's strict food standards.

Last year the department hosted a tourism investment symposium, the first of its kind in the country. Communities had a chance to present their opportunities, the parcel of land zoned and ready to be a five-star resort or the pristine lakefront just waiting for camp-

ground facilities. This coming October a web component and even more promotional activity will make the symposium even bigger.

There are lots of opportunities to build, but Alberta already has a lot to see and do. Travel Alberta's goal is to encourage Albertans to see more of their province, encourage our neighbours to head down the highway, and encourage people from around the world to come and explore. With the implementation of the new tourism levy, Travel Alberta has significant new resources for marketing initiatives. Some other longer term projects are starting to see results.

This year Travel Alberta worked with industry partners to bring two new charter flights from Japan to Edmonton; 640 people came to see the northern lights. They visited Edmonton, then travelled north for nature's outdoor light show. In all, Japanese visitors accounted for 100,000 overnight visits last year, up from the year before and expected to grow this year.

In the coming years negotiations for China to grant approved destination status to Canada will proceed. This will open up a large new market, and we would want to be ready. The work has already begun. Travel agents are doing their research, and information products are being developed, all with an eye to attracting visitors as soon as the borders open.

In Germany a successful promotional campaign targeting women will continue with radio and television programming and the cleverwoman.de website. Cowboys in New York helped attract media attention for the province. They also helped attract potential visitors because the cowboys were in town. They were in New York for a travel trade show.

Closer to home Alberta Economic Development is working with more than 60 communities in southeastern Alberta to develop and market the Canadian badlands as this province's next must-see destination. An expanding website, new self-guided touring routes, and printed material will attract people to the communities, parks, and historic sites throughout this region east of highway 2, stretching from Stettler to the Montana border. New visitor information centres and displays in Walsh and Canmore will encourage our visitors to explore the Canadian badlands and beyond.

A new partnership with the federal government will also support people looking to build new tourism products. Alberta Economic Development partnered with Western Economic Diversification to fund a DVD presentation on the proposed Pipestone dinosaur museum in Grande Prairie, in the Grande Prairie-Wapiti constituency I might add. This computer-generated tour of a proposed facility will be presented at the Smithsonian Folklife Festival in Washington and later used for fundraising for this new tourist attraction.

In Alberta's labour market priority people are workers: people to work in hotels and restaurants, people in the trades, people to manage projects, just about everybody. Economists expect an additional 400,000 jobs in Alberta in the years ahead with almost 300,000 people to fill them. Government is working to close that gap with a three-pronged response. The first step is to train Albertans, ensure that people graduate from school with the skills they need to do and get a job.

The second step is to ensure that Albertans who are underrepresented in the labour force – people with disabilities, young people, aboriginal people – get the chance to work.

Finally, the third step is to recruit workers to the province from beyond our borders. The department is taking the lead with this third step. The department administers a pilot program called the provincial nominee program. Employers identify skilled workers from other countries, and the province helps expedite the immigration process. More than 970 workers have come to Alberta through this program since its inception in 2002: an instructor at Vermilion's

firefighting school, health care professionals in both urban and rural communities, sausage makers, specialist engineers, and more. The department is improving the program and plans to bring another 500 workers and their families to the province this year. Many of these workers start out as temporary foreign workers and want to become permanent residents of our province, but 500 is a long way from the number of people needed.

The department facilitated industry and government involvement in a series of job fairs in Europe. There are nearly 3,600 jobs available from Alberta employers who participated in job fairs in the U.K. last month. Employers attended 25 seminars about recruiting foreign workers last year, and at each one they identified openings. We need to communicate with people who are thinking about moving to Canada and encourage them to choose Alberta over Toronto, Montreal, or Vancouver.

That said, we will work closely with other departments to ensure that Albertans have the first chance at employment opportunities. Alberta has a strong workforce, but we need even more people to ensure continued economic growth. In nearly every sector of the economy what business needs is people. We're helping find them. As I said, Alberta Economic Development brings together people and information to create opportunity.

That's where the second element, information, comes in. AED is working with Alberta Energy and 19 energy companies to develop a conceptual business case for an integrated upgrader, refinery, and petrochemical plant in the province. The purpose was not for government to build the complex; it was to demonstrate the potential benefits of an integrated complex to process bitumen. Government believes that it's the right thing to do: Albertans making the most of their natural resources. We can sell \$1.30 polyethylene rather than 58-cent ethylene or 30-cent ethane or a few cents' worth of natural gas. That value-added activity creates jobs and income for Albertans. Alberta Economic Development is helping to make the case. Refining in Alberta is not just the right thing to do; it's a profitable thing to do.

#### 8:10

Information also takes the form of identifying contracting opportunities. By compiling and sharing information about large and extra-large construction projects on the go, we help companies identify opportunities for work. We track the progress of more than \$133 billion in projects, which means that real estate agents, architects, builders, bankers, and plumbers can better understand their competitive position. Training providers can access demand for their graduates.

We can also help identify exporting opportunities. The heavy oil Alberta project is a great example of government and industry working together and collaboratively for the benefit of Alberta companies. The Canadian Heavy Oil Association is working closely with Alberta Economic Development, Alberta Energy, and the Alberta Energy Research Institute to market Alberta's heavy oil and oil sands expertise to the rest of the world.

Alberta companies have figured out ways to minimize the environmental footprint of development, how to use steam to make frozen bitumen come up a tube, how to drill in a crooked line, how to move sludge along a pipeline, and more. Other parts of the world face these problems, and we have the solutions to sell.

The heavy oil Alberta project is creating the first comprehensive guidebook and directory to promote Alberta's heavy oil technologies in the global marketplace. At more than 200 pages it features profiles on Alberta's heavy oil experience and homegrown technologies. It also includes a directory of nearly 2,000 industry players, including explorers and producers, processors and distributors,

service and supply companies, industry associations, academic and research institutions, and nongovernmental organizations. The directory will be distributed internationally.

Because of the heavy oil Alberta project, the Canadian Heavy Oil Association will partner with Alberta Economic Development for the first time at the Global Petroleum Show in Calgary this June. The GPS, Global Petroleum Show, is the world's largest oil and gas event.

Members of the Canadian Heavy Oil Association will be working with Alberta Economic Development to provide technical support and advice, to matchmake Alberta and international companies, including a panel session focusing on Alberta's heavy oil innovations and related opportunities in select international markets.

In November of 2006 Alberta Economic Development and the China National Petroleum Company will cohost the first-ever world heavy oil conference in Beijing, China. Senior industry representatives from the major heavy oil producing regions in the world will participate in the event. This event will include a business conference and technical seminars, networking events, and an exhibition. Nearly 100 domestic and international industry exhibitors will showcase the latest in heavy oil-specific technologies, products, and services. This event will be a unique opportunity for Alberta companies to promote and demonstrate their expertise to the world.

In this day and age, of course, information includes the Internet. The Alberta-Canada.com website promotes Alberta to the world. In 1999, when the site was first launched, 47 per cent of the visits were international visits. Last fiscal year the Internet site set a milestone with nearly 1.2 million visits, and of this total 70.5 per cent were international visits.

Information is also the starting point for planning vacations. People can click, call, or come in to get information about all there is to see and do in our wonderful province of Alberta. At the 1-800-Alberta call centre counsellors help people go further, stay longer, and try new things. Over the year ahead they will answer more inquiries and be open longer hours. On the Internet, travelalberta.com and its family of websites received 3 and a half million visits in 2005. That's a 60 per cent increase over 2004. In the months ahead Travel Alberta is looking to expand the information it provides in languages other than English to further encourage international visitors.

The busiest information centre in the province, in Canmore, will be upgraded with kiosks, Internet stations, and interpretive displays. Information can make holidays better, and it helps make business better. For example, it can make operations more efficient. Farr Canada manufactures and distributes hydraulic power tongs used in drilling on land and on off-shore rigs. They were working full tilt in Edmonton. They knew that there were more opportunities, but they weren't able to meet them. Staff from Alberta Economic Development's lean manufacturing unit helped them take a look at their operation.

Some pieces were travelling too far from warehouse to assembly, taking too much time and too much space. Equipment was not set up to encourage flow from one stage to another. The result: better organization freed up 4,000 square feet from warehousing and 4,800 square feet from work in progress. Now, the painting and heat treating can be done on site. Company reps say that the facility is cleaner and better organized, and staff morale is higher. Their next step: higher production from the same amount of space. It's an exciting journey for an Alberta company, and it began with information about lean manufacturing techniques. Information can also help make for better decisions. As I said, Alberta Economic Development brings together people and information to create opportunity.

What about the third element, opportunity? I think the whole

world considers Fort McMurray a synonym for opportunity, but there's more, a lot more. Growth from the oil sands is creating growth in Calgary and Edmonton. The TD Bank estimates that 60 per cent of the economic activity from the oil patch is outside Alberta. Alberta is much more than energy. The challenge is to ensure that we can use our strength and energy to create opportunity in other sectors.

For government, opportunities begin with agreements to work together. In May Alberta Economic Development is signing an agreement with the Northwest Territories Department of Industry, Tourism and Investment. We will look at opportunities that benefit both areas and look for ways to enhance trade and regional development.

Sometimes opportunity is a chance for industries to work together to solve their problems. For New Brunswick metal fabricators opportunity is a chance to partner with Alberta companies who are already at full capacity. For east-central Alberta businesses opportunity is a chance to move from neighbour to business partner. Canadian Forces Base Cold Lake is part of the community. It could also be an economic driver for that community. Economic Development staff are working with base staff and the local business community to identify local procurement opportunities. Maybe it's sandwiches for training exercises. Maybe it's contracts to fix equipment. We don't know yet, but we do know that there's an opportunity, and we are looking at it.

In the film sector opportunity looks like the landscapes portrayed in the film *Brokeback Mountain* or the buzz about Alberta created when Brad Pitt visited the Royal Tyrrell Museum. With the profile generated by movies Alberta has an opportunity to market its locations for both production and tourism. Opportunity looks like Kananaskis Country or Fort Macleod, which see more visitors now because people want to go where the movies were made. Opportunity looks like the old blue pickup truck used as a movie prop, which an enterprising Pincher Creek youth recently sold on eBay for about \$70,000. Pitt's latest film, *The Assassination of Jesse James by the Coward Robert Ford*, was filmed in a number of communities last summer. It will be released shortly, and we have a plan to improve tourism through the awareness of Alberta.

Opportunity looks like a fancy, high-definition television because the Alberta Film Commission partnered with NAIT and SAIT and the federal government to provide industry training in what will be an American standard next year. The production world is changing, and Alberta crews are ready. More funding to the Alberta film development program is helping to ensure an even stronger industry in the future. The program was transferred to Economic Development from Community Development on April 1, and that budget is to increase by 10 per cent to \$14.8 million.

8:20

**The Deputy Chair:** Hon. minister, unfortunately the 20 minutes allocated to you have now elapsed, but you will have an opportunity to go back to your text.

The hon. Member for Edmonton-Decore.

**Mr. Bonko:** Well, thank you, Mr. Chairman. I would like to say, first off, that on behalf of the Alberta Liberal caucus, we do wish the Minister of Economic Development, the Member for Lethbridge-West, a healthy and speedy recovery, and we look forward to his presence back on the bench.

Having said that, I appreciate the opportunity to be able to speak to the Ministry of Economic Development. On page 118 of the business plan, under Link to the Government of Alberta Strategic Business Plan, the first goal states: "Alberta will have a diversified

and prosperous economy." I think that's great. However, the Official Opposition does have a concern with this particular approach to diversifying the economy: the lack of planning for diversification in Alberta's economy and spending the current resource revenue. Simply put, we're in a boom time, and this government is doing very little to protect us from bust.

First of all, this Conservative government lacks a plan and vision to diversify Alberta's economy, particularly investing in the high-tech sector. Indeed, Albertans only need to watch the news to see that Alberta's high-tech sector is struggling. Back in April the chief executive officer in Calgary-based software developer Urban Dispatch publicly commented: it's distressing. He talks about how we are falling behind the have-not provinces when it comes to venture capital investment in the technology sector, and he goes on to say that companies are out there with products complementary to the energy industry, and they can't even get funding. He goes on to conclude: I don't have any evidence that the province is adhering to a philosophy of diversification; there is a lot of lip service paid, but it's almost like the previous oil bust never happened. His comments are concerning.

However, relying on one source for analysis of a struggling high-technology sector would not be prudent. As a result, the Official Opposition looked at a report on Alberta's technology sector published in a prestigious account of Ernst & Young. This report says that it found that 38 per cent of technology CEOs said that rising oil prices would have a negative impact on their sector and the solution was to leave Alberta. Ernst & Young's technology practice executive director stated that oil and gas is just too good right now and that people would rather spend money on drilling a hole than investing in a technology company; it makes some sense; if you look at where oil and gas prices are right now, you've got a pretty good, safe return on that investment, but technology is a higher risk play. So the chances of people investing in it are less, obviously.

Clearly, challenges face the high-tech sector, and this government is not capable of meeting them. Take, for example, the Minister of Innovation and Science's recent remarks on this problem. He's quoted as saying: you know, you have to look at this problem over a period of time, and there isn't just a single initiative that's going to suddenly be the breakthrough; it has to be a consistent, long-term approach, and we want to make sure that there is a good policy in place that lets companies establish themselves; the impetus has to come from them, but yes, there has to be some advantage to being there. Clearly, this government is lost since the government cannot develop a plan that diversifies Alberta's economy beyond oil and gas.

Perhaps the minister has heard some of the Liberal ideas that we would have to diversify the economy, specifically a couple of pre-election points, like implementing a 10 per cent provincial tax credit for eligible expenditures in scientific research and experimental development; implementing a 30 per cent provincial tax credit for investing in qualified early-stage, Alberta-based technology companies; as well as creating a \$150 million Alberta technology venture fund, funded jointly by industry, universities, and government to generate a venture capital industry in Alberta – it would not invest in individual businesses; rather, it would invest in several venture capital firms, who would then invest in business opportunities – fourthly, creating a provincial technology program to harmonize technology commercialization programs across the province; and introduce a stronger film and television tax credit for Alberta-owned and -controlled production companies that are credited to Alberta expenditures.

Some of the specific questions that I'd have with regard to these high-tech companies – it appears to be getting worse, but if this

government is actually serious about unleashing innovation, why doesn't it provide tax incentives for companies to invest in research and development? Technology start-ups are leaving Alberta for other jurisdictions which have friendlier research and development tax regimes and more access to venture capital. Why is this government allowing Alberta to fall behind other jurisdictions? We talk about becoming competitive, but we're still, you know, lagging behind when we talk about research and development. What activity steps is the ministry taking to increase access to venture capital in Alberta, and what plans are in the works currently? Does the ministry keep statistics on how many start-up firms leave Alberta for other jurisdictions with better access to venture capital? Do we monitor? Do we track as to how many leave and how many we attract?

On page 120, I believe chart 2, it shows that Alberta's innovation performance is far below the average of its global competitors. This is even more reason for the government to adapt the Alberta Liberals' economic development policies to be able to maintain and ensure that we attract more world-renowned companies.

I'm going to switch and talk about resource revenue, then, if I might. The provincial government is also failing to diversify Alberta's economy with regard to its bungling of the resource revenue well. As mentioned earlier, the boom we're in – it is just about obvious, you know, that there's nothing from the government that's going to protect us. They're not doing anything to shield us, perhaps, from a bust that may eventually be down the road.

There's no better time to invest in tomorrow than today. Unfortunately, instead of using Alberta's energy resources to diversify our economy, the government is spending it. For instance, in this Legislative Assembly the Conservative government will increase the amount of resource revenue for the annual spending to about \$5.3 billion from \$3.5 billion in 2004.

In short, not only is Alberta's economy reliant on the energy sector, but Alberta's social services are becoming reliant on the oil and gas production as well. If the prices of oil and gas drop, so will Alberta's economy and social programs, and that's quite unacceptable. Consequently, the government is failing to provide a sustainable, long-term plan for Albertans.

Some specific questions that might come out of that would be: what is the government doing to ensure that failing to save the annual portion of the resource revenues for future generations – you can talk about the investment in the heritage fund where you put a billion dollars in, but we realize that there is still a billion dollars being removed as well, so the net gain is absolutely zero. What is the government's plan for the economy when, potentially, oil and gas prices return to normal levels? Coal and forestry: are those the only options that we've got?

Why hasn't the government adopted the Liberal strategy for the surplus policy to protect Alberta's economy from the ups and downs. The policy, to refresh the minister's mind, is known as the Alberta legacy act. It would create permanent wealth out of the fleeting resource revenues by investing future surpluses in postsecondary education, the heritage savings trust fund, the restoration of the crumbling infrastructure, and the arts, culture, and humanities. Our policy would also commit 35 per cent of the future budget surpluses to an endowment fund for advanced education, uncapped and no strings attached. This plan would set innovation free as opposed to trying to tie up postsecondary more firmly to the apron strings of the government of the day currently.

Thirty-five per cent of the future surpluses would be streamed into the heritage savings trust fund to grow it rather than to simply satisfy it with day-to-day interest. We're going to make sure that it's prevented from eroding, similar to that of Norway and Alaska,

whose funds far exceed Alberta's. Twenty-five per cent would be put into the capital account to address the backlog of infrastructure projects in this province. We talk about being debt free; we're certainly not debt free with the amount of infrastructure debt that we do have. Five per cent would be invested in an endowment fund to support the contribution to the arts, humanities, and make Alberta society. If the minister would ponder these points and perhaps implement them, I think we'd be much better off when we do that part of it.

Let's talk about the role of sports and recreation as economic drivers as well. We just saw the benefits when we had the Olympics in Calgary many, many years ago, and then we had the track and field events here as well, one issue that's clearly not adequately addressed in any business plan that pertains to the quality of life. On one hand, Alberta's future has a strong economy. There's no denying that. On the other hand, if Alberta doesn't strive to be a great place to live, we're not going to be able to attract those great people to this great place.

For example, when the Official Opposition travelled to McMurray not long ago, one of a number of problems was the quality of life that people have. There aren't enough hockey rinks or arenas up there or parks. As a consequence, a number of new Albertans are asking difficult questions. Do I live in Alberta, continue to struggle in McMurray and maintain a solid family life – I mean, the high cost of living, lack of recreational services – or do I pack up, give up this way of life here, and move to the south or maybe back to where I came from in eastern Canada? Who knows? But a lot of these people are certainly questioning that: make the money now and leave for a better way of life. These are some of the real challenges facing the Alberta economy: the workers and quality of life. Unfortunately, the Department of Economic Development I don't think understands that particular concept.

### 8:30

In Edmonton, Red Deer, and Calgary we have vibrant cities, so much so in particular that the young talent want to live in Alberta and call it home. Studies show that young, talented knowledge workers are driving today's high-tech economy. They want to work in jurisdictions that are rich and diverse with a quality of life and a quality of place. What is the ministry doing to improve some of Alberta's quality of place to attract and retain young, knowledgeable workers? How is the ministry working with other ministries to ensure that such a goal is maybe even successful with cross-ministry initiatives?

Young workers want and value a strong, diverse economy with an arts scene as well as ample opportunities for sports and recreation. How is the ministry working with Community Development in order to be able to support Alberta's arts and recreation sector? If the minister hasn't contemplated that, why not acknowledge the strong role that arts and culture do play? Let's support them as the economic drivers that they are. As in the example of Edmonton: very strong within the arts and cultural scene, very much reliant and looked upon as a leader in Alberta for doing that.

Let's go on to film here for a minute. The minister talked about trying to improve some of the film industries with some of the recent successes that we've had. On page 124 it says that Economic Development "markets Alberta as an attractive destination for . . . film production." Well, we've seen some successes in the area with the recently released film *Brokeback Mountain*, and previous to that would be something like *Unforgiven* with Clint Eastwood. I mean, Alberta is definitely an attractive destination: the scenery, the mountains. But the Economic Development spokesman admits that in terms of funding Alberta film, Alberta will remain in the middle of the pack, which is unfortunate.

Interestingly, as mentioned earlier in my comments regarding this government's failure to properly diversify the economy, well-known film industry representative and stunt co-ordinator John Scott recently stated: "We've got to get our [Alberta] government to wake up and realize [that the film] business is something great we have to offer. This province has more than just gas and oil." He goes on to say: "While there's 30 pictures shooting in Vancouver at a time, we have maybe one or two in Alberta" at best. Times have to change here.

What is the ministry doing to attract other high-cost movies and use some of the local talent and expertise that is here and waiting to be involved? What is the ministry doing specific to Alberta's film industry to move it from the middle of the pack to an international leader? Why doesn't the ministry introduce stronger film and TV tax incentives? Why are there no performance measures related to film and television production in Alberta in the ministry's business plan; for example, the number of film and TV productions or the total dollar investment in film and television in Alberta, the total economic spinoffs from TV and/or film?

I don't know if we've ever had an idea as to how much money or revenue is generated by having a film shot in Alberta such as the last one, you know, on Jesse James, the one that's going to be coming out in the fall, or *Brokeback Mountain*, *Unforgiven*. What is the economic spinoff? Do we have an actual idea as to what the benefit is to the local economy? Could the minister provide myself with a chart showing, perhaps, how much film production in Alberta has increased or decreased over the last 15 years compared to that of British Columbia and other provinces that are big into the movie scene as well?

We'll talk about, perhaps, some of the Auditor General's recommendations. He's made no specific ones for Economic Development. However, he did point out that "the Deputy Minister of Executive Council [should] update Alberta public sector governance principles and guidance so that they are consistent with current good practices for recruiting, evaluating and training directors." What specific steps is Alberta Economic Development taking to ensure that its directors are thoroughly recruited and trained? Obviously, there would be benefit there to ensure that they are thoroughly trained, but I'm just making that particular point.

We can talk about trips because we're always promoting Alberta and Albertans' ways to not only the local Canadian market but the market abroad and internationally. On pages 117 and 118 of the business plan the ministry markets Alberta as an attractive destination for investment in trade. How does the ministry measure how successful national or international trade missions are? What are the benchmarks? How do we gauge how much we've spent and how much we're returning with regard to that particular trip? Does the ministry measure the increase in trade after a mission? At what level of increased trade does the minister consider these trade missions a success? A 5 per cent increase? A 10 per cent increase? Does the minister perform a cost-benefit analysis on the trip and amount of people going? Just some specifics.

I will go on to tourism. I've already touched on it, so I'd like to touch on it again. On page 129 of the business plan performance measure 8.a indicates that the total tourism revenue in 2004 was around \$5 billion. Now, that's huge. That's one of the leading industries here within Alberta. I think that's magnificent. I believe that at one point they did actually have a tourism ministry, but it was combined, obviously, here. How does this compare to levels years before? Obviously, we've had some scares with some of the economy, but I believe some of the specifics have been addressed. We're starting to see a drive coming back.

Again, it would be interesting to know: exactly how does it

compare to years previous? Over 10 or 15 years how much has tourism grown in Alberta, and specifically what are the hot spots that we're continuing to market and profile? Could the minister provide ourselves with a comparison to other provinces, such as perhaps Quebec, Ontario, and British Columbia, as to how they're doing with regard to tourism? How are the dollars measured, and are they up or down in comparable years? How do we stand with regard to those regions, to other areas?

Let's talk about some government issues directly related to budget on Economic Development. On page 122, line 1.0.2., the deputy minister's office is increasing from approximately \$383,000 to \$469,000. I'm not sure what the reasoning is for the increase here, but I'd certainly like to see an answer to that. I'm sure that all Albertans would. Considering that the mission of the Alberta government is to remain transparent and accountable to all Albertans, this should be pretty easy to come across.

Page 122, line 2.0.3. Export development is seeing an increase of approximately 11.3 per cent from the previous year. Can the minister provide more specific details as to that significant line item? What is the reasoning behind it? Specifically, where will the money be going to and what will it be addressing? What tangible results can Albertans expect from the increase? How will the success of this increase be measured?

Page 122, investment and industry development, line 2.0.5. Last year the budget for investment and industry development increased by about 25 per cent from the 2004-2005. This year the line item is increasing another 23 per cent. How exactly is this increase in funding to be used? In terms of funding for industry development, what industry gets the most support from government? How do we budget for industry development, help Alberta's film and television industry or our high-tech industries?

I'll just do a sideline because I see a card here on my desk to remind me to mention a specific point. It was Visit the Country and its various services and entrepreneurs out there. One in particular, Pottery by Heather, has to in fact import her clay for her pottery from California. I mean, there's an abundance here in Alberta, and I mentioned that. She said: "Absolutely. But you know what? It's more expensive. Considering that we have to bring it in from California, the difference in the dollar, the shipping and handling, it's still cheaper than being able to buy it through Medicine Hat or down in Lethbridge or southern Alberta, where there's an abundance of clay." Now, I find that quite sad that we can't even supply local people here with our own product because we're not competitive. That should be interesting as well.

Getting back to regional development here, line 2.0.7. This line item is increasing from \$4.6 million in 2004-2005 to about \$8.2 million in 2006-2007. Now, that's nearly doubling in two years. The obvious question is: exactly how is the increase in funding going to be used? How will the money be distributed to the various constituencies?

Still on page 122, on travel . . . [Mr. Bonko's speaking time expired]

8:40

**Mr. Graydon:** I'll just finish with my notes before I move on to the comments that have just been made by the member across the floor there. I'll repeat the last paragraph that I was reading because it was a very important one, which says that more funding to the Alberta film development program is helping to ensure an even stronger industry in the future. The program transferred to Economic Development from Community Development on April 1 and had its budget increased by 10 per cent to \$14.8 million.

In other sectors the government helps create opportunities by

taking a strategic look at Alberta's competitive advantages and finds a way to build on those advantages. Securing tomorrow's prosperity is a policy, the economic pillar of the government's 20-year plan. Alberta has identified a number of strong sectors which have the capacity to expand even further. By focusing on those sectors, we can help ensure that the economy grows in ways that create jobs and wealth for Albertans. Our future prosperity and economic diversity depend on our ability to move up the value chain towards products and services that have greater value for customers around the globe.

The energy sector drives our prosperity. To make all Alberta prosperous, we need to grow other sectors in step: agrifood, building products, information and communications technology, biotechnology, environmental technologies, and tourism. There's a good example of this in Innisfail. Johns Manville is a leading manufacturer/marketer of building products, operating manufacturing plants in Europe, Asia, and North America, including a facility in Innisfail. The Innisfail fibreglass insulation plant recently expanded operations because of Alberta's infrastructure, tax regime, link to key markets, and strong economy.

We recognize that everyone sees the strength of Alberta's economy today. The challenge is to ensure that we keep the economy strong tomorrow. That takes good people, good information, and lots of opportunity. Voting the \$102 million to support Alberta Economic Development will help meet that challenge.

To get on to some of the comments that were just made, we will have the staff respond in writing to questions about the estimates of the Department of Alberta Economic Development. But in his speech there I heard questions that would more appropriately be addressed to the Minister of Innovation and Science, the Minister of Advanced Education, the Minister of Agriculture, Food and Rural Development, the Minister of Community Development, the Minister of Energy, the Minister of Human Resources and Employment, the Minister of Sustainable Resource Development, and the Minister of Finance, so we won't be answering those questions. I'm a little disappointed that I didn't hear any questions directed to the Minister of Gaming, but we'll overlook that oversight that he has made, and maybe he'll . . .

**Mr. Bonko:** I'm trying to get to everybody.

**Mr. Graydon:** Can't get everybody, right?

**Mr. Zwozdesky:** I feel left out.

**Mr. Graydon:** You do too? I'm sorry, Mr. Education Minister.

Near the end of your comments there you did get specific about some questions on the estimates of Economic Development, and I assure you that you will get the answers to those questions.

**The Deputy Chair:** The hon. Member for Edmonton-Calder.

**Mr. Eggen:** Well, thank you, Mr. Chairman. I rise with a great deal of interest to make some comments on the budget for the Ministry of Economic Development here this evening. First, I would like to say that both on a personal level and on behalf of the New Democrat caucus we wish a very speedy and healthy recovery for the Minister of Economic Development. On a personal note, from the time that I came to this House, the Minister of Economic Development and Member for Lethbridge-West has always been the most courteous and interesting and vivacious member amongst the government. I look forward to having him back here in the House so that I can debate him and joke with him and otherwise carry on, so let's hope that he comes back soon and that he is successful in his treatments.

The ministry that we're dealing with here this evening is interesting. The hon. member standing in this evening points out a very good point that, in fact, Economic Development does cross many boundaries of other ministries that we have. When we're looking for the synergy that is possible through Economic Development, then certainly we can touch upon many other specific ministries and highlight them and perhaps use the Economic Development ministry as a way to speed up certain processes.

At the end of the day Economic Development is designed to help diversify our economy here in the province of Alberta, to help facilitate industry to make informed decisions about investment in our province, to increase growth and competitiveness, exports, increase development in regions.

Certainly, all ministries might be involved and, in fact, have a vested interest in what goes on in Economic Development, and my comments will indeed move across several of these ministries in terms of looking for constructive ways to diversify our economy here in the province of Alberta.

So I just want to make some brief comments, first of all in regard to the numbers. I was very pleased to see that there was an increase of over \$6 million, or 14.6 per cent, to the tourism funding part of this budget, which is great. I was certainly pushing hard for this last year. Tourism is one of those very pure sort of dollars that we can work toward bringing into the province. People bring it in, and you really do make the greatest return in profit if you have an established industry. Indeed, we do, but the potential for expansion is tremendous, tourism being the single greatest growth industry in the world today.

The funding for the Alberta film development program increased by 10 per cent last year, and again I applaud the ministry for choosing to focus on that sector of our economy. It seems as though we've had a number of successes in regard to the film industry, and certainly we do need to continue to move down that path.

The main issues that I want to just touch on this evening, Mr. Chairman, in regard to this budget are, number one, economic diversification; number two, balancing economic development with environmental protection; number three, the Alberta film and tourism industry; and, finally, an issue of fiscal responsibility.

I would like to begin, then, this evening speaking about diversification. Perhaps it's the result of a booming economy focused on a very few commodities, but in fact over the last dozen years or so our economy here in the province of Alberta has become less diverse and more focused on single sources or a very few, a handful of sources of economic activity. So while we're enjoying, perhaps, an unprecedented boom—I think that we're exceeding the numbers that we might have seen in the '70s or from even the postwar era by comparison—we find ourselves painted into a corner to some extent, Mr. Chairman, in regard to where our sources of income are coming from now and where they're coming from in the future.

I noticed with some interest that our Canadian dollar has been moving in very close step with our commodity windfall here in the province of Alberta. We've exceeded the 90-cent mark as a Canadian national currency, and commentators for a number of months now have been calling this a petrocurrency. I find this amusing in a way, but I also find it a bit a disconcerting because, of course, what happens when the currency rises very quickly is that many of the secondary, value-added, industrial parts of our economy, in fact, have a good deal greater difficulty exporting and attracting investment from outside of the province or even the country because the product becomes more expensive because of the rising Canadian dollar. So looking for economic diversification in the long-term, I'm a bit concerned that Economic Development has only chosen a few small areas to focus on. Certainly, we have

tremendous wealth and innovation and research capacity in regard to developing heavy oil projects and oil sands and the natural gas industry that we do have. We have a long history and a wealth of experience in those areas.

**8:50**

Of course, what I'm pushing towards and looking to is diversifying our economy in regards to nonhydrocarbon-based energy production. There is a tremendous opportunity, when different technologies become affordable, to bring them online and to bring them into production. This is where the private sector will be less likely to move at this juncture because, of course, there's so much money to be made on oil and gas. So my analogy of perhaps thinking of Dawson City during the gold rush two centuries ago in the 1890s in the Yukon, I think, would be a fair analogy to make because, of course, people travelled thousands of miles to the Yukon to the gold rush, and they weren't there to necessarily wash dishes or make soap or fry eggs or what have you. Everybody was there to make their fortune in gold. We have a similar situation here now, where the money goes where the greatest return is to be had, and that's in the oil and gas sector.

I guess I'm suggesting that it's incumbent upon the government, which is this House and the government across the way, at this point to make choices about diversification ahead of where the market is going because, of course, if we put all of our eggs in one basket, then the future is less stable for our economy into the far-reaching future. There are a number of alternative technologies that are financially viable at this time, but they need that investment to get them started.

For example, just a simple act of investing in people's homes to make them more energy efficient is a remarkably good idea and has the potential to carry us over the inevitable downturn in the economy that follows a boom because, of course, when you're making capital investment in people's homes and in industries and in physical plants to retrofit these facilities to make them more energy efficient, you're employing a wide range of trades and skills that otherwise might be lying fallow in the times of an economic downturn. If we can start to do this and set up this process now through the next five, 10, or even 20 years, we will establish an ongoing industry which will carry us through and provide stability for trades, provide actual capital increase in value in people's homes and in businesses, and most importantly we will be heading down the road of conservation, which is the number one way by which to achieve energy security and prosperity in the near- and long-term future, not just here in Alberta but around the world.

Sometimes we get caught up in the glamour, perhaps, of certain high technologies. I don't want to somehow minimize the value of high technology and research because it certainly does a lot for humankind, but the implementation of certain practical technologies can serve us well and economically, and generally I think that is what I'm trying to suggest that we do focus on. Look at the development of the efficiency and the affordability of photovoltaic cells, the solar panels that we've seen around. They've been around for many, many years, but now suddenly they've become very affordable, and they've also become much more efficient than ever before. So for us to perhaps focus Economic Development on solar energy in this province, of which there's no shortage, perhaps save for the last couple of days, would be very wise to be making an investment in that economic development for the future.

The same with wind energy. We have made some strides in regard to wind energy in this province, but we seem to have hit a bit of a ceiling. It seems to be a very artificial ceiling, and the ceiling is being sort of presented there as just a prime target for economic development initiatives to break through. I would suggest, Mr.

Chairman, that in regard to actually building the physical turbines that we use to develop a field of wind turbines, to actually build the structures here in the province would be a wonderful investment – most of them come from Europe otherwise now – and also encouraging a grid network that can move the wind energy in a more reasonable way throughout different parts of the province where it's windiest, I suppose, allowing us to increase our capacity to in fact rely on wind energy. Once we build those things, once we invest economically in those sorts of structures, then they're there for a long time, and we realize the profits for a very long time as well, similar to investments that different provinces made in the hydro parts of producing electricity in eastern Canada.

So there's a whole range of ways by which we could encourage economic development in a very reasonable way, I suppose. I would encourage that we do in fact do that in the near- and middle- and long-term future here in the province.

My next set of comments, I guess, in regard to both film and tourism is a concern that I have – and I know that it's just something that we're on the cusp of now, but I can see a greater problem in the immediate future – and that is the rapid environmental degradation of certain areas in our province. When we look at them, they're sort of irreversible and lead to the province, or certain areas, being less attractive to tourist development.

Let's use for the purposes of an example the eastern slopes of our Rockies. While it's certainly some of the most spectacular scenery in the world, Mr. Chairman, I think that there's so much activity in regards to the oil and gas industry and forestry and different types of economic development in these areas that we have to stop and think: what we would want the eastern slopes to look like in the next 20 or 30 years? We know that that's a prime place for tourist development, and it's a prime place for the film industry to sell the province. Whenever you see the promotional activity or certain films that are very successful – people are talking about these cowboy films, but I remember back a few years ago, 20 years ago or so, you know, there was a large Japanese film interest, again, in the eastern slopes of the Rockies. They were making these epic Japanese films there because of the unbelievable beauty that we see on the eastern slopes.

Are we planning to ensure that the future integrity of these places is going to remain so that we can sell it as a tourist attraction and as a film destination, or are we going to compromise that through the, sort of, degradation of these places through energy extraction and forestry? We have to just be careful about that. I'm certainly not saying that it has entirely happened already, but it's a balance that we have to be aware of.

Talking about diversity, I know that we've spent a fair bit of money and effort in regard to high technology, but what I'm seeing from a number of different high-tech sectors is that it seems to be an industry that is in jeopardy. There are some specific complaints coming from different sectors saying that while energy companies seem to have the ear of the government, the different start-up companies in terms of biotechnology and nanotechnology and electronics are having a hard time.

**9:00**

My concern, Mr. Chairman, is that these industries are very mobile. Cities or certain parts of the world that set up a critical mass of these sorts of things are usually more likely to be able to nurture and develop these industries along. So it's very important that we invest now in our capacity to produce not only research and tax support for high-tech companies but also to produce a culture of learning that will produce these scientists and entrepreneurs homegrown here in the province. Because, of course, if they are homegrown, they're much more likely to stay in the province of

Alberta rather than move to other world global centres of biotech or such things like that. It is incumbent upon us in the short term to give tax incentives and tax breaks to high-technology companies so that they can maintain what they have built over the last few years, but then in the long term to invest heavily in our postsecondary institutions and allow for pure research so that we are producing these talents homegrown, where they're more likely to stay. I think that's important.

Just on that same note of building sort of a critical mass for people to be attracted to stay in our urban centres, I think it's important in terms of economic development to encourage specifically development of our arts communities. I know you'll say that it's outside of your ministry, but we can use economic development to target something we want to grow very quickly – right? – sort of like fast-tracking a certain concept through the budget process. I think our arts community is just crying out across the province for proper investment and funding so that we create a world-class arts scene. That is part of creating that critical mass that makes a city into a great city, a world city, and makes other communities into places that are more likely to attract and keep immigrants in our province.

We have no shortage of people coming here to work, but it's so often this short-term, make a quick buck in Alberta's oil patch kind of phenomenon that we're seeing again. While, certainly, there's nothing wrong with that – we need to have lots of workers coming here – we also need immigrants that are going to stay. The shortage of workers that we have in the province is critical, and I would suggest that it's partly critical because Economic Development needs to focus more on people not just coming to work for a few months but people who are going to stay here for a long time, you know, perhaps the rest of their lives, and raise a family.

It is, I think, incumbent upon Economic Development to do this, working with immigration, working in liaison with the feds to create a circumstance by which people are not just being brought in here. I guess the most crass example of that is this temporary foreign worker thing, which seems to be the antithesis of any real economic development because you are bringing these people in for a very short period of time to build a certain structure, let's say. But, you know, in regard to building a larger social fabric that we can be proud of and otherwise populating the province, because we do need people in a raw sort of way, it seems to be going completely against that. So I do have a problem with that.

Thanks a lot for the opportunity to make some comments.

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

**Mr. Agnihotri:** Thank you, Mr. Chairman. It's my great pleasure to rise and participate in the estimates of Alberta Economic Development. Political democracy without economic democracy is a myth. This is all we are talking about if we don't have economic development. We talk about democracy in some other aspects. I mean, that's not as important as the development in Alberta first.

I have a few questions from the business plan. Page 122: Travel Alberta Secretariat, line 3.0.1, is increasing by 47 per cent. Can the minister provide some more details for this significant budgetary increase? What are the reasons behind it? Where specifically will the money go, and what tangible result can Albertans expect to see from this increase? How will the success of this increase be measured?

Page 122, the same page, line 3.0.4: the in-Alberta/regional marketing budget is up 99 per cent from two years ago. Can the minister comment on this increase? If the increase pertains to the hotel levy, is this increased spending from the 1 per cent hotel tax now being collected by the industry?

The next page, 123, line 4.0.5: the budget for emerging opportunities is down 23 per cent from last year. What is the cause for this decrease, and what kinds of industries or businesses will the decrease affect on this one? Shouldn't the Ministry of Economic Development be seeking emerging opportunities, not turning away from them? This decrease is disappointing and exhibits a lack of economic leadership in this government's plan.

Mr. Chairman, I met delegates from my constituency the other day. They asked me lots of questions, mainly about diversifying the economy. We all know that this government doesn't have a surplus policy and that they are spending money like drunken sailors. Without a policy, I mean, what can we tell our children and grandchildren about the royalties we've received in the last 14 years? This is a big question, and I haven't heard anything from the government so far. If they have a plan, I would love to see it and pass it on to my constituents. They are worried. They keep on asking this question, and I have seen many articles in the papers about this one.

Next I move to the film industry and tourism. Alberta is a beautiful place. I mean, we have the Rocky Mountains, beautiful scenery and lakes. How come other provinces like B.C. and Ontario get more business? I know that a couple of film industries, Bollywood or Hollywood – I think two years ago the Minister of Education and the Premier visited the film industry in India. Most of the producers there are interested in making movies in Alberta, but they don't get incentives.

Are you guys listening? [interjection] Okay. Thank you.

Lots of producers in India and China are interested in making movies here, but they are attracted to Toronto or Vancouver because their provincial governments give them incentives to make movies or documentaries. I just want to ask the minister responsible what strategies they are making to encourage more producers for film industries or more tourists, to attract them to Alberta. This is a big industry, and we should not be totally dependent on our resources. Resources will last, say, maybe for 25 years. First of all, we should, you know, have long-term, sustainable policies on how we can diversify the economy and how we can plan for the future film industry or future tourist attractions for generations to come.

9:10

The next one I want to ask about is skill shortages. I saw it in the business plan, the goals and strategies of this department. I've heard of the PNP program. Could the minister give us some details of what progress has so far been made on the provincial nominee program and what other training programs we have for the future to increase skilled labour in Alberta? We should not be totally dependent on bringing some people from foreign countries. We still have lots of skills maybe outside of Alberta, and we should approach them. If they are attracted to Alberta somehow, at least we could reduce the rate of unemployment in Canada as a whole. We should concentrate on a training program in Alberta. This is very important for our children because time is running out, and we still have skill shortages, and it's not good news. I mean, we can make development on the economic side.

Now I'll move to international policy development. I have heard that some ministers travel outside Alberta, and they try their best to increase exports from Alberta. I want to know how much progress so far has been made for exports from Alberta in goods and services. It's very important for Alberta development. This business plan has the goals but not specifically the details of what so far has been done in this sector.

Investment in Alberta is another issue. I would like to know how much effort and how much progress has been made to attract some



more investment to Alberta from other provinces in Canada as well as from other countries so far.

I know that some other speakers covered lots of other areas. On the small-business side of economic development, I think that this sector suffered a lot in the last 10 or 12 years. I had the opportunity to meet some people with small businesses, and they are still waiting for some initiative by this government so that they can recover the losses they had in the last 10 to 12 years during recession times, and they are suffering.

I want to mention two industries. The first one is the fibreglass industry. A couple of days ago the Leader of the Official Opposition mentioned this in the Chamber. He raised the question about that industry. They are losing millions of dollars because of a lack of supply of electricity. I mean, if we have the proper policy, if we have a task force looking after individual industries, I think, if we have efficient government, they should right away look into that matter and solve the problem so that they could recover their losses which they have suffered so far. This question has been raised and the media covered it all over Alberta. It's a very serious thing. If we have to develop the industries, we should look into it and help them as much as we can.

The next industry I want to talk about is the Alberta book publishing industry. I raised this question I think last session. I think that the former Minister of Community Development and now the Education minister knows that. This is the policy. I mean, I met with them last Friday. This industry has been struggling for the last eight years. "Alberta book publishers face an increasing economic disadvantage when competing with publishers in other provinces, due to higher levels of support received from other provincial governments, notably in British Columbia, Ontario and Quebec" because they give them incentives. Alberta is the only province – you know, this industry is the pillar in the arts sector.

**Mr. Backs:** They're crying for a level playing field.

**Mr. Agnihotri:** Yeah.

They consist of artists. Now they have a plan: for three years a pilot program. They are only asking for \$15 million in three years' time if this formula works. After this three years they can right away increase output by 10 per cent. It's not bad. I mean, they are creating about 700 jobs, and very importantly it's the arts sector. The arts sector is already suffering for funds. They don't get enough funds, nor sufficient incentives. Lots of Alberta-based book publishing companies are forced to sell their business to the east, Ontario companies, due to the lack of provincial arts funding. This is very serious. We can afford that. They have the right plan.

I think a couple of days ago I discussed with the new Minister of Community Development. I will sit down with him and discuss this program. I think that if we help the industry like this, it will be beneficial not only for this reason, but it is beneficial for Alberta. When I asked this question of the Finance minister, she agreed that they have accomplished great things in Alberta. So if this industry has accomplished and they are creating revenue and they are creating some jobs, \$15 million for a three-year plan is not a bad idea. According to them, if they increased business 10 per cent the first year, after three years they will increase another 20 per cent. I mean, it's a good plan, and we should make some effort to help this industry. This is the plan. I'm going to show it to the Minister of Community Development.

9:20

The second reason, according to the book publisher, is that they didn't get a grant from the Alberta government for a long, long time.

They had to shut down the business. Then they moved because it always happens that the big fish eat the small fish. This is what happened with this industry. Some of them are definitely moving if the government doesn't support them. I want to see that industry stay in Alberta: the writers, authors. If we can afford it, we should keep everything Alberta makes. Not all books should come from Ontario or B.C. Why can't we keep them in this, our own province? They sacrificed during recession time, they struggled, and they are doing reasonably well.

Now, the fibreglass company, as I mentioned, is losing business because of the lack of supply of electricity. I mean, it's a small thing. Why doesn't the government consider their urgency and help them to progress in their business? What we need is an industry like this. There are a number of other industries who are struggling.

What we need is a long-term, sustainable policy for the future development of Alberta. Unfortunately, I haven't seen any surplus policy so far. The Liberals have their own surplus policy. Some of my colleagues have already mentioned many times that the government must have a surplus policy. They should have a savings policy. I'm glad that the government has been able to save \$1 billion for the heritage savings trust plan, which is good news, but . . .

**Mr. R. Miller:** But they took a billion out at the same time.

**Mr. Agnihotri:** A billion out, yeah.

Still, suppose that we received \$130 billion in royalties over the last 12 or 13 years. If we had a good plan, if we had a long-term plan, instead of giving \$400 cheques to the public, we could have given them a thousand dollars every year. But through the lack of government policies, it is not for us. I mean, it is the Alberta taxpayer losing it.

Thank you.

**The Deputy Chair:** Hon. member, the 20 minutes allocated has now run out.

The hon. Member for Edmonton-Gold Bar.

**Mr. MacDonald:** Thank you very much, Mr. Chairman. I appreciate the opportunity to participate in the budget estimates for Economic Development this evening. Certainly, I would like to echo comments that previous members of this House have made for the minister, and we can only wish him a speedy recovery in his illness and look forward to seeing him back in the Assembly and back active with his ministerial duties. We can only wish him the very best.

Now, I listened with interest to the hon. Minister of Gaming in his discussions and descriptions earlier in the debate. I can't help but bring this up, Mr. Chairman. The hon. minister was talking about Economic Development. Certainly, it caught my eye in this morning's paper, where there was an acquisition of property by Shell around, I think, the Seal area in the Peace River district. Shell plans to develop significant bitumen production facilities in that area of the province. In previous Economic Development debates we were talking about this and what the government was going to do.

I think the government should be commended for the twinning of the majority of the highway between Edmonton and Grande Prairie. I think that when you look at the Grande Prairie region, the Peace River district, and you compare it to the booming economy in Fort McMurray and the fact that now the road from Edmonton to Grande Prairie is twinned with the exception of a stretch around Mayerthorpe and also a stretch the other side of Valleyview that goes through the Sturgeon Lake First Nation, that has, in my view, been a significant economic contributor to the Peace River region.

What else is this government going to do to promote the economic development of the bitumen resources that are located around the Peace River district? I'm sure that there are plans. The previous Minister of Economic Development certainly nodded his head and thought it was a good idea to diversify some of our synthetic crude production, our bitumen production, from the Fort McMurray region further west. If the minister could give us an update on that, I would be grateful.

Also, you know, the previous Minister of Economic Development, Mr. Mark Norris, could use this road himself now if it was built to travel from the Peace River district across to Fort McMurray selling PC memberships for the leadership race. That road hopefully is in the planning stages, hon. minister, the road from Fort McMurray west across to the Peace River district. I don't know whether it would dip south to pick up the Wabasca community or whether it would go just straight across, but I think it's time that we looked at building an all-weather road from Fort McMurray straight west across to the Peace River district. I wonder if we could get an update on that proposal to see if it's in the planning stages.

Also, I think it would be to our economic advantage to consider constructing a road from the city of Edmonton across to Nordegg and maybe even go as far as the Saskatchewan River crossing. If the Minister of Economic Development or the department is considering any of this, I would be grateful to be updated at this time.

Now, certainly when we look at this budget and we go through the fiscal plan, there are some areas that we can improve. One only has to look at page 97 in the economic outlook, the Alberta farm product price index. We look at the percentage of changes that are going on there, Mr. Chairman. This is a chart that is titled Border Reopens to Cattle But Crops Struggle. That is certainly the truth. If we look at crops, there has been a significant decline of 22 per cent, and that's only in the year 2005.

9:30

Now, the U.S. border, Mr. Chairman, reopened to Canadian live cattle under the age of 30 months last July, allowing Alberta to export over 200,000 live cattle to the United States in the rest of the calendar year. Livestock prices have improved since the opening of the border but were down 10 per cent for 2005, the fourth consecutive annual decline. The previous year was 4 per cent, the year previous to that was 8 per cent, and in 2002 it was 5 per cent.

[Mr. Webber in the chair]

For the second year in a row poor harvesting weather affected the quality of crops in some parts of the province, raising inventory levels from two years of high crop production combined with reduced crop quality and a world oversupply of grain, causing prices to fall 22 per cent in 2005. So we certainly had some work to do to turn around our Alberta farm product price index. I would like to know what initiatives in co-operation with the Department of Agriculture, Food and Rural Development the Minister of Economic Development is taking to reverse this rather dismal economic trend.

Also, Mr. Chairman, whenever we look at the economic outlook in the fiscal plan – if we look at page 99, we see Alberta – The Destination of Choice. Certainly, other hon. members have talked about this. It is worth noting one of the strategies that is discussed in the business plan for Economic Development – again, this is on page 119 – the significant opportunities and challenges that lie ahead. Well, one of the challenges is providing skilled workers. Now, that's a significant challenge, and this narrow-focused, narrow-minded idea of importing temporary foreign workers is wrong. It is poorly thought out, and I think it is just pandering to

some special interest groups that are isolated even within the production of synthetic crude oil.

If we look at Alberta – The Destination of Choice, the net interprovincial migration to Alberta, we can go back 10 years if we wanted to, but when you look at the migration into this province and compare 1998 to what is occurring now, it is down significantly. In 1998 there were close to 45,000 people who came from other parts of Canada to Alberta. But we look even at last year. As reported in this chart, there were 16,615 Canadians moving to Alberta, so that's a significant reduction. I would like an explanation from the department as to why this has happened.

We are creating more and more jobs in this province, and you would think there would be more and more Canadians interested in settling down here to raise their families, but that doesn't look like it's occurring, certainly not like it was in 1998, 1999, even through to 2001. So what are we doing to increase migration from other parts of Canada to Alberta to meet our manpower needs, and why are we allowing the recruitment and the retention of temporary foreign workers? I use that word "retention" rather lightly.

Now, Mr. Chairman, I have a lot to cover here in the time that I have, and I want to spend some time on travel expenses because that's noteworthy. I may run out of time, so I think we'll get right to that.

I had a look, Mr. Chairman, through the *Alberta Gazette* at part of the last fiscal year for Economic Development. This is for amounts for hosting expenses over \$600. I would like to know what plans the department has for this budget year because as we look through this *Alberta Gazette*, Economic Development, certainly, was a very gracious host around the world and in this province. Now, we can travel through from Chicago, Illinois, to Tokyo to Seoul, South Korea. We can go back to Edmonton, Alberta, and it never seems to end with this department. I realize that we have to play the host on occasion and we have to meet with trade delegations and we have to meet with other foreign dignitaries and show them around the province and market our province and its people and its manufactured products – I'm not saying that – but what kind of control have we got on this?

Now, we look at the Korea/Alberta reception. Our "Premier spoke to Korean guests (government and business) on Alberta opportunities. To increase the awareness of Alberta to potential Korean investors." This dinner was over \$5,000.

We had another dinner here. This one was, I believe, in June 2004. The "Canadian Chamber of Commerce Annual Surf-and-Turf Gala Dinner (provided Alberta Beef for the dinner)." That's fine, I guess. At the height of the BSE crisis that was maybe a good thing to do.

We have another function here, this one in Mexico City. I must have missed something here because it looks like it's "Aboriginal Leaders' Roundtable on Tourism." That must be from the next line item.

Let's go on to China, and this is "Inbound European Union Organics Mission Luncheon and Dinner," \$1,500.

Here's one: a "British All Party Parliamentary Rail Group Reception." An all-party committee from Britain on railroads: well, that's novel. This was a \$3,300 hit to the taxpayers.

Here's another one in Economic Development, Mr. Chairman, for \$1,400, and it says: "Strategic Tourism Marketing Council (STMC) Meeting."

We have another one, a dinner to provide 40 delegates attending the Canadian Tourism Commission Research Committee meeting. That was for a round figure of \$1,600.

The "Canadian Chamber of Commerce Thanksgiving Gala

Dinner,” networking opportunities for Canadian and Mexican business leaders, \$1,100.

Here’s another one, “to provide an opportunity for Japanese businessmen and media to meet with the Alberta delegation to obtain further information on oil sands opportunities” – I wonder if they have ever heard of the Internet there – 2,700 bucks for this.

[Mr. Shariff in the chair]

Now, there are a lot here, and there are a lot of them in Mexico. Here’s another one: “Incoming Mexican Buyers Mission Dinner . . . to introduce Mexican buyers and guests to Alberta’s industry contacts with the purpose of facilitating trade and increasing awareness of the potential in the Mexican market,” \$941.

**An Hon. Member:** So you think that’s good or bad?

**Mr. MacDonald:** I would like details on this, hon. minister, before I could determine whether it was good or bad. Perhaps that’s a mission for the Minister of Restructuring and Government Efficiency.

The “Opportunity for Undersecretary of Mexico, Juan Elivira Quesada, to meet with Alberta organizations” cost us \$800. Another lunch or a dinner with this gentleman around the same time cost \$700.

9:40

The “Alberta Catalogue Show”: we spent 1,500 bucks there.

The “Alberta Visitor Information Providers Conference” in Shanghai, China: I believe this cost us roughly 2,500 bucks.

Now, this is one that I would like an explanation on, and I would like to know in this budget year if we’re going to continue this practice: the “Alberta Korea Office Clients . . . Appreciation Night.” The purpose of this reception was

to thank Alberta’s key Korean clients and to provide an opportunity for Korean business organizations to meet with those who have established business relations with Alberta companies so as to encourage more South Korean investment in Alberta as well as increase Alberta trade into Korea.

This cost 6,500 bucks, and I bet the Koreans appreciated the taxpayers picking up this tab. I wonder if the minister could comment on whether appreciation nights like this are going to continue in this fiscal year.

The “Minister’s Mission to Germany.” Germany is a vital trading partner, there’s no doubt. This was a \$2,700 meeting.

Now, the “Minister’s Mission to the United Kingdom”: that was a \$9,000 tab.

I read about this in the *New York Times*: the “Hydrocarbon Upgrading Workshop” that happened in London, England. We spent 3,100 bucks there at a function, and then there was a follow-up meeting in Calgary. We’re a little closer to home. We spent \$1,000 less. We spent \$2,100.

The “Canadian Oil and Gas Business Development Mission to Mexico,” the annual 2005 trade show in Veracruz – is that by the ocean? – \$2,500 for that.

Another one, now, that I hope isn’t repeated, Mr. Chairman, in this fiscal year, but in February of 2005 at Veracruz, again in Mexico, the “Alberta Canada Maple Leaf Bakery Networking Reception.” The purpose of this \$4,000 bill was “to increase awareness of Alberta bakery capabilities, which would lead to increased sales in Japan.” Is that possible, that we would be having a function in Mexico to increase sales of baked goods to Japan? I’m finding that a little hard to believe, and I’m wondering if the computer didn’t mess it up somehow, printing off the *Alberta Gazette*. I don’t see the value of this. I really don’t. I’m sorry.

Now, the “Alberta Catalogue Show & Canola Seminar,” which occurred in one of China’s major cities, Guangzhou, \$3,300. Here’s another one in the same city for \$1,100.

It goes on and on and on. There are a couple of more pages of this, and my time is going to run out here.

But Travel Alberta, these outlook workshops, what kind of value are we getting for that? Are we seeing an increase in tourism here?

**Mr. Graydon:** Are they pork chops or workshops?

**Mr. MacDonald:** They’re workshops. But the ultimate objective of the workshop should be to enhance tourism opportunities because the whole thing started off in the city here, in the capital city, the Strategic Tourism Marketing Council meeting. If you add up all these catered functions or whatever, it’s a significant amount of money.

Then we took the show on the road, and we went to China. That cost us \$3,500 at a meeting of tourism industry operators. I would like to know who went on that, and did we send any representatives from the ski industry, the downhill ski industry in particular? Since the American dollar has increased in value, I understand that there are a lot less American skiing in the national parks. What are we doing to create another market?

Thank you.

**The Deputy Chair:** The hon. Member for Edmonton-Rutherford.

**Mr. R. Miller:** Thank you very much, Mr. Chairman. First of all, I, too, would like to add my voice to those expressing their good wishes to the Minister of Economic Development. We hope he continues to do well in his recovery and look forward to seeing him back in the House as soon as possible.

Mr. Chairman, on to the estimates as they are in front of us tonight. One of the frustrations that we in opposition often have is the difficulty in getting answers to our questions. Last week in this House when we had the Minister of International and Intergovernmental Relations speaking to his estimates, I asked him some questions on some information that came right out of that department’s fiscal plan. His answer was that those questions were really more relevant to the Ministry of Economic Development. I found that to be interesting given that they came out of his book, but nevertheless I did commit that I would ask those questions again tonight.

It has come to my attention that a lot of preliminary work has been done on the feasibility of establishing a trade office in the Middle East. As I mentioned, I was going through the annual report from the IIR ministry for the year ’04-05, and they have a result analysis in there on initiatives in the Asia/Pacific region, including China and Korea; initiatives in Europe, both in Germany and the Ukraine; and international governance offices in China, South Africa, Russia, and Mexico. But, Mr. Chairman, there was no reference to offices in the Middle East or North Africa.

That did cause me to wonder whether or not, in fact, we might not be missing some opportunities in the Middle East given the fact that Alberta is certainly recognized as a world leader in the oil and gas sector, in particular, but also in other areas. Given the amount of oil and gas activity that takes place in the Middle East and given the current world political climate in terms of the favourable manner in which Canada is looked upon as opposed to the United States by some of the countries in the Middle East, I thought that it was an appropriate question to ask.

So the specific questions that I asked last week and would like to

ask again today – and I understand that the Minister of Gaming is standing in tonight for the Minister of Economic Development and wouldn't necessarily have the answers to these questions at the ready, but I'm hoping that some of the staff that are up in the members' gallery tonight will be able to provide some written answers to some of these questions for me in the days ahead, preferably before the end of what would appear to be a soon-to-be-ending spring session, Mr. Chairman.

The particular questions, then, would be as follows. I would like to ask this minister or the ministry what exactly they are doing to actively pursue economic opportunities in the Middle East, particularly trade relations with Alberta's oil and gas sector. Also, when was the last time that the Alberta government ran an economic trade mission to the Middle East? The Member for Edmonton-Gold Bar was just running through the list of visits to several countries. I'm not recollecting that he mentioned a trip to the Middle East.

**Mr. MacDonald:** No, I didn't. I didn't get that far.

**Mr. R. Miller:** I'm curious: when was the last time that we did that? Perhaps, if the member had not run out of time, we may have had the answer right there.

I'm also looking for an answer as to whether or not there is currently a plan in place to open a trade office in the Middle East. My understanding is that, in fact, the agriculture minister in the past has spoken out in favour of such an idea, not necessarily in favour for the Department of Economic Development. So I'm a little bit curious as to what might be happening there. So those are a few questions.

Then further to that, as I was doing some research on this, I noted that – well, I mentioned already the energy sector, but certainly agriculture I've just touched on. I do believe that there are other opportunities in terms of forestry, education and training, research and technology, communications, tourism – the minister talked about that – strategic alliances, and joint venture projects. Most of these countries in this area of the Middle East and North Africa import anywhere up to 90 per cent of their products and equipment, including labour, engineering, and other services. Several of those countries, in fact, are proceeding with privatization and market liberalization and diversification of their manufacturing sectors. Again, it's simply a question of whether or not we should perhaps be looking at spending some time, energy, and maybe even some dollars promoting further economic development and trade with that part of the world as opposed to concentrating on only some of the other countries that have been mentioned both in my comments tonight and by the Member for Edmonton-Gold Bar.

9:50

So I will leave that with the minister and the staff upstairs and would look forward very much, as I suggested, to receiving some response to that in the coming days so that we can have that in front of us before we deal with the appropriation bill in its entirety.

Thank you very much, Mr. Chairman.

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

**Mr. Backs:** Thank you, Mr. Chair. I'd just like to build on some of the comments about questions from the *Alberta Gazette* from January 14, 2006, regarding some of the expenses noted by the Economic Development ministry. For the function of the "International Business Roundtable," which was a forum to provide information on Alberta Economic Development's strategies to the consular corps – now, they're a good bunch of fellows in Alberta –

and that looks to be the consular corps in Edmonton. That was \$2,191. I just wondered what sort of information was being provided to the consular corps and what sort of expenses were brought forward in that.

Another event was a function in Munich, Germany. It was "Tourism Services Spring . . . Training" for 2005 to provide some counsellor training, I guess. The amount of that was \$2,630.80. I just wondered: which were the people being trained, and what was the type of training that was provided? If we could get some detail on that.

Another is the "Tourism Services Regional . . . Training" for 2005, and that one went up for \$3,507.16 in Jasper. That looked like a nice one. I'd just like to see what that was all about: how many attendees, and what was the nature of the training that was provided? What was the purpose of this?

Another function was the monies given to the "Canadian Chamber of Commerce Annual Gala." The purpose of this was slated to be the opportunity to identify business and other things with Mexican decision-makers, and \$4,843.26 was supplied for that. I just wondered why so much money was given for that particular area.

Mexico seems to be a popular site sometimes. There's a function in Mexico City for the presentation "to market Alberta as a film location:" \$8,211.94. That looks like a nice event, and I just wondered if we could have some details on what was brought forward in that particular meeting. What was the rationale behind having that?

Now, there is the "Travel Alberta Team Conference." The reason for this was to develop working relationships between various aspects of the government that deal with travel, and \$4,621.33 was spent on that. That's an interesting one. Why was this brought forward? It sounds like a good party. It lasted for two days in Red Deer.

Another was the reception in Alberta's Japan office that cost \$6,358.85 to the Alberta taxpayer. It was to "mark two significant milestones in Alberta-Japan relations." The 35th anniversary that it's been there, I guess. Spent some bucks on it. Good party.

Another dinner, for incoming buyers from Portland, Oregon, on September 22, 2005, where \$1,152.27 was spent to "capitalize on business opportunities." Well, that sounds like something pretty capital. I just wondered what that one was all about.

I'd like to mention a few things on some of the aspects of economic growth, which is really a core factor in the whole scope of economic development. One of the great things about economic growth, of course, is the access to capital. Many people in Alberta think that the access to capital is something that is really easy here, certainly in the oil and gas industry. We've had tremendous access to capital for the conventional oil and gas industry, as has been especially opened up in the oil sands in the last couple of years with \$60, \$70 oil and also with the original royalty structure that came in in the mid-90s in the federal/provincial agreement that encouraged the growth of the oil sands.

I remember that for a long time Syncrude Canada had a point looking at their North mine which was called Chrétien point. The federal and the provincial governments worked closely on establishing that, and I think that Anne McLellan was very instrumental in bringing that one forward. We've seen a lot of investment monies. Oil sands trusts have made the area of oil sands investment something of an investment salesman's dream. Capital has certainly been flowing into this important area of our economy. But we continue to be a difficult market for venture capital investment for areas other than oil and gas and related petrochemical ventures. We need to establish some way to encourage new venture capital.

One way that has seen some success in other provinces over many

years is the labour-sponsored venture capital funds. The beauty of these funds is that they provide capital for beginning ventures and also provide a tax break at the same time. I spoke some time ago with a nutraceutical entrepreneur who is set up in the mid-west U.S. because of the availability of venture capital in the mid-west states. If I look at chart 2 on page 120 of the business plan, venture capital as an innovation indicator is so far down that it is almost not on the chart. We also look at R and D intensity on that chart, which is also way below average, and certainly private-sector R and D intensity in Alberta is way below average and is something of a concern. If we were to factor out that R and D intensity on oil and gas, it would become – well, it is a matter of huge concern.

Talking about the nutraceutical entrepreneur, now, this guy is from Edmonton. He still remains a proud Albertan, lives in Alberta, and says that he would have located in Alberta if he would have had access to a fund, and he specifically named the labour-sponsored venture capital funds. It is sad that Alberta is one of the few areas that does not provide this tax break and does not move to grow a pool of venture capital in this way, that will grow business outside of the booming oil and gas areas.

We have to look to the future. This government has little or no interest in providing tax breaks for a lot of the workers and tradesmen building our province, building the major projects, working on the pipelines, working on the oil and gas, making some big bucks and paying the full tax rates, as they are right now. It would be nice to give them a tax break. They still are providing huge dollars in their taxes to the Alberta treasury. It would be nice to see if they could provide a little bit of venture capital for new businesses. They have moved to do so in a number of areas in the past in other provinces, and I think that it's incumbent upon this government to begin to look at that.

Another area, of course, is the development of our labour force. I see that the Economic Development department has looked to try and encourage . . .

**The Deputy Chair:** I hesitate to interrupt the hon. Member for Edmonton-Manning, but pursuant to Standing Order 58(4), which provides for not less than two hours of consideration for a department's proposed estimates, I must now put the question after considering the business plan and proposed estimates for the Department of Economic Development for the fiscal year ending March 31, 2007.

Agreed to:  
Expense and Equipment/Inventory Purchases      \$102,864,000

10:00

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

**Hon. Members:** Agreed.

**The Deputy Chair:** Opposed? Carried.

**Mr. Zwozdesky:** Mr. Chairman, I would move that the Committee of Supply now rise and report the estimates of the Ministry of Economic Development and beg leave to sit again at another time.

[Motion carried]

[Mr. Shariff in the chair]

**Mr. Webber:** Mr. Speaker, the Committee of Supply has had under consideration certain resolutions, reports as follows, and requests leave to sit again.

Resolved that a sum not exceeding the following be granted to Her Majesty for the fiscal year ending March 31, 2007, for the following department.

Economic Development: expense and equipment/inventory purchases, \$102,864,000.

**The Acting Speaker:** Does the Assembly concur in the report?

**Hon. Members:** Concur.

**The Acting Speaker:** Opposed? So ordered.

head:

**Private Bills  
Committee of the Whole**

[Mr. Shariff in the chair]

**The Deputy Chair:** Hon. members, we'll call the committee to order.

**Bill Pr. 1**

**Burns Memorial Trust 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 Calgary-Lougheed.

**Mr. Rodney:** I'd like to call the question, Mr. Chairman.

[The clauses of Bill Pr. 1 agreed to]

[Title and preamble agreed to]

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

**Hon. Members:** Agreed.

**The Deputy Chair:** Opposed? Carried.

**Bill Pr. 2**

**Mary Immaculate Hospital of Mundare Act**

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

**Mrs. Ady:** Thank you, Mr. Chairman. On behalf of the hon. Member for Red Deer-North I move that Bill Pr. 2 be amended. I think that has been circulated throughout the House.

**The Deputy Chair:** The hon. member has moved an amendment, which we shall refer to as amendment A1. I believe the amendment has been circulated, and it is also being circulated as we speak. Does anybody wish to participate in the debate on the amendment that's before the floor?

**Hon. Members:** Question.

[Motion on amendment A1 carried]

[The clauses of Bill Pr. 2 as amended agreed to]

[Title and preamble agreed to]

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

**Hon. Members:** Agreed.

**The Deputy Chair:** Opposed? Carried.

**Bill Pr. 3  
Edmonton Community Foundation  
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 Peace River.

**Mr. Oberle:** Thank you, Mr. Chairman. It's a privilege for me to rise tonight on behalf of the hon. Member for Edmonton-Castle Downs to initiate discussion on Private Bill Pr. 3, the Edmonton Community Foundation Amendment Act. To open the discussion, I would like to table an amendment that I believe has been circulated already.

**The Deputy Chair:** Hon. members, there is an amendment on the floor, which I believe has been circulated. Are there any comments, or does anybody wish to participate on the amendment that's before the floor? The hon. Member for Edmonton-Rutherford.

**Mr. R. Miller:** Thank you. Just very briefly, I'm wondering if the mover of the amendment might be able to share with us the reasons for the amendment rather than just presenting the amendment because, Mr. Chairman, you will be aware that not all members of this Assembly sit on the Private Bills Committee. In fact, some of us haven't had an opportunity to review the bills. I'm assuming that there's a logical reason for this, but I wouldn't mind a very brief explanation, if possible, as to the reason why this amendment has been brought forward.

**The Deputy Chair:** The hon. Member for Peace River.

**Mr. Oberle:** Mr. Chairman, thank you, and thank you to the hon. member. I don't myself sit on the Private Bills Committee. My understanding of this amendment is that these are housekeeping items that arose as a result of the debates and the presentations in the Private Bills Committee. They were agreed to by the committee and by the Edmonton Community Foundation Act. I would remind the hon. member that this act only applies to that community foundation. It is not a public application.

Question.

[Motion on amendment A1 carried]

**The Deputy Chair:** Does anybody wish to participate in the debate on the bill as amended? The hon. Member for Edmonton-Calder.

**Mr. Eggen:** Thanks, Mr. Chairman. I just wanted to make some very brief comments on the excellent presentation we had in regard to the Edmonton Community Foundation coming forward to present this private bill and the very good work that they do in our community. It's a remarkable foundation, and if there's any way by which we can ensure the smooth functioning and funding of this foundation through this Legislature, I would certainly be always in absolute favour.

The Edmonton Community Foundation administers a total of almost 400 separate charitable funds that extend not just through

Edmonton but throughout the province. They do innumerable good works for people in need and various philanthropic projects that make our city a better place. For example, I believe that just in the last year or so they've had the establishment of 30 new funds. So you can see that it's a very dynamic group, and I'm proud to have it as part of the city of Edmonton.

10:10

**The Deputy Chair:** Anybody else? The hon. Member for Peace River.

**Mr. Oberle:** I just would like to thank the hon. member for his comments and then call the question.

[The clauses of Bill Pr. 3 as amended agreed to]

[Title and preamble agreed to]

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

**Hon. Members:** Agreed.

**The Deputy Chair:** Opposed? Carried.

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

[Mr. Shariff in the chair]

**Bill 36  
Securities Transfer Act**

**The Deputy Chair:** Are there any comments, questions, or amendments to be offered with respect to this bill? The hon. Member for Grande Prairie-Smoky.

**Mr. Knight:** Thank you, Mr. Chairman. Again, I'm pleased to have the opportunity to speak to Bill 36, the Securities Transfer Act, 2006. There are a number of House amendments that I'll address shortly, but first I'd like to say that I appreciate the comments made last week by the hon. members for Edmonton-Rutherford and Edmonton-Beverly-Clareview. Judging from what they said, I believe that they've done some research on this and understand the significance of this legislation. I would like to respond to their concerns and perhaps clarify some of the matters that were raised.

I have to confess, though, that the hon. Member for Edmonton-Rutherford did have me a bit puzzled by some of the comments because, of course, he does understand – and we agree – that it's taken an awful long time for this bill to come forward. But later there are suggestions that we wait for Ontario to adopt the Securities Transfer Act and observe their experience, and of course Ontario is in the throes of doing that. Our finding is that there are housekeeping items and amendments that they have to get along with in order to have the thing harmonized across the country.

I'm hoping that it'll help if I explain how this particular legislation came to be. It should be noted that the Securities Transfer Act project first originated in Alberta in 1993. The Alberta Law Reform Institute published a report on the transfers of investment securities, and the current version of the Securities Transfer Act is essentially a product recommended in a 1993 Alberta Law Reform Institute report. The Uniform Law Conference of Canada undertook this project in 1993 based on the report published by the Alberta Law Reform Institute. In 1998, Mr. Chairman, the Canadian Securities

Administrators Uniform Securities Transfer Act Task Force was struck. The transfer act was developed by the task force as a joint project with the Uniform Law Conference of Canada.

The Alberta government's Legislative Counsel worked closely with the task force, with some input from British Columbia and Ontario legislative counsels over the period from 1999 until 2002. During this period a number of consultative drafts were prepared and circulated to stakeholders, and in 2003-2004 the task force published successive drafts of the Uniform Securities Transfer Act together with extensive explanatory material as part of a major public consultation process.

During that process the USTA received strong and favourable support. Stakeholders, including securities and financial industry representatives and lawyers, urged prompt uniform implementation of the USTA. Mr. David Dodge, governor of the Bank of Canada, remarked that

provincial and territorial legislatures need to make the Uniform Securities Transfer Act a priority. Such an act would provide a sounder legal basis for the holding and transfer of rights in securities that are held in book-entry form, and would replace the current patchwork of legal rules in this area.

Raymond Protti, president and CEO of the Canadian Bankers Association, remarked that

we believe that the USTA initiative should be a priority of governments across Canada, and that the prompt passage of the legislation is important to the global competitiveness of Canada's capital markets.

In 2004 the Uniform Law Conference of Canada approved the English version of the USTA, and in June 2005 the USTA was reviewed by an interprovincial working group of government representatives with a mandate to review the drafting of the STA to maximize uniformity across the country. On December 1, 2005, the Securities Transfer Act was introduced in the Ontario Legislature, and other provinces, including British Columbia, plan to introduce a securities transfer act in 2006.

The hon. member is correct. It has taken a number of years to get to this point. However, the provisions of the Securities Transfer Act are complex. The Securities Transfer Act represents an important example of interprovincial co-operation in responding to the needs of Canada's capital markets. The process has been long because of the complexity of the subject and the fact that there is no precedent for uniform law of this type in Canada. As I indicated in first and second readings of the bill, stakeholders have expressed strong support for prompt, uniform implementation of securities transfer legislation in Canada, and the Securities Transfer Act provides for that.

During discussion at second reading the hon. Member for Edmonton-Rutherford raised a concern about enforcement of securities regulation. I also note that the hon. Member for Edmonton-Beverly-Clareview suggested that Alberta should work instead on a national securities regulator. These are certainly issues worth discussing, Mr. Chairman, but they're actually not relevant to this particular bill. Maybe it would help if I attempted to make it clear that the Securities Transfer Act is not securities regulatory law but commercial law governing the transfer of securities and interest in investment property. The Securities Transfer Act merely adds a modern legal foundation to support existing commercial practices.

The hon. Member for Edmonton-Rutherford also asked how much the Securities Transfer Act might save in administrative costs, and he noted that during second reading in the Ontario Legislature Minister Phillips remarked that the industry has estimated that implementation of the Ontario Securities Transfer Act, Bill 41, could save the securities industry approximately \$100 million to \$140

million. The figure cited by Minister Phillips is based on findings from a 2002 Cap Gemini Ernst & Young report commissioned by the Canadian Capital Markets Association. That study estimated the benefits associated with straight-through processing for securities transactions. The estimated benefits are for the entire Canadian securities industry.

Straight-through processing, Mr. Chairman, is the general term used to describe the elimination of manual or duplicative steps in the process of settling securities transactions. Basically, it's the efficient use of computer-based technology enabling the entire settlement process to be conducted electronically. Straight-through processing does not only reduce costs; it also reduces the number of risks inherent in the settlement process. The enactment of the Securities Transfer Act is a precondition to achieving straight-through processing. Many components of straight-through processing require a clear legal foundation for the indirect holding system, which is provided for in the Securities Transfer Act.

Mr. Chairman, I noted earlier that there are a number of House amendments being proposed for Bill 36. I wonder if I could have them circulated as I complete my remarks.

**The Deputy Chair:** Hon. member, you're making reference to some amendments, but we do not have them at the table. Do you have them in your possession?

**Mr. Knight:** I have one copy.

**The Deputy Chair:** Is it an original copy?

**Mr. Knight:** It is not. It's a draft.

**The Deputy Chair:** Well, we need to have the original in order for us to proceed. Would you maybe like to adjourn and then come back to the subject?

**Mr. Knight:** Mr. Chairman, could I adjourn debate? We'll have this matter attended to.

[Motion to adjourn debate carried]

**The Deputy Chair:** Hon. members, we shall proceed with the next item before us, and when we resolve this issue of the amendment, we may be able to come back to it.

10:20

**Bill 20**  
**Freedom of Information and**  
**Protection of Privacy 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 Edmonton-McClung.

**Mr. Elsalhy:** Thank you, Mr. Chairman. I rise tonight to participate again in the debate on Bill 20, which seeks to amend Alberta's freedom of information and protection of privacy legislation. Some members might recall that I have mentioned in this House time and time again that this bill packages something that is really good with something that is really bad. It's almost a 50-50 split. Of note, both the Liberal opposition and the ND opposition amendments to try to make this bill an easier pill to swallow have so far not met with success.

However, tonight I wanted to start by talking about section 7 in

this bill, which amends section 55 of the original act by renumbering it as 55(1) and by adding the following as sub (2). It reads:

- (2) The processing of a request under section 7(1) or 36(1) ceases when the head of a public body has made a request under subsection (1) and
- (a) if the Commissioner authorizes the head of the public body to disregard the request, does not resume;
  - (b) if the Commissioner does not authorize the head of the public body to disregard the request, does not resume until the Commissioner advises the head of the public body of the Commissioner's decision.

Now, it is no secret that applications for freedom of information requests are already lengthy and drawn out, and they basically take longer than what is stipulated in the current provisions. Rarely have we received a request within the stated timeline, and many reasons are quoted or given and many excuses. Sometimes there's a request for clarification. Sometimes it's a negotiation over the extravagant fees. Sometimes it might be a procedural requirement. Delays, stalls, whatever. We remember the very famous debate that people were having with respect to the government aircraft flight logs and whether, in fact, it was artificially delayed till after the November '04 election or whether that was just an inadvertent procedural backlog that kept it from being released. It still remains to be seen.

In essence, FOIP requests are now being reviewed. The people administering them or looking after them are usually first thinking about how to deny the request or how to delay it rather than, really, looking for ways to grant the request and sharing the information or releasing it. So it is already drawn out, and we don't need to stop the clock or make it any longer.

What this amendment seeks to do is to basically stop that clock, and nothing progresses until after the commissioner deems it to be worthy of release, and then the clock resumes. So it's not really counting the number of days, weeks, or even months sometimes that a decision of this nature is required to take.

With these brief comments, Mr. Chairman, it would be my honour to introduce an amendment which is basically calling on the Assembly and the esteemed members in this House to strike out section 7. In so doing, what we are trying to accomplish is to make it more palatable and to basically tell people that we have amended bad legislation to allow the good part of it to go forward. So give us the amendment; we'll give you the bill.

**The Deputy Chair:** Hon. members, we have an amendment being proposed by the hon. Member for Edmonton-McClung. This is amendment A3.

Does anyone wish to participate in the debate? The hon. Member for Edmonton-Calder on the amendment.

**Mr. Eggen:** Thank you, Mr. Chairman. I rise this evening to voice my support for this amendment labelled A3 from the hon. Member for Edmonton-McClung. He's moving that Bill 20 is to be amended to strike out section 7 in its entirety, and I certainly do agree with this.

In my time here in the Legislature I've witnessed quite a variety of frustrations in being able to get information in a timely manner. This one particular section of Bill 20 really does interfere with that timeliness. It's curious because I guess what often happens with bills is that if there is some less than savoury section that wants to be passed through, then somehow they attach it to some other pieces that seem more savoury or more acceptable. So this bill is kind of a patchwork of things that needed to be done and then specific sections that really do put roadblocks in the way of not only the opposition doing its job but the media and individuals accessing information as well.

You know, when we pause to think of what we do put out the most in this Legislative Assembly, it's all about information. For us to debate in a transparent and open manner: that's what the design of this particular room is for. It's the information that we're trying to clarify and make serve best the public interest. So by putting roadblocks in the way of information, certainly we are protecting the privacy of individuals, but we have to balance that with the freedom of information that's necessary for people to make intelligent decisions about the governance of this province.

Specifically, this section 7 of Bill 20 is really causing a great deal of interference in the ability for us to access information in a reasonable way. For example, we've been looking through questions and through FOIP requests for information concerning how the government is making decisions on the Public Affairs Bureau, and this is perhaps one of the great black holes of information, Mr. Chairman, in terms of the choices that are being made. I can recall a question that we looked at specifically in terms of the Public Affairs Bureau review committee from last year, where we asked for submissions received by the Alberta Public Affairs Bureau review committee from last year to this year, and we were rejected on this straightaway. You know, the idea that this information would somehow lie fallow and out of the reach of the public, the opposition, the media, and even historians as well for such a long period of time I find to be, well, very troubling.

**10:30**

I was speaking to a colleague of mine who is an historian and is working on his doctorate and looking at the history of health care specifically. When I brought forward to him that this section of Bill 20 was going to perhaps exclude information from its full disclosure for a period of up to 15 years, he was absolutely flabbergasted. While I thought that perhaps this section of the bill was something that existed only under the dome, in fact his comments made me realize that there are a whole range of people and professions who analyze information that are also going to be affected, Mr. Chairman, by this same information.

The timely manner by which we are able to analyze history helps us to move forward in a general way to make intelligent decisions about the future too, so for us to seal away information for such a long period of time really flies in the face of our alleged commitment to higher education and to research and pure research.

That leads me to my next comment, which is that this section 7, in fact, impedes the fair progress of democracy because, of course, you can only make sound decisions and have participation of the public in a reasonable way if there is the information put forward for them to make their decisions on. So if we are narrowing the scope of those decisions, then the very composition of democracy, which is for people to make evaluations and then to have individual choice, is severely limited and can be manipulated.

Certainly, that doesn't preclude the idea that democracy should be in any way curtailed on the basis of knowledge or information, but we're not doing democracy any service by building this sort of a freezer of information by not allowing the free dissemination of information through FOIP requests in this part of Bill 20.

I do find it to be somewhat difficult, and certainly the hon. Member for Edmonton-McClung has done us a service to point out that this in particular is causing us some difficulty and requires revision – really extraction in this case, and it's a very specific surgical extraction. It does not interfere with the integrity of the larger bill, which has some merit. Rather, it's just a nice sharp incision that's going to help us to carry forward and give out information in a reasonable and timely sort of way.

It's interesting because if we look across the country, Mr.



Chairman, there is general agreement that the Freedom of Information and Protection of Privacy Act that we have here in Alberta is among the most restrictive in the country to begin with, so for us to move past that rather dubious benchmark to a whole new league of secrecy is hardly the way to put up a good front. You know, when you look at things like section 7 and see how it curtails our access to freedom, eventually these sorts of things get out as a larger problem of governance that might cast a negative view of the province in terms of a place to do economic activity. If we are having some sort of favouritism, let's say, of a certain industry or of a certain company working in the province of Alberta and the government is somehow party or privy to that information but nobody gets to hear about it, then perhaps new businesses are less likely to consider investing in the province because they think: well, you know, there's this black hole that exists in terms of freedom of information.

It begs the question, Mr. Chairman: what are they hiding then? Maybe there is nothing, but maybe there is something. You know, this is part of a culture of openness that people expect in this day and age, in 2006, and international investors do certainly look at the viability of a government, the democratic functioning of a government as part of the criteria that they use to choose to make investments in the future. So as we look past our reliance on a hydrocarbon-based economy and our reliance on resource revenue and we're looking to diversify the economy, as we've been talking about earlier this evening, pieces like Bill 20 with section 7 in fact do send out the wrong signal.

I'm glad that the hon. Member for Edmonton-McClung did give us this opportunity to strike out section 7. As we go through and comb through Bill 20, there are a couple of other pieces that did stand out for me that also need some fine-tuning or tweaking or, in this case, a surgical removal.

With that, Mr. Chairman, I would defer to some other fine minds here to speak on the merits of this amendment. Thank you.

**The Deputy Chair:** The hon. Minister of Justice and Attorney General.

**Mr. Stevens:** Thank you, Mr. Chairman. I think that the hon. Member for Edmonton-Calder was referring to me in his last statement there, and I was listening to his comments with interest. I think it would be helpful to sort of go back and take a look at what section 7 is all about because I'm not sure that the hon. member's comments were wholly relevant to what is happening here. But, you know, that of course is a matter of debate, and I appreciate that.

In any event, amendment A3, that we have before us, is to strike out section 7 to Bill 20, which is amending the Freedom of Information and Protection of Privacy Act. In this particular case, section 7, which purports by this amendment A3 to be struck, is a purely administrative amendment. It's one which would allow the 30-day processing timeline for a FOIP request to stop while the commissioner makes a decision on whether or not it is appropriate to disregard a FOIP request. Before a public body can disregard a FOIP request, it must seek permission from the commissioner. These requests are rare, but they do occur. In the 2004-2005 period there were six such requests, and there were 10 in total in all of the previous three years. The decision to take away an individual's right to make a request is a serious one, and as such the commissioner consults with the FOIP applicant. Since the commissioner's consultation takes time, typically a decision comes after the legislated 30-day response time has expired.

The problem that this particular amendment in section 7 is dealing with is to ensure that the problem of complying with one provision of the act doesn't cause the public body to breach another provision, hence the comment that it is purely administrative.

In any event, those points clarify what section 7 is all about, and I would urge the House to defeat amendment A3.

**The Deputy Chair:** The hon. Member for Edmonton-Gold Bar.

**Mr. MacDonald:** Thank you, Mr. Chairman. It's with interest that I rise to participate in the debate this evening on amendment A3 as proposed by the hon. Member for Edmonton-McClung. Certainly, the entire bill, in my opinion, should be discarded by this Legislative Assembly. This is nothing more than the protection of the government from their own skeletons act. This is further increasing the government's ability to hide behind a wall of secrecy, not a veil of secrecy but in this case after 35 years a wall, and a thick wall at that.

The hon. Minister of Justice states, "Oh, no, this is purely administrative; there's nothing to worry about here," but I would like to hear, before we vote on this amendment, just exactly what the Privacy Commissioner thinks of this entire legislation. As the former FOIP critic from this side of the House I'm recalling that it was routine for the Privacy Commissioner to comment on legislation and certainly on issues surrounding privacy. I had not heard from the commissioner. I certainly would like to hear directly from the commissioner, perhaps in a letter from his office to all hon. members of this Assembly, exactly not only what he thinks of this bill but this section, the section that the hon. member would like to eliminate and eliminate with good reason.

10:40

Now, there are enough ways in the current legislation, unfortunately, for this government to get their way with a FOIP request. It has gotten so bad, Mr. Chairman, that sometimes I initiate FOIP requests and I just simply give up. I give up because I know that there are so many loopholes for the government to use to deny me access to information. Even when I'm willing to pay the high fees, the information doesn't come in a timely fashion. The government, I'm sad to say and very disappointed to say, has breached this act by not meeting time frames or deadlines.

When we look at A3 and we look at the role of the commissioner, the commissioner is really a ref. In this case with section 7 the referee came and occasionally does blow the whistle. But with this, play could possibly never resume, and I don't think that's right, and I don't think it's necessary.

I think that we should hear from the commissioner. I can't understand why on this legislation the commissioner is silent. I don't know what exactly that silence means. Perhaps the man agrees with this legislation. I certainly hope not. Whenever we look at this amendment, Mr. Chairman, and we look at FOIP laws in this province, we look at the principles and objectives of this act originally in 1994. It was supposed to be the flagship of an open and transparent government. It was the flagship act, but that is so far from the truth.

Now, freedom of information legislation is not new anymore to Alberta, but in the 12 years that we've had this legislation, there have been significant changes. I think that one of the benchmarks for access to information law in this province was the adjudicated matter that was heard by Justice T.F. McMahon going back to 2002. This was between the Member for Edmonton-Gold Bar, Alberta Justice, and, of course, the *Globe and Mail* and Alberta Justice. The *Globe and Mail* had some very fine lawyers involved in this file, and there was significant discussion on what should and should not be released in the matter of Stockwell Day and his legal bills. Now, the taxpayers paid the legal bills, and Mr. Day has gone on to Ottawa. Mr. Justice McMahon writes, "Access to information legislation is a means by which people get that information from sometimes reluctant government hands."

This is what we have to consider with amendment A3. This is another means by an old, tired government that is now starting to display paranoia as well whenever you bring this before the Legislative Assembly. This bill should not even come before the Assembly because this entire bill is wrong. What the hon. Member for Edmonton-McClung is doing is a repair job. It's a repair job, but it's not adequate.

Now, we have to remember what this access to information legislation is for, and we have to pay heed to the comments from Justice McMahon. Now, Justice McMahon goes on to say – and, all hon. members, if you would listen to this and consider supporting A3, I would be very grateful – that the second principle that has been used by this government is that the user should pay. Justice McMahon questions whether this principle that the user should pay is in the spirit of the access to information law. He goes on to say: in any event, it begs the question who the real user is.

As well, this act expressly provides for several exceptions to that principle, and here we are with another loophole for this government to use by going to the commissioner and asking for a halt to the proceedings, and if not a halt to the proceedings, well, we'll stop the clock on this for a little while.

Now, I sat on the parliamentary committee that had a look at this legislation, and there didn't seem to be any problems at that time. Section 7 didn't seem to be necessary at that time, so why are we doing this at this time if for no other reason than to allow this government to hide its skeletons? The Minister of Infrastructure and Transportation is shaking his head, but this government has a lot of skeletons. There's no doubt about that. The former Minister of Infrastructure and Transportation talked about them.

**An Hon. Member:** Maybe he had them, but I don't have any.

**Mr. MacDonald:** Now, the hon. minister is saying that maybe the former minister had some skeletons, but he doesn't.

**The Deputy Chair:** Hon. member, I hope that the debate before us pertains to the amendment that's before us.

**Mr. MacDonald:** It certainly does, Mr. Chairman, because what this amendment is going to do is at least help not only the opposition but other interested parties find the skeletons that the former Minister of Infrastructure and Transportation was talking about just recently. It wasn't skeleton; it was skeletons. There were more than one. If we close all these loopholes in the Freedom of Information and Protection of Privacy Act, how are we to do our jobs? If the taxpayers have any interest in pursuing a file or a matter with this government and they apply to access to information, well, this is one more way for this government to stop the flow of information. If this government didn't have anything to hide – if they didn't have anything to hide – they would stand up and support the hon. Member for Edmonton-McClung's amendment.

We can go on at length, but the first thing that should be of consideration in any FOIP law is the public interest, and the public interest is being disregarded. I was going to say something a lot stronger than that, but it's certainly disregarded. It's disregarded by a government that doesn't have the public interest in mind; they have their own interest in mind. Their own interest is keeping those skeletons that the hon. Member for Strathmore-Brooks talked about from the public. I can't believe that we would go to this extent to give the commissioner at this time this sort of extraordinary authority. I don't think we need to do that, and I think the Minister of Infrastructure and Transportation secretly agrees with me. I really do, and I think he's going to support this amendment. I'm beginning to feel like he finally gets it.

10:50

Now, when we look at the public interest – and I think we're going to have to quote another leadership hopeful in this. This is going back to early January 2001, and this is from the former Minister of Justice and Attorney General, the former Minister of Advanced Education, the hon. Member for Edmonton-Whitemud, and he states this: "We are releasing this information in keeping with this government's policy of openness and accountability." The hon. member is talking about the release of some of the information, the select release of details of the Goddard versus Day settlement and the costs associated with that.

We've got to remember, Mr. Chairman, that the government's policy of openness and accountability will be completely ignored if we vote against amendment A3. It'll be completely ignored. It will be completely forgotten. I hope that the hon. member is not going to be ignored and forgotten in the leadership race. But this is what's going to happen if we don't support amendment A3 to sever this or surgically remove it, legislatively remove it as the hon. Member for Edmonton-Calder said. The public interest is not being met unless we vote in favour of amendment A3.

With that, I have a lot to say about this bill. Specifically to this amendment, would the commissioner have stopped my FOIP request on Enron? Would the commissioner have stopped my request? I never saw the light of day on anything on the power purchase arrangements. The information that we eventually did get in the Goddard versus Stockwell Day case we had to get through a judicial review. If this section was to remain, how would a judicial review affect it? I hope not. Perhaps the hon. Member for Red Deer-North could ask that and participate in the debate, and we could find out just what this would mean exactly with a judicial review. I'm certain that an applicant could go and receive or request a judicial review into this matter. If the commissioner authorizes the head of a public body to disregard the request and it does not resume, where does the applicant go? Hopefully to a judicial review.

Now, certainly if we look at the details that we got on Enron, if we look at the details we got on the power purchase arrangements – and these are only two – we see exactly the implications of this. We only have to read the newspaper today to see where one of the power purchase arrangements was sold for megabucks. EPCOR had purchased the one out in Battle River, and then they turned around and sold it for a significant profit. After using that electricity generation right for five years, they sold it for megabucks.

We find out also through a FOIP request that this government made a secret deal with AltaGas on Enron's power purchase arrangement out at Lake Wabamun, sold it at a fire-sale price. This was a secret deal – the minister is nodding his head – made in cabinet.

**Mr. Stevens:** You know about everything.

**Mr. MacDonald:** I know about it through freedom of information. That's how I know about it.

There was interest in the deal, but AltaGas got their hands on the generation rights for, at that time, 16 years for Sundance B power plant for \$220 million. I read in the paper today where this sale was concluded, and I thought: again, again. It's just like the ring road lands. This government is selling property and a public interest for well below market costs. Now, the AltaGas purchase of the generation rights was done completely in secret. If it had been an open process, how much more would another party have been willing to pay for that right to the electricity for the next 16 years at Sundance? How much more? We don't know. We'll never know.

Why was this deal facilitated so quickly? In October of 2001, when Enron was going down the tubes in the States, why was this deal done so quickly by this government? We'll never know.

We get some of the details through FOIP, and these are very embarrassing details. Unless, Mr. Chairman, we support this amendment A3 from the hon. member, those secret arrangements that this government makes will continue and there will be less and less information provided to the citizens – less and less information – and it's wrong. I think the hon. members across the way know it's wrong, but they're more interested in hiding the skeletons or making sure that the closet door doesn't open and the skeletons get out than they are of living up to the words from the hon. Member for Edmonton-Whitemud, who said, in conclusion – and I'm going to repeat this for all hon. members, and this is an esteemed member of the government caucus – “We are releasing this information in keeping with this government's policy of openness” and transparency. Those days are done unless we start improving this very bad bill by supporting amendment A3 as proposed by the hon. Member for Edmonton-McClung.

Thank you.

**The Deputy Chair:** The hon. minister.

**Mr. Lund:** Well, Mr. Chairman, I think it's really important that we set the record straight because after having listened to all that drivel, you'd almost think that somehow the government had control of the freedom of information commissioner. It's the commissioner that stops the clock, nobody else. It's the commissioner that does it. If that has any way of holding back information – I'm shocked to think that the member would think that, in fact, the government or the head of a public body could control the commissioner. It's the commissioner that stops the clock and starts the clock. That's what happens.

As far as hiding any information, not at all. What happens today, Mr. Chairman, is that when one of these comes before the commissioner and the commissioner is examining it, whether it's frivolous and vexatious and/or if it doesn't fit, the clock keeps on going. It could be maybe two weeks for the commissioner to make a decision. The clock is running. If the commissioner determines that it needs to proceed, then the time is getting very short. What usually happens in that case is that there's an extension requested of the commissioner. The extension is granted as a rule, in fact, depending on the amount of material that has to go through to answer the request. Maybe there doesn't need to be.

Mr. Chairman, there's another issue here. If the public body has to go through the whole exercise while the clock is running but not knowing whether at the end of the day the information that is being requested will be released under the order of the commissioner, the fact is that the staff are still doing this work. Since this act was implemented, it has cost the government over \$59 million to administer – \$59 million. We have collected about \$536,000 in fees. Of course, they constantly complain about the fees, and they want it done for free. Well, Mr. Chairman, is it fair that we take tax dollars, hard-earned dollars, so that they can go on a fishing trip? I think not, Mr. Chairman.

So I would urge the members of the Assembly to vote this amendment down because, in fact, we do not control the commissioner. All this does is allow the commissioner to stop the clock.

11:00

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

**Mr. Agnihotri:** Thank you, Mr. Chairman. I'm pleased to rise again

and speak in support of amendment A3, proposed by the Member for Edmonton-McClung, that “Bill 20, Freedom of Information and Protection of Privacy Amendment Act, 2006, be amended by striking out section 7.” The processing time for FOIP requests is already very lengthy and drawn out. Rarely have we received a request within the stated timeline due to various reasons; for example, requests for clarification, negotiation over the fees, procedural requirements, et cetera.

I'll give you an example. I had a chance to get some information from FOIP a couple of months ago. It cost about \$45. It was for wonderful people in my riding, the Allen Gray Continuing Care Centre. They asked me to find a copy of a contract made between the Capital health authority and the Allen Gray Continuing Care Centre. It took me a couple of months. We paid the money, and after two or three months what we received was five- or six-year-old statements. We asked them to give us the latest information about the contract, and after spending time and paying money, what we received were useless papers.

I know a couple of cases where the people tried to complain to the commissioner. Those cases have been there for years, and still they haven't any answer from the commissioner. I don't know. I really commend my colleague who proposed this amendment. If we carry on with something like whatever was in the data, this will be a bad bill. The people are already suffering from the FOIP system at the moment. There are so many people – I'll give you an example. They get the consultancy fee, like you mentioned, if it's less than \$100,000, just even \$5 less than \$100,000, and they don't even need the paperwork. In my view it's corruption. How can we fix that if we don't get the proper details? We need the full information from this government, and this government failed to provide us with the full information.

This is the only way. If we get the FOIP, if we get the full details, then we can at least fight for the people who are fighting in the commission for a long, long time. In short, this change will result in even greater wait times for FOIP requests. The Official Opposition requests that this particular clause, therefore, be struck from this bill, and I request other members to support this amendment.

Thank you very much.

**The Deputy Chair:** The Hon. Member for Cardston-Taber-Warner.

**Mr. Hinman:** Thank you, Mr. Chairman. I, too, would like to speak to amendment A3 to Bill 20. I'm in favour of this amendment, and I just want to be short as well on this. One of the major problems and the dilemma here is the absence of information to the public. This is a public body, and if they're not accountable to the public and they can't have access to those things, it's very difficult to hold those people accountable and to know that they're really working in the best interests of whichever board they're on when, in fact, they can and will hide different things.

We have what we call in camera. They can participate in camera and then come out, and they have to give their decisions. It's very difficult, and we're having a problem in Alberta and in most democratic countries with the fact that the people are disengaged from government. They say that there's no point in being involved, that there's no difference that we can make. The reason why I feel they feel that way is because there is no power in the people to stop what is going on. They don't know what's happening. Many times the bills are passed or a decision is made, whether it's a seniors' home, a school board, or somewhere else, and because of this hidden information and the hidden agenda, they're not able to know what is going on.

It is critical. If we're going to remain a free society, we have to

be an open society. We can't have secret deals being made behind closed doors and information being hidden on why they're really doing something. It's very upsetting to the public, and it just isn't in their best interests.

I hope that everybody's had enough time to think about this amendment. Maybe we'll have some more good comments to realize that this is a good amendment and that it is in the public interest that we strike section 7 and allow freedom of information to be accessed and be provided to the public in general. We need to remove many barriers because we've lost sight of what we're really trying to protect here, and that is private individuals from harm. So I hope that this House will accept this amendment.

Thank you.

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

**Mr. Bonko:** Well, thank you, Mr. Chairman. I'm speaking in favour of amendment A3, which would strike out section 7. I find it disturbing, in fact, that the government, as secret as it already is, would in fact want to become more secret. The Speech from the Throne, I'll remind everyone, talked about Alberta wanting to become more transparent and accountable to all Albertans so they can have the answers to the questions that they asked. Clearly, when you're looking at this FOIP, again another amendment to it, this is quite the opposite. In fact, it becomes more clouded, more secretive.

The Member for Rocky Mountain House talked about: why should the public pay for the opposition to go on fishing expeditions to search for information? Well, I think that part of the opposition's job is to in fact filter out some of the corruption or some of the skeletons that are being used, you know, to find fault with the government. That is the opposition's job. We're not going fishing on the taxpayers' dollars like the Premier up to his lodge. We're fishing on behalf of Albertans for real information.

**11:10**

Anyway, Mr. Chairman, I'm talking about section 7, and I'll read it again just to familiarize everyone, including myself.

The processing of a request under section 7 . . . ceases when the head of a public body has made a request under subsection (1) and  
(a) if the Commissioner authorizes the head of the public body to disregard the request, does not resume.

Now, the minister already spoke against this. He said that it's very unlikely that a commissioner would in fact tell the head of a public body to disregard a request. Well, you know, we've had several examples of perhaps delaying them. You don't have to address them quite in a timely fashion; you can get to them, but it's just a matter of when. Is it one year, one month, two years, two months, or even up to 15 years, as this bill proposes? I mean, 15 years to hide information from the public is, I think, a little bit ridiculous. At this point in time, basically, that could be four governments. At what point does the public have a right and deserve to know?

Again, these people who are elected are to represent the communities that they are elected in, and by not standing up to more secrecy in government, I don't think that you're doing your job for your community, that elected you to represent all Albertans, all opinions. However small a majority voted for you, it's in their best interest to ensure that, in fact, accountability and transparency continue to remain. With this section that we're trying to strike out, section 7, we would certainly not have that.

It's not housekeeping. The minister talked about it being administrative or housekeeping. Well, if that is in fact the case, if it's just administrative and housekeeping, then we wouldn't have a problem all unanimously agreeing to this particular piece, but I'm seeing that that is not going to be the case. They, in fact, do want

this particular piece because, again, it remains in the best interests of the government to keep the public at bay. Of course, we realize that knowledge is power, and with that power you'll realize what exactly is going on here in this government.

That's one of the reasons why they didn't want to offer free library cards to everybody. That, in fact, would empower more people to have knowledge, to realize what's going on in government. They didn't want regular people, the people who couldn't afford to have a library card, to be able to have access and freedom of information because that's exactly what this bill prohibits: freedom of information. It was a denial of information. It was a two-pronged approach. They said to the public when it was first introduced, "This is for the protection of your information," but on the other prong, "It's for our secrecy and our protection because, in fact, we don't need everyone knowing our business." Some have given it another acronym beside freedom of information and privacy protection. I won't go there, I guess.

It does raise the concern about how much the public will tolerate before the backlash happens. I think we found out with regard to the third way, the approach to meddle with our health care system. The public were not going to stand for that particular piece. They came out. There were petitions. Thousands, tens of thousands petitioned.

**Ms Evans:** They did not.

**Mr. Bonko:** I've tabled over a thousand petition signatures in this House, and I know that other members did as well, so I think that we can add them up. There have been over 10,000 signatures, so I beg to differ on that then.

Again, the public needs to in fact get more engaged as to what exactly is happening with the government. A lot of people said that perhaps less and less people are voting because, in fact, it doesn't make a difference: "My one vote won't make a difference. My one vote won't ensure that changes do take place." Democratic reforms need to take place if we're going to have an effective government for all Albertans. Again, if you continue to put in processes that make it more restrictive, such as this particular FOIP, then we're never all going to be on the same page.

We talk about fixed election dates. We talk about everything for democratic renewal, except when we talk about that, we don't find it when we talk about FOIP. The freedom that everyone talks about, the transparency, the accountability are certainly not here when you have prohibitive bills, secretive bills such as this particular one. If the commissioner is a referee, then the public is put in the penalty box for however long he decides, but the government continues to skate with the puck. I'm saying that just because it's hockey season right now.

Right now I will say that I humbly seek unanimous consent of the House to waive Standing Order 32(2) whereby if a division is triggered tonight, it will only take two minutes rather than the usual 10.

[Unanimous consent granted]

**The Deputy Chair:** Hon. member for Edmonton-Calder, did you want to speak on the amendment again?

**Mr. Eggen:** Well, Mr. Chairman, upon reflection of this amendment A3, one thing that I did want to bring forward is that when we're looking at what the fundamental principles are of the privacy act in the first place, I just wanted to point out that, in fact, section 7 does not support some of the five fundamental principles that we have to the whole idea of FOIP.

For example, the first principle of the Freedom of Information and Protection of Privacy Act is to “allow any person a right of access to the records in the custody or under the control of a public body subject [only] to limited and specific exceptions.” Section 7, which we’re seeking to strike out allows some disregard of this and, in fact, strengthens and widens the scope of these limited and specific exceptions, so I find it to somehow block that first fundamental principle. It’s a contravention of that first fundamental principle, so that’s why I’m urging each and every one of the members here tonight to accept amendment A3.

The second fundamental principle of the Freedom of Information and Protection of Privacy Act is “to control the manner in which a public body may collect personal information from individual” Albertans, to control the use by the public body of that information, and “to control the disclosure by a public body of [such] information.” This second fundamental principle, Mr. Chair, in fact, is not seriously contravened by section 7, although if the commissioner does not authorize the head of the public body to disregard the request, does not resume until the commissioner advises the head of the public body of the commissioner’s decision, I would suggest that, at least, this does muddy the waters in regard to the second fundamental principle, so I do have some small problem with that.

The third fundamental principle of the Freedom of Information and Protection of Privacy Act allows individuals to have the right to access information about themselves held by a public body. Section 7, with the commissioner authorizing of head of a public body to disregard a request, I believe is in fact causing some limitation on this third fundamental principle, so I do find that to be somewhat troubling. There are other sections as well that certainly do affect the third fundamental principle even more, to a much larger extent than this one.

The fifth fundamental principle of the Freedom of Information and Protection of Privacy Act is to “provide for independent reviews of decisions made by public bodies under this [legislation] and the resolution of complaints.” This section 7, talking about the choice of a commissioner and how that takes place, could somehow, at least, weaken that fifth principle of the act.

Together, really, the best thing to do with section 7 is to simply eliminate it. I don’t think that it will in any way weaken the other elements of this bill that do have some merit, and in the spirit of compromise I would hope that everyone might support this amendment labelled A3.

Thank you.

**The Deputy Chair:** The hon. Member for Cardston-Taber-Warner on the amendment.

**Mr. Hinman:** I just wanted to make reference to the hon. minister who talked about the commissioner, that the clock is ticking. But the one thing that I think he’s failed to mention is that the commissioner is bound by the legislation that this House is passing, so by passing this instead of striking section 7, we’re actually giving the commissioner the authority to continue to hide information from the public. It’s just one other point. I think it’s critical to realize that, yes, the commissioner might be looking at these things, but it is the legislation that we’re passing here, and the commissioner would probably be acting to protect the public body rather than the public interest. It is a concern, so once more I’d say that I hope that people will think hard on this and that this will be accepted by this House.

11:20

**The Deputy Chair:** The hon. Member for Edmonton-Gold Bar.

**Mr. MacDonald:** Yes. Thank you, Mr. Chairman. Certainly, I would like to participate in the debate again on amendment A3. Now, the hon. Minister of Infrastructure and Transportation informed the House that since this legislation was enacted in 1994, it has cost this government over \$59 million to administer and that there was so little collected back in fees. I feel that half of that collected probably came from the Official Opposition, but I can’t accept that administrative fee of \$59 million. I think there’s no way that it cost this government that much. It may have cost them that much in legal fees to hide and prevent the public from getting that information. Certainly, we know that they will go to any length and any expense to prevent citizens from getting access to their own information. We always have to look at the fees, and this government is using the fees as a barrier to citizens receiving the information. Now, certainly they will say, “Okay; we can have a waiver,” or “You can go to the commissioner and you can get a waiver.” That never happens for us.

Now, the whole issue of fees. There shouldn’t be any fees. We should take this bill and remember the word “freedom” that’s in it, freedom of information and protection of privacy.

**Rev. Abbott:** It has the root word of “free.”

**Mr. MacDonald:** And the Member for Drayton Valley-Calmar is absolutely right. The root word in there is “free.” The information should be made available free to the citizens. There shouldn’t be any costs involved in this at all.

Again, I just have to point out to all hon. members that if there is a \$59 million cost to this legislation, to this government, show us. Show us. Provide documentation of that. I can’t accept that number. It is extraordinary. I just can’t accept that.

Thank you.

**The Deputy Chair:** Are you ready for the question?

The hon. Member for Edmonton-McClung.

**Mr. Elsalhy:** Thank you, Mr. Chairman, and I promise to be brief. I realize that it’s getting a little late.

Now, one comment, and it was briefly touched upon by my hon. colleague from Cardston-Taber-Warner. The Minister of Infrastructure and Transportation said that it’s really not us making the decision, that it’s basically the Privacy Commissioner making the decision, and that we’re not doing anything to change that. In that particular regard, I actually beg to differ. What we’re doing here is extending his or her ability to sit on their hands and not give a decision or not render a verdict, if you like, with respect to a particular FOIP request. As my colleague from Edmonton-Decore mentioned, it could take two months to two years or maybe even longer. The clock has totally stopped, and there is no recourse.

Whether, in fact, someone could do a judicial review to try to address this concern is a different story. I would have to say that requests for information that are examined to be disregarded or, you know, brought before the commissioner to say, “Can we please not honour that request” are not rare. As a matter of fact, it is becoming more the norm now that bodies that host information that members of the public or members of the opposition or members of the media, to that extent, ask for are going to the Privacy Commissioner saying, “Can we please disregard this? Is there a way we can not honour this?” and so on and so forth.

The overarching purpose of access to information legislation is to facilitate democracy. It’s basically to honour the requests because those who have nothing to hide hide nothing.

This particular amendment in section 7 is a stall tactic in my

opinion. You can probably expand and extrapolate to a situation like the hon. Minister of Education, for example, always saying that it's not his immediate responsibility; it's that of the school boards. We argue that the hon. minister and his department have to fully empower the school boards so that they, in turn, can make decisions and can make funding allocations that are adequate and that are reasonable. The school boards come back and say, "We don't have adequate funding, and we don't have the resources necessary," and they're faced with situations where they're forced to lay off staff or, you know, close schools or increase class sizes, or they might not be able to offer necessary programs like school lunches and so on. So is it the minister who's at fault or is it the school board or is it a mixture of both? That is the question. Similarly, is it the commissioner or is the public body trying to disregard the request or is it both? So between the two of them we need to definitely limit the ability of any one person or any agency or any organization to not honour a request and not to honour it in a timely fashion.

Citizens deserve access to information and more so in a timely fashion. They need to know whether their request is moving forward or whether it is going to be disregarded or denied, and they need to know as soon as possible. If we're talking an extension from a month to two months, like 30 days to 60, I can live with that, but if we're saying from 30 days to indefinite, to open ended, then I find it a hard pill to swallow. It's not only politicians and not only, you know, media where, in fact, those requests are looked upon by the government as a nuisance or as a waste of time. It is not a waste of time.

We talked about the fees, and we talked about how restrictive and exaggerated those fees are. I would hate to think that the government is looking at fees as a revenue stream. For example, when they charge for photocopying and they charge you something like 25 or 30 cents a page, in fact they could simply e-mail it, as my hon. colleague from Edmonton-Decore was saying. You know, do it for free and save a tree. You're not wasting time, and you're not wasting anybody's money or resources, and it's environmentally friendly. Do it for free. Or if the government absolutely has to print it on paper, let's take that CD or that disk and go to a place like Staples Business Depot, and they do it there for 4 to 5 cents. So why look at it as a revenue stream?

I am not optimistic – and that's really bad – because I know what the government is going to do. I'm hoping that when we trigger the division, some of the hon. members across the way are going to speak their minds and are going to tell the House what their conscience dictates.

**An Hon. Member:** And they should.

**Mr. Elsalhy:** And they should because this amendment is a useful amendment to try to fix something that is broken, and it's basically saving the patient without having to amputate.

Thank you, Mr. Chairman.

11:30

[The voice vote indicated that the motion on amendment A3 lost]

[Several members rose calling for a division. The division bell was rung at 11:30 p.m.]

[Two minutes having elapsed, the committee divided]

[Mr. Shariff in the chair]

For the motion:

Agnihotri	Elsalhy	MacDonald
Bonko	Hinman	Miller, R.
Engen		

Against the motion:

Abbott	Horner	Ouellette
Ady	Knight	Prins
Amery	Lindsay	Rodney
Brown	Lougheed	Snelgrove
Calahasen	Lund	Stelmach
Coutts	Magnus	Stevens
Evans	Melchin	Webber
Graydon	Morton	Zwozdesky
Groeneveld	Oberle	

Totals:	For – 7	Against – 26
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[Motion on amendment A3 lost]

**The Deputy Chair:** The hon. Minister of Justice and Attorney General.

**Mr. Stevens:** Yes, Mr. Chairman. I move that we adjourn debate on Bill 20.

[Motion to adjourn debate carried]

### Bill 36 Securities Transfer Act (continued)

**The Deputy Chair:** Are there any comments, questions, or amendments to be offered with respect to this bill? The hon. Member for Grande Prairie-Smoky.

**Mr. Knight:** Thank you very much, Mr. Chairman. I really do appreciate the assistance of the chair with respect to an earlier difficulty I had on producing some documents, which were, in fact, the amendments that I would now like to move. I would like to move amendments to Bill 36, Securities Transfer Act, that are distributed in the House.

Mr. Chairman, I noted earlier that these amendments were coming forward. Stakeholders have clearly indicated that uniformity is one of the most important objectives of this type of legislation, and the amendments are necessary to maximize the uniformity. There are six House amendments required to Bill 36, the Securities Transfer Act, to ensure uniformity among the common law provinces. None of these amendments reflect any change in the objectives or purpose of Bill 36. The amendments reflect ongoing efforts by interprovincial working groups that developed the Securities Transfer Act to clarify the meaning and operation of the provisions.

It should be noted that the interprovincial working group continued to work to ensure such uniformity even after the introduction of the Securities Transfer Act in Ontario on December 1, 2005. It should also be noted that Ontario is expected to make a number of amendments to their bill to ensure that it will be uniform with Bill 36 and a similar bill anticipated shortly in British Columbia.

These amendments reflect revised wording developed in consultation with members of the interprovincial working group. The first two amendments, Mr. Chairman, amend section 44. Subsection (2) is amended by adding "other than the conflict of law rules" after "the law." The wording in subsection (5) is revised. The third amends section 57(2) by adding "against the issuer" after "enforceable."

The last three amendments deal with changes that are required to the Personal Property Security Act. As you would recall, Mr. Chairman, implementation of the Securities Transfer Act required consequential changes to other provincial acts, including the Personal Property Security Act. So the fourth amendment amends section 108(6) by revising the wording in proposed section 7.1(4)(a). This change improves clarity by making the provision accord with a parallel provision in the Securities Transfer Act, section 45(2)(a). The fifth amends section 108(7) by replacing “8(1) is” with “8(1) and (2) are.” The final amendment amends section 108(17) in the proposed section 24.1(2) by removing “A” and replacing it with “Subject to section 19, a.” These last two amendments are required to make the provisions uniform between the British Columbia and Alberta acts. The personal property security acts in British Columbia and Alberta are very similar; Ontario’s is somewhat different.

Mr. Chairman, in conclusion, this legislation recognizes and supports current business practices and codifies them in a uniform statute. It will then enable further improvements to the system and a further reduction of risk and cost, which benefits everyone.

I hope that these comments are helpful in clarifying the issues before the Assembly. Thank you.

**The Deputy Chair:** Hon. members, we shall refer to this amendment as amendment A1.

The hon. Member for Edmonton-Rutherford.

**Mr. R. Miller:** Thank you, Mr. Chairman. Listening to the hon. Member for Grande Prairie-Smoky discuss the word “is” versus the word “are” reminded me of a certain politician in front of a grand jury explaining that his answer would depend on what the definition of the word “is” is.

In all seriousness, as it relates to these very important amendments to this very important piece of legislation, I would, first of all, like to thank the Member for Grande Prairie-Smoky for inviting me to his office this afternoon and taking the time to explain these amendments to me in person. I found that to be most helpful. It doesn’t preclude a couple of questions, however, and I would like to run through those if I could. The first one, as the Member from Grande Prairie-Smoky outlined, is to add the wording “other than the conflict of law rules” after the words “the law.” I’m wondering if there’s any possibility of having some clarification for what exactly “conflict of law rules” means. I’m not a securities lawyer – I’ve mentioned that a couple of times as we have gone through debate on this bill – but it’s interesting because I look at that, and I don’t fully understand the meaning of “conflict of law rules.” So that would be the first question on that particular one.

11:40

Now, the next part, where we talk about changing to the jurisdiction instead of “the law” – that’s section 44(5)(c), (d), and (e) – the question I have there, I suppose, is if the concern was to identify jurisdictions as opposed to the laws of those jurisdictions, is it the laws that are different in the various jurisdictions, or is it the enforcement of the laws that is different in the jurisdictions, and is that the reason for wanting that clarification? I’m not sure if the member will have that answer or not, but that was the question that came to my mind.

I think it speaks, actually, to a comment that the member made in his remarks earlier this evening, when he pointed out that in second reading I had discussed the fact that I was a little surprised that it had taken us this long to get to this point with these amendments. I’ve met with briefing staff from the ministry and with the lawyer who spent about eight years of his life working on this, so I understand the complications involved, and I understand the details. Frankly, I’m glad that I didn’t have to devote that much of my life to this bill;

nevertheless, I was a little surprised that it took us this long to get here.

The Member from Grande Prairie-Smoky commented on the fact that having said that, I also alluded to a reference that was made in the Ontario Legislature when they were debating their similar bill, and I wondered whether or not we should perhaps wait and see the results and the ramifications of how that bill works out before we proceeded with ours. I think the fact that we have already six amendments in front of this House before the bill has been passed, amendments that are coming from the government side, perhaps speaks exactly to my concern there; that is, that if there are loopholes in legislation that we’re mirroring in other provinces, it would almost appear to me as if we’re just going to go down the same path and mirror the loopholes or the mistakes that other provinces are making as well.

In fact, when I visited with the hon. member this afternoon, one of the things we discussed is that some of these amendments are coming from the Ontario policy writers as they were doing French translation. It turned out that some of the translation just doesn’t make sense in French, quite frankly, so these changes had to be made here in order that when the bill is translated into French, it will make sense in another language. I guess that that was really what I was speaking to the other night when I talked about whether or not we should be waiting and seeing the ramifications of that bill in Ontario because now we’re just simply making the same mistakes that Ontario presumably would have made as well.

Further to that point, then, on the one hand I suppose it’s good that we make these amendments here and now as opposed to not seeing them for perhaps another year in this House. That would mean we would have a piece of legislation on the books that would have some flaws. I’m going to guess that they’re not serious flaws but, nevertheless, flaws just the same, so it’s good that we catch them now. It does I suppose cause one to wonder how many other glitches like that might be in the legislation even if we pass these six amendments. That begs the question for me of: what steps would the government be planning to take to protect investors from the results of us not catching other mistakes like this that are in the legislation as it’s currently written? If there are six here that almost got past us and were caught either here in Alberta by the policy writers or in Ontario by their policy writers, what are the chances that there may be others in here that we’ve not picked up on yet, and what might the ramifications of that be to investors in Alberta and to the Alberta taxpayer, ultimately, if it’s found that somehow, perhaps, the ministry might be liable for not having caught those?

The one that refers to section C, 108(6)(a), is one of the three that is amending as a consequence the Personal Property Security Act. I guess my question there was simply – again, we’re talking about jurisdictions – whether or not we can have confidence that Albertans investing in other jurisdictions would be protected. I know that that is part of what we’re trying to achieve by all of this. I’m going to assume that by making this amendment, that will do that.

Now, another concern that I have – and I mentioned it to the hon. member this afternoon. It’s certainly not that I’m putting blame on him, but it does cause me concern. We’ve seen it a couple of times in this House recently. We saw it earlier this evening when we were dealing with the private bills. In the actual bill, Bill 36, the Securities Transfer Act, we have sections that are describing the policy that’s being made, and then on the opposite page it describes what’s being changed or what’s being amended. I think it’s always a good thing when the legislation that’s being amended is listed in the bill that’s published.

In the case of myself, I have access to the original bill. It’s much easier for me to source out that information. But for Albertans that are looking for this information, particularly today when we have a

situation where amendments are coming forward, and they're trying to reference what that might mean, it causes me some concern any time we're amending something that's not actually published along with the bill. If I were an investor out there, you know – and believe it or not, there are investors out there that follow quite carefully the words that we speak in this House – and I were looking at these amendments tonight, well, first of all I'm not even sure that the amendments would show up on the Internet if they were looking for them. But if they did, they wouldn't necessarily have ready access to the sections that are being amended. So that always causes me some concern.

**The Deputy Chair:** The hon. Member for Edmonton-Gold Bar on a point of order.

#### Point of Order Amendments to Bills

**Mr. MacDonald:** Yes. Thank you, Mr. Chairman. I appreciate your indulgence. I have been listening with interest to the hon. member and certainly to the hon. Member for Grande Prairie-Smoky in regard to this government amendment to Bill 36. I cite 13(2) and also *Beauchesne* 697(3), "An amendment should relate to a specific clause in a bill and not to two or more clauses."

This amendment has been described in debate as mere housekeeping, and I have not heard from the hon. member guiding Bill 36 through the Legislative Assembly the reason why all these amendments from different sections of the proposed legislation are included in one amendment. An explanation to these changes should be incorporated into his justification for this being one amendment and not divided into six amendments.

Thank you.

**The Deputy Chair:** Anybody else on the point of order? The hon. Member for Grande Prairie-Smoky.

**Mr. Knight:** Thank you, Mr. Chairman. To address the issues from our hon. members opposite, initially I do have to indicate the conflict of law rules, and that particular phrase is one of the phrases under question here in at least two of the amendments that are before us. In Bill 36 itself, with the conflict of law rules that are being discussed in this particular case, to get a proper legal definition of that phrase, I would have to resort to legal counsel. I would certainly do that and give the member the information at the first opportunity.

The question around: why would we not wait to see how well the Uniform Securities Transfer Act, that's been introduced in Ontario, works?

11:50

**The Deputy Chair:** Hon. member, we have a point of order on the floor. Are you speaking to the point of order?

**Mr. Knight:** Mr. Chairman, I was going to get to the point of order, but perhaps I'm straying here, and I should address it first. Thank you.

To deal with the point of order, the question has been asked: why is this one amendment and not initially five? In fact, there could be as many as six. Mr. Chairman, the amendments are brought together in this particular case because there is no intent in any of this to change either the subject of the amending bill or any of the content other than housekeeping wording, and that would be the support I would have for including these amendments in a single amendment.

**The Deputy Chair:** Anybody else on the point of order?

Hon. members, first, at the outset the citation was from a wrong perspective. Nonetheless, I think that the issue is valid.

Hon. members, you have been around in this Assembly for a very, very long time. This is not the first time that we've had amendments that encompass more than one section of the bill. We have done that. However, if there is any hesitation, there is no difficulty in having a separate vote on every section. So until such point in time we shall deal with this as amendment A1. When we come to the vote, if there is any hesitation and if there is a desire to break it down into five or six votes, the chair will have no problem doing so. As a general practice we have done this, and from both sides of the House amendments have come forward that include more than one section.

Hon. Member for Edmonton-Rutherford, you may proceed with your remarks.

#### Debate Continued

**Mr. R. Miller:** Well, thank you very much, Mr. Chairman. I believe that I was finishing up on the amendment that deals with section 108(6). We were talking about the amendments that are being made consequentially to the Personal Property Security Act, and I mentioned the fact that hopefully Albertans will be protected if, in fact, they're investing in other jurisdictions.

Moving to the next one, section 8(1) and 8(2), where subsection (2) is not printed in the bill. I was commenting on the fact that it causes me concern any time that we don't have that information printed in the bill. My concern was for people outside of this Assembly who may not necessarily have access readily to information that we in this Assembly have.

Then moving to section 108(17), this is actually the last of the six amendments that are being discussed. The particular amendment here pertains to security interest in investment property, Mr. Chairman. What we're doing is referring to section 19, which isn't printed in the bill as it's before the House today either. So, again, the same comment in terms of not having all of the information readily visible for people outside of this Assembly, but because it refers particularly to security interest in investment property, I'd just like to point out that in the past we have had some questions and some concerns around undivided interests in land.

Both B.C. and Saskatchewan, actually, for some reason seem to take a harder line with companies that sell undivided interests in land, yet Alberta seems to have been somewhat more lax in that regard. It gets back to my concern that I've expressed previously about whether or not, in fact, we have adequate enforcement. So this is a section that I would be watching closely, assuming that these amendments are passed, as we have an opportunity to monitor the ramifications of this bill once it's passed.

Those were the comments that I had to make to the amendment specifically, and I'll cede the floor to anybody else who may wish to comment. Thank you.

**The Deputy Chair:** Anybody else on the amendment?

Are you ready for the vote? Hon. members, is it okay, then, to have a vote on the entire amendment as amendment A1?

**Hon. Members:** Agreed.

[Motion on amendment A1 carried]

**The Deputy Chair:** Any further debate on the bill itself? The hon. Member for Edmonton-Rutherford.

**Mr. R. Miller:** Thank you very much, Mr. Chairman. Just briefly



I wanted to thank the Member for Grande Prairie-Smoky for the clarifications that he offered in his opening remarks this evening as we led off debate of this bill in committee, particularly the question around the regulatory savings, the clarification as to the potentially \$140 million being across the country as opposed to specific to Ontario. I've already addressed the reasons why I talked about perhaps waiting to see how things worked out in Ontario as opposed to proceeding with the bill right away.

With that, Mr. Chairman, I'm prepared to support this bill as amended, and I thank the Member for Grande Prairie-Smoky for his co-operation today and as this bill has moved through the House. Thank you.

**The Deputy Chair:** Are you ready for the question?

**Hon. Members:** Question.

[The clauses of Bill 36 as amended agreed to]

[Title and preamble agreed to]

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

**Hon. Members:** Agreed.

**The Deputy Chair:** Opposed? Carried.

**Bill 37**  
**Miscellaneous (Provincial Treasurer)**  
**Statutes Amendment Act, 2006**

**The Deputy Chair:** Are there any comments, questions, or amendments to be offered with respect to this bill? The hon. Deputy Government House Leader.

**Mr. Stevens:** Yes. Thanks, Mr. Chairman. I'm pleased to speak to Bill 37, Miscellaneous (Provincial Treasurer) Statutes Amendment Act, 2006. On behalf of the hon. Minister of Finance I'd like to address a couple of the issues that the hon. Member for Edmonton-Rutherford raised.

Bill 37 is a housekeeping act that will allow changes in legislation with references to the "Provincial Treasurer" to be replaced with "Minister of Finance" or "Minister responsible." There's nothing out of the ordinary in that. It's updating legislation that needs to be updated to align approximately 80 acts with current titles and responsibilities of the Minister of Finance and program ministers.

**12:00**

In second reading the hon. Member for Edmonton-Rutherford seemed to be of the understanding that finance and revenue became one ministry in 2001 and questioned the length of time it has taken to make these changes. I'd just like to clarify that they were reorganized in November of 2004, and the length of time that it has taken to make these amendments has not to my knowledge affected how any financial transactions were handled.

He also asked why we were making amendments to the existing Fuel Tax Act when a new one is currently before the Legislature and will likely be passed. While it's true that the new Fuel Tax Act will likely be passed, I think the hon. member would have also made a comment about the process if the government had made the assumption that any legislation would be passed without going through the proper process. All changes were grouped in Bill 37 for ease of review and implementation, and it simplified the legislative process.

There was also a reference to the legislation referring to AGT.

This will come forward as Bill 43, Miscellaneous Statutes Amendment Act, 2006, which now appears on the Order Paper.

Bill 37 is clearly housekeeping, Mr. Chairman. I hope these comments are helpful in clarifying the issues which have been raised to date.

**The Deputy Chair:** The hon. Member for Edmonton-Rutherford.

**Mr. R. Miller:** Thank you very much, Mr. Chairman. I'd like to thank the minister for his clarification this evening. I don't see any particular point, given the late hour, to reiterating the comments that I made in second reading. I'm quite happy with the explanation that was offered this evening and am prepared to support this bill. As the minister says, it is simply a housekeeping bill. Although some have encouraged me to ask for an individual vote on each of the 80 acts that are being amended, I'm certainly not going to do that tonight.

Mr. Chairman, with that, I support this bill and look forward to hopefully going home pretty soon. Thank you very much.

**The Deputy Chair:** The hon. Member for Cardston-Taber-Warner.

**Mr. Hinman:** Thank you, Mr. Chairman. I guess I just want to make the short point that we seem to have a lot of housecleaning bills that go through, and it takes up a fair amount of time. I don't want to do that late in the evening.

**Mr. Bonko:** This is still early.

**Mr. Hinman:** Okay. We'll go then.

I don't believe I was around when they changed it from the Provincial Treasurer to the Minister of Finance, so the question has to be asked: why do we change ministers and the names of ministers so often? It just seems like an enormous amount of extra work that's being put into things. Provincial Treasurer served us for many years. I still have people calling and asking: why do we write the cheques now to the Minister of Finance when it was the Provincial Treasurer for, you know, I believe the last hundred years maybe? It just seems like too often we do things without good reason. I just want to get on the record that perhaps we don't need to be changing the ministers or portfolios and everything every time because we end up doing an enormous amount of so-called housecleaning when we had things in order.

Earlier today we were talking to the – boy, I'm going to have to get to remember this long handle because the short one is so much easier – Minister of Restructuring and Government Efficiency. I don't see the efficiency in doing this, and I don't see the efficiency that we had by breaking up other ministries to form the Department of Restructuring and Government Efficiency.

With that, I'm disappointed that we have to pass such amendments but understand the necessity now because of what we've done in the past. Thank you.

**The Deputy Chair:** Are you ready for the question?

**Hon. Members:** Question.

[The clauses of Bill 37 agreed to]

[Title and preamble agreed to]

**The Deputy Chair:** Shall the bill be reported?

**Hon. Members:** Agreed.

**The Deputy Chair:** Opposed? Carried.

### Bill 38

#### Livestock Identification and Commerce Act

**The Deputy Chair:** Are there any comments, questions, or amendments to be offered with respect to this bill? The hon. Minister for Agriculture, Food and Rural Development.

**Mr. Horner:** Well, thank you, Mr. Chairman. It's a pleasure for me to rise this evening in Committee of the Whole to present Bill 38, the Livestock Identification and Commerce Act. As stated previously in the House, this legislation is the consolidation and revision of three other acts. It's updating and modernizing legislation so that it can adequately regulate the day-to-day commercial transactions of the livestock industry. The intent of the proposed legislation is to facilitate fair commerce, protect personal property, and promote the integrity of marketing within the livestock industry.

I wish to take a minute to bring the House's attention to the extensive industry involvement in developing this bill. It's a product of many, many, many hours of deliberation, several discussion papers, numerous workshops with stakeholders, extensive feedback from the industry, and fine-tuning to achieve an agreement, Mr. Chairman. In fact, it took more than 30 months of consultation to ensure that the goals of all sectors of the livestock industry were fully considered and accommodated where possible.

Livestock industry participants are generally known for their independent spirit and strong will to succeed. I applaud them for their perseverance in assisting us to develop this bill, and I thank them for their compromises as they respected the goals of other associations also involved in livestock identification and commerce. I know that they are proud of this product because I've been receiving phone calls from the industry asking me if I need any help to make this bill move through the House.

I'd like to now address the comments and questions that a few hon. members raised during second reading of the bill. To begin, I would like to thank the hon. members for Edmonton-Gold Bar, Calgary-Varsity, and Cardston-Taber-Warner for their questions and support of Bill 38.

The hon. Member for Edmonton-Gold Bar had a question about how this bill will impact the family farm. It is a complex set of provisions. As you can see from the part titles in the bill, the legislation addresses brands, livestock transactions, transportation, livestock inspection, dealing in livestock and livestock products, and an assurance fund system. All producers can draw upon these modernized provisions. Small-scale producers in particular will appreciate the effort to make the legislation easier to understand.

Going through the sections, we can see where small-scale producers or operators of these smaller operations will be impacted in a very positive way. Again, Mr. Chairman, I hesitate to use the term "family farm" because the majority of the farms in Alberta are family farms whether they are incorporated or not. Small and large operations will benefit from the changes that we're making and the consolidation of these acts. I could speak at length about the positive impacts, but briefly I can assure the member opposite that Bill 38 will have a positive impact on the small operations as well as the large operations.

The hon. member asked about the impact on producers of organic products. Bill 38 addresses sales transactions and does not differentiate between organic and nonorganic.

He also questioned if the proposed section 81, which relates to the time limit for prosecution, provides sufficient time. In response, the standard two-year period prescribed in Bill 38 aligns with the current

provision in the Brand Act and increases the one-year period in the current Livestock Identification and Brand Inspection Act. We're bringing them all up to the same standard, which is the standard of two years.

The hon. Member for Edmonton-Gold Bar also requested clarification on the Livestock Patrons Claims Review Tribunal. Of note, this is not a new tribunal that Bill 38 creates; it exists today. The members of the tribunal are appointed in accordance with section 25 of the Livestock Patrons Claims Review Tribunal regulation pursuant to the Livestock and Livestock Products Act. In accordance with the regulation, the tribunal is composed of the following members: one member appointed by the Alberta Auction Markets Association, one member appointed by the Alberta Beef Producers, one member appointed by the Alberta Cattle Feeders Association, one member appointed by the Feeder Associations of Alberta, one member appointed by the Alberta Livestock Dealers and Order Buyers Association, one member appointed by the Western Stock Growers' Association, and members appointed by other designated associations.

The member requested an example of a delegated authority under the act in respect to carrying out a power, duty, or function under the act. As explained in the news release for Bill 38, Alberta's livestock identification system is administered by Livestock Identification Services Ltd. It is a not-for-profit company established in 1998 as the delegated authority for livestock identification legislation. It is accountable to the Minister of Agriculture, Food and Rural Development and is governed by a board of directors comprising industry representatives from various Alberta cattle and horse associations. Of note to all members, section 90 of Bill 38 requires the annual report of a delegated authority to be a statutory tableting.

#### 12:10

Finally, the member questioned the provisions related to poultry that are detailed at section 100 of Bill 38. These provisions relate to the current Livestock and Livestock Products Act, which is consequentially amended by Bill 38, where currently a regulation addressing poultry exists under the Livestock and Livestock Products Act. This regulation will continue as it does today. Bill 38 does not impact the current regulatory provisions relating to poultry.

I'd like to thank the hon. Member for Edmonton-Gold Bar when he explained to all members that the act deals in industry and is not related to BSE, food safety, or the environment. This statement addresses the hon. Member for Calgary-Varsity's questions regarding BSE, chronic wasting disease, and bovine tuberculosis. Livestock diseases are addressed in the Livestock Diseases Act and not in Bill 38. Bill 38 deals with the inspection process as it relates to determining ownership, not health of the animal. Neither does Bill 38 deal with recommendations relating to the CAIS program.

To the hon. Member for Cardston-Taber-Warner, I appreciated your recognition of the use of modern forms of identification beyond the historic method of branding. Bill 38 broadens the types of identifiers that can be used to identify livestock to include identification devices used under other industry programs such as the Canadian Cattle Identification Agency tags. The member opposite questioned the application of a number brand on the opposite side of the animal from the side to which they apply the registered brand. I believe that he is referring to an age brand as defined in section 3(2)(a). Bill 38 standardizes this practice for producers.

I believe, Mr. Chairman, that I've responded to all of the relevant questions raised during second reading. I would like to thank all the hon. members for their support and questions related to this bill and urge all members of the Assembly to stand with the livestock industry, who have put so much effort into this bill, and give Bill 38 their full support.

Thank you, hon. members.

**The Deputy Chair:** The hon. Member for Edmonton-Gold Bar.

**Mr. MacDonald:** Thank you very much, Mr. Chairman. I appreciate those answers from the hon. minister, but certainly when we were discussing this bill in second reading, the hon. minister left the impression in this House that this side was unwilling to meet with him. That's not correct. I have enough to do without trying to keep up to the hon. minister's international travel schedule, and whenever meetings are set up and then they're postponed, there's absolutely nothing I can do about that. Those meetings are set up and postponed because of the department and the minister's travel arrangements, not mine.

Now, we have to recognize the importance of this bill. Again, Mr. Chairman, we have to look at the budget for this year and recognize that overall Alberta's farm cash receipts were down 1.7 per cent in 2005, a decline in crop receipts of 11 per cent and program payments of 22 per cent. However, this was outweighed by the improvement in livestock receipts of 12 per cent. When we look at the border reopening to cattle, we have to recognize – and we said this earlier in the Assembly this evening – that much has to be done. Certainly, Bill 38, when you look at it, at first glance you would think that this is an ideal piece of legislation when we think that the province is toughening cattle sale rules.

Now, we asked, and certainly the minister has informed the House that there was an extensive consultation process and a review of this legislation completed before the final draft was made. We have the bill introduced in the Assembly, and now, of course, we're at committee.

Mr. Chairman, when we look at Bill 38, we see many key changes. One of the key changes is that bills of sale have been standardized and now have mandatory content while still allowing sellers and dealers of cattle and horses to customize the forms to meet the needs of each market. When we look at the security interest in the lien declaration section of the new act, it makes it mandatory that sellers disclose any other owner or part owner of their animals. Now, as I understand it, multiple owners of an animal became quite an issue when Bonnett feeders of Ponoka, Alberta, was placed under bankruptcy protection. Again, as I understand it, Mr. Chairman, both banks and producers claimed to have ownership, title, or stakes, whatever you want to call it, in the feedlot animals while not knowing that the other parties also claimed ownership.

This gets me to this point in this debate on Bill 38, and that's the consultation process. I understand from correspondence, certainly, that the banks have been meeting with members of the department. In fact, late in February the Canadian Bankers Association met with the Assistant Deputy Minister of Agriculture, Food and Rural Development in regard to Bill 38. I don't know what stage the legislation was at. Perhaps the hon. Member for Drayton Valley-Calmar can also comment on this. Perhaps it's not in his constituency, but I have seen the sign in my travels through rural Alberta, which are quite extensive these days because a lot of people are getting more and more and more uncomfortable with the direction that this government is going in. I saw a handmade sign. I didn't get that close to it. It wasn't much more than three-eighths press-board, but it was a four by eight sheet, and it had CIBC written on it. The letters were vertical, and in smaller print was: can impound beef cattle. I'm sure that's not the sort of image that the Canadian Bankers Association have in mind when they deal with rural Albertans. We have to be cognizant and we also have to be respectful of their view.

I think that the Canadian Bankers Association makes some very good points here, which hopefully will be considered. The Canadian Bankers Association has expressed an objection to section 18, and this is the statutory bar to conversion. Section 18(3) extends

protection to agents of the seller. Section 18, which is new, the statutory bar to conversion, protects cattle buyers by limiting the ability of creditors to collect from the current owner. An example of that would be paying twice for the cattle. In a typical cattle sale, of course, cattle are trucked to a large packer, who purchases sometimes 40 truckloads of cattle per day. Payment is due within two days, so the buyer is typically unable to check the liens. I could be corrected on this. I think we're making a separate arrangement for the big packers. [interjection] They don't have seven days to square up? It is two days?

**Mr. Horner:** It's all the same.

**Mr. MacDonald:** Okay. It's all the same. I appreciate that from the hon. minister.

If we were to compare this to the buying and selling of a used car, the buyer checks for liens before purchase. This can't be done with cattle as there is no mechanism to search cattle by serial number or VIN number. I think the minister is working on that very diligently, and there will be. There is in some cases but not in all cases.

The cattle industry, as we know, relies extensively on lending and borrowing. The Canadian Bankers Association's concerns: the lending institutions currently have the ability to collect monies owed by the seller from the future owner of the cattle. Lending institutions will lose this ability in Bill 38. This change may allow auction marts to not take the task of evaluating the risk as seriously as maybe they should. The agent for a seller or a buyer, such as an auction mart, is well positioned to evaluate title or security interests in cattle. For example, they can get to know their regular clients and in some cases only search or assess security risks from unknown clients.

**12:20**

Now, banks have not used their ability – and I can imagine that they would have a significant number of resources at their disposal – to sue future owners of cattle for lost funds. However, the banks, I think, are correct when they argue that the ability to sue provides a safety valve which keeps buyers and agents conducting due diligence in checking for security interests. These changes will have two effects, Mr. Chairman. First, these changes could effectively stop farmers from getting credit for livestock as banks will not be able to collect on their collateral. This will impact small producers significantly. Also, this will increase the cost of borrowing for farmers as it increases the risk associated with lending money to farmers and to ranchers.

The minister is shaking his head. He can get on the record and explain his position.

The bankers are proposing two solutions. The first is that the bankers propose repealing section 18(3) and substituting a section which requires auction marts to perform due diligence in checking for security interests. Two, when an auction mart is the financier of cattle, the auction mart and seller should be considered associated or not at arm's length. I would remind the hon. minister to have a look at section 1, the definitions. As such, the statutory bar to conversion would not apply.

Now, the statutory bar to conversion, Mr. Chairman, provides protection to buyers who purchase large numbers of cattle, mainly the big three meat-packing plants. They argue, as I understand it, that they need this protection because it is not feasible to check every animal. Again, we're making rules here and laws that may be in the interests of the big packers, but are they necessarily in the interests of the smaller producers?

I think that the minister should consider this from the Canadian Bankers Association for this reason and this reason alone: 90 per cent of the cattle traded in Alberta, as I understand it, are bought with some kind of a loan. I think we should consider the merit of the

argument from the Canadian Bankers Association. Again, how does the minister plan to resolve the legitimate concerns of the Canadian Bankers Association? Does the minister have any intentions at this time to amend the bill to include these concerns and these suggestions? Again, if the consultation process was so thorough, as we're led to believe, why weren't these concerns addressed prior to bringing Bill 38 to the Legislative Assembly?

In conclusion, Mr. Chairman, I certainly would like to announce that I expect an answer from the minister before we proceed any further with this legislation at this time, before it moves from committee to third reading. I think we need to toughen the cattle sale rules. But whose interests are being served here and why?

Thank you.

**The Deputy Chair:** The hon. Member for Cardston-Taber-Warner.

**Mr. Hinman:** Thank you, Mr. Chairman. Just a few more details that I guess I want to go over on Bill 38, the Livestock Identification and Commerce Act. I appreciate the minister and those people that have worked, as he says, for years to try and bring three bills into one and the efficiency of it. Yet we still seem to have some questions in areas: what we're going to bring together and the identification and the importance of that. Especially with the outbreak of BSE and the requirement around the world to identify livestock, I think that we've definitely made some major moves in the right direction. It will benefit the producers of Alberta in the long term as we're able to track the animals and to identify problems if they do arise in whatever area it comes under.

When you turn to page 56 in Bill 38, it's talking about the regulation of prescribed livestock and prescribed livestock products. It's going on there, referring to the poultry industry, but under regulation 1(1)(d) it says here that the minister may make regulations "respecting the production, grading, packing, shipping, transporting, advertising and sale of honey that is produced in Alberta for sale in Alberta." Talking about the commerce, one of the problems that seems to have arisen out of BSE and those areas – and I know, as he says, that we just have so many acts under the minister of agriculture that it's confusing and hard to keep track of all of them, yet we've thrown in, like I say, the production of honey there.

I guess my question is in regard to farm gate sales. It seems like it's still being a major problem in that for many agricultural products, even though the producer is the closest to the animal and knows what's going on – and I feel like the safest sale often is at a farm gate – that commerce act is being prohibited in many areas.

On page 55, section 99, just to read some of the different areas that still need to come together:

The Minister may, by giving notice in writing to the licensee, cancel a licence if the Minister is satisfied that the licensee has contravened or permitted the contravention of any provision of this Act, the Wildlife Act, the Meat Inspection Act, the Meat Inspection Act (Canada), the Livestock Identification and Brand Inspection Act . . . which is what's being revised in here,

. . . the Livestock and Livestock Products Act, the Livestock Diseases Act, the Animal Protection Act or any regulations under any of those Acts.

So while we're going through the housecleaning and trying to put these things together, I guess I would continue to urge the government to try and simplify and bring more things under one act and to make it more understandable to producers. If we're to follow, I guess, the lead in Europe, we find that there are many small farms that are popping up with organic, natural production in those areas and wanting to get more into the commerce of those products. I would hope that we'll see further reduction and that the government will look at – well, I guess I've got to go back because I always want

to use that acronym, and it's been prohibited – Restructuring and Government Efficiency, that we need to be able to allow the production and the selling of farm products and allow these small producers to get their little glitch in the market and not go through so many rules and regulations at the farm gates.

But I appreciate the intent of this bill. It still seems like it's long and hard to handle, but hopefully we can continue to reduce it and the Department of Restructuring and Government Efficiency will be able to reduce the amount of red tape, which is one of its goals. We look forward to seeing more improvements on that.

Thank you.

**The Deputy Chair:** Any others?

Are you ready for the question?

**Some Hon. Members:** Question.

[The clauses of Bill 38 agreed to]

[Title and preamble agreed to]

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

**Hon. Members:** Agreed.

**The Deputy Chair:** Opposed? Carried.

Hon. Government House Leader, do I hear that we need to go to Bill 20?

**Mr. Zwozdesky:** I'm not aware of anyone's wishes to go to Bill 20 right now, in response to your question, hon. chair.

Nonetheless, I would like to propose that the Committee of the Whole now rise and report bills Pr. 1, Pr. 2, Pr. 3, 36, 37, and 38 and progress on Bill 20 and beg leave to sit again.

[Motion carried]

12:30

[Mr. Shariff in the chair]

**Mr. Webber:** Mr. Speaker, the Committee of the Whole has had under consideration certain bills. The committee reports the following bills: Bill Pr. 1, Bill 37, Bill 38. The committee reports the following bills with some amendments: Bill Pr. 2, Bill Pr. 3, Bill 36. The committee reports progress on the following bill: Bill 20. 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:** Does the Assembly concur in the report?

**Hon. Members:** Concur.

**The Acting Speaker:** Opposed? So ordered.

The hon. Government House Leader.

**Mr. Zwozdesky:** Thank you, Mr. Speaker. Well, it has been a very, I'd say, engaging evening. There was the odd insouciant moment, but on the basis of the progress made, I would suggest and move that we adjourn the House until 1:30 p.m. today.

[Motion carried; at 12:32 a.m. on Wednesday the Assembly adjourned to 1:30 p.m.]