

Legislative Assembly of Alberta

Title: **Thursday, November 8, 2007**

1:00 p.m.

Date: 07/11/08

[The Speaker in the chair]

The Speaker: Good afternoon.

Today we're going to do something just a little different. I have with me at this auspicious place Nicole Stewart, a grade 10 student from Catholic central high in Lethbridge. She was the first-place winner in the Alberta 2007 intermediate poem competition sponsored by the Alberta-Northwest Territories Command of the Royal Canadian Legion, and she placed second in the dominion intermediate poem competition in the year 2007, sponsored by the Royal Canadian Legion. She has written a poem in commemoration of Remembrance Day called *Eyes*, and I am going to invite her to come to where I stand and read the poem for all Members of the Legislative Assembly, our guests here today, and all those who might be watching via our live video feed on the Internet.

Miss Stewart:

Remembrance Day is here once more.
I sit at a ceremony, lonely and bored.
There are seniors galore in dresses and ties,
I don't understand 'till I look in their eyes.

A mother's eyes glow with the ghost of her son
Who lost his life that had barely begun.
Just a few rows over eyes look to her love
Who's now watching her from heaven above.

A daughter's eyes shine with love for her dad.
She never knew him, what fun would they've had?
A brother's eyes fill with tears because
He never told his sister just how proud he was.

The eyes the most haunting are in the front row,
A blue so bright they cut into my soul.
A single tear forms in the corner and rolls
Down his face through the creases and folds.

He thinks of the day that he left on that ship
Not knowing what would come on that horrible trip.
The tears, the violence, the pain and the fright.
He thinks of the visions that still haunt his nights.

He thinks of a battle he barely escaped.
Why was he the one who was given this fate?
To this day he can hear the air raid alarms
As he thinks of his best friend who died in his arms.

A tear falls down for each memory he sees.
Suddenly it clicks, it makes sense to me.
We must honour our heroes with love and respect,
That's why we sit here today:
Lest we forget. [Applause]

The Speaker: Isn't that marvellous? A poem by Nicole Stewart, a grade 10 student from Lethbridge, an outstanding Alberta young person. Thank you very much, Nicole.

Please be seated.

head:

Introduction of Guests

The Speaker: The hon. Minister of Advanced Education and Technology.

Mr. Horner: Well, thank you, Mr. Speaker. It's my pleasure to rise today and introduce to you and through you to all members of the House 29 visitors from Spruce Grove's Living Waters Christian Academy. I was speaking with them earlier today about the mock Legislature. As everyone can see, they're a well-dressed group of young folks, and their debate at the mock Legislature happened to be about school uniforms. I was told that it was a very interesting debate, and at the end of it all it did pass, which is hardly surprising. I was talking to them about what we do in this House. They're very knowledgeable about what we do and who we represent. They are accompanied by teachers Miss Kori Fehr, Miss Kathryn Lochhead, and parent helper Colleen Osback. They're seated in the members' gallery, and I'd ask them to rise and receive the traditional warm welcome of our House.

The Speaker: The Associate Minister of Tourism Promotion.

Mrs. Ady: Thank you, Mr. Speaker. It's my privilege to introduce to you and through you to the Assembly the very first public school that I've had come to the Legislature in the seven years that I've been in office. It's a long trip, and we're very grateful for the opportunity to introduce the students from grade 6 from Father James Whelihan school and their teachers and group leaders Mrs. Niksic, Mrs. Royer, Mrs. Rutledge, Ms Van Dyke, Mrs. Paczulla, Mrs. Curzon, Mr. Donaldson, Mrs. Henezi, Mrs. Chalifoux, Mr. Felske, Mrs. Lapierre, Mrs. Borrelli, Mrs. Pariag, Mrs. Greyeyes, and Mrs. Yee. I'd have them all rise and receive the warm welcome of this Assembly.

The Speaker: The hon. Minister of Education.

Mr. Liepert: Thank you, Mr. Speaker. It is my pleasure today to introduce to you and to members of the House eight very hard working employees of the Department of Education. We have Marc Prefontaine, Natalie Reschke, and Heidi Looby, who work in the teacher development and certification branch. We have Cheryl Sides, Mary Fitzgerald, and Marni Pearce, who work in the health and children's initiatives branch of the department. Finally, we have Wieland Petermann and Romana Bedriy, who work in the international languages branch of the Department of Education. I would ask all eight employees, who are seated in the members' gallery, to please stand and receive the response from the members of this House.

The Speaker: The hon. Minister of Energy.

Mr. Knight: Thank you very much, Mr. Speaker. It certainly is a pleasure and an honour for me today to be able to introduce to you and through you to all of my colleagues in the Assembly some of the staff from the ministry office. Undoubtedly, all of my colleagues will understand that the minister's office over the last number of months has been extremely busy, and I think, again, my colleagues would agree that the staff in the office have been more than helpful. They remain very, very friendly. Of course, to me they would. But on all sides – the questions that are asked, the work that has been asked of them – they continue to produce what I think are stellar results in the minister's office. I would ask Stacey Leighton, Ethan Bayne, Diane Carter, Belinda Bridge, and Jason Chance to please rise, and I would ask my colleagues to give them the traditional warm welcome to this Assembly.

The Speaker: The hon. Member for Edmonton-Decore.

Mr. Bonko: Thank you, Mr. Speaker. It's my pleasure to rise today to introduce to you and through you to all members of the Assembly Captain Mark Peebles, Master Corporal James Pantel, Corporal Zach Buchanan, Corporal Chris Megyesi, Corporal William Salikin, Corporal Ryan Shudra, and Corporal Michael Zmurko, who have either returned from Afghanistan or are deploying in the future. They are here to help us on Remembrance Day in memory of Master Corporal Raymond Arndt from the Loyal Edmonton Regiment, who was killed August 2006 in Kandahar, as well as many members of Princess Patricia's Canadian Light Infantry who continue to lay down their lives. I'd like them now to please rise and receive the warm welcome of the Assembly.

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

Mr. Backs: Thank you, Mr. Speaker. It is my pleasure and great honour to rise and introduce to you and through you to all members of this Assembly today two gentlemen that represent two separate and competing Alberta-based companies involved in the transportation communication business. These two men have contributed to revolutionizing their industry with new technological advances in respect to the electronic reporting of hours of service logs and vehicle inspections. I would ask Mr. Kim Sax from Mense Incorporated and Mr. Brett Duncan from Verigo Incorporated to rise and accept the traditional warm welcome of this Assembly.

1:10

The Speaker: The hon. Member for Cypress-Medicine Hat.

Mr. Mitzel: Thank you, Mr. Speaker. It's my pleasure today to rise and introduce to you and through you to the members of this Assembly a family from southern Alberta who live on my western constituency border, right on highway 3, I might add. They've travelled to Edmonton for an education weekend. They're spending part of the day here at the Legislature. The Kroeker family are typical of most families in southern Alberta and, might I say, all of Alberta. They're hard working and want the best for their children. I would like to ask Henry Kroeker and his wife, Dorothy, and their sons Ben and Jed to rise and receive the warm welcome of this Assembly.

The Speaker: Hon. Minister of Energy, an additional introduction?

Mr. Knight: Yes, if I may. Thank you very much. The gentleman won't need an introduction to you, Mr. Speaker. He may need an introduction to some of the members assembled here today. Marvin Moore is in the Assembly. He joined us today. Many of us will know that Marvin served in this House as a Member of the Legislative Assembly for the Smoky River riding initially and then, I believe, the Grande Prairie-Smoky riding for a short period of time as it transitioned as well. Mr. Moore continues to serve Albertans daily. He works extremely hard with the health region in our part of the province. I would ask that Mr. Moore please stand and receive the warm welcome of the Assembly.

The Speaker: The hon. Member for Lethbridge-West.

Mr. Dunford: Well, thank you, Mr. Speaker. I have two sets of introductions today. I'd like to begin with Nicole Stewart and her family. I see that she has joined her family in your gallery, and I'd like to introduce to you and through you to all members of the Legislature the family of Nicole. If each would rise when I mention your names, there's Roxanne Stewart, her mother; Russ Stewart, her

father; her sister Laurie; a grandfather, Bill Stewart, from Hairy Hill. The Stewarts, of course, are from Lethbridge, as you've mentioned. Then another set of grandparents: Metro Eliuk, grandfather from Sherwood Park, and Iris Eliuk, grandmother from Sherwood Park. I would ask all of the members to honour the family of Nicole, such a bright person.

The second set, Mr. Speaker, is Shelby MacLeod and a friend of mine, Reg Dawson. Shelby was around these parts for at least as long as I have been, and that's why I was around as long as I've been, because of Shelby. I want to welcome them to the Legislature and ask that you give them a warm welcome.

The Speaker: The hon. Minister of Public Security and Solicitor General.

Mr. Lindsay: Thank you, Mr. Speaker. It's indeed my pleasure today to introduce to you and through you to the members of this Assembly Mr. Al Sauve, who is the executive director of the sheriff's branch in my ministry.

Our sheriff's branch has made invaluable contributions towards ensuring the safety of all Albertans. Mr. Speaker, we now have over 500 sheriffs working in partnership with other law enforcement agencies throughout Alberta helping keep our roads safe, transporting prisoners, protecting the courts, assisting with criminal investigations into gangs and drugs, ensuring the appropriate counterterrorism practices are in place, and performing many other duties that support this government's mandate for safe and secure communities.

Today I had the pleasure of introducing another new role for sheriffs, that of finding and apprehending criminals at large on outstanding warrants. Effective immediately we have 10 sheriffs who will be working in that regard. This new warrant apprehension team reflects the recommendations of the safe communities task force by acting to take these criminals off the street right now.

Mr. Sauve is sitting in the members' gallery, and I would ask that he rise and receive the traditional welcome of this Assembly.

head:

Members' Statements

Remembrance Day 2007

Dr. Brown: Mr. Speaker, at the 11th hour of the 11th day of the 11th month of the year 1918 the guns fell silent, and men lay down their arms across the Western Front of Europe at the end of what was then known as the Great War. This bloody conflict cost the lives of millions, including over 69,000 Canadians. The end of the war came into effect on the signing of an armistice between the warring nations, and thus November 11 became known as Armistice Day.

Despite the passage of time and other intervening conflicts the 11th hour of November 11 has retained its significance and has assumed a broader symbolic importance as the special time when peoples of the British Commonwealth and some other nations commemorate veterans and the sacrifices of those who have fallen in the service of their country.

In Canada November 11 is known as Remembrance Day. It's a time when we pause to remember all those who served in our armed forces and more than 117,000 Canadians who died in the Boer War, two world wars, the Korean War, and in UN peacekeeping and NATO actions.

Mr. Speaker, I know that all members of this Assembly join with me in recognition of Remembrance Day. The red poppies which are worn on the lapels of members today remind us of our solemn duty to remember and to pass on that legacy to the next generation.

This Sunday, November 11, at 11 o'clock in the morning may each of us in this House and all Albertans, young and old, stop to

take two minutes from our busy daily lives to observe two minutes of silence to honour the memory of all those Canadians who have served and especially those who have fallen in the service of our country.

Thank you, Mr. Speaker.

The Speaker: The hon. Member for Edmonton-Decore.

Remembrance Day 2007

Mr. Bonko: Thank you, Mr. Speaker. I'm very pleased to have the opportunity today to honour those who have answered Canada's call to the military service and offer them our heartfelt thanks. Remembrance Day is a powerful tribute to the sacrifices made by over 100,000 Canadians throughout the history of our nation's military participation. Throughout World War I, World War II, Korea, Bosnia, Afghanistan, and peacekeeping missions around the world our soldiers have always been renowned for their courage and bravery. Their actions have helped shape our Canadian identity. The Battle of Vimy Ridge alone, now 90 years in our past, continues to instill Canadians with pride. Veterans have allowed our society to flourish as a democratic, open, and prosperous nation.

The constituents of Edmonton-Decore have always had a great deal to do collectively in supporting the military families, and I am proud to have helped in that regard.

To the members up in the gallery and to all Canadian veterans I offer my gratitude, respect, and solemn vow to remember those who offered their ultimate sacrifice.

Thank you.

The Speaker: The hon. Member for Wetaskiwin-Camrose.

Edgeworth Centre

Mr. Johnson: Thank you, Mr. Speaker. I am pleased to rise today to recognize the opening of a sport development and wellness complex in the community of Camrose. The community and university project encompasses leisure, sport, education, health and fitness and features a large spectator arena and fitness centre. This state-of-the-art recreational and wellness complex, now named the Edgeworth Centre, will generate tremendous economic and health benefits as it serves a large regional population in east-central Alberta.

These and other worthwhile attributes that the complex brings were all reasons why the Alberta government, the city of Camrose, the county of Camrose, the University of Alberta, surrounding towns and villages supported by neighbouring MLAs, and the private sector proudly provided substantial funding for the centre. One of the greatest accomplishments of this facility was the co-operation and partnership between the stakeholders and supporters. Together their efforts culminated in the planning, construction, and grand opening of this multifaceted facility on September 28. It was my honour to be a participant at that time.

This Camrose sport and wellness project demonstrates the true potential of comprehensive rural development. The university's support ensures that this leisure campus is not only an exceptional sporting venue but a multipurpose university and community centre with a physiotherapy clinic, physiology lab, and technologically capable classrooms.

Mr. Speaker, the Edgeworth Centre is an inclusive model that will provide opportunities for Albertans to improve their health and minds. I anticipate that for years to come Albertans will enter this facility to attend a Kodiaks or Augustana Vikings game, participate in fitness activities, educate themselves, participate in the Viking

Cup, or simply to be an active volunteer in the community organization.

Mr. Speaker, this is a remarkable achievement for the community, the university, and a large section of east-central Alberta, and I wish to congratulate all participants on the opening of this new centre.

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

1:20

Royalty Revenues

Mr. Agnihotri: Thank you, Mr. Speaker. Albertans have been ripped off, ripped off by a government responsible for what could be the most expensive scandal in Canadian history. According to the Royalty Review Panel and the Auditor General the government has lost billions of dollars, at least \$114,000 per hour for every hour of every day for the last seven years, because of inadequate government oversight of the royalty regime.

My constituents are asking me many questions about the money this government failed to collect and how that money could have made Alberta a better place. They want someone to be held accountable for letting so many billions of dollars slip through the government's fingers. These dollars could have been saved in the heritage fund to build a better future for our province and to vastly improve the quality of infrastructure and vital government services. Homeless people wonder why this province still has so many problems even though it seems the government can afford to lose billions of dollars without a second thought.

Both the reports reveal that there are serious problems with accountability, transparency, and management within the Ministry of Energy, yet the government has refused to acknowledge that the Auditor General and the Royalty Review Panel both raised huge concerns over accountability within the Ministry of Energy. The people of Alberta, Mr. Speaker, cannot trust this government, that has squandered our past to build our future.

Thank you.

The Speaker: The hon. Member for Lesser Slave Lake.

Shelby Chalmers

Ms Calahasen: Thank you, Mr. Speaker. It has been said that a library is at the heart of our community. I would also add that children and youth are at the heart of our communities as well, like the Nicoles of Lethbridge and in Slave Lake Shelby Chalmers, a 12-year-old student at Roland Michener secondary school in Slave Lake. I understand she's watching these proceedings from her school today.

Shelby loves her local library, and she took it upon herself to host a barbecue in September to raise money for the Slave Lake municipal library. Thanks to posters she put up at the library and around town, approximately a hundred people showed up to help Shelby with her fundraising mission. They ate hot dogs, hamburgers, buns, chips, and pop she solicited from local businesses. Attendees had more than just good food to enjoy at the event. They also had a chance to win door prizes and take part in kids' games. Shelby's parents and sisters helped out at the event as did the local Rotary Club members. At the end of the day, Mr. Speaker, Shelby raised more than \$2,000, money that will help build a new library, much needed in Slave Lake.

It was such a success that she's thinking of having another barbecue. The library board was thrilled, the community was amazed, and of course Shelby did such an outstanding job. This remarkable young lady reaffirms our belief in the strength, compassion, and dedication of Alberta's youth that inspires others to help

make our world a better place. To you, Shelby, great work, and thank you very much for taking it upon yourself to become a Slave Lake citizen.

Mr. Speaker, I'd ask all members of this House to join me in recognizing Shelby Chalmers for sharing her gift of leadership and her love of libraries.

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

Affordable Housing

Mr. Martin: Thank you, Mr. Speaker. This Conservative government likes to make grandiose announcements about what they're going to do in the future. Recently the Premier announced that we're going to have a housing secretariat and a 10-year plan to get rid of homelessness. This government has known about this problem for well over a year. They formed a task force to make recommendations. The final report was delivered seven months ago, and the government ignored most of the recommendations. Things have gotten worse. We now have 20 per cent more people on waitlists for affordable housing in Edmonton. Our shelters are already turning people away because they are at capacity. Estimates for the capital region alone say that we are short at least 6,000 affordable housing units, and last week's announcement won't fix that.

No government since the 1930s has done more to cause homelessness. It is a problem started because of major cuts to social housing in the mid-1990s, and now we have an overheated economy with thousands of people rolling into Alberta looking for a better life, and it will get worse. Without a moratorium on condo conversions and rent increase guidelines, more affordable units will be taken off the market. It is frightening to think about what might happen to homeless people when the weather changes this winter.

This Conservative government has to stop worshipping at the altar of the so-called free market and do what is right for vulnerable Albertans. It's not too late to do the right thing. Stop this crisis from getting worse by listening to ordinary Albertans, and put a stop to rent gouging. Albertans should be able to sleep at night knowing they'll be able to afford to sleep under the same roof next month.

Thank you, Mr. Speaker.

head: **Presenting Petitions**

The Speaker: The hon. Member for Lacombe-Ponoka.

Mr. Prins: Thank you, Mr. Speaker. I'm rising today to present a petition signed by constituents of Lacombe-Ponoka and area. They are urging the Assembly to pass Bill 45, Smoke-free Places (Tobacco Reduction) Amendment Act, 2007.

Thank you.

The Speaker: The hon. Member for Edmonton-Calder.

Mr. Eggen: Thanks, Mr. Speaker. I'd like to present a petition signed by 1,232 Albertans asking the Assembly to urge the government to stop commercial logging in Kananaskis Country and protect the area as a park. The petition was spearheaded by a group of Bragg Creek and Redwood Meadows residents who gave away about 7,000 tree tags this summer to people who hung them on trees on their property to encourage the government to protect the northeastern districts of the Kananaskis.

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

Mr. Backs: Thank you, Mr. Speaker. I'm pleased to rise and

present a petition that is signed by the members of the area 17 council of northeast Edmonton, which comprises the presidents and the chairmen of community leagues, other NGOs, hockey and such, and it reads: "We, the undersigned residents of Alberta, petition the Legislative Assembly [of Alberta] to pass Bill 213, Regulatory Accountability and Transparency Act, which will eliminate unnecessary regulations and reduce red tape."

head: **Introduction of Bills**

The Speaker: The hon. Member for Calgary-Mountain View.

Bill 216

Water Protection and Conservation Statutes Amendment Act, 2007

Dr. Swann: Thank you, Mr. Speaker. I request leave to introduce a bill being Bill 216, Water Protection and Conservation Statutes Amendment Act, 2007.

This bill will strengthen government's ability to manage water sustainably.

Thank you.

[Motion carried; Bill 216 read a first time]

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

Bill 218

Freedom of Information and Protection of Privacy (Repeal of Ministerial Briefing Exemption) Amendment Act, 2007

Mr. Agnihotri: Thank you, Mr. Speaker. I am pleased to rise and introduce Bill 218, Freedom of Information and Protection of Privacy (Repeal of Ministerial Briefing Exemption) Amendment Act, 2007.

Mr. Speaker, the purpose of this bill is to ensure that this government remains committed to its pledge of providing the accountability and transparency that all Albertans expect from its public offices. This bill is being introduced with the people of this province in mind. The exemption of ministerial briefing notes from public access serves only one purpose: to allow the government to keep their dealings out of the public forum.

Thank you.

[Motion carried; Bill 218 read a first time]

head: **1:30 Oral Question Period**

The Speaker: First Official Opposition main question. The hon. Member for Edmonton-Gold Bar.

Alberta Utilities Commission Act

Mr. MacDonald: Thank you, Mr. Speaker. Last night I had the pleasure of visiting the Lacombe Memorial Centre, where I was joined by over 350 concerned Albertans. These Albertans were concerned about Bill 46. Speaker after speaker expressed serious reservations about the direction this government is going in regarding Bill 46. My first question is to the Minister of Energy. All electricity consumers in Alberta will pay the full cost for any future transmission expansions and upgrades. Why under Bill 46 is this government limiting and restricting consumers' ability to participate fairly in hearings which will determine those total costs? It will show up on their monthly bills. Why aren't they being treated fairly?

Speaker's Ruling Oral Question Period Rules

The Speaker: Hon. members, I will call on the hon. minister, but Bill 46 is at second reading. We will have an opportunity to debate this bill. The Assembly has not determined where it's going to go with this bill, so I don't know how the sponsor of the bill can respond. He may find that the Assembly goes in a different direction.

If you choose to say something, proceed.

Alberta Utilities Commission Act (continued)

Mr. Knight: Well, thank you, Mr. Speaker. The line of questioning, of course, is very similar to the line of questioning that took place yesterday. What I would have to say about the issue is that there appears to be a propensity by some individuals both inside and outside of the Legislature to whip up an awful lot of angst in the communities in rural Alberta with respect to the issue of their utilities. The fearmongering that's going on will certainly subside once Albertans, generally speaking, get an understanding of what's in Bill 46 as it proceeds through the Legislature.

Thank you.

The Speaker: The hon. member.

Mr. MacDonald: Thank you, Mr. Speaker. It's Albertans that understand the bill and not the minister.

In October of this year the Auditor General did a great job of pointing out the Minister of Energy's failure to be accountable to Albertans. Bill 46 states that the Market Surveillance Administrator will not be subject to the Auditor General Act. Again to the Minister of Energy: why doesn't the minister want the Auditor General to audit the Market Surveillance Administrator? What are you afraid of? What are you afraid he'll find?

Mr. Knight: Mr. Speaker, what I have to say with respect to that is that Bill 46 is a piece of legislation before the House that is going to put in place a regulatory process that meets the electricity needs and the utility needs of all Albertans. There's need for utility infrastructure in all areas of the province. This is a very positive step forward for Albertans.

The Speaker: The hon. member.

Mr. MacDonald: Thank you, Mr. Speaker. Again to the same minister. Let's talk about need. Bill 46 amends the Hydro and Electric Energy Act. Currently this act requires the EUB to determine whether a proposed transmission line is and will be required to meet present and future public convenience and need. Why is the minister allowing the proposed commission in Bill 46 to approve transmission line projects without considering public convenience and need? Hasn't he learned anything from the spy scandals?

Mr. Knight: Mr. Speaker, again, that's a bunch of conjecture around something that may or may not take place. There will be a full debate of Bill 46 in this Assembly, and at that point in time all of the intricacies of the bill will be debated.

Speaker's Ruling Oral Question Period Rules

The Speaker: Okay. I'm going to make the comment again. If the

hon. members want to cancel question period and move to second reading debate on Bill 46, the chair is at the will of the Assembly. But we do have a question period, and until you tell me differently, we're going to pay attention to what the purpose of the question period is.

Second Official Opposition main question. The hon. Member for Edmonton-Gold Bar.

Royalty Revenues

Mr. MacDonald: Thank you. A confidential draft oil sands royalty regime report from this government dated October 2004 – and one can only assume that it was presented to cabinet – indicates that economic rent in 2004 on oil sands production was 34 per cent. This was described as extremely low by international standards. Again to the Minister of Energy: why did this government ignore the report for three years, costing Alberta resource owners billions and billions of dollars in lost royalty revenue?

The Speaker: The hon. minister.

Mr. Knight: Well, thank you, Mr. Speaker. It's obvious that the member opposite has himself wedged very squarely in the past. If you want to talk about the past, I'll tell you something about 2004. Royalty revenues to the province of Alberta in 2004: \$8.34 billion – \$8.34 billion. Capital investment in the energy industry only, province of Alberta, 2004: \$23.7 billion – \$23.7 billion. Jobs for Albertans, security for Albertans, infrastructure for Albertans.

Thank you, Mr. Speaker.

Mr. MacDonald: Mr. Speaker, to the same minister and from the same report. You can see for yourself the blank pages. Now, why are you excluding this information from the public? Will the minister table all the recommendations made in this 2004 oil sands review for all Albertans to see? They own the resource. If you're truly open and accountable, you will show these recommendations on royalty rates and royalty collections, and people can make up their own mind whether they've been ripped off by this government or not.

Mr. Knight: Mr. Speaker, it's quite obvious, in fact, that the people in the province of Alberta have made up their mind. We're on this side of the House. They're on that side of the House.

Mr. Speaker, the other thing about this is that I would suggest to you and I would suggest to all Albertans that the member opposite spends too much time staring at blank pages.

The Speaker: The hon. member.

Mr. MacDonald: Thank you, Mr. Speaker. For the minister's information, I was in the Lacombe Memorial Centre last night when the hon. Member for Lacombe-Ponoka asked if we need a new government, and there was a loud cheer.

Now, the Hunter report states, and hopefully the minister has read this: "The Panel is unanimous in declaring that Albertans do not presently enjoy a transparent and readily-evaluated royalty regime for oil and gas." Was this confidential draft oil sands royalty regime review of October 2004 shared with Mr. Hunter and his expert panel, and if not, why not?

Mr. Knight: Well, let's talk about the past some more, shall we? Let's move from 2004 to 2005. That was a nice year, 2005. I'll move ahead a year. In 2005 royalty revenues to the province of

Alberta: \$10.7 billion. Mr. Speaker, in 2005 the billions – the billions – \$32.8 billion energy investment capital deployment in the province of Alberta, \$32.8 billion. That's where the billions are.

The Speaker: Third Official Opposition main question. The hon. Member for Calgary-Elbow.

Mr. Cheffins: Thank you, Mr. Speaker. When shown how his government let billions of royalty dollars slip through its hands, the Premier has claimed that this is not a problem. He stated that “all of that money ended up in the pockets of Albertans.” The Premier's claim that billions weren't lost, that we get our fair share through some magical trickle-down effect is contradicted by the department staff, by the independent expert panel, and by the Auditor General of this province. The impact of those missing billions is all too clear. To the Minister of Education: could the minister explain why school boards have been underfunded for so long if all of those billions of dollars were actually in the hands of Albertans?

Mr. Liepert: Mr. Speaker, it hasn't taken this member very long to figure out that that party will go to any length to fertilize the truth, to sink to the bottom of the lowest denominator when they come up with their questions.

Mr. Cheffins: If the minister disagrees, he should be asked to stand under the leaky roofs, and that will change his mind real quick.

Mr. Speaker, Alberta's municipalities have struggled for too long to get enough funding for all sorts of needs: public transit, roads, policing. The list is far too long to list here today. To the minister of municipal affairs: why were our municipalities so cash-strapped if, in fact, those billions of dollars were in public hands?

1:40

Mr. Danyluk: Mr. Speaker, first of all, I want to say that our Premier and this government very much recognized some of the challenges that municipalities had with the growth pressures in the province, so this Premier and this government put forward \$11.3 billion over three years for sustainability and predictability for municipalities to do exactly that: to plan for transit, to plan for infrastructure, to plan for recreation facilities.

Mr. Cheffins: This government was around when all those problems were created.

Mr. Speaker, last year the mayor of Fort McMurray made an unprecedented personal intervention in the EUB hearings over the Voyageur project. The regional municipality of Wood Buffalo did not have nearly enough funding to address infrastructure and staffing needs. To the Minister of Energy: could the minister explain why the mayor had to do this if, in fact, the public had these billions of dollars?

The Speaker: The hon. Minister of Energy.

Mr. Knight: Thank you very much, Mr. Speaker. You know, this government has been extremely proactive with respect to any of the infrastructure problems that have been created by a very robust economy in this province. The situation that the member opposite speaks about has been very, very well addressed by two reports of the government that we're acting on: one, the Radke report, and two, the multistakeholder commission that we put in place. Those things are moving forward. The recommendations have been accepted. We will rest on that very good work.

The Speaker: The hon. Member for Edmonton-Highlands-Norwood, followed by the hon. Member for Edmonton-Manning.

New Royalty Framework

Mr. Mason: Thanks very much, Mr. Speaker. Yesterday, the International Energy Agency said that future increases in world oil supply will come from “nonconventional sources – mainly Canadian oil sands.” Alberta's tar sands represent the largest, most secure, most valuable deposit of unexploited petroleum in the world, and as any small business owner could tell this government, that puts Alberta in the driver's seat when it comes to royalties. My question is to the Energy minister. Why, given Alberta's emerging dominant position in world energy markets, has this government proposed royalties lower than almost every other jurisdiction in the world?

Mr. Knight: Mr. Speaker, what I can tell you about the system in the province of Alberta is that it has generated a tremendous amount of economic activity in this province that has benefited all Albertans, all Canadians, and people from around North America and globally. It's a very robust industry; we understand that. We realize our position on the world stage; however, there is much more to it than just the oil sands.

The Speaker: The hon. member.

Mr. Mason: Thanks very much, Mr. Speaker. Well, I'd love to play poker with this minister. Alberta has been dealt a royal flush, and the Premier folded. Mr. Speaker, all the rest of the people in this province could see that big oil was bluffing. So my question to Energy minister is this: why did this government cave in to big oil?

Mr. Knight: Well, Mr. Speaker, there could be a very good case made here that the leader of the third party wants to gamble with Albertans' jobs. I do not want to gamble with Albertans' jobs, and certainly I won't gamble with Albertans' jobs with a bunch of jokers.

Mr. Mason: Well, Mr. Speaker, the minister sure is a card.

The fact remains that it is this government that is gambling with the future of this province by letting the lion's share of the value from our resources flow to shareholders in multinational oil companies. Those are the same companies that finance the Conservative Party and the Liberal Party in this province. Mr. Speaker, how is it that Albertans could ever trust this government to stand up for them against big oil given the fact that they are so dependent on big oil money to finance their election campaigns?

The Speaker: The hon. minister.

Mr. Knight: Thank you, Mr. Speaker. Well, I'll tell you, this is the gamble. Here is the gamble: 2006, \$9.3 billion in royalty revenue to the province of Alberta from the energy industry. Capital investment in the province of Alberta in the year 2006: \$36.6 billion. That's the gamble. That's what we put on the table. That's what Albertans have accepted and expect us to continue to do, and we will continue.

The Speaker: The hon. Member for Edmonton-Manning, followed by the hon. Member for Bonnyville-Cold Lake.

Electronic Driver Reporting and Enforcement

Mr. Backs: Thank you, Mr. Speaker. Everyone wants safe high-

ways. Many truckers are so fatigued that they create danger and should not be on our highways. A tragic case decided just days ago in our courts showed how a tired trucker killed an RCMP officer doing his job on the side of the highway. Tired driver: deadly driver. People in the transportation industry have told me that the old-style time-consuming paper logbooks for truckers and bus drivers have little effect. Electronic means are now available for real-time, verifiable reporting of hours worked. My question is to the minister of transportation. When will your department simplify the onerous paper-driven system of drivers' logbooks and accept the 21st century existing, proven technology for logbooks?

Mr. Ouellette: Mr. Speaker, this government supports new technologies that reinforce compliance with hours-of-service regulations and ultimately reduce the fatigue of professional drivers. Alberta is not alone in its attempt to accept such new technologies. The U.S. government, Transport Canada, and all the provinces are currently developing performance criteria for manufacturers, carriers, and enforcement officials to ensure that these devices have acceptable standards.

The Speaker: The hon. member.

Mr. Backs: Thank you. A supplementary to the same minister, Mr. Speaker. Federal regulations deal with interprovincial transport. The province handles enforcement of these regulations. All provinces except for Alberta have harmonized with the federal regulations on driver logs and vehicle trip inspection. When will your department, Mr. Transportation Minister, streamline, simplify, and harmonize to the Canadian standard, cutting red tape and implementing electronic driver reporting and enforcement?

Mr. Ouellette: Mr. Speaker, the province is currently involved in harmonization of laws and governing of commercial carriers. We're also working with Transport Canada and other jurisdictions in developing guidelines for the introduction of hand-held electronic logbooks.

Mr. Backs: To the same minister, Mr. Speaker. Enforcement is the key. Proper enforcement follows simple reporting, little red tape. Our transportation department in its enforcement has not allowed implementation of electronic reporting. When will the department allow this, and have implementation timelines been established?

Mr. Ouellette: Mr. Speaker, this government has long accepted the on-board electronic logbooks allowed by Transport Canada. That regulation is tied to the vehicle engine as a way to prove that driving activity matches the driver's hours of service. The new technologies being developed are stand alone, and current Transport Canada regulations do not support their use. We're in the process of changing that. We're currently developing policy guidelines for manufacturers, enforcement officers, and carriers to ensure that they're all provided with acceptable characteristics. We do support new technology, and we are actively pursuing harmonization acceptance across Canada and the U.S.

The Speaker: The hon. Member for Bonnyville-Cold Lake, followed by the hon. Member for Edmonton-Rutherford.

Repeat Offenders

Mr. Ducharme: Thank you, Mr. Speaker. The Crime Reduction and Safe Communities Task Force report states that there is a serious problem with repeat offenders and that targeted action is necessary

to deal with them. My questions are to the Minister of Justice and Attorney General. Mr. Minister, why is it that repeat offenders are such an issue?

Mr. Stevens: Mr. Speaker, that's an excellent question, and if the opposition were in touch with the community, they'd recognize that the community thinks it's an excellent question. The fact is that some 15 per cent of offenders are responsible for 60 per cent of the crime. Here in Edmonton I can tell you that the Edmonton police have identified 136 or so individuals who are responsible for an incredible amount of the crime. To the extent that these folks can be identified and dealt with appropriately within the criminal justice system, we will be able to keep our communities safer.

1:50

The Speaker: The hon. member.

Mr. Ducharme: Thank you, Mr. Speaker. To the same minister: how are you proposing to deal with these offenders?

Mr. Stevens: One of the recommendations in the excellent task force report, one that is accepted by this government because we have a policy with respect to safe communities, something that the opposition do not have, is that we will take some steps with respect to repeat offenders. First of all, Mr. Speaker, we will be ensuring that more often Crown prosecutors rather than police will be addressing the issue of bail in the first instance. At present that is the reverse.

Secondly, we've had great success with respect to identifying long-term and dangerous offenders through a flagging system. We are currently in the process of working with the Solicitor General and with police forces throughout Alberta so that we can develop a flagging system for repeat offenders.

The Speaker: The hon. member.

Mr. Ducharme: Thank you, Mr. Speaker. To the same minister: when will this system be in place?

Mr. Stevens: Well, Mr. Speaker, I can tell you that we are working on that as we speak, and we are working on it in earnest as it relates to the flagging system.

On the issue of the Crown prosecutors we have had a pilot project in Wetaskiwin for some time now, which has had incredible success. It's one of those situations which makes the police very, very happy because they're able to do what they should be doing, and more importantly, from my perspective as the Minister of Justice, we have appropriate people dealing with the bail applications.

The Speaker: The hon. Member for Edmonton-Rutherford, followed by the hon. Member for Calgary-Bow.

Farm Fuel Rebate Program

Mr. R. Miller: Thank you, Mr. Speaker. Mr. Please Don't Call This a Compromise and his ministers have failed this province and its people by leaving billions of dollars in royalties uncollected. Now we have further evidence of their inability to collect our fair share of tax revenue. The Auditor General has been made aware of cases where former farmers have notified Alberta Agriculture that they are no longer farming, yet senior department officials admitted yesterday that they do not even know if the department follows up by cancelling the farm fuel tax benefits received by those same farmers.

My question is for the minister of agriculture. How can you continue to allow millions of dollars to be lost in revenue by not cancelling the farm fuel tax benefit for Albertans who have admitted that they're no longer in the business of farming?

The Speaker: The hon. Minister of Agriculture and Food.

Mr. Groeneveld: Thank you, Mr. Speaker. As I said to the Member for Edmonton-Gold Bar earlier in the spring, we're reviewing the program and will be coming forth with a new program in the next few months. I suspect no fraud, but perhaps the program needs to be changed a little.

The Speaker: The hon. member.

Mr. R. Miller: Well, thank you, Mr. Speaker. Sixty thousand farmers are registered in the farm fuel benefit program in Alberta, yet numbers from Statistics Canada show that there are only about 40,000 farmers who would be eligible for the program. To the minister of agriculture: why have you not followed up the recommendations from the Auditor General's 2005-2006 report, a report which you agreed with and said that you would follow up on, by verifying application information and requiring regular renewal to avoid abuse of the program? It's two years later. What are we waiting for?

Mr. Groeneveld: Obviously, Mr. Speaker, the member across has a hearing problem because I just explained that. The purpose of the Alberta farm fuel benefit program is to allow farm operators to buy fuel at a competitive price with their North American counterparts. We're working on it, as I said. We're working with the Department of Finance, who actually administers the program, so there's no problem.

Mr. R. Miller: I can't imagine why it takes two years to start that work, Mr. Speaker.

A freedom of information response that we received earlier this year showed that the department of agriculture was aware of the abuse in the farm fuel program as far back as 1997. An internal audit done in 1999 again noted the problems with the program, yet nothing was done. During 10 years of mismanagement, Mr. Speaker, hard-working farmers who were legitimately eligible for the program could have been better assisted if the misused dollars had been redirected into appropriate programs. My question is for the minister: why has this mismanagement of the farm fuel program been allowed to continue for 10 years while several agriculture ministers, including the current Premier of this province . . .

The Speaker: The hon. Minister of Agriculture and Food.

Mr. Groeneveld: As I said, it's under the Department of Finance, so maybe I'll ask the minister to respond to that.

The Speaker: The hon. minister.

Dr. Oberg: Thank you very much, Mr. Speaker. Under TEFU this program provides approximately \$50 million worth of benefit to farmers in the province of Alberta. These \$50 million go to people who have had an extremely tough time with low commodity prices over the past several years, so it is a program that is working excellently.

Mr. Speaker, in my tenure as this minister I have dealt with farmers that have been taken off of this program, and realistically

they are very unhappy. Do we have to ensure that the farmers that are on this program are legitimate farmers? Absolutely. Do we do it? The answer is yes.

The Speaker: The hon. Member for Calgary-Bow, followed by the hon. Member for Lethbridge-East.

Crime Reduction and Safe Communities

Ms DeLong: Thank you very much, Mr. Speaker. The Crime Reduction and Safe Communities Task Force final report says that the justice system is broken. My questions are to the Minister of Justice and Attorney General. How did the system get to the point where the report claims that it's fractured?

Mr. Stevens: Mr. Speaker, as you know, the task force toured Alberta. They went to 14 different locations, received input from literally hundreds and hundreds of Albertans. What they were reporting is what people felt about the system, and, yes, they did call it fractured. There are definitely a lot of things that were outlined in the report that need to be done better, and I can say on behalf of this government that we acknowledge that, and we will be doing better.

On the other hand, it also indicated that there were many things which are going well. It is to be acknowledged that the prosecution service, the court service, and the police are doing a very good job. What we need to do is to have more collaboration, co-operation, and leadership with respect to this, and that was the essence of this particular report. We need to have some way in order to bring those groups together so that we can all go in the same direction collaboratively.

The Speaker: The hon. member.

Ms DeLong: Thank you very much. What role do actual communities, such as my communities, play in this?

Mr. Stevens: The task force report indicates very clearly that this is not just simply a matter for Alberta Justice or the Alberta Solicitor General or for police forces. This is a matter for all communities, all municipalities, all individuals in Alberta. When we all understand that we have a role to play, then we will make incredible strides.

One of the things that was pointed out in the report that would help our communities is if we have safe communities legislation, and I'm happy to say, Mr. Speaker, that later today Bill 212, I believe, will be before the House as a private member's bill. It's referred to in that report as the kind of bill that we need here in this province to assist municipalities in addressing the kinds of issues that they have in their communities.

The Speaker: The hon. member?

The hon. Member for Lethbridge-East, followed by the hon. Member for Red Deer-North.

Royalty Revenues

(continued)

Ms Pastoor: Thank you, Mr. Speaker. Almost every day this week the Premier and his ministers have denied that this government failed to collect billions of dollars. They even claim that the missing dollars have been reinvested into the province and are benefiting Albertans. To the Minister of Energy: can the minister explain how we reached a crisis in the human service sector if this money actually trickled down?

The Speaker: The hon. minister.

Mr. Knight: Mr. Speaker, thank you very much. What's actually missing here is an understanding of what has happened in the province of Alberta with respect to the development of the resources of this province over a number of years. If people want to continue to dwell on the past, well, I've got more. If they want more, I've got more.

In 2003: \$6.5 billion in royalty revenues to the province of Alberta and capital investment in the province of \$19.4 billion. Mr. Speaker, what this does is provide jobs for Albertans, security for Albertans, and certainly allows Albertans to be able to take better care of themselves with respect to the issues that the hon. member is talking about.

Ms Pastoor: With all due respect, sir, EnCana has just spent billions in Texas, and that's not in the past.

To the minister of health. Seniors in assisted living are forced to pay each time if they need extra bathing, eating, or in fact receiving their medications. Can the minister explain how we reached this point in continuing care if this money has trickled down?

Mr. Hancock: Well, Mr. Speaker, first of all, they talk about missing royalties. There aren't missing royalties. The royalties that were assessed were collected. What they're talking about is perhaps a lost opportunity to collect royalties, and the Minister of Energy has indicated how by keeping the royalties at the rate they were we created economic benefit.

The member should also know that our Fiscal Responsibility Act puts a cap on how much royalty revenue can go into the operating budget. We should not be moving into the selling of the assets to pay for the groceries. So if there were additional royalty revenues, it wouldn't be appropriate to spend it on current expenses. It would be appropriate to save it to build a knowledge-based economy for tomorrow and to build the assets for tomorrow.

2:00

Ms Pastoor: People not receiving care really don't care about the economics; they know they're being ripped off. To the minister of seniors. Albertans on AISH are struggling to pay their rent and meet their basic needs because benefits have not been indexed to keep up with inflation. Can the minister explain how people on AISH are benefiting from these trickle-down dollars?

Mr. Melchin: Mr. Speaker, over the past years we have ensured that each year there has been an increase to those AISH payments. We do acknowledge that those individuals with severe disabilities have an ability to have a monthly payment. This past year in this budget we did increase payments to those AISH recipients. That's a matter of each budget that would come forward for the future year.

The Speaker: The hon. Member for Red Deer-North, followed by the hon. Member for Edmonton-Calder.

Crime Reduction and Safe Communities

(continued)

Mrs. Jablonski: Thank you, Mr. Speaker. A safe and secure community is very important to the people of Red Deer-North and all Albertans. This government has told Albertans many times that it is committed to safe and secure communities, so it's very disturbing to learn that there are as many as 200,000 warrants outstanding for the arrest of criminals throughout Alberta, 8,000 of those warrants for serious or violent crimes. These criminals need to be taken off our streets. My first question is to the Solicitor General and Minister of Public Security. What action is the minister taking

to get these criminals off the streets of Alberta's communities and neighbourhoods?

The Speaker: The hon. Minister of Public Security and Solicitor General.

Mr. Lindsay: Thank you, Mr. Speaker. This government's commitment is firm. Albertans have a right to safe communities. Today I announced a new \$1.4 million program which will help take criminals off the street and keep them off. The new warrant apprehension team will work with police agencies across the province to target and bring to justice criminals on outstanding warrants. This is consistent with recommendations from the Crime Reduction and Safe Communities Task Force. Each one of these units consists of five sheriffs whose sole purpose is to find and arrest criminals with outstanding warrants who have evaded capture. We are turning up the heat.

Mrs. Jablonski: To the same minister: what will these warrant apprehension teams do that police can't or don't already do?

Mr. Lindsay: This new unit is going to work in partnership, Mr. Speaker, with municipal police, the RCMP, and corrections to identify, find, and arrest criminals who are unlawfully at large. Having a unit dedicated strictly to apprehending these criminals will make warrant apprehension much more effective. Getting these criminals off the streets ensures they won't reoffend and revictimize Albertans.

Mrs. Jablonski: To the same minister: what can people in my community do to help with the work of this new unit?

Mr. Lindsay: Mr. Speaker, enforcement alone will not curb violence. We need the ongoing support of the community to help police in their criminal investigations. For our part we continue to work with Alberta communities and with police to prevent crime and make criminal acts more difficult to commit. This year alone we spent \$18 million to help fight organized crime, and in the last three years we have invested \$31 million and added nearly 300 police officers to our streets. We have also established two sheriff surveillance teams that help police investigate organized crime and gang activity.

The Speaker: The hon. Member for Edmonton-Calder, followed by the hon. Member for Edmonton-Decore.

Teachers' Unfunded Pension Liability

Mr. Eggen: Thanks, Mr. Speaker. In 1994-95 teachers reluctantly agreed to wage rollbacks to help the Conservative government get out of debt. Alberta's teachers have been asked to make sacrifices ever since, and they've been given very little support for their pension fund. Teachers here contribute more than any other province. They're still paying much more than their fair share. My question is to the Education minister. Currently the government is paying only half of the pension benefits you're meant to pay. Why don't you get off your high horse now and pay the proper amount?

Mr. Liepert: Mr. Speaker, I think it's important to say that for the past several months officials of the Department of Education and representatives of the Alberta Teachers' Association have been holding meetings relative to working towards a resolution on the unfunded pension liability and other issues related to that. It was

determined at the outset that public discussions during this time would serve no purpose. I am optimistic that negotiations and discussions are proceeding, maybe better than what one might have expected at this time.

Mr. Eggen: Well, considering, Mr. Speaker, that there was a last-minute attempt jammed in the last budget forcing the teachers to do something with this and that during the budget as well there was 3 per cent underfunding of teachers to squeeze the school boards so that it made it very difficult to do these negotiations in the first place, I see a pattern of stalling. I would like to know how this idea of not funding the unfunded liability issue fits into this building tomorrow platform that we're supposed to represent. Are we going to get something for an unfunded liability before the next election?

Mr. Liepert: Mr. Speaker, the member will recall that in the budget of this past spring we allocated \$25 million, and that is to assist the teachers' contributions. Starting on September 1 of this year the government of Alberta assumed the 3.1 per cent contribution the teachers were making towards the unfunded pension liability, so as of September this year teachers actually have 3.1 per cent more take-home pay than they did the month previous.

Mr. Eggen: Mr. Speaker, I mean, I find that difficult to put forward, playing with numbers like he is. The fact is that school boards were given 3 per cent under the funding for the cost of living for this year and probably, really, for the cost of the price to do business in this province. I heard the minister say this before, and I would like him to say it again. Will he make a commitment to not tie the unfunded liability issue to the next round of contracts? There are only eight of 62 boards right now that do have contracts. There are many thousands of teachers who do not have contracts. Are you going to remove the tie between unfunded liability and the negotiations for contracts?

Mr. Liepert: Mr. Speaker, as I said at the outset, we are in discussions with the ATA right now, and I am very optimistic that things will proceed favourably. Unlike certain members of the opposition, I'm optimistic. I am not going to run around this province spreading doom and gloom.

The Speaker: The hon. Member for Edmonton-Decore, followed by the hon. Member for Whitecourt-Ste. Anne.

Grizzly Bear Management

Mr. Bonko: Thank you, Mr. Speaker. A recent report shows that in Banff national park human contact has caused the death of female grizzlies and has compromised the population's growth capacity. Top scientific research shows that the death of just one female grizzly bear can be devastating to the whole group as well. To the Minister of Sustainable Resource Development: why was the grizzly bear recovery plan not adopted three years ago, when it was presented to Sustainable Resource Development? What are we waiting for?

Dr. Morton: Mr. Speaker, I'm very pleased to report to the House today that this government has a long-standing policy of putting the long-term well-being of the grizzly bear at the top of our priorities. I can go back to 2002, when the then minister, the Member for Athabasca-Redwater, right there, created the grizzly recovery team; in 2005, when the then minister of Sustainable Resource Development, the hon. Member for Livingstone-Macleod, suspended for the

three years the grizzly hunt and instituted the population study. This government is proud of our record on looking after the long-term well-being of the grizzly bear in Alberta.

Mr. Bonko: Well, it's not much of a record to stand on, considering the population continues to fall. Mr. Speaker, I'm disappointed the government still has not followed the advice of its own conservation committee to list the grizzlies as either threatened or endangered. Do something besides strap cameras to their heads. What are we going to do?

2:10

Dr. Morton: Mr. Speaker, I'm again happy to report to the House that I met with the grizzly bear recovery team in June, received their report and their study, one of the best presentations I've seen in my 10, 11 months as a minister. I did receive that report last month, in October, and we'll be releasing it shortly. I can tell you that, again, the long-term well-being of the grizzly bear is at the very top of the priority list of this government.

The Speaker: The hon. member.

Mr. Bonko: Thank you, Mr. Speaker. The recommended number of grizzlies to sustain a healthy population is 1,000 – 1,000 bears – yet in the past five years under the Tory government the number of bears remaining in the Alberta landscape is less than half. Notwithstanding the minister's provincial hunting day will he stop and act now and suspend the grizzly hunt indefinitely?

Dr. Morton: Mr. Speaker, the hon. member is playing with numbers from two different reports. Again, we, my predecessor from Livingstone-Macleod, undertook a four-year scientific study based on DNA of hair samples that will give us an accurate understanding of the nature of the population, the distribution of the population of grizzlies in this province. We have identified core grizzly habitat areas. That's the key to the study. We've identified the fact that unregulated public motorized access is the problem, and we'll be prepared to deal and recommend very positive solutions to that problem at the end of the study and when the three-year moratorium ends.

Thank you.

The Speaker: The hon. Member for Whitecourt-St. Anne, followed by the hon. Member for Calgary-Varsity.

Apprenticeship Training

Mr. VanderBurg: Thank you, Mr. Speaker. Alberta's economy is at an all-time high, creating many opportunities across the province for skilled tradespeople. In fact, a number of industries are lacking so many workers that Albertans are now suffering the consequences of waiting weeks and months for services. Our province needs to start drawing from untapped labour sources such as youth. We need to be innovative to attract young Albertans to those promising careers. My question is to the Minister of Advanced Education and Technology. What is your department doing to attract youth to careers in trades to increase the number of skilled people in our province?

The Speaker: The hon. minister.

Mr. Horner: Well, thank you, Mr. Speaker. That's a very important question given the very hot economy we have and the huge invest-

ment that the oil industry has made in our province. We've centred on the students in the high schools and enabled them to enrol in the registered apprenticeship program, or RAP as we call it, as early as grade 10. By doing so, they can earn credits towards their high school diploma and an apprenticeship at the same time. More than 3,000 RAP apprentices who started high school have graduated and are now working full-time to complete their apprenticeship programs. Students get the opportunity in this program to experience the trades, develop some skills, gain knowledge, gain work experience, earn high school credits at the same time, and can earn an income while they learn and achieve their apprenticeship.

In addition to the RAP program we have the youth apprenticeship project, which is a pilot project in northern Alberta.

The Speaker: I think we'll pass it to the hon. member now.

Mr. VanderBurg: Well, I'm glad the minister talked about the registered apprenticeship program. Just last week I was able to attend the scholarship celebration for those fine young people, and several of those members that were receiving scholarships were from Whitecourt-St. Anne. You know, the RAP program started back in 1991 with great partnerships with industry, and apprentices have been spending thousands and thousands of dollars on training. But what are the tangible results from this program, and what is your department doing to assist these young people?

The Speaker: The hon. minister.

Mr. Horner: Thank you, Mr. Speaker. We are committed to increasing opportunities for these young people. We have RAP scholarships, which encourage high school students to continue their apprenticeship programs after graduation. We've made over 500 of those available each year. In addition, \$4.4 million is available annually to regular apprentices who demonstrate excellence in their training programs. The government has also paid tuition increases for apprentices for the past two consecutive years. Grants are available for apprentices who demonstrate financial need.

Mr. Speaker, we're also making it easier for apprentices in remote areas to get their training. We have 1,600 high school students that are currently in the RAP program today. We're getting very, very positive feedback from both the students and the employers. We have over 66,000 apprentices in the province.

The Speaker: Hon. member, I'm afraid we must move on.

Mr. VanderBurg: Well, thank you, Mr. Speaker. My next question is to the Minister of International, Intergovernmental and Aboriginal Relations. What's your department doing with the federal government to help promote postsecondary education within Alberta's First Nations?

The Speaker: The hon. minister.

Mr. Boutilier: Thank you, Mr. Speaker. Just yesterday I met with University of Alberta officials. In fact, we were talking about the economic partnerships that we have in place. Relative to tangible measurements you may not be aware of the fact that we've had over 1,200 apprenticeships, and our goal is to work towards 1,500 apprenticeships, many of them being in the aboriginal community. Truly, our aboriginal youth are a key to the future in the terms of economic development and opportunities here in the province.

Thank you.

The Speaker: The hon. Member for Edmonton-Meadowlark.

Anthony Henday Drive Intersections

Mr. Tougas: Thank you, Mr. Speaker. I recently received an e-mail from a constituent complaining about the single most frustrating stretch of road in west Edmonton, the intersection of Anthony Henday Drive and Stony Plain Road. The government brags repeatedly about the Edmonton ring road, and for the most part it is a fast, smooth-running freeway, but there is a major knot at Stony Plain Road and Anthony Henday. Common sense dictates that an interchange should have been built at the point where the two heavily travelled roads meet, yet while new sections of the Edmonton ring road have opened traffic light free, west end motorists continue to fume in enormous traffic jams at a series of lights on the Henday and Stony Plain Road. To the Minister of Infrastructure and Transportation: why did the government choose not to build a proper interchange at Henday and Stony Plain Road when the Henday opened, and when can we expect construction on these desperately needed improvements to begin?

Mr. Ouellette: We're doing an engineering design on that right now, Mr. Speaker. It's not in our three-year plan right now. We're trying to figure out how we can speed it up to get it there. We understand that that intersection is backing up traffic. We know it's busy. If we had done the first portion of the Anthony Henday under a P3 scenario, we probably could have had it all done at once. We couldn't get it all done at once within the budget we had at the time. We did the best we could, and we're working on putting it there as fast as we can.

Mr. Tougas: Another \$6 billion would have come in handy, wouldn't it, Mr. Minister?

Can the minister explain why the government chose to complete an overpass at 87th Avenue, an overpass that currently leads to a dead end, before completing work on the Henday and Stony Plain Road?

Mr. Ouellette: Mr. Speaker, I will have to say that I'm not exactly sure what overpass he's speaking about. I haven't gone to that dead end yet.

Mr. Tougas: Well, to the same minister. The government has clearly put its fanatical devotion to P3s ahead of its obligation to the voters to build desperately needed roads. Is the government now telling the public that they can forget about highways getting built in a timely manner unless they follow the P3 model no matter how much they may be needed?

Mr. Ouellette: Absolutely not, Mr. Speaker. We are doing whatever we can to build highways whenever we can. I'm just saying that wherever a P3 fits, where it works right, we will do it. We've been working on that, and anywhere that needs a highway to keep our people safe, we're working on getting it done.

The Speaker: The hon. Member for West Yellowhead, followed by the hon. Member for Edmonton-Ellerslie.

Mountain Pine Beetle Control

Mr. Strang: Thank you very much, Mr. Speaker. My question today is to the hon. Minister of Sustainable Resource Development. As we're into the start of the early fall, can he explain to me how he's working with the Minister of Tourism, Parks, Recreation and

Culture on the mountain pine beetle, especially in the area of the Willmore wilderness park?

Dr. Morton: Mr. Speaker, I'm pleased to report to the House that we are at a better position this year than we were 12 months ago on the pine beetle. The number of infected trees in northern Alberta has dropped to about 300,000 from over several million, and we think that the combination of the good weather and our very proactive policy with respect to identifying and removing infected trees is having a positive effect there. The situation in central and southern Alberta is not quite as optimistic. There are still heavy infestations on the British Columbia side of the border, and we're concerned that there has been, percentagewise, an increase in pine beetle in southern Alberta. So we're continuing to pursue our aggressive policies there.

The Speaker: The hon. member.

Mr. Strang: Thank you very much, Mr. Speaker. My first supplementary question is to the same minister. Can the minister give us an outline on what he's doing with forest management units E8 and E10 pertaining to the mountain pine beetle and the caribou?

2:20

Dr. Morton: Well, Mr. Speaker, the mountain caribou situation has been on our priority list for a number of years. Again, one of my predecessors, I believe the hon. Member for Athabasca-Redwater, created the caribou recovery committee, and we now have that committee. There are a number of teams in place for the different caribou herds, and we have two plans already in place, and I'm expecting a third, local plan for a specific group of caribou forthcoming this fall.

The Speaker: The hon. member.

Mr. Strang: Thank you very much, Mr. Speaker. My second supplementary question is to the same minister. With the mountain pine beetle affected trees, how is he working with the other forest companies in the areas there to make sure that we're getting the best utilization of this fibre?

Dr. Morton: Mr. Speaker, again I'm happy to report that the various logging forestry companies in Alberta are working closely with Sustainable Resource Development to both stop the spread of the pine beetle and also to utilize infected trees. A number of new products are being investigated. We're working closely with counterparts in British Columbia, who, unfortunately for them, are much further down the road of pine beetle kill.

Thank you.

The Speaker: Hon. members, that concludes the question period. There were 88 questions and answers today. We will return now to the Routine and on the Routine we were at Introduction of Bills.

I'll now call on the hon. Member for Edmonton-Rutherford.

head:

Introduction of Bills

(continued)

Bill 222

Alberta Heritage Savings Trust Fund (Tobacco Investment Elimination) Amendment Act, 2007

Mr. R. Miller: Thank you very much, Mr. Speaker. In light of the tremendous progress made in this House yesterday on Bill 45, I'm

honoured to request leave to introduce a bill being Bill 222, Alberta Heritage Savings Trust Fund (Tobacco Investment Elimination) Amendment Act, 2007.

[Motion carried; Bill 222 read a first time]

head: **Tabling Returns and Reports**

The Speaker: The hon. Minister of Municipal Affairs and Housing.

Mr. Danyluk: Thank you very much, Mr. Speaker. I'm pleased to table with the Assembly today five copies of the special areas trust account financial statements, December 31, 2006.

The Speaker: The hon. Member for Calgary-Fort.

Mr. Cao: Thank you, Mr. Speaker. Carrying out my MLA duty as the voice of my constituency in this Assembly, I would like to table a document given to me by a number of constituents. This document reads: "We, the undersigned residents of Alberta, petition the Legislative Assembly to pass Bill 45, the Smoke-free Places (Tobacco Reduction) Amendment Act."

The Speaker: The hon. Member for Edmonton-Gold Bar.

Mr. MacDonald: Yes. Thank you very much, Mr. Speaker. I have five copies of the confidential draft oil sands royalty regime review from October 2004. That was the basis of one of my questions to the Minister of Energy today.

The second tabling I have is a flyer that I got in the Lacombe Memorial Centre last night. It's called Kill Bill 46, and more information can be reached at www.killbill46.ca for those who are interested.

Thank you.

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

Mr. Agnihotri: Thank you, Mr. Speaker. I had the opportunity to meet some very dedicated, committed members of the Central Alberta Refugee Effort in Red Deer, known as CARE. They are doing an excellent job for the community. I'm tabling five copies of their fall newsletter.

Thank you.

The Speaker: The hon. Member for Edmonton-Mill Woods.

Mrs. Mather: Thank you, Mr. Speaker. I'm very pleased to table a letter from a student in Mill Woods in which she's expressing concern about the homelessness in our city. She's asking that the government continue to make a concerted effort to help alleviate this problem completely. "We must do something! Please give this great consideration and act fast!"

The Speaker: The hon. Member for Edmonton-Strathcona.

Dr. Pannu: Thank you, Mr. Speaker. I've got two tablings today. The first tabling is the appropriate number of copies of an *Edmonton Journal* article written by the leader of the Liberal opposition on September 26, 2007, criticizing the inequity in the government's municipal infrastructure funding formula, which gives Calgary one and a half times more money per person than Edmonton.

The second tabling is a news release from the Liberal opposition dated November 2, 2007, which outlines their own spending

priorities, curiously giving Calgary three and a half times more money than Edmonton.

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

Mr. Backs: Thank you, Mr. Speaker. I'm pleased to rise today to make three tablings. One is a document from Veterans Affairs Canada. It's appropriate to table this with the Remembrance Day weekend coming up. It outlines material on Henry Louis Norwest, originally from Fort Saskatchewan, an impressive rodeo performer who was also a tremendously accomplished veteran in the First World War and was lost at that time.

Also, I have two documents pertaining to my question today. One is a description of electronic, or wireless, logs and how they operate. Another is a group of documents. One shows electronic procedures, and one shows the old-style paper procedures.

Thank you, Mr. Speaker.

head: **Tablings to the Clerk**

The Clerk: I wish to advise the House that the following documents were deposited with the office of the Clerk. On behalf of the hon. Mr. Stevens, Minister of Justice and Attorney General, a document dated September 2007 entitled Review of Section 8 of the Fatal Accidents Act and pursuant to the Legal Profession Act the Law Society of Alberta annual report 2006 and the Alberta Law Foundation 34th annual report 2007 for the fiscal year ended March 31 with attached audited financial statements and other financial information of the Alberta Law Foundation, year ended March 31, 2007.

head: **Projected Government Business**

The Speaker: The Official Opposition House Leader.

Ms Blakeman: Thank you very much, Mr. Speaker. I'm hoping that the Government House Leader can share with the House the projected government House business for the week of November 13 to 15, 2007.

The Speaker: The hon. Government House Leader.

Mr. Hancock: Thank you, Mr. Speaker. In anticipation of an adjournment motion today which takes us to Tuesday rather than Monday because of the Remembrance Day holiday, we would have, then, under Orders of the Day on Tuesday for third reading Bill 7, Private Vocational Schools Amendment Act, 2007, and Bill 8, Vital Statistics Act; for second reading Bill 24, the Real Estate Amendment Act, 2007; and in Committee of the Whole bills 35, 36, and 24, the Alberta Personal Income Tax Amendment Act, 2007, the Alberta Corporate Tax Amendment Act, 2007, and the Real Estate Amendment Act, 2007.

For Wednesday, November 14, under Orders of the Day for third reading Bill 45, Smoke-free Places (Tobacco Reduction) Amendment Act, 2007, and Bill 37, the Tobacco Tax Amendment Act, 2007. For second reading Bill 11, the Telecommunications Act Repeal Act; Bill 41, Health Professions Statutes Amendment Act, 2007; and Bill 23, the Unclaimed Personal Property and Vested Property Act. In Committee of the Whole, time permitting, Bill 1, the Lobbyists Act; Bill 2, the Conflicts of Interest Amendment Act, 2007; Bill 31, the Mental Health Amendment Act, 2007; and Bill 41, the Health Professions Statutes Amendment Act, 2007.

Thursday, November 15, under Orders of the Day for second reading Bill 46, the Alberta Utilities Commission Act. For third reading Bill 13, the Access to the Future Amendment Act, 2007; Bill

1, the Lobbyists Act; Bill 2, the Conflicts of Interest Amendment Act, 2007; and Bill 31, the Mental Health Amendment Act, 2007. It's all, of course, depending on progress from previous days.

head: **Statement by the Speaker**
Tablings

The Speaker: Hon. members, just two housekeeping items for today. First of all, there was an item that arose in the House yesterday with respect to an exchange with the Official Opposition Leader and the Premier, and it had to do with a tabling. I've been advised by the hon. Government House Leader that the quotation that the Premier used in the question period came from, quote, notes. Under the rules notes do not have to be tabled. Members might want to just refer to *Beauchesne* 495(1) and to *Marleau and Montpetit* at pages 517 and 518 for greater clarification with respect to that. Both those documents refer to documents, dispatches, official documents, and the like. Notes, though, that members may have in front of them that they would quote from need not be tabled.

2:30

There was also part of the exchange, I think, that occurred between the chair and the Government House Leader that had to do with newspaper articles. Today the hon. Member for Edmonton-Strathcona tabled newspaper articles. The Speaker has indicated in the past that those were totally unnecessary to be tabled in the House. News releases of other parties need not be tabled either. They probably could be found someplace.

However, during the question period if a member was quoting something from a document, including a newspaper, I think it's only good courtesy, should another member ask for the copy of the article in question to be tabled, that it be provided if it's part of the complete document per se.

Nothing further.

The hon. Official Opposition House Leader.

Ms Blakeman: Yes. Mr. Speaker, under 13(2), I'm wondering if the Speaker could expand. I note that on page 1853 of *Hansard* in the Premier's response he does say to the Leader of the Official Opposition, "because on February 17 in the *Calgary Herald* the hon. Leader of the Opposition said," and then he gave a quote. I take it that he was quoting from the *Calgary Herald*. He mentions it. Now, I am expected to see that document tabled in this House. To hear that it's in notes strikes me as an omission on behalf of the Government House Leader in not providing the document. I understood from the ruling that the Speaker had given and which appears on the pages that I'd quoted for you, starting on page 1859 and concluding on 1860, that the documents were expected to be tabled.

The Speaker: All hon. members, from where the chair sits, the chair has no idea what is in front of a member. The chair – oh, yes – assumed that there would have been a newspaper article or something that the quotation had come from, but the chair was advised by the hon. Government House Leader that the quotation came from notes, which made it different. The chair has no idea what's in front of an hon. member when they have a piece of paper in front of them. That's what the assumption was. The advice provided to the chair was that it came from notes, and if that's the case, well, notes are not required. If it came from a newspaper article, and there's a whole newspaper article in front, it would seem to me that as a point of courtesy that might have been provided. I don't know other than the word "notes," so perhaps the Government House Leader might be able to add some clarification.

Mr. Hancock: Mr. Speaker, in preparation for coming into the House, we have notes and briefing books and things like that that we

refer to. Now, if I were to come to the House and use a quote from Winston Churchill, it wouldn't be expected of me to table either Bartlett's quotations or the original book that the quote was in. It is a matter of saying a quote and saying where it came from, and that should be of interest to the House.

Now, if I were waving around a newspaper and saying, you know, "I'm quoting from this newspaper" and was asked to table it, while in my view that would not necessarily be appropriate because it is a newspaper and is in the public domain, I'd be happy to table that. But if I refer to one of these notes, that's a briefing note, and that's where I get a lot of information to be able to answer questions. It doesn't make any sense to suggest that if I quoted somebody in an answer to a question, I would have to go to the source and find the book and bring it here and table it so that people could look up the quote. They're told where the quote comes from. They can go check the source, and that should be the answer to it.

Now, I believe, Mr. Speaker, you're absolutely right. When you were referring to it, you didn't know what the Premier was referring to. The concept of tabling goes back a long way. We have broadened the concept in this House, perhaps appropriately, to allow a whole lot of tablings, but the original rules, *Erskine May*, would suggest that it's official government documents, those sorts of things which are really intended for the purposes of tabling. For the purposes of public discussion in the public domain we allow tabling of all sorts of things, and I'm not going to suggest that that's inappropriate. But to suggest that everything that a person, perhaps, quotes from and has in front of them should be tabled opens the door to a whole new set of tablings which would be inappropriate.

The Speaker: It's not a point of order or anything.

Mr. Mason: I'm just looking for the rule that allows me to ask a question of the Speaker on a ruling for clarification.

The Speaker: Well, hon. member, the Speaker hasn't made any ruling. We're having a discussion.

Mr. Mason: Okay. Can I discuss?

The Speaker: Proceed, then. It's 13(2) probably that you're looking at.

Mr. Mason: Thank you very much, Mr. Speaker. If I can discuss, then, one of the concerns that I have is that when quotes from documents of whatever kind are transferred into notes for a member, who then quotes from their notes, at the very least, if they don't have to table their notes, then the notes need to give all members of the House a very clear understanding of where it comes from so that it can be found easily. I think if that was the case, it would prevent the government from doing indirectly what they're not supposed to do directly.

The Speaker: Look, the reality of all of this is that we do have a committee, by the way, that's supposed to be looking at all of these modifications and changes to the Standing Orders. It could easily be referred to them to have a discussion. All the chair is saying is the following. I'm not aware of any member who at one time or another in the past, if they've been here for more than a little period of time, has not had an article or something in front of them that may have a thousand lines in it, and then they have extrapolated one line out of that article and used it. Somebody else might challenge them then and say: well, by taking that one line out of these 1,000 lines, you have not given truth to the whole understanding of the whole

subject. It seems that if an hon. member takes one line out of an editorial and uses it and then another hon. member says, "Well, fine, by taking that one line out, you haven't given the whole ambience of the whole thing," but the hon. member who has taken one line out says, "That's in my notes. I wrote it down," under the qualification for notes they do not have to be tabled, and in essence you're going to have this kind of a situation.

But as I do recall, at the time in question the hon. the Premier did cite the date and the source as well. Having done that, I suppose I could go to the library and get a copy made if that would help everybody.

Ms Blakeman: Yes. Thank you.

The Speaker: You want me to go to the library to get a copy of the newspaper article on that day? Well, we'll have one of the pages go, okay? Clerk, would you look into the record for yesterday, see what date it was, get a copy, and provide it to all members of the Assembly.

But we're doing something different today in the sense that this is the first time that, in essence, one of the changes occurred in the order of business as a result of the special debate that occurred on Monday of this week. Standing Order 8(3), the new one, basically says, "If the business enumerated in suborder (1) has not received a total of 3 hours of consideration," then three hours of consideration for private members' bills must occur during that week on Thursday. So we have a situation today where we now have a three-hour block – a three-hour block – set aside for private members' business.

However, we also have provision in our rules that no later than one hour and 55 minutes into that three hours we must stop and then go to motions. So when I say Orders of the Day, the clock will start to run. One hour and 55 minutes later if we're still in private members' business, we will stop and go to motions, and there'll be one hour and five minutes of motions. If we were to follow this through, three hours from now would take us to 20 minutes to 6, and in essence we will have fulfilled the obligation of the standing order.

At that point in time I would hope that the hon. Government House Leader would give consideration, because our Standing Orders also indicate that we don't sit on Remembrance Day – well, Remembrance Day is a Sunday, just so there's no confusion – that when we rise, we do not return until Tuesday at 1 o'clock. Otherwise, I'll be back here Monday at 1 o'clock.

An Hon. Member: By yourself.

The Speaker: By myself.

Okay, if I say Orders of the Day, here's where we're going.

head: 2:40

Orders of the Day

head: **Public Bills and Orders Other than
Government Bills and Orders
Second Reading**

Bill 212

Safer Communities and Neighbourhoods Act

[Debate adjourned June 11]

The Speaker: The hon. Member for Calgary-Fort.

Mr. Cao: Well, thank you, Mr. Speaker. I'm glad to add some thought to the debate on Bill 212, the Safer Communities and Neighbourhoods Act, sponsored by the hon. Member for Calgary-Hays.

Albertans have always placed importance on investing in children. Through initiatives such as Alberta's Promise this province has invested resources and expertise to ensure that our children have every opportunity to succeed in the world of tomorrow. By investing in our children and keeping them on a clean and clear path, we seek to ensure the vitality and strength and stability of Alberta for decades to come.

I'm pleased to see that our government is building upon the progress which has been made in continuing to make our children a priority. Our government has pledged to enhance early learning opportunities for Alberta's children, increase access to child care, increase high school completion rates, and ensure that Alberta students have access to high-quality postsecondary education.

We also have to realize that an integral part of our investment in children is protecting them from many potential harms in this world. Mr. Speaker, we've all seen the devastating impacts that social ills such as violence and drugs can have on the lives of our youth. These activities poison our social and physical environment, disrupt the bodies and minds of our youth, and create a culture of harm and abuse. Once this culture is entrenched, it is very difficult to eradicate. To this end, I'm encouraged to see that this government will continue forward with the prevention of family violence and bullying initiatives.

I support Bill 212, Mr. Speaker, because it is consistent with the government's objective of making communities safer for Albertans and especially for our children. The Safer Communities and Neighbourhoods Act would place a tool in the hands of law enforcement which will allow immediate action to be taken when safety in Alberta's communities is compromised. Specifically, Bill 212 would give a director of law enforcement the power to apply to the Court of Queen's Bench to have restrictions placed upon a property when there is a balance of probability indicating that illegal or disruptive activity is occurring. This restriction could include removing excessive fortifications from a property or placing a community closure order on it. Among the many possible repercussions community safety orders would provide for the property to be closed for a period of 90 days. After the end of this order the owners of the property would be permitted to return while any troublemaking tenant would be permanently evicted.

[Mr. Shariff in the chair]

I believe these restrictions will be effective in reducing dangerous activities in our communities because they offer creative solutions to address activities which compromise the safety and the quality of life of the residents. By forcing property owners who are involved in activities which present a danger to communities to vacate the premises for a period of time, we are in essence taking away their ability to endanger neighbourhood residents. This is particularly true in a case such as the manufacturing of illegal drugs, where property is directly tied to the hazardous activities because it makes concealed production possible.

Admittedly, Mr. Speaker, we already have several pieces of legislation in Alberta which could be used to stop activities which endanger communities. For instance, the Public Health Act mandates that property owners must ensure that their property is not injurious to others. In addition, the Environmental Protection and Enhancement Act and the bylaws of many Alberta municipalities also include provisions to restrict homeowners and tenants from engaging in harmful activities. While these legislative tools are often effective at reducing dangerous activity, there's room to improve upon them. The existing legislation is limiting because it may be vague in some instances. Bill 212 represents an opportunity

for improvement because it outlines a specific process in reducing activities which may harm the general public.

Another strength of this proposed act is the creativity of the solution that is proposed. In this Legislature we have the proud history of approving legislation that is creative and that looks beyond the obvious answers and implements solutions which drive to the roots of the problems. Some examples of these are the Protection of Children Abusing Drugs Act, sponsored by the hon. Member for Red Deer-North, and the Drug-endangered Children Act. Both of these acts take into account the broader implication of dangerous activity and put in place a solution to mitigate them.

In the case of the Protection of Children Abusing Drugs Act this legislation implemented a process to force endangered youth to receive treatment for drug addictions. The Drug-endangered Children Act allows for apprehension of children who are endangered by the manufacturing or use of illegal drugs. These solutions are not necessarily designed to be punitive but, rather, to prevent harm and to remove children from situations where they may be injured by their own actions and those of others.

One interesting thing to note is that both these acts are related to issues concerning youth. There's just something about our children, Mr. Speaker, that seems to bring out the best in the members of this Assembly. I think that Bill 212 provides this Assembly the same opportunity that the Protection of Children Abusing Drugs Act and the Drug-endangered Children Act allow. It gives the opportunity to make our province a safer place for children by being proactive and focusing on the prevention rather than waiting for harm to occur and punish those responsible.

To be certain, there is a great deal of value in punishing those who harm or endanger others. I believe that deterrence is a valid principle and can help to make Alberta safer. We have a criminal justice system for deterrence, and I believe it works quite well. Bill 212 would in no way detract from our current system of criminal justice or allow those who harm Albertans to elude punishment. Those who choose to break the law will still be brought to justice.

Rather, this bill will help to enhance Alberta's justice system. It deals with dangerous behaviour before it results in harm and can reduce the overall caseload of the justice system. In doing this, we could help ensure that our communities remain safe and our justice system can deal with offenders in a timely and efficient manner. Moreover, by avoiding the sometimes lengthy timelines involved in the prosecution of criminal cases, we can ensure that the action will be taken today to prevent dangerous activity, activity which harms Albertans and our children.

Finally, enacting legislation which ends up controlling dangerous activity through civil rather than criminal sanctions allows this Assembly to take direct action to protect Albertans. We are forbidden by the Canadian Constitution to pass criminal legislation, but we can help to achieve the goal of protecting Albertans through other means, such as this bill.

2:50

I'm going to end up where I began, Mr. Speaker, by talking about the duty we as legislators have to the children of this province. I believe that we owe them the right to grow up in a province that is nurturing, progressive, and, above all, safe. We owe them the opportunity to pursue their dreams and to be free from a life filled with fear caused by dangerous activity. I call on this Assembly to support Bill 212.

Thank you.

The Acting Speaker: Hon. Member for Calgary-Varsity, I know that you've indicated that you'd like to speak next, but my records

indicate that you have already spoken at second reading on this bill. So I will recognize the hon. Member for Edmonton-Decore.

Mr. Bonko: Thank you, Mr. Speaker. I appreciate the opportunity to speak on Bill 212 for the first time. I recognize that this is something that not only big cities in the province but smaller communities around Alberta have been looking for, a little bit more ability to be able to take the criminals at hand. We recognize, in fact, that the police are tied up on numerous occasions and cannot act as swiftly as one would like, instances in my own constituency when people have called in with concerns about drug dealings or drug houses or excessive partying. Excessive partying goes away, but the drug houses are there because they seem to be profitable.

This particular bill, Bill 212, allows people to be able to call in anonymously, and the director of the detachment is able to make the determination, in fact, whether or not they go and investigate a little bit further. If that is the case – and they don't have to give their name – they've got several options, including issuing a warning letter to the property owners, resolving the problem out of court, or just applying for a community safety order through the courts, with which the property could in fact face closure, or applying for immediate closure.

If it's a rental property, the people may be a little bit more conscious as to who, in fact, they're renting to. If it's the owners, they're going to be obviously watching what they're doing because it now enables homeowners, regular community members, to be a little bit more diligent in getting rid of illegal activities, making communities safer for the children, as the member across has said, and I think that is paramount.

We all believe that our kids should have an opportunity, as we did years ago, to be able to have the community safe and sound, to be able to go to the playground that's maybe only two, three houses down without worrying what's going to happen to them. I think that this is a great step in enabling that. It's the first step. It probably can be improved upon later on, as the years go by. We recognize where there needs to be a little bit tighter pieces in it, but from right there I think that's an opportunity for everyone, as I said, to have a safe and secure community.

I appreciate the opportunity. I fully support Bill 212. Thank you.

The Acting Speaker: The hon. Member for Edmonton-Highlands-Norwood.

Mr. Mason: Thank you very much, Mr. Speaker. I also would like to rise and speak to Bill 212, the Safer Communities and Neighbourhoods Act. I just want to indicate that I have represented much of northeast Edmonton in another capacity – that is, as a councillor for the city of Edmonton for 11 years – then the constituency of Edmonton-Highlands, and then Edmonton-Highlands-Norwood since 2000, so that's seven years, nearly eight, and I have had many interactions with my constituents on issues like this.

I believe that the constituents of Edmonton-Highlands-Norwood would like me to support this bill. I think it is an important tool that would help the community itself as well as the police deal with difficult situations that arise from time to time in some of our communities. This kind of activity really has a negative impact on people's ability to enjoy their lives, to enjoy their property, and to enjoy their communities, to be safe and to be sure that their children are safe.

As a community we have done a great deal of work over the years to try and improve conditions, particularly some of the bad housing which exists, some of the rundown areas, and to improve the business districts along 118th Avenue. I'm proud to say that the

community's efforts have met with a significant degree of success, and things are getting better in some of the communities where this has been a problem. It's pretty clear that when bad neighbours move into a community and use the property for something for which it is not intended, use it for illegitimate activities, more needs to be done. I think this bill will provide the opportunity to do some of those things.

I recall that during my first term on Edmonton city council there were two fortified drug houses right downtown, side by side, and one of them was called the fortress. The police would make raids regularly on the fortified property, but it was all set up so that the drugs could be disposed of before the police could actually get in. So it was the city council that got involved in developing a strategy to deal with this. This was one of the early community policing strategies where it wasn't the police, particularly, that solved the problem but the utilities. By cutting off the water, by cutting off the electricity, by taking a number of steps to condemn the building, we were able to deal with this. Now, this kind of heavily fortified drug house is no longer the norm, but there are many houses in which drug activity or other kinds of unsavoury activity that ruins people's enjoyment of their community and makes them feel unsafe do continue.

Just about three weeks ago, Mr. Speaker, I held a community meeting at the Eastwood Community Hall with Detective Maurice Brodeur from the Edmonton Police Service, and he talked to the community. We had a full house. I introduced Detective Brodeur, and he talked about the Edmonton police's report a drug house program. It involves teaching people in the community to identify drug houses, to understand the different grades or degrees of drug houses and the types of activities that are normally associated with them, and to give the people a number where they can get the Edmonton police involved in dealing with that. So we've been proactive in the community in dealing with this, and I believe that this bill will give further strength to those police and community efforts to try and eradicate residences and other structures in communities that are not used for their intended purposes.

I note that this bill is modelled on legislation that was brought in by the NDP government in Manitoba, which, in my view, in my experience has been one of the leading governments in providing the kinds of tools that are necessary to deal with crime and illegal activity in communities. It's one of a number of pieces of legislation that the Manitoba government has established that I think have had a very good track record and have been very successful.

I would like to commend the hon. Member for Calgary-Hays for bringing forward this bill and want to indicate that it has my full support and that of my caucus. Thank you very much, Mr. Speaker.

The Acting Speaker: The hon. Member for Edmonton-Mill Woods.

Mrs. Mather: Thank you, Mr. Speaker. It's a pleasure to speak to Bill 212, Safer Communities and Neighbourhoods Act. Community policing has been a part of Edmonton for more than 30 years. It is important not only because a city the size of Edmonton is too big to be served from one downtown office; it is important for police officers, men and women, to be able to develop a sense of affinity for the neighbourhood and citizens that they serve. And it is important to us as civilians to recognize and integrate law enforcement officers as part of our daily lives and not only in time of accident or emergency. We need to recognize that they are part of us when they are upholding the law and ensuring our security.

3:00

Edmonton-Mill Woods is a reflection of the multicultural country

and world that we live in. People who have come to Canada from many authoritarian states sometimes take a while to get used to the different role the police play in our society. Edmonton-Mill Woods also had the benefit of Detective Maurice Brodeur's approach in the community, and it has resulted in a better understanding and appreciation of the work that police do.

What is it that distinguishes a police officer from a civilian in a democratic society? There is, of course, the training, the risks, and responsibilities for others and the attention that comes with the uniform. Civilians can fade into a crowd when things get tough; a police officer cannot. A civilian can treat public and private lives as two separate worlds, but a police officer cannot. They are held to a code whether they are on or off duty. Finally, when there is a challenge, a disturbance, or an incidence of violence in public, civilians can walk away, and in some cases, if they're smart, they'll do that; a police officer cannot.

For these reasons, our uniformed officers deserve our respect and our support. To be supportive is, first, a matter of attitude. It is to accept the police as part of us, to see the man or woman in the uniform as a fellow human being. To be supportive of our police is also a matter of actions. It means to come forward when we have been a witness at an accident or an incident, to avoid activities and crowds that disturb the peace or infringe on the law, to take responsibility for our society whether or not the police are present.

Canada brings together a number of values in unique combination. One of our national symbols is a mounted police officer, yet we are not a police state. It is possible to be both law respecting and democratic because our policing has historically been a community affair, reflecting and upholding values that we all share. Whether we are looking at our national police force, that patrols huge tracts of territory, or a constable on the beat in a small town, both are not something over and above but a part of the communities they serve.

Bill 212, Safer Communities and Neighbourhoods Act, allows citizens to support the work of the police and to make a difference in the safety of their communities. I am pleased to speak in support of it, and I thank the Member for Calgary-Hays for bringing it forward.

As I speak, I am representing the wishes of Edmonton-Mill Woods. The intention of this bill is to promote community safety by providing a mechanism for the government of Alberta to respond to public complaints about a property, a community, or a person and then make a complaint to a director under the Solicitor General that the person's community or neighbourhood is being adversely affected by activities on or near a property in the community or neighbourhood; or it is being habitually used for activities criminal in nature and having a negative effect on the health, safety, or security of one or more persons in the neighbourhood; or the illegal activities interfere with the peaceful enjoyment of one or more properties. Investigators will undertake an investigation and take any number of actions, including a community safety order.

This bill allows the communities and neighbourhoods to have a say in the safety and security of their communities. This is about community empowerment and allowing people to be active in ensuring the safety of their neighbourhoods. This bill allows another tool for people above and beyond calling the police, who sometimes do not have the resources to effectively deal with and gather the necessary evidence to deal with some illegal activities. Empowering citizens in the war on crime is highly effective. People know what is happening in their neighbourhoods and often can gather the evidence that is crucial in obtaining a community safety order, evidence that can only be discovered through proximity to the troubled area. For this reason, having a mechanism to allow them to gather evidence and directing it to an agency of the government for investigation is a positive step in combatting crime.

This legislation improves community safety by targeting and, if necessary, shutting down residential and commercial buildings and land that are habitually used for illegal activities. This legislation empowers citizens to take back control of their neighbourhoods by reporting problem nuisances and businesses.

There are a couple of points to be raised for discussion. I am wondering about the makeup of the investigative team, what that would be. There needs to be individuals who are well trained in completing investigations, such as retired police officers, intelligence officers, or individuals with experience in conducting investigations, and so forth. This is a very effective mechanism, I believe, to combat crime in our neighbourhoods and to empower citizens to have a say in controlling the future and destiny of where they live. We need to know, of course, that this investigative unit will have sufficient funding to be effective because there will no doubt be many complaints from all over the province.

In concluding, I want to say that I'm very much in support of empowering citizens to take back their communities and to take responsibility in ensuring that our police are supported. This sends a message to criminal organizations and those who commit illegal activities that the people are watching and that they will not tolerate criminal behaviour in their neighbourhoods. The stakes can be high. We know meth houses, child exploitation: these are serious offences that need to be monitored by all sources, not just the police, and this bill will provide that mechanism. So I am very pleased and proud to support the intention of Bill 212.

The Acting Speaker: The hon. Member for Lethbridge-West.

Mr. Dunford: Thank you, Mr. Speaker. It's a pleasure to rise and speak in favour of Bill 212, the Safer Communities and Neighbourhoods Act. Before I begin, I would like to commend the Member for Calgary-Hays for the efforts he has made on this bill. [some applause] Yeah, let's do that. This is an innovative piece of legislation that we can use to address difficult issues, issues that require creative solutions such as this one. [interjections] I seem to have lost the attention of some of the members of the House.

I also stand in support of Bill 212 because it is so closely aligned with the government of Alberta's commitment to providing safe and secure communities for all its residents. The Alberta government has historically worked on and approached community safety very thoroughly and thoughtfully. This can be witnessed in initiatives in the government's recent response to the Crime Reduction and Safer Communities Task Force report, Keeping Communities Safe. Because crime can only truly be addressed in a community-based manner, it is with the input of Albertans that we get closer to resolving the tough issues confronting us.

Mr. Speaker, when I read the Safer Communities and Neighbourhoods Act, I immediately thought of the positive impacts this legislation could have on drug use in our communities. We all know there's no quick solution for eradicating drugs or harmful behaviours from our neighbourhoods. It takes more than imprisonment and treatment to address substance abuse and addiction. Thankfully, we are presented with new tools every day. I believe that innovative legislation such as Bill 212 can work to curtail these social ailments.

This legislation fully utilizes our best resource in the fight against drugs, and this resource, Mr. Speaker, is Albertans. The act is founded on co-operation, education, and prevention. These are approaches that involve and revolve around the community and the citizens who comprise it. Bill 212 gives Albertans the opportunity to make progress in the fight against activities which cause harm to their communities. The provisions of this proposed act empower citizens to identify activities which could disrupt families' healthy existence.

Bill 212 provides a direct route to address criminals who corrupt the fabric of neighbourhoods. Under this act if any Albertan sees disruptive activities frequently occurring in their neighbourhoods, they could call the director of law enforcement and divulge their concerns. If a director finds just cause to investigate the complaint, investigators will be stationed in the neighbourhood to collect information about the subversive activities. From there, if need be, the individuals involved would be taken out of the community, and the activity would cease. These activities would no longer be part of the lives of our children.

3:10

The Safer Communities and Neighbourhoods Act aims to identify issues which do not necessarily require immediate attention and get slotted down the priority lists. While these matters are sometimes not urgent, they still have the possibility of building into something much more dangerous if they are not addressed.

The bill also targets activities that interfere with the peaceful enjoyment of our properties. Albertans should be free to enjoy their homes in safe neighbourhoods; therefore, this type of activity is unacceptable. With Bill 212 as soon as these activities are identified, they will be addressed. With immediate and direct attention, as is called for with Bill 212, disruptive activity taking place in communities will not be given the opportunity to flourish. In other jurisdictions using this act, safety agencies have been able to warn and scare petty criminals into stopping their actions.

Mr. Speaker, criminal activity is an ongoing battle in all jurisdictions. Because of its clandestine nature, it is hard to get a hold of it and to understand it. If we as legislators equip our communities with all of the tools possible to address crime, criminals will have less ways to evade repercussions. Furthermore, by reinforcing the idea that criminal activity has no place in communities, we're showing a strong example to our children. By showing our kids this example today, the notion of participating in illegal activities may not enter into the equation later on.

Mr. Speaker, if we are effectively to fight drug use in Alberta, our schools must be freed from drugs and other addicting substances. By eliminating or diminishing the number of locations within our communities which aid the production of addictive substances, there would be less opportunity for these to be introduced into school environments. Young children who previously lived in environments haunted by illegal activities would no longer have access to drugs.

The Acting Speaker: I hesitate to interrupt the hon. Member for Lethbridge-West, but under Standing Order 8(7)(a)(i), which provides for up to five minutes for the sponsor of a private member's public bill to close debate, I would invite the hon. Member for Calgary-Hays to close debate on Bill 212.

Mr. Johnston: Thank you, Mr. Speaker. I would like to thank the hon. Members of the Legislative Assembly for committing themselves to a serious and thoughtful debate on the Safer Communities and Neighbourhoods Act. During the debate many valuable points were brought up, but what was most striking was my colleagues' dedication to increasing the safety and quality of life in Alberta's communities. I'm also pleased that this act received overwhelming support. I know that if passed, the Safer Neighbourhoods and Communities Act will go a long way in making a real difference in our communities.

As was pointed out, this bill will empower Albertans to address disturbing and disruptive behaviours in their neighbourhoods. Albertans are the eyes and ears of the communities, and with this

legislation they can be fully utilized. They will be encouraged to work with the law enforcement services whenever possible.

I have seen this bill at work. I visited Winnipeg, spoke to the people that work with the Safer Communities and Neighbourhoods Act there. They had been, at that time, for some three years. It works very well. They take approximately 400 complaints a year. This is also law in Saskatchewan and on the 1st of January of this year in Nova Scotia and Yukon.

If this bill is implemented, Albertans across the province, rural and urban, will benefit. Those who have ill intentions will learn that they are not wanted anywhere in our province. They will be driven out or be forced to comply if they want to stay in our neighbourhoods.

I would like to reiterate the prevention aspect of the bill. By identifying issues before they get out of control, as proposed by the act, we have the potential to help young Albertans choose a legitimate path. For example, if a community member identifies a young person's continually disruptive behaviour, that individual can alert the safety agency. If the agency decides to investigate the behaviour and finds ground for action, the agency can work with the youth and parents and find a solution before a criminal record is created. The agency may set something up where the youth goes to AADAC, for example. This gives the youth the opportunity to get on the straight and narrow before it's too late. Paired with Alberta's renowned addiction programs, this bill will be effective in prevention.

Mr. Speaker, I would like to take this opportunity to address some specific comments which were made about Bill 212. The Member for Edmonton-Glenora is concerned about the confidentiality of a complaint made to the safety agency. I would like to reassure him that the bill states that it would be prohibited to disclose the identity of the complainant or any information that may lead to his or her identification. The information provided to the safety agency would not even be allowed to be released to a court.

The member also voiced concerns about how the roles of the director of law enforcement and the peace officers seem to be increasing. As mentioned, I've travelled to other Canadian jurisdictions which have this legislation, and this legislation works. Drug dens get shut down, and disturbing activities get identified before they turn into dangerous crimes.

I feel strongly that Bill 212 will strengthen our communities by making them safer for all Albertans. I hope to see this act be a part of the province's larger program and approach in achieving safer neighbourhoods. I would also like to ask the hon. members to consider Bill 212 and ultimately support the Safer Communities and Neighbourhoods Act because it helps citizens take back their communities.

Thank you, Mr. Speaker.

[Motion carried; Bill 212 read a second time]

Bill 213

Regulatory Accountability and Transparency Act

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

Mr. Backs: Thank you, Mr. Speaker. It is with great enthusiasm together with a sense of responsibility to Albertans that I introduce Bill 213, the Regulatory Accountability and Transparency Act, for second reading.

First off, I must thank the members of my staff in both the Legislature and my constituency office for the fine work and long hours that they have put in on this bill. Writing, research, and compiling views of constituents, community leaders, and other

MLAs is often very painstaking and time consuming. This has been done since I've had the independent office going. I thank Catherine Obacz, Desiree Ho, Kirstyn Rau, Kayla Tabachniuk, and Robin Williams for all the fine work that they've done. I also thank the Canadian Federation of Independent Business for their work and their input.

Small business has made it clear that they think that regulation needs reining in, that compliance is often confusing and counterproductive and eats up far too much time. Surveys from the CFIB indicate that smaller businesses with less than five employees spend as much as 20 per cent of their time on book work dealing with regulations. That covers all levels of government – municipal, federal, provincial – but it's certainly provincial that can take the lead.

Now, Mr. Speaker, these are the entrepreneurs that are at the edge of just starting out, these ones with less than five employees, at the most creative and challenging time in the life of their business. At this very crucial time they are the ones that are most saddled, comparatively, with the greatest burden of regulation. Just think of what greater productivity, new ideas, and greater wealth could be created if more of that time could be spent doing productive things.

From the CFIB members and from other small business I received over 200 faxes and over 400 e-mails from their members and others regarding and supporting Bill 213.

I also thank the not-for-profit sector for their input and support on Bill 213. I try to sit in on many meetings of the various community organizations in my riding of Edmonton-Manning, and it is universally clear that they are angry at the degree of regulation that they are subjected to. Why is it that every community league has to have someone who can handle the forms and the book work? Why do so many beg to have an accountant or a bookkeeper on their board? Why are they now starting to pay people to do their forms? Do we need to have grant money going to pay for getting grants?

3:20

People get active in community organizations to get their children into sports and other wholesome activities. They want to be involved themselves, not sitting in their basements in front of the computer trying to figuring out some incomprehensible set of rules to raise a few hundred dollars for soccer balls. For example, Mr. Speaker, why do we have a short form bingo handbook? I looked at this short form bingo handbook, and I read from many, many pages of this short form bingo handbook. Do we really need everything in this? You know: rules on how to describe the various volunteers and their roles, regulations on aprons, such things. Do we really need a 23-page section on pull tickets? Do we really need this type of thing? People want change. They want to see their children play, not to become experts on the pull ticket regulation.

You know, with regard to the nonprofits of community leagues, hockey organizations, and others actually earlier today I tabled a petition from the area 17 council of community leagues in northeast Edmonton, which represents thousands of volunteers, fully in support of Bill 213.

Change can happen. We have exciting new technology, Mr. Speaker, that is helping us to do many amazing things. This technological world can create more paperwork if we let it. Let's not. Use technology to simplify things. For example, earlier today I had a question regarding the transportation industry which now has mandatory logs that are handwritten and must be done every day. It's really a 20th century, if not a 19th century idea, this handwritten logbook. Twenty-first century transmission programs are more secure, more reliable, and are actually much better in terms of dealing with this issue. The message here is that regulation must

stay current, must be reviewed from time to time for real relevance.

This is not to say that we should not have any regulation. We do need rules, like for our restaurants so that we have healthy food there and can trust that what we buy there is safe. We need rules for food, air quality, water safety, and many things. But do we need so many? Are not the very purposes of the rules and regulations that are created so often defeated by their complexity? Are good regulations ignored because they are grouped with so many others that have no relation to common sense or relevance or are just too much into detail that people don't even look at them? Are rules redundant because they are a duplication of a similar rule in other regulations or other jurisdictions that deal with the same area? This is to say nothing about cross-jurisdiction differences. You know, for municipalities and such BizPaL is a great initiative, but maybe it's time to have a standard business licence that crosses municipal boundaries. The regulatory reform reporting plan for ministries in Bill 213 could lead to that.

Bill 213 sets forward a regulatory reform initiative that is wide ranging and comprehensive in its process. It is a bill that is the first statute of its kind in Canada, the first time that regulating regulations will not be done by creating new regulations. This will be a law of our Alberta Legislature. As a statute it sends a clear message that we must enter a new and more modern age in the way we deal with regulation. It sends a clear message that we must begin to use technology to simplify the way we do things, not to add more detail. This bill will change thought processes that leads to regulation, to make regulators think about the outcome and costs of the rules that they are creating. Make regulations clear. Make them simple.

Unnecessary red tape does create additional costs for business, not-for-profit organizations, and for individuals. The reduction of nonessential or redundant forms in regulations will streamline existing processes and enhance government effectiveness. We must ensure that the can-do attitude of Albertans is directed to doing. Reduce regulation, reduce red tape, and get on with the task at hand.

Bill 213 looks to establish a baseline measurement of the current number of regulations against which progress towards regulatory reform can be measured. When British Columbia instituted such a measure a few years back, it was completed by summer students in a few short months. Such a measurement will be of value in that it quantifies what is in place now. Other measurements, such as the hours necessary for compliance or other factors, would also be helpful.

Bill 213 would seek the avoidance of duplication and have someone in government check for that. Bill 213 would mandate an analysis of alternatives to regulation. Do we really need handwritten logs for truckers, for example? Do they work? Bill 213 would seek consideration of the economic impact of a regulation – how it would affect Alberta's competitiveness with other jurisdictions – and would look to minimize compliance costs. It makes sense. It might save some cents or maybe much more. Bill 213 would require public consultation. A little feedback can go a long way in these matters, Mr. Speaker. Bill 213 would mandate an estimate of the time and cost required for implementation. I'm sure that this is often done. This bill would require that. Bill 213 would require an ongoing review of relevancy of any proposed regulation through the inclusion of a sunset clause. Let's get everything into the 21st century and get rid of whatever is unnecessary.

Bill 213 would make all these matters public, with each ministry establishing a three-year plan for regulatory reform. This bill clearly addresses accountability. As the Canadian Federation of Independent Business has said: ultimately, governments have two main powers, fiscal and regulatory. We have an annual budget for the fiscal side in this province. We need accountability for the regulatory side.

Other governments are addressing that gap, including Nova Scotia, Newfoundland and Labrador, British Columbia, and even the federal government. We must make our Alberta government accountable as to the full extent of regulation, the full burden it applies to our citizens. Make the bureaucrats think twice.

The bill looks to compliance. Let people in businesses focus on what is truly important. If rules can be kept as simple as possible, it is likely that they will actually be followed. The respect for the rule of law and compliance with laws is in direct relation to respect for the laws enacted and their complexity. Keep them simple, and you enhance civil society through respect for the rule of law. What about the labour shortage? Cut the paper burden and you'll free up more time and need less workers.

Mr. Speaker, hundreds of Albertans have written in supporting this bill. It is time for such legislation. I ask that all members of this House support Bill 213. I welcome suggestions for improvement. Let us as legislators send a message to Alberta and Canada that we can and we want to cut red tape.

Thank you.

The Acting Speaker: The hon. Member for Leduc-Beaumont-Devon, followed by Calgary-Varsity, followed by Cardston-Taber-Warner.

Mr. Rogers: Thank you, Mr. Speaker. Today I rise to speak to Bill 213, the Regulatory Accountability and Transparency Act. The purpose of the bill is to progress towards regulatory reform. According to this bill, all proposals for new regulations would contain an assessment based on need, with a view to avoiding duplication, an analysis of alternatives, an examination of the economic impacts, evidence of public consultation, assessment of time and cost required to implement the change, and continuous review of the proposed regulation to determine if it is necessary.

Also, ministries would have to develop a three-year regulatory reform plan to establish targets and review the progress of each regulation. The proposed legislation includes a number of prescriptive measures. These requirements include ministries developing and making public a three-year regulatory reform plan, as mentioned, six months after this act comes into force. This timeline is established in section 3(1) of Bill 213.

Mr. Speaker, the government of Alberta has legislation to handle regulatory reform targets and puts forward an efficient means for a review. Within the Regulations Act Alberta established a Regulatory Review Secretariat to handle issues of regulatory reform. The chair of the Regulatory Review Secretariat approves regulation impact reports that are mandatory with most proposed regulations. Only those that would not become regulation or do not have a considerable impact are not reviewed. This report must meet the satisfaction of the secretariat to be issued a compliance certificate. Without the certificate the registrar will refuse to file a regulation under the Regulations Act.

Mr. Speaker, this process allows the chair to determine the validity and efficiency of any major regulation, thereby delivering an efficient method for regulatory review. While this government does see the need to reduce red tape, there are numerous steps being taken to reach this goal as well as sound business planning within each ministry.

3:30

Mr. Speaker, Service Alberta's business plan reflects the department's objective to improve government efficiency and regulatory reform. Under the third goal the ministry has expressed the need to constantly manage Alberta's regulatory environment while retaining

a competitive advantage in our global economy. They are working with government councils, committees, and the private sector to assess and ensure the efficiency of government business. This identifies regulations put forth that would hinder growth for Albertans, small business, and the overall economic competitiveness of our province. Since Alberta is not the only government to constantly refine the efficiency of their regulations, Service Alberta is not the only department to constantly refine the efficiency of their regulations. The Department of Finance incorporates a similar strategy to improve service.

According to the Ministry of Finance's three-year business plan, Mr. Speaker, the ministry works with stakeholders, including service providers, to improve forms and develop e-service modules to ensure Alberta's continued success. This process identifies and mitigates areas with a high risk of noncompliance through partnerships with stakeholders in other Canadian jurisdictions to consolidate private-sector pension, insurance, financial legislation, and regulatory processes. The Department of International, Intergovernmental and Aboriginal Relations encourages both provincial and federal solutions to improve efficiency and effectiveness through the reduction of overlap and duplication between governments and the reform of institutions.

When it comes to reaching accord with other provinces, Alberta is a leader. As a matter of fact, as of April 28, 2006, the trade, investment, and labour mobility agreement, or TILMA, came into effect. The agreement removes barriers to trade, investment, and labour mobility. Mr. Speaker, both Alberta and British Columbia established the ability of workers to move between our provinces and streamlined business registration and reporting requirements.

The TILMA agreement created the second-largest economic region in this country, Mr. Speaker, removing obstacles to trade and mobility, and I would suggest that the rest of the country should take note and come on board. By doing so, the agreement diminishes the amount of regulation and improves efficiency. It establishes Canada's most comprehensive internal trade market, including over 7.8 million people. Neither province's people, investments, nor goods take precedence over one another. However, it does take into account certain differences in justified cost-of-service matters, thereby preserving the necessary provincial autonomy.

To further strengthen the efficient partnership, the Member for Calgary-Bow introduced Bill 38, the Government Organization Amendment Act, 2007, on May 7, 2007. Bill 38 proposes to allow a penalty that would be imposed by a TILMA dispute panel to be filed in the Alberta courts. A similar piece of legislation, Mr. Speaker, has also been introduced to complement this in the province of British Columbia. If the bill is enacted, the legislation would enforce the dispute resolution mechanism outlined in TILMA.

The trade, investment, and labour mobility agreement outlines a three-step process to resolve disputes through dispute avoidance, consultation, and, as a last resort, resolution by an impartial panel. Under TILMA the panel would have authority to impose a financial penalty of up to \$5 million for either province that violates the agreement. TILMA along with Bill 38 will work towards cutting red tape, making it easier to comply with the standards of both provinces, and will provide a dispute resolution mechanism to deal with any conflicts.

In conclusion, I would like to thank the hon. Member for Edmonton-Manning for bringing forth Bill 213. I feel that Bill 213's proposal deserves further consideration in light of the measures the government of Alberta already has in place. With what is enacted in the Regulations Act, the government has a well-established plan to deal with regulatory review. The bill would set timelines and requirements that could improve the regulatory reform process. The

government is continually committed to reviewing regulations to ensure that they do not impede Albertans' business and government efficiency. Therefore, Mr. Speaker, I look forward to further debate and the conclusion of debate on this bill.

Thank you very much.

The Acting Speaker: The hon. Member for Calgary-Varsity, followed by Cardston-Taber-Warner, followed by Calgary-Foothills.

Mr. Chase: Thank you very much. It is my pleasure this afternoon, Mr. Speaker, to rise to speak in favour of Bill 213, the Regulatory Accountability and Transparency Act. As I'm very aware of the intent of the bill, I do not want to provide the verbal equivalent of the bureaucracy that this bill is attempting to eliminate. I will very briefly state that this bill increases the efficiency of the process rather than adding numerous layers of questionable oversight. It also improves the accountability associated with the bills.

As a teacher of 34 years I'm very aware of stifling bureaucracy, which has gotten to the point where field trips, even across the back field to the library, have become so overpapered that any kind of outdoor pursuit, even basically walking to the school across the block, has become prohibitive. Bill 213 recognizes that we need to get on with the job. The government has an oversight responsibility, but that oversight should be more with eyes and ears as opposed to just researching and reviewing documentation. Be out there. Do it. Don't just read about it.

I support my colleague from Edmonton-Manning on Bill 213, the Regulatory Accountability and Transparency Act. I appreciate the fact that the government members recognize that it focuses on the duties and requires them to speed up the accountability process while at the same time eliminating the unnecessary red tape. Thank you very much, Member for Edmonton-Manning, for putting forward this bill. I wish it speedy acceptance.

The Acting Speaker: The hon. Member for Cardston-Taber-Warner, followed by Calgary-Foothills.

Mr. Hinman: Thank you, Mr. Speaker. It's a privilege to rise and speak to Bill 213. I would like to support it. I appreciate the hon. Member for Edmonton-Manning bringing this forward to the House because the red tape dilemma is a growing one here in the province. It's something that we definitely need to address. With all respect to the hon. Member for Leduc-Beaumont-Devon, we're not doing well enough. We need to do more. The government is very slow on it. If they think that they have enough in place, we realize how negligibly we're working on this, that it just isn't happening.

CFIB put out a research paper a while back. We talk about Alberta having the lowest taxes in the country and the Alberta advantage, yet out of all of the provinces where the business owners sent back to them, Alberta had the worst record for red tape. So I think it's something that we absolutely need to address, not only as a province but as a country. Alberta should be leading in it and not allowing British Columbia to be, well, 20-some per cent ahead of us in business satisfaction.

One of the areas that I guess I want to speak on, being that I represent a rural area, is the number of problems that I have from constituents calling up dealing with the CAIS program. Here is an excellent example of complication, misunderstanding. Even the accountants who work on CAIS and predict and say, "Well, this should be your payment" are not able to come up with the right answers. There is just far too much paperwork, too many loopholes and, I guess, areas of arbitrary ruling that don't help. I feel that the real dilemma we have here in the province and in our country is that

we've got this mindset now that somehow rules and regulations, conversely, help us to have safety and productivity, and I think that it's wrong.

One of the sad things that we see is that more and more rules and regulations are imposed in industry. We see industry leaving our country, our province to go overseas, and then we have products that are coming back that are substandard, yet we say that we can't regulate and be the watcher for all of these items that are coming back. I think that we need to back up and think this through a little bit. Do we need all these rules and regulations, or do we pass laws and legislation that hold businesses and people accountable for their actions? It would be much easier to deal with these things in a court of law than in the reams of paper that have developed over the years to try and meet these regulations.

3:40

I just want to give one example. I had auto mechanics come to me two years ago because they were looking at passing new rules and regulations on who qualified and who could work on automobiles because in the big cities there's a problem with backyard mechanics in the fact that they were doing shabby work and then turning it back to the people, and there was no recourse. So the industry thought, "Well, if we increase the cost and the rules and regulations to become a mechanic, that will protect the people," whereas it doesn't. All it did was hurt those small mechanics from small towns that couldn't afford to buy a \$50,000 bond, which was what the proposal was. In a small town they know their customers, and they're held accountable. If you do shabby work, you're put out of work immediately.

This is a case where the law was failing the people, so they thought rules and regulations would help, and it doesn't. Those people should be held accountable for their shabby work and be able to be taken to a court system that's quick and efficient, and therefore we wouldn't need all these rules and regulations.

Just to go over a few of the other things in the CFIB research. They talk about the cost of compliance and what it costs per employee. It's just tremendous. Some of them estimated that it cost over \$5,500 there. Workers' compensation, occupational health: 67 per cent felt that the red tape there was excessive. The small business owners primarily deal with regulations. In 70 per cent of businesses in Alberta it is the owner who primarily deals with the regulations. It's very onerous, and they're not able to do the work they want in their own business because they're so busy trying to meet the rules, the regulations, and all of the red tape that goes along with that.

Somehow we need to be able to simplify it because what rules and regulations generally do is put small businesses at a disadvantage with large businesses just on the effect of efficiency. A large business can afford to hire one or two people in order to fill out all those rules and regulations, whereas a small business doesn't specialize in it. It's onerous on them, and it's very difficult for them to go forward. It's interesting. I've even spoken with the presidents of the different educational facilities, and the number one complaint they have is all of the red tape and the amount of information and forms that they need to fill out in order to look for funding, assistance, and other areas. It's the same with the municipal districts, the small towns, and villages. All of these are problems inside our own province that affect the efficiency and the competitiveness of our businesses here in the province, and we need, truly, to address it.

On the reduction in productivity, the percentage of members saying that regulations significantly reduce their productivity, by sector: transportation, 74 per cent. It's incredible when we think about the amount of goods and services that are sent around the

province at such an onerous cost of doing business. The question that the businesspeople ask: does government even have any idea what the cost is to corporations and the individuals and farmers to have to do this red tape?

I want to go back again and refer to British Columbia. When Premier Campbell got in there, it was one of his mandates that they were going to reduce it, and the hon. Member for Edmonton-Manning referred to that. They've done an excellent job, and Alberta, because we can't lead, needs to follow those who are doing better. It's an area where there's no excuse for us not to do better, to realize the problem.

I again want to go back to the idea that these rules and regulations are forcing industry out of our province, out of our country to other areas, and then we're bringing in subquality, whether it's clothing, whether it's toys for kids, whatever it is, that doesn't meet the quality that we have here. It's very difficult to say, "Well, we should be buying at home" when we've driven those industries out of our country and they've gone overseas. It's a difficult thing to try and have it return.

Overall, I guess I'd also like to refer to the different taxes that we even collect here in the province. The health care premium is nothing but a bureaucratic headache in what it has caused. For the \$900 million that we collect, what is the real cost on that? The thousands and thousands of Albertans that aren't paying it: the government hires people to go and chase this down. This is a classic example of where we could streamline government, streamline the operations, reduce taxes, reduce the red tape, and truly make a difference for our health care system.

There's no reason to be collecting the health care premiums when we have the surpluses that we have just when we look at the red tape and the book work that has to be kept along with that. The problems that we have when those clinics allow people to come in and they haven't been paying their premium, to put them in the policing situation of saying, "Well, why are you here? You need to pay your premiums," puts them in an unfair situation.

In closing, Mr. Speaker, I want to thank the Member for Edmonton-Manning for the diligence that he has had on this bill and for bringing it to the awareness of this House. I would hope that we would pass this and that we would double our effort and try and pass British Columbia in their effort to reduce the red tape. It's something that we need to do. We want the Alberta advantage to be here. We want to be competitive, and we want to enjoy competition with other jurisdictions that do not have the red tape and the problems that we do here.

Thank you very much for the time to speak on this.

The Acting Speaker: The hon. Member for Calgary-Foothills, followed by Edmonton-Glenora.

Mr. Webber: Well, thank you, Mr. Speaker. Today I rise to Bill 213, the Regulatory Accountability and Transparency Act, proposed by the hon. Member for Edmonton-Manning. The purpose of Bill 213 is to establish policy that will measure and assess progress made in the area of regulatory reform. This is to be accomplished in two ways: first, by evaluating new regulations to ensure that they meet specific criteria for preventing duplication and also ensuring that thorough analysis has taken place by considering effectiveness, cost, and public opinion; and second, by establishing regulatory reform reviews within ministries that include reform targets and ensure continuing regulatory relevance to reduce regulatory burden. This would place more responsibility on ministries for regulatory legitimacy and accountability.

I applaud the spirit of this bill and the goal to address inefficien-

cies in cost, resources, and bureaucracy. Clearly there is a need within government to eliminate duplication and overregulation and to limit administration to those things that are absolutely necessary. The impact of regulatory burden can limit growth for Albertans, small business, and overall economic competitiveness, which is why working towards streamlining interaction between government, citizens, and business and improving accessibility and service delivery benefit us all. This is something with which we are all in agreement.

My concern, Mr. Speaker, is how we go about achieving this goal. Many of the things that Bill 213 advocates are already in place, and the government is still hearing from Albertans that regulations are burdensome. Most regulations already have an expiry or review date as well as the kind of sunset clauses that the proposed bill recommends. These formal reviews allow for frequent assessments that provide a way of monitoring regulation on a continual basis to ensure effectiveness and relevance. In this case, therefore, Bill 213 would simply add to that which already exists.

We also have the Regulatory Review Secretariat, which was just renewed in March of this year. It is specifically responsible for overseeing ongoing review of regulations to ensure consistency, relevancy, and simplification to both new and existing regulation. It also ensures that new or amended regulation is in keeping with the core responsibilities of government. Much of this process is accomplished through regulatory impact reports, which all regulations require. These reports mirror much of what is advocated in the proposed bill. There are mechanisms currently in place that monitor and assess regulations to ensure effectiveness and relevance. Requiring ministers to follow regulatory reform plans and processes proposed in Bill 213 could mean asking them to duplicate work that is already under way or to place new administration on top of existing processes.

3:50

However, Bill 213 brings to light some important points that remind us of the need to deal with the issue of excess regulation and procedure before it becomes a problem. This is why the focus needs to be on creating a culture of reduction when it comes to regulatory burden. This up-from-the-ground approach helps us in two ways. First, when considering reducing and preventing duplication in the creation of new regulation, we will steer ourselves away from creating that which is burdensome, and second, in preventing bureaucracy rather than merely reacting to it, we create more opportunity to spend time on the efficiency of existing regulations instead of creating new legislation.

In short, the more we dedicate ourselves to preventing and reducing regulatory burden and creating a culture that supports efficiency and ease, the more expedient and valuable the regulatory process will become. In this way the practice of preventing an excess of regulation becomes institutionalized as part of the way of governing. This is what this government is already working to achieve through its existing regulatory review process. It helps to ensure that as a government we always strive to create legislation that is not only beneficial and responsive but is also efficient and relevant.

Regulatory reform is a priority for the Alberta government. Communicating how we are reducing and eliminating regulatory burden as an institution is crucial, and our commitment to this priority needs to be reflected in the way that individual ministries and departments do business. Indeed, many of my ministerial colleagues have already demonstrated a commitment to this process, with Service Alberta leading the way.

In its 2007 business plan Service Alberta focuses on strategies

geared towards streamlining regulations, improving efficiencies, and strengthening the competitive advantage for government, business, and individuals. Within its third goal of improving program and service delivery by government, the ministry outlined several ways this will be accomplished: first, by developing policy that gives direction to the regulatory environment to maintain a global competitive advantage while taking into account environmental protection and public health and safety concerns, second, by working in conjunction with internal government agencies and the private sector to look at innovative ways of streamlining government business, and finally, by consulting with other ministries and various stakeholders within the province to identify areas of regulation and administration that limit growth and economic competitiveness.

A multitude of other ministries, including Finance, Municipal Affairs and Housing, Environment, Energy, and many others, have also taken it upon themselves to address regulatory burden within their business plan. Targeted and directed approaches to deal with the regulatory accountability and transparency that Bill 213 identifies are already under way within government, Mr. Speaker. We must continue to encourage this kind of accountability since, ultimately, being accountable for our own regulation process is how we best serve the people of Alberta.

I look forward to further discussion on this issue and hearing from the hon. ministers on how they are dealing with the regulatory burden and their plans to improve the regulatory review process.

Thank you, Mr. Speaker.

The Acting Speaker: The hon. Member for Edmonton-Glenora, followed by Cypress-Medicine Hat.

Dr. B. Miller: Thank you, Mr. Speaker. I rise to add my opinion and viewpoint to the discussion on Bill 213, Regulatory Accountability and Transparency Act, and I congratulate the Member for Edmonton-Manning for bringing this bill forward. What I'm going to refer to is my experience with the Affordable Housing Task Force.

This previous speaker, our hon. Member for Calgary-Foothills, had the same experience. He didn't share that with the House, but, Mr. Speaker, when we went around Alberta with the Affordable Housing Task Force, we went to seven different communities to hear what people had to say. One of the constant themes that we heard everywhere we went was about red tape, that with the whole process of making application for affordable housing, whether it's a local community group that wants to build a seniors' complex or other kinds of housing, the red tape that they had to go through was formidable. We're talking about the groups that reported to us, for the most part nonprofit groups.

In the case of nonprofit groups we're not talking about paid staff that are able to focus on the various kinds of forms that they have to fill out, the long application process, and so on. It's often volunteers who don't have that much experience, and there's tremendous pressure on them to be able to follow the process in the correct manner. Sometimes they have to actually use money from their nonprofit organization to hire somebody to just focus on the filling out of forms. In the case of social agencies that are involved in front-line work in our inner cities, it seems to me that that is a waste of money when those people could be actually engaged in caring for the needy and the people that they are concerned about.

When we reported to the Minister of Municipal Affairs and Housing, the task force presented our document, Housing First: An Investment with a Return in Prosperity. Among our recommendations was this recommendation: cut red tape and improve efficiencies. It's exactly what Bill 213 is talking about. The first recom-

mendation under cutting red tape was that the government should develop initiatives to improve efficiencies, greater synergies, and reduce duplication within government among nonprofits and between both sectors and also improve government responsiveness. We heard that for many nonprofit groups that apply for funding to build affordable housing, the length of time, the process that they go through is so, so lengthy that by the time a year or a year and a half goes by, the costs of construction have gone up, and the nonprofit organization has to turn around and request more money because of those spiralling costs.

Actually, we recommended that all provincial departments adopt an eight-week turnaround on housing grants and funding requests. I notice that the government turned down that proposal although the government did agree to pass on our recommendation about improving efficiencies and reducing duplication among government and nonprofits, that this recommendation should go to a cross-department assistant deputy ministers' committee. So it's apparent that the government is listening to people's concerns and is trying to do something, but this bill really makes it more concrete about what should be done. There should be some sort of process to get a hold of this whole issue and improve the situation.

Also part of our recommendations, Mr. Speaker, was that the government should create clear, standard provincial grant and program procedures to minimize the time and money costs for nonprofit groups and developers, standardized cross-ministry grant forms and templates. I notice that the government is referring this recommendation to the cross-department assistant deputy ministers' committee but acknowledges that because there are so many different programs, there have to be different procedures, different requirements, different kinds of forms.

Then we also recommended that there be an elimination of provincial procedures for nonprofits and service providers that are ineffective and inefficient; for example, multiple audits of the same program, different application forms for each department, et cetera. Mr. Speaker, we heard time and time again complaints about the red tape that nonprofits have to go through. It's a tremendous burden on nonprofit organizations. Most of those organizations are made up of citizens who volunteer their time and put so much effort into those organizations, so to be faced with huge red tape, they need help. They need help to deal with all of that. They need assistance from the departments of government to make sure that they can follow the right procedures and get the outcomes that we all need and want to see happen, especially in the area of affordable housing.

4:00

Mr. Speaker, I don't have anything more to add on this. I thought that that experience was very important to attend to because the government established this task force. We went out and heard what Albertans are saying. They don't like the tremendous burden of red tape, and this bill is addressed to exactly try to minimize and cut it down and put in place a procedure to be able to oversee the whole issue of red tape. I commend it to the House. We should vote in favour of this Bill 213.

Thank you, Mr. Speaker.

The Acting Speaker: The hon. Member for Cypress-Medicine Hat, followed by Edmonton-Meadowlark.

Mr. Mitzel: Thank you, Mr. Speaker. I'm privileged to be able to rise today in this Assembly and join the debate on Bill 213, the Regulatory Accountability and Transparency Act. I doubt that anyone in this Assembly would disagree with the opinion of the Member for Edmonton-Manning when he previously stated in the

House that red tape costs us all. I feel that this notion is largely personified by this government's commitment to identify opportunities to reduce and simplify the regulatory burden faced by the people and businesses of Alberta.

As a brief example of this commitment we can refer to the Regulatory Review Secretariat. Through the secretariat the government is working towards fulfilling an obligation to rationalize and simplify the regulatory environment for the benefit of Alberta's citizens and businesses. It ensures that any new and amended regulation is consistent with the government's core responsibilities.

The chair of the secretariat is responsible for reviewing each regulation and its supporting rationale or need to regulate. This body scrutinizes regulation impact reports submitted to them by departments wishing to amend or create new regulations. The secretariat provides consultative support to departments in preparing these reports and issues compliance statements once they've been approved. It should be noted as well, Mr. Speaker, that under the Regulations Act approval is required for filing a regulation. The Regulatory Review Secretariat reports regularly on the work of ongoing regulatory review and regulatory reform activities to the Minister of Service Alberta.

Bill 213 also urges us to establish a baseline measurement for regulation, an interesting concept that may require further consideration. I'd like to reiterate a sentiment expressed in this House back in June of this year by the hon. Minister of Service Alberta: "The number of regulations isn't critically as important as what the regulations mean to the everyday Albertan and their ability to either just live their lives or to run their business."

I'd urge this House to also consider that excessive legislation can also have negative consequences. Tacking on additional laws to reduce regulation may bog down the legislative process. This would have similarly detrimental results that could easily affect Albertans in a manner comparable to overregulation.

Although there are measures in place to reduce regulatory burdens, we continue to hear that regulations are a challenge to businesses in Alberta. Mr. Speaker, I'd like to take a moment to elaborate on this. Certainly, an excessive bureaucracy affects many parties, but my specific concern is about the small businesses in Alberta. How does overregulation affect them specifically?

In a report from the Canadian Federation of Independent Business called *Prosperity Restricted by Red Tape, 2005*, it was stated that 3 out of 4 small business owners indicated that regulations add significant stress to their lives. In the same report I was shocked to discover the statement that businesses with less than five employees paid \$5,317 per employee per year in compliance costs. The report concluded that businesses with more than a hundred employees paid \$1,104 per year to cover these same expenses.

Let's get away from the numbers for a minute and think about the impact of this for our province. How many Alberta communities depend on their local small businesses for jobs, investment, and growth? What happens to small businesspeople when they want to pursue dreams such as running their own hardware stores, establishing community law firms, or opening local delicatessens? The answer is that they are faced with huge financial costs that they may not have the resources to overcome. Also, in comparison with their big business counterparts they may not have the necessary workforce to devote to regulatory compliance.

This particular point emphasizes that there could be costs other than financial ones. Excessive regulation results in time being taken away from actual business operations as well as family and friends as long hours become necessary for some business owners just to make sure they're up to code. This is invaluable time and effort that could be better spent. Mr. Speaker, this creates a climate that

detracts from the entrepreneurial spirit of this great province. It may cause some small businesses to struggle. Albertans have big dreams and hopes. Those who have invested in them may decide that these obstacles are just too great to overcome.

Of course, small businesses aren't the only ones to suffer. An excessive amount of regulation creates a mountainous burden for everyone. It may dampen investment and in some cases restrict job creation. Albertans may be afflicted with higher consumer prices and a reduced range of product choices. Under the structure of a bloated regulatory framework the government itself becomes weighed down in its attempts to communicate and enforce regulations. Simplifying and streamlining regulations positively affects everyone in this province.

Having said that, the method of improving regulatory review should be considered with caution. I believe that this government is vigilant in reviewing and reducing regulation and is striving toward improving the review process. Having said that, there's always more that can be done.

The character of Bill 213 hits the nail right on the head when it speaks to the stifling nature of this phenomenon, and I look forward to hearing the rest of the debate on this issue. Thank you, Mr. Speaker.

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

Mr. Tougas: Thank you, Mr. Speaker. I'd just like to make a few comments about Bill 213, and I would like to start by congratulating the Member for Edmonton-Manning for bringing forward this bill. I did a little research going into the debate today – you could call it a historical vignette if you like – about the history of the term "red tape." Now, one school of thought says it goes back to England in the 1600s, when bureaucrats used red cloth tape to bind legal documents together. Another source, an American source, of course – Americans like to claim everything as their own – says it goes back to the U.S. Civil War, when long, bulky federal documents were folded into three sections, and the documents were then bound together with narrow red ribbon before being shipped off. The recipient then had to cut and remove the ribbons before reading the document, thus creating the term "cutting the red tape."

Now, I know that's not particularly relevant, but that's never stopped us before. Whichever explanation is true, Mr. Speaker – I lean towards the British version, personally – red tape and government are inextricably linked, and since governments pretty much invented red tape, it's up to us as legislators to do everything we can to rid society of this perennial problem.

The purpose of this bill is quite straightforward. It is to ensure that current and proposed regulations in regard to red tape for businesses and nonprofit organizations are necessary and not merely there to keep bureaucrats busy. You notice that I didn't use the term "minion." It attempts to streamline procedures for businesses and nonprofits to speed up proceedings and to cut down on unnecessary work. Since red tape is a creation of government, this bill puts the onus on government to ensure that all new regulations that will be passed are absolutely necessary.

There were some interesting statistics about red tape that we received from the Canadian Federation of Independent Business, which estimates that 35 per cent of Alberta businesses have reported an increase in red tape and that Alberta businesses lose 65 days a year to untangling red tape. It is especially interesting that British Columbia eliminated 113,000 regulatory requirements. I believe the Member for Edmonton-Manning said they just used high school students to do that. Other jurisdictions across the country have red tape legislation, and I'd like to think that this government is honest

in its desire to make Alberta a leader in all areas of government, not just in spending.

4:10

We've all received a glowing letter of recommendation about Bill 213 from the Canadian Federation of Independent Business. Now, the federation says that Bill 213 is about accountability and compliance. But, even more importantly, it is not entirely a business bill but an attempt to help nonprofit organizations and even MLAs, I suppose, wade through the sea of red tape that can so often trip up industry and nonprofits alike.

There is an interesting chart contained in a research document by the CFIB. The chart asks if there is a single bylaw governing business licences in specific cities and if it is easily accessible. The city of Calgary is one of the few municipalities that does not have a single bylaw, according to the chart. Apparently, there are a total of 10 bylaws governing the licensing of businesses in Calgary.

Mr. Speaker, red tape costs businesses, entrepreneurs, and nonprofits countless millions of dollars and millions of hours of frustrations. I urge this Legislature to vote in favour of Bill 213 and again congratulate the Member for Edmonton-Manning for bringing this bill forward. Thank you.

The Acting Speaker: The hon. Member for Calgary-Bow.

Ms DeLong: Thank you very much, Mr. Speaker. I rise to debate Bill 213, the Regulatory Accountability and Transparency Act, sponsored by the hon. Member for Edmonton-Manning. Reducing and limiting the regulatory burden placed upon business in Alberta is a paramount task for our government. Government rules and regulations are an instance of daily interaction between our government and Albertans, however unnoticeable the relationship may seem.

Now, our government prides itself on increasing transparency and accountability in all areas of government interaction with Albertans. After all, a key focus for this government is governing with integrity and transparency. This improves the quality of life in the process and builds a stronger Alberta through increased economic activity and efficiency.

Bill 213, Mr. Speaker, seems to infer that our ministries are currently unresponsive to limiting regulatory burden placed on business and are therefore responsible for regulatory inflation. The increased expectations and demands on our governments to regulate and address a broad range of social and environmental goals have postulated this concept of regulatory inflation. While there has been an increase in regulatory demand, it has been dealt with equitably and efficiently, with the full understanding that there is a need for a streamlined process.

However, if we were to make sure that we knew exactly how many regulations we had, whether we measured that by the number of regulations or whether we measured the regulations by the amount of time it takes businesses to fill them in, I think that we would become much more aware of the situation with the regulatory burden that we do have out there. Not only that, but if we were then to take the next step and were to say, "Okay; this department now has this exact regulatory burden upon Albertans," and the people that work for government were to actually measure them in terms of how much they were able to reduce the regulatory burden upon Albertans, then they would sort of get in on the whole concept, not only just the concept but also the goals of reducing those burdens.

So I think that it's really important that we engage the public service in this whole process, that we get them interested in this whole process of minimizing the amount of work that we are

creating for the people of Alberta. If we get them engaged in that whole process, they'll become our allies in this fight. Rather than a top-down approach of us saying, "Oh, you've got to cut regulations," as a government and as politicians, you know, if we ourselves are pushing that message instead of it just coming from the top down in terms of politicians pushing this idea, if we can get the public service involved in this whole aim, I do believe that the public service would be very interested in working on this. But it has to be part of the goals, and to be able to make it part of the goals, we have to actually measure what the regulatory burden is that we have on the people of Alberta.

Now, simply counting the regulations I think is not the best way to really analyze the situation. I think a much better way of analyzing it is to actually find out how much time it takes people to fill it in. If we were to change the measure to a more realistic measure such as that, I think that this bill would be a very good way to move forward.

I'm working right now on a project with BizPaL where we're looking at the total regulatory load on one particular part of the restaurant industry. We're not just looking at what the load is provincially, but we're also looking at what the federal government load is, what the municipal government load is, what the health region load is, all of the different regulations and forms that have to be filled in. This, I think, will be something where it makes it very easy to compare what we are doing here in Alberta or in one part of Alberta even compared to the rest of the country. Again, that will give us a little bit more impetus to really go after trying to cut back on regulations.

In summary, I must say that I do believe that this is the way to go. I don't think we've got quite the measurement, as you suggested, for this bill. I think there are better measurements. But the whole concept of it I think is excellent.

Thank you very much, Mr. Speaker.

The Acting Speaker: The hon. Member for Calgary-Fort.

Mr. Cao: Well, thank you, Mr. Speaker. I appreciate the opportunity to address Bill 213, the Regulatory Accountability and Transparency Act, sponsored by the hon. Member for Edmonton-Manning. Albertans, individuals and businesses, are faced daily with rules and regulations. Due to the impact that rules and regulations have on their operations in Alberta, I feel compelled to contribute my thoughts on this subject.

Also, as I've said many times in the past, personally I profess the four-E principles, being ethical, economical, effective, and efficient. So when I get into the government or the public policy operation, I would still want to see the efficiency, the effectiveness, the ethical and economical drive for public services and operations. When we look at this, regulatory efficiency is an issue that is very, very important to the government of Alberta and those who comply with them because these stakeholders stand to gain when most effective regulations are possible. Regulatory review is in constant motion in Alberta and has been demonstrated by my colleagues speaking previously and for years.

In many ways Bill 213 is very much aligned with this government's regulatory regimes. Just as the government does, the bill recognizes the burdens of dealing with unnecessary red tape and regulations. As a fiscally responsible government we realize that unneeded regulations can present additional costs to all stakeholders.

Mr. Speaker, I would like to take this time just to address the organization that affects 120,000 employers and over 1.65 million workers in Alberta, and that is the Workers' Compensation Board, the WCB, may I say. It is a nonprofit institution mandated to

administer the workers' compensation system in our province. Like any organization, there are rules and regulations, procedures, and red tape. It is important to note that, as such, the WCB is autonomous and an arm's-length organization with the government.

4:20

Probably you know, Mr. Speaker, and my other colleagues realize that through payment of premiums the employers fund the no-fault system, which is designed to protect workers and employers from the full impact of work-related injuries and illness. Now, the WCB is a very important organization that aims to ensure that those who make Alberta thrive are well taken care of in times of need and misfortune, and with the sheer volume of players and funds involved and the intimate nature of the service provided, it is critical that the process involved with WCB be as simple as possible.

Through this example I can demonstrate how the government of Alberta has worked with WCB to streamline existing processes to enhance the outcome for Albertans that is called for by Bill 213. Mr. Speaker, I must note the complaints that some individuals and organizations have with the processes in WCB because they are directly related to Bill 213. Furthermore, when we acknowledge this perceived inadequacy, we can help dissolve those perceptions and make improvements. For instance, some business owners in Alberta feel that WCB regulations are quite burdensome due to paperwork and time requirements, and we should take note of that. Much has been done on the system used by WCB to increase the satisfaction of those who collaborate with the organization, but there's room for improvement.

I know that in the year 2000 two reports were released with the hope of improving the service delivery of WCB. The Members of the Legislative Assembly Workers' Compensation Board Service Review Input Committee and the Review Committee of the Workers' Compensation Board Appeal Systems both called for simplification of the WCB system. For example, the Members of the Legislative Assembly Workers' Compensation Board Service Input Committee recommended that the WCB use plain language in decisions, documents, and communication and stated that it was not clear how many Albertans actually knew the difference between temporary total disability and temporary partial disability. So this is a needed simplification.

In a 2005 status report it was stated that clear standards for communicating decisions are now set out in WCB style guidelines. In order to achieve this recommendation, the hearing chairs were provided with training on decision writing just to understand the subject and how to deal with the procedures. In addition, WCB declared that it was committed to improve communication with all of its stakeholders and recognized that this will be an area of ongoing improvement in their organization.

Now, I just want to emphasize the aspect of government operation procedures, red tape, that affects Albertans. Particularly in this situation, the example is 1.65 million Alberta workers and 120,000 employers, so the call for this change in government operation regulatory review and simplification to make our system more efficient, more effective, more economical is a very, very good drive.

I want to commend our Member for Edmonton-Manning, who introduced this notion in this Bill 213. Of course, many of my other colleagues will support this idea. I want to just call on our other members here to support the drive for making our government more efficient, effective, economical. Thank you very much for the time.

The Acting Speaker: Any others?

Hon. Member for Edmonton-Centre, you had indicated you wanted to speak on this one.

Ms Blakeman: No. I think it was on the next bill. My apologies.

The Acting Speaker: Okay. Any other speakers? Anybody? There seems to be some confusion.

The hon. Member for Red Deer-South has now risen. Would you like to speak on this bill?

Mr. Doerksen: Mr. Speaker, I would love to speak on Bill 213.

The Acting Speaker: The chair will recognize you.

Mr. Doerksen: Thank you. I will join the debate on Bill 213, the Regulatory Accountability and Transparency Act, moved by the hon. Member for Edmonton-Manning.

In listening to one of the previous speakers describe his experience with red tape, I have a similar story to share. One time I was the power of attorney for somebody who had to live outside of the country for a while. It was actually my brother. His mortgage came up for renewal, and I had to arrange for the renewal of his mortgage. I had to send the documents away to a different country – I won't mention the name – and it took an incredibly long process for that document to actually get back to me. When it came back to me, physically sewn onto the document was a strip of red tape. So when the other member mentioned the origins of red tape, it reminded me of that experience that I had some 20 years ago and what red tape actually meant in that case.

Mr. Speaker, this bill before the Assembly proposes a direct way to address a significant challenge that affects all organizations. This challenge is reducing the burden of navigating through excessive regulation. Our government is conscious of how tedious and ineffective it can be to have regulations that overlap and complicate processes. We also comprehend the necessity of enabling businesses and individuals to have the ability to operate in the most efficient manner. However, we also have to respect and abide by the laws and rules that have been established for the benefit of Albertans. It would be neglectful to ignore the responsibility that our government has toward matters as important as the environment or occupational safety. Ministers within this government accept their mandate to ensure that operations which are under their auspices will uphold standards that have been developed through consultation, research, and practical experience.

Our government recognizes that regulations are necessary in many situations. However, reviewing regulations is also necessary to ensure they remain effective and achieve their intended outcomes. I would like to refer to the developmental processes that are undertaken and implemented by various government ministries to ensure that regulations are developed for specific purposes that have measurable results and are not duplicated in principle by previous regulations.

There are many examples of ministries carrying out their work with due diligence, and they are implementing regulations with the scrutiny and thoroughness that Albertans would expect. Service Alberta documented in their 2007-08 business plan a strategy to improve and streamline regulations in order to improve the ability of ministries to deliver government programs and services. The ministry noted its commitment to developing policies that provide direction for Alberta's regulatory regime and maintaining a competitive advantage in the global economy while protecting the environment and public health and safety.

Service Alberta goes further to state that the ministry will "work

with internal government councils, committees and the private sector to identify, assess and manage innovative initiatives to streamline and gain efficiencies in the business of government.” The priority of Service Alberta is clear and consistent. They have and will continue to “consult with stakeholders from across the province and other ministries to identify regulatory burden and administrative policies that limit growth for Albertans, small business and overall economic competitiveness.”

Mr. Speaker, this type of commitment articulates the strategy of our government to reduce regulation for businesses and individuals. As I have indicated, it is in this government’s best interest to mitigate the regulatory obstacles that may possibly exist without jeopardizing our commitment to health safety and quality of life.

4:30

Our government should especially caution against overregulating the nonprofit sector. These benevolent organizations operate within strict financial parameters and may not have the staff to navigate through excessive regulations established by federal, provincial, and municipal governments. Often due to regulation nonprofit organizations dedicate much of their valuable resources both in staff and finances to establishing and maintaining registrations, providing reports of various events to regulatory agencies, and ensuring compliance in their operations.

The cost per organization of full compliance with all government regulations for donations consumes significant resources. The extent of this burden in some situations forces the organization staff to focus on paperwork rather than fulfilling their mission. The costs also redirect the financial means of charitable and other nonprofit organizations toward administrative duties as opposed to directing the funding at its intended objective. Ironically, nonprofit organizations typically reduce bureaucracy, thereby expediting the important services they provide.

In our effort to reduce governmental regulation, the Ministry of International, Intergovernmental and Aboriginal Relations acknowledged they will promote both interprovincial and federal/provincial solutions to improve the efficiency and effectiveness of the Canadian federation through the reduction of overlap and duplication between governments. Everyone can realize how time consuming and costly it can be for Albertans to have to continually adjust for repetitive regulations.

The Ministry of Municipal Affairs and Housing, which has a significant regulatory framework due to the circumstance of their functions, has taken a proactive approach to addressing these regulatory issues. The ministry has identified in their core business goals, strategies, and performance measures that their first priority is to facilitate a legislative framework that enables municipalities to operate successfully and meet the local needs of Albertans by monitoring provincial legislation and regulations. Where it is appropriate, the ministry will recommend changes to municipal regulations that support improved approaches to local governance, election processes, and service delivery. The Ministry of Municipal Affairs and Housing is committed to assisting municipalities throughout the province to develop an effective regulatory regime that accomplishes their objectives but does not act as a hindrance to the cities, towns, and villages. The ministry asserts that it will assist municipalities who are having sustainability or accountability problems to examine and pursue innovative approaches or restructuring that will address regulatory problems.

Mr. Speaker, Alberta’s provincial government acknowledges that excessive regulation is unnecessary. Our government has taken the proactive approach to expedite decision-making and allow departmental functions to operate with the effectiveness and urgency that

the residents of this province expect. It will never be our intention and should never be our intention to force individuals to fill out a seemingly unending amount of paperwork or obtain multiple licences or make individuals go through arduous committee procedures. The regulatory formalities and requirements of our government are implemented for the individuals to know that their government has not increased bureaucracy to ignite their frustration but for their benefit and well-being.

I can assure this Assembly that our government will continue to show leadership in reducing red tape for the financial and practical advantages for all Albertans. As I have explained in these deliberations, we recognize the importance of regulatory review and should consider, Mr. Speaker, Bill 213 in working toward improving our regulatory review process.

Mr. Speaker, thank you for giving me the time to address the Assembly on this very important bill, and I thank the member for bringing it forward and will be supporting him in his initiative. Thank you.

The Acting Speaker: The hon. Member for Edmonton-Calder. We only have about a minute and a half.

Mr. Eggen: Okay. Sure. Thanks, Mr. Speaker. I rise to express our caucus’s support of Bill 213 as well. In our analysis it seems that the bill seems to reflect what has been done in the province to the west of here. Over the last five years the British Columbia government has implemented a regulatory reform legislation aimed at reducing red tape. Bill 213 seems to mirror that, and we seem to think that is reasonable. The bill has strong potential in streamlining the regulatory processes, making it more efficient for businesses. Reducing unnecessary, onerous regulations is an economically sound policy.

We have a couple of concerns. I might be able to get through one or two here now, however. One, the legislation in B.C. is in support of small businesses, and it is in the Ministry of Small Business and Revenue, but 80 per cent of small businesses say that it really hasn’t made much of an impact on their processes. That number rises to 90 per cent in the interior and the north of British Columbia, so perhaps we can learn and adapt to that historical fact.

The legislation allows for stakeholder input and has the potential perhaps of impacting social and environmental regulations, so we have to be careful of that issue as well. We should be wary, as well, of environmental regulations and labour regulations and health and safety regulations from the potential to be degraded through this.

Again, of course, regulation is important, and it has its value . . .

The Acting Speaker: I hesitate to interrupt the hon. Member for Edmonton-Calder, but the time limit for consideration of this item of business has concluded.

head: **Motions Other than Government Motions**

The Acting Speaker: The hon. Member for Calgary-Varsity.

Unified Family Court

511. Mr. Chase moved:

Be it resolved that the Legislative Assembly urge the government to improve service for families involved in legal proceedings by implementing a fully effective unified family court, as called for by the Unified Family Court Task Force report.

Mr. Chase: Thank you, Mr. Speaker, for this opportunity to

introduce Motion 511: be it resolved that the Members of the Legislative Assembly urge the government to introduce amendments to create a unified family court as contemplated by the Graham report of 2001.

The value of a unified family court is that it provides a single forum for families and individuals to address legal issues that arise out of a family breakdown. As a corollary to the condensed court services, counselling and other social services would be provided by such a court. The benefits of such an approach are as follows.

Currently unified family courts exist in several other Canadian jurisdictions. However, Alberta has not yet created a unified family court system despite the recommendations of the government-commissioned Graham report of 2001. In addition, the government implementation committee was created in 2003 that was tasked with implementing the concepts of the unified family court. It has been illustrated through studies of existing programs in other provinces that unification of family proceedings is beneficial from both a cost and time perspective.

The concept of unified family courts first gained notoriety in January 1974, after the Law Reform Commission of Canada working paper 1 recommended a national network of such courts. This began a period of reforms to relevant provincial legislation which resulted in the creation of unified family courts in other jurisdictions as follows: Prince Edward Island, 1975; Ontario, 1977; Saskatchewan, 1978; Newfoundland and Labrador, 1979; New Brunswick, 1979; Manitoba, 1984; and Nova Scotia in 1999.

The following issues have caused the current approach to family law to flounder. Divided jurisdictions between provincial or territorial family courts and the superior courts creates confusion. It results in families basically being ping-ponged back and forth between various courts. When one court doesn't resolve their issue, they're forced to go to another one. This creates great confusion and great expense.

Parties in a family law case must follow detailed rules of civil procedure which are not tailored to meet their needs. To meet the procedural requirement of the forum, litigants must spend significant amounts of money in drafting paperwork which is often unnecessary. To me, the greatest tragedy is that the money that could have been spent on the children for a variety of concerns – education, health, funding for their futures – is spent on legal wrangling. Litigants are often forced to appear before judges who either have little familiarity with family law or dislike dealing with family law cases. The divorce process and also the litigation associated with it, issues such as custody and access and the division of matrimonial property, place parties automatically in an adversarial position. This has proven to have negative effects on the members of the family, especially children.

Making the procedure less adversarial, as the unified family court accomplishes, has benefits for all stakeholders. The unified family courts are a valuable tool to improve our legal system. Their creation will allow for a specialized judiciary and improved mechanisms for dealing with problems that are unique to family proceedings.

4:40

The reason for implementing and suggesting Motion 511, which would work towards the implementation of a unified family court, is necessary because the needs of families are not currently being met by the existing system. The availability of unified family courts is a proven means to expedite proceedings. This has been proved in the majority of Canada's provinces.

A unified family court will allow for greater attention to be provided to family issues without resorting to litigation, so that it

doesn't have to go to court. Facilitation can happen beforehand: save money, save conflict, save time.

These issues will be heard by a specialist judiciary who are well equipped to handle the intricate nature of family law issues. They're there because they're informed. They're there because they care.

Most of the work to implement such a system has already been completed, and proven models already exist in most of Canada. The government of Alberta stated in 2003 that the UFC was a priority but has yet to act on statements made to the press about the creation of the UFC system. That today is going to change.

The current duplication system is confusing, time consuming, and does not provide services that would be beneficial to Alberta's families. The implementation of a unified family court structure would allow all interested parties to have their needs met.

While researching the background in the preparation of Motion 511, I quickly realized that federal/provincial jurisdictional disputes, including funding of the unified family court concept, have delayed its implementation in Alberta. Thanks to the support and advice of the Member for Battle River-Wainwright, who worked with me to ensure that the intent of my Motion 511, of a single court dedicated to family law, remained intact and could therefore move forward, potentially partisan, divisive politics were set aside.

Having laid out the underlying precepts of the motion, I look forward to the amendment, whose wording has been previously shared and discussed. Today the rights and responsibilities of Alberta's children, their parents, and grandparents will move one step closer to receiving the unified legal process protection they deserve, with your support.

Thank you.

The Acting Speaker: The hon. Member for Calgary-Hays.

Mr. Johnston: Thank you, Mr. Speaker. I move that Motion 511 be amended as follows: by striking out "as called for by the Unified Family Court Task Force report" and substituting "process." The amended motion would read as follows:

Be it resolved that the Legislative Assembly urge the government to improve service for families involved in legal proceedings by implementing a fully effective unified family court process.

Mr. Speaker, I believe the change is necessary for this motion to work effectively and provide the most benefit for all Albertans. Currently family law issues are addressed through multiple levels of court within our legal system. For example, Alberta's Court of Queen's Bench has exclusive jurisdiction in divorce and the division of matrimonial property while the provincial courts have the responsibility of young offenders and child welfare matters.

In accordance with the proposed amendments the concept of the unified process could denote more efficiency within our current system. If implemented, the jurisdiction of provincial issues or justices would not have to be relinquished to federally appointed justices as suggested in the Unified Family Court Task Force report. There are numerous constitutional issues which arise with the cross-jurisdictional concept as recommended within the report, not to mention access issues for Albertans.

Currently the Court of Queen's Bench sits in 13 major centres in Alberta while the provincial court sits in 75 major centres. Of the 13 centres in which the Queen's court justices sit, only 11 are regularly operated while the other two are operated on specified dates. Mr. Speaker, in order for success to be achieved within the family court system, the system itself must be accessible to all Albertans. A unified family court process would likely meet this litmus test without an exorbitant amount of resources.

Further, when a previous attempt at a structural unified family

court was introduced during the 25th Legislature, Third Session, through Bill 56, the Alberta Court of Justice Act, it was found that the federal funding scheme for structural unified family courts presents little financial advantage. The federal government has also not proceeded with legislation to allow for the appointment of judges to expand the unified family courts as they had planned. As stated by the 2002 Unified Family Court Task Force report, a unified family court should not be established if the provincial or federal government is not prepared to provide the resources needed to support the court. Therefore, Mr. Speaker, the proposed amendment to Motion 511 is the proper choice.

By incorporating the successes within our current system, family resolution in Alberta can continue to be accessible, efficient, and operate effectively. Also, following the previous attempt of the structural unified family court, a meeting was held with the Chief Justice of the provincial court, the Chief Justice of the Court of Queen's Bench, and the Chief Justice of the Court of Appeal and other representatives from both the Court of Queen's Bench and the provincial court to discuss the future of the unified family court initiative.

From this discussion the family justice strategy arose. The family justice strategy showcases an effective alternative to the structural unified family court system, as recommended by the task force, which works within our current court system, jurisdictional limit, and court funding. With these current initiatives along with a willingness to continue to streamline the court processes for families, Alberta is on the right path.

The proposed amendments to Motion 511 would allow another opportunity for this important matter to be dealt with further and in an appropriate manner. It would allow for results, and that's what we need for Albertans dealing with family law issues. I hope that the proposed amendment is satisfactory to all members of the House.

Thank you, Mr. Speaker.

The Acting Speaker: Hon. members, we shall refer to this amendment as amendment A1.

The hon. Member for Edmonton-Mill Woods.

Mrs. Mather: Thank you. I'm pleased to speak in support of amendment A1. Motion 511, the unified family court, has as an intention to provide a single forum for litigants to address legal issues that arise out of family breakdown. At the moment different matters are addressed by judges in both the provincial court and the Court of Queen's Bench.

[The Speaker in the chair]

This bill would provide condensed court services, counselling, and other social services. The provision of these services can remove some of the acrimony that tends to accompany a family breakdown.

Unified family court processes do exist in several other Canadian jurisdictions. A government implementation committee was created here in 2003 and was tasked with implementing the concept of the unified family court in Alberta, but no further steps have been taken. This is disappointing.

I have some comments from a child protection point of view and based on observations of families that have engaged the courts. I know there are individuals who believe that one way to protect family values is not to make the court process simpler. It goes with the "if you build it, they will come" scenario. This is small thinking that does not address the problems or help families in need of assistance.

Court is very confusing for families in general, and I wonder how

many parents stay in abusive relationships because they feel they cannot access the court system when they have to. They feel intimidated; they feel overwhelmed and confused. I know that there are clients that social workers have worked with over the years that have told them that they got a lot out of the judicial dispute resolution process. I've studied that myself, and I believe that along with parenting and after-separation courses and mediation services we can do a lot to bypass acrimony that we presently often have.

Common to parties in a court action is that each party thinks they are right, hence the dispute, and it is amazing to see how a judicial dispute resolution session, where both parties sit in front of a judge and the judge gives a nonbinding point of view of how they would rule should the matter actually go to trial, often causes a settlement.

It is unfortunate, however, that recent legislation such as the new Family Law Act and the Child, Youth and Family Enhancement Act have made matters in court more complicated as both pieces of legislation provide the authority for an applicant to apply for private guardianship. The Child, Youth and Family Enhancement Act is far more robust and time consuming to go through because of the home study provisions, but the Family Law Act allows for private guardianship without the same steps or safeguards. A unified family court process would be an improvement. However, I think we need more unified legislation that does not offer differing steps to the same remedy with different expectations.

4:50

One huge problem in family law is dealing with the allegation and counter-allegation issue. There are many scary stories in child welfare where parents have used their children and the court system to get what they want via false allegation. Certainly, if we had a case management approach to dealing with difficult cases in family law, this could result in interesting outcomes. A case manager could be the front-line worker engaging with the family, and should there be a need to revisit the matter in court, a direct referral by a case management court worker could be ideal.

It would be interesting to review fatality inquiries to see how many cases had ongoing legal involvement or clients having difficulty accessing the courts. I am also of the view that we need more secure supervised visitation services to be used by the courts to assess and facilitate visitation when required. I would advocate for a tiered approach in a unified family court process where cases could be assessed based on the risk and streamed accordingly. Each stream could provide a range of services based on a clear understanding of the risk each stream is about and what their needs are.

I would also advocate for involvement of grandparents when appropriate. Grandparents are taking care of our children more often than we care to count, and they should be a part of the process and told that they have rights. I'm of the belief that families do want to resolve their issues without fighting. However, as it now stands, I think many stay together or do nothing to avoid the confusion of finding justice in the courts. Our present system of family court is confusing, even for social workers.

A single forum for issues relating to families and children makes sense for several reasons, one level of jurisdiction where court orders would apply across the board. Judges in family court would have to be knowledgeable in issues relating to family breakdown, children's services, and youth justice. For example, it is not unusual for parents to be in the process of separation or divorce, dealing with custody and access concerns, and the children involved in youth justice as well as concerns relating to the Child, Youth and Family Enhancement Act. These issues are dealt with at different levels, jurisdictions, although they have a common causal factor, which is the family breakdown. Not only would the family court judges be

more knowledgeable and, hopefully, more consistent in their decisions, but services for the family would be streamlined: parenting, psychological assessments, mediation, counselling, et cetera.

Communication between professionals delivering services would be streamlined, reducing duplication of services and increasing the effectiveness. Most importantly, a single forum for litigants would take much of the confusion out of the process for parents and other family members. Often individuals do not know where to turn for assistance, and when they contact different agencies or government departments, the process is extremely difficult to sort out.

I am speaking in support of Motion 511 and this amendment, which would establish a unified family court process, because it would provide a single forum for families and individuals to address legal issues that arise out of family breakdown. It has been illustrated through studies of existing programs in other provinces that unification of family proceedings is beneficial from a cost and time perspective. It is clear that the unified family court process approach is beneficial. It provides a positive alternative to what presently exists, which is divided jurisdiction between provincial or territorial family courts and the superior courts, which creates confusion.

Parties in a family law case must follow detailed rules of civil procedure which are not tailored to meet their needs. Litigants are often forced to appear before judges who either have little familiarity with family law or dislike dealing with family law cases. The divorce process and all civil litigation associated with it, issues such as custody and access and the division of matrimonial property, places parties automatically in an adversarial position. This has proven effects upon the members of the family, especially children. Making the procedure less adversarial would have benefit for all stakeholders. For example, access to the judicial dispute resolution process could eliminate much of this negativity.

The adversarial system of our courts and politics is at its weakest in family relationships. The intensity that created those relationships in the first place makes it very difficult to resolve, let alone dissolve them when something breaks the bond. It is like the forces that hold the atom together. Until a century ago we thought it was indivisible, but when it was split, those same forces released the blast of energy we call the atomic bomb. This analogy of trying to contain the energy loosed by splitting the atom shows why we need special courts to deal with family matters. The usual tools of analysis and cross-examination and argument don't work when emotions are high. They often make things worse.

Since relationships are important to women and we prefer to deal with issues by looking for common ground and consensus, with conflict as a last resort, it is not surprising that women played a key part in shaping family law and courts in Alberta, especially one woman, the hon. Marjorie Bowker, the first female judge of our family courts 38 years ago. Judge Bowker was instrumental in our adoption of a court-centred marriage conciliation model. Motion 511 and this amendment for a process which we are considering today are a tribute to her legacy. The recognition that court procedures had to be streamlined and facilitated to deal with real people and their relationships is what she was about. The fact that we have to modify her legacy is a sign of its importance and its ongoingness. Laws and traditions set in stone are not alive. As Deepak Chopra points out, it is sometimes necessary to change the words in order to preserve the meaning.

Mr. Speaker, I commend this motion and the amendment to my colleagues as a step in a tradition that recognizes that our laws exist for humankind and not the reverse. I thank the Member for Calgary-Varsity for his foresight in bringing this forward.

The Speaker: Hon. members, we have a debate on an amendment

to Motion 511. Any further participants on the amendment? The hon. Member for Edmonton-Glenora.

Dr. B. Miller: Thank you, Mr. Speaker. I recognize what the hon. Member for Calgary-Hays is doing in bringing this amendment. It's stopping short of recommending an actual unified family court but emphasizing a unified family court process, which is not what the Graham committee recommended. The Law Reform Institute has been on record as long ago as 1978 as pushing for a unified family court in Alberta. Other speakers have mentioned the tremendous problems and the confusion facing people when they're dealing with family matters. You know, there are a number of courts having jurisdiction over different issues. I don't think the public really is sufficiently aware, so it becomes quite confusing for them when they approach this whole issue and face issues of family matters in court.

For example, federal matters such as divorce and division of matrimonial property are to be heard in Court of Queen's Bench. The provincial court has jurisdiction over local and provincial matters such as adoption, child protection matters, child welfare and domestic relations, issues like guardianship, custody and access, and matters relating to children of unmarried or separated parents who are not divorcing except if the court is to establish paternity, in which case Queen's Bench has jurisdiction. If you're a grandparent seeking access to your grandchild, that is a matter for the provincial court. In the case of child support, matters are heard in Court of Queen's Bench unless you are bringing an application for the reciprocal enforcement of a child support order from another province, in which case you will be heard in provincial court. Well, that is completely confusing.

I hope that lawyers know and have this figured out and know which court to approach with a family matter, but it's totally confusing for ordinary people. Just on this point, it's interesting that there is a practice among lawyers who often bring, actually, a matter to one court, and when things don't go right, they take the matter to another court, actually taking a lot longer time in the process. Sometimes it's the client that wants that to happen because they don't see what is happening for their betterment in one court, so they start a proceeding or have a proceeding started in another court. Actually, that's referred to as forum shopping. I've heard of church shopping. If people don't like one particular church, then they go to another church.

5:00

Ms Blakeman: And they MLA shop.

Dr. B. Miller: MLA shop, too. But forum shopping, that's interesting, shopping for the court that you think that you'll get a better deal in. That leads to a lot of conflicts and probably lots of delays, and costs go up because the court proceedings are much longer.

Mr. Speaker, I think this confusion is not helped when there's not one court. I know that there's a new courthouse being built in Calgary, but right now in Calgary I think you have to go to different buildings if you want to go to provincial court or to Queen's Bench. In Lethbridge if you walk into the front of the building, you go in one direction if you want to go to Queen's Bench or you go in the other direction if you want to go to provincial court. So even physically it's confusing.

I think what the Graham commission had in mind was the establishment of a unified family court that would overcome the confusion that's out there for people. As the hon. Member for Edmonton-Mill Woods pointed out, there are so many advantages to having a unified family court because you have judges who have specialized experience with family matters; you have family law

lawyers dealing with it. In that kind of context, where there's lots of understanding of the dynamics of family, there can be attention to mediation processes, which can even happen before a family gets into court. So a lot of good things can come out of a unified family court.

On the amendment. I know that my hon. Member for Calgary-Varsity is really interested in supporting this motion to move things forward. I really respect that. But the motion as amended doesn't quite get us to the physical entity of a unified family court.

Thank you, Mr. Speaker.

The Speaker: On the amendment. Further speakers? Shall we call the question?

Hon. Members: Question.

[Motion on amendment A1 carried]

The Speaker: Now we will continue a debate on the motion as amended. If I call on the hon. Member for Calgary-Varsity, that essentially closes the debate. I also note the hon. Member for Calgary-Foothills wants to participate, so we'll call on him.

Mr. Webber: Well, thank you, Mr. Speaker, for allowing me to rise and speak on Motion 511, which as amended proposes a unified family court process to be adopted in Alberta. I truly believe the intentions of Motion 511 to be in the best interests of the people of this province. As many of the members know, expediting the judicial process to minimize the amount of time families spend in court is very important to me.

In the 26th Legislature, Second Session, I introduced a private member's motion to this Assembly which attempted to recognize the critical role that grandparents play in the lives of their grandchildren and to encourage access when it is in the best interests of the child. This, Mr. Speaker, obviously refers to the custody or visitation rights for grandparents following a spousal separation, a parental death, or relational difficulties. Family issues are diverse and offer many complexities to our judicial system; therefore, prolonging the family interaction within the system only further exacerbates these complexities.

Mr. Speaker, I believe a unified family court process would be very beneficial for all areas of family law, including the issue of grandparents' access to their grandchildren. It is important to the well-being of the children to have an opportunity to know their grandparents and other family members and to continue the close relationships they have enjoyed in the past. Unfortunately, parents may disagree that such contact is appropriate even in intact families. In these cases the ability to apply for access must remain available to people who feel the parental decision is unreasonable or harmful to the children. Therefore, child custody cases should be dealt with on a case-by-case basis.

As currently written, the Family Law Act specifically mentions "grandparent" and the process they must go through to gain access to their grandchildren. The act recognizes that for most Alberta families grandparents and other extended family members play important roles throughout a child's life. However, this legislation also realizes that in some cases disputes between parents and grandparents result in grandparents being denied contact with their grandchildren. In situations where the guardians, usually the parents, and grandparents cannot agree on contact, the act includes a process through which grandparents can apply to court for a contact order. Mr. Speaker, in granting the contact order, the court is required to consider the best interests of the child. The Alberta Grandparents Association remains unsatisfied that this process is fair to grandparents.

I believe that the proposed unified family court process presents us with a great opportunity to incorporate issues of grandparents' access to their grandchildren in an efficient and expedited manner. Child custody as well as visitation rights are an important cog in the development of our next generation. Incorporating all areas of the family into a unified family court process will supply our justice system with the means to an effective outcome. For these reasons, Mr. Speaker, I support Motion 511.

The Speaker: The discussion is on this motion as amended. The hon. Member for Edmonton-Decore, followed by the hon. Member for Edmonton-Calder.

Mr. Bonko: Thank you, Mr. Speaker. I am pleased to rise on Motion 511 as it has been amended. Alberta itself has the sad statistic of one of the highest divorce rates in Canada, and Motion 511 would be a great benefit to couples and grandparents. I have received several letters from frustrated parents and grandparents who would love to have this resolved in a friendly manner. Grandparents, unfortunately, are caught in the middle, and I'll take my own case, for example.

Through divorce my grandparents were very instrumental in my life, and I don't know what would have happened if I hadn't had that relationship, because a lot of times they were the ones that helped raise me. I think that disallowing grandparents to have that influential opportunity with kids would be a huge loss. For anyone who has grown up without a grandparent, they may not know it, but for those who have had grandparents, try and put yourself in the position of not having the experiences, the wisdom, just even the knowledge being passed down. It's a shared family tradition that a lot of people cherish, being able to have that third family or, as I call it, a grandparent. I think it's instrumental in a lot of kids' lives. It's the one stable piece that's there because if there's fighting at one house or the other, there usually seems to be a little bit of continuity at the grandparents' house, where there is no war raging. It's just love and understanding.

I would certainly support this Motion 511. I think it would help a lot in family unity being a little bit better. Thank you so much.

The Speaker: The hon. Member for Edmonton-Calder on the motion as amended.

Mr. Eggen: Well, thanks, Mr. Speaker. I, too, am rising to speak to support Motion 511 as amended. I think that the topic that has been brought forward here is sufficiently important to look for some compromise, the spirit of which, I think, we're seeing with this amendment passing so quickly and reasonably unanimously.

The unified family task force we saw from several years ago talked with the public and the legal community and delivered a report more than seven years ago, and the government seemed to accept this report, but really we didn't see much happen since then. So this motion I think revives the interest in the sense of unifying family law here in the province of Alberta and working with our federal counterparts to realize this to happen. Of course, the co-operation of the federal government is necessary to enact this, so certainly our caucus urges the Justice department here in the province of Alberta to begin to undertake the mechanisms by which we can see a unified family court functioning here in the province of Alberta.

I, too, through my constituency office and through people contacting me over the past three years have come to realize that there's a tremendous amount of inefficiency and ensuing social problems associated with the court system as it functions now in terms of family law. Anything we can do to solve that process I

believe is in the public interest, which this Legislature is designed to serve. So we certainly support this motion as amended and look forward to other legislators doing the same.

Thank you.

5:10

The Speaker: The hon. Member for Lesser Slave Lake.

Ms Calahasen: Thank you very much, Mr. Speaker. I want to spend a few moments to add to the debate of Motion 511, which as amended urges the government to develop and implement a unified family court process. I'd like to discuss some of the benefits of a unified family court process because such a system would streamline the adjudication of family law, and this may assist families in navigating their way through the justice system and has the potential of limiting large legal costs. As the Member for Edmonton-Mill Woods indicated, it can be onerous for people and sometimes confusing and even scary.

A unified family court process could also make effective use of specialized judges and legal professionals which have an understanding of family law issues. This would be a benefit to the legal system as court cases relating to families would be handled by experts in the field. In many cases, Mr. Speaker, in my constituency we see a lot of situations where this kind of a process certainly could be used very well.

The motion as amended has the best interests of the family at heart and would further solidify Alberta as an innovator in family law issues. This government has been, is, and will continue to be a leader on this issue. Currently Alberta Justice has a family justice strategy in place. This strategy already embodies many of the principles outlined in the Unified Family Court Task Force report.

Perhaps most importantly, our province has cutting-edge legislation in the area of family law. In fact, in 2005 this Assembly debated and passed the Family Law Act. This act modernized family law by changing terms relating to child custody and access. It introduced new concepts such as parenting time and contact orders. Mr. Speaker, the Family Law Act modernizes criteria in the best interests of children, which includes recognizing spousal violence when considering parental access to children, yet another area where Alberta is providing clear and decisive leadership in the national sphere.

I'm not sure if many members are aware that Alberta is the home of the Canadian Research Institute for Law and the Family, otherwise CRILF. This institute is responsible for measuring the Family Law Act's effectiveness. Quite recently two board members from the institute stated publicly that our act should be a model for the federal government when it considers reforming custody provisions in federal law.

Mr. Speaker, our commitment to helping families goes beyond statute. It includes action as well. Lawyers are actively using less confrontational means to resolve disputes between separated and divorcing couples. These methods avoid traumatizing in hurtful court processes, which too often have a negative impact on children. It also ensures that the tension built into divorce cases is dissipated and rational negotiations are conducted, thereby reducing costs and avoiding bitter acrimony.

The net result goes beyond costs, though, Mr. Speaker. Families being torn apart by divorce are already traumatized enough, and we all know that. I'm sure that each of us has had family members going through that. Resorting to alternate processes to resolve disputes ensures that children are not put in compromising situations through the custody process.

This government cares about families and particularly cares about

the welfare of children. I believe that the new Family Law Act addresses many concerns about confusion within the legal system. Most importantly, the legal profession has resorted to other means than courts to deal with family law issues.

A unified family court process would be an opportunity for this government to further expand on its successful initiatives for family law, and therefore I will be offering my support to Motion 511. Thank you.

The Speaker: Are there additional members that wish to participate in the motion as amended? The hon. Member for Edmonton-Glenora.

Dr. B. Miller: Thank you, Mr. Speaker. Now that the motion has been amended and the idea of a unified family court process has been put forward, I just wanted to give an example – and this is an example that was given by a provincial court to the Graham task force, which looked at the whole unified court process – which illustrates the problem that we have at present. This is maybe an extreme example, but a child reacting to stresses within the family is charged with shoplifting. The parents become involved in an argument over the problem, and one seriously injures the other in the presence of the children, thus bringing child welfare authorities into the picture and also bringing about a criminal assault charge. One parent claims custody and maintenance, the other claims divorce, custody or access, and a division of matrimonial property.

So what happens? Well, youth court is involved because the child committed a shoplifting offence; adult criminal court is involved because of the assault charge of one of the parents; Provincial Court, Family Division is involved because of the one parent's claim for custody and maintenance and the child welfare authority's application for temporary guardianship is involved; and the Queen's Bench is involved because of divorce proceedings. Provincial Court, Family Division would also have to be involved if there's a protection order under the Protection Against Family Violence Act. So here you have one, two, three, four courts involved with the same family. I mean, that's maybe an extreme example, but I think it illustrates that we really need to have a unified family court process.

I think the Calgary-Lougheed MLA Marlene Graham, QC, who chaired the Unified Family Court Task Force, stated that the status quo is no longer acceptable. I think that all members in this House would agree with that. She also went on to say that the time has come for a unified family court in Alberta. Well, we're almost there.

Mr. Speaker, I support this motion, which is getting there, because it's in favour of a unified family court process. Thank you, Mr. Speaker.

The Speaker: The hon. Member for Battle River-Wainwright.

Mr. Griffiths: Thank you, Mr. Speaker. I rise briefly to join the debate on Motion 511 as amended, which seeks the implementation of a unified family court process within Alberta's judiciary. Family law is a very unique part of any judicial system. Negative experiences acquired during this sensitive process can have tremendous impacts on families. Through the intimate nature of family law it's important that this system operate as smoothly as possible.

A unified family court system is typically designed to bring the various jurisdictions of family law together at the superior court level. Furthermore, they're intended to reduce the time, conflict, and cost of litigation by providing a single court system with jurisdiction and authority to hear all issues raised in each distinct family matter. This system also aims to provide easy access to a full range of

family justice services, specialized judges who are experts in family law, and a user-friendly environment with simplified procedures.

To examine the potential of a unified family court in Alberta, the Unified Family Court Task Force was established by the government of Alberta in 2001. The task force provided many recommendations to make the family law process user friendly and accommodating. Following the task force, Alberta Justice conducted consultations with legal stakeholders to discuss the future of unified family courts within Alberta's judicial system in 2004.

Mr. Speaker, at that time, based on the stakeholders' commitment to a streamlined family law process, the previous focus on court structure was shifted to a more functional approach. This shift of attention materialized because it was determined that the majority of the objectives of the unified family court system could be efficiently realized through an initiative, goal-oriented approach. In other words, this simplified process may be attained through changes in the system.

Mr. Speaker, this motion encourages the government to continue to pursue a unified family court process. I encourage all members to support this motion. I also would like to take a moment to thank the hon. Member for Calgary-Varsity for working together with all members of this House to come up with something that we all want to support for the benefit of families in this province. He deserves to be commended for bringing this initiative forward, and I thank him for that.

The Speaker: Shall I call on the hon. Member for Calgary-Varsity to close the debate on this motion as amended?

Hon. Members: Yes.

Mr. Chase: Thank you very much, Mr. Speaker. I recognized the hon. Member for Battle River-Wainwright, but I also want to recognize the Member for Calgary-Foothills because he's been a part of this process basically since the beginning.

A lady by the name of Marilyn Marks, who has talked to a number of members of this House, a grandparent who has had difficulty with access to her grandchildren, has spoken to committees; she's spoken to individual MLAs. The Member for Calgary-Foothills attempted to bring a motion through last year to recognize grandparents' rights and improve grandparent access. I very much appreciate the work that he has done towards that end, and I very much appreciate the energy that Marilyn Marks has demonstrated over years of frustration of trying to do the best for all children in the province and recognizing that families consist not only of a mother or a father, or a mother and a father, but that grandparents play an extremely important role.

5:20

The Member for Edmonton-Glenora, based on his pastoral background, has dealt with families and breakups and the sadness of children who have not been supported and has every directly involved reason to especially want this unified family court process to work. That's been a large part of his lifetime's work to this point. We all want it to work. We have an opportunity in this province in that our current Prime Minister, Stephen Harper, who is a family man, has the authority within the federal jurisdiction to work with the province to make this work. I appeal to all members to encourage this process to not only work provincially but in partnership with the federal government.

Thank you for your support.

[Motion Other than Government Motion 511 as amended carried]

head: **Government Bills and Orders
Second Reading**

**Bill 11
Telecommunications Act Repeal Act**

The Speaker: The hon. Member for Lethbridge-West.

Mr. Dunford: Yes. Thank you, Mr. Speaker. I rise today to move second reading of Bill 11, the Telecommunications Act Repeal Act.

The act was proclaimed in 1988 to regulate the operations of two public organizations, Alberta Government Telephones and Edmonton Telephones. The act sets out the terms for the Alberta Government Telephones Commission: its purpose, membership, financial, and reporting responsibilities. The act also authorizes the city of Edmonton to provide telephone and telecommunication services within city boundaries through Edmonton Telephones.

The reason why I am asking for this act to be repealed is because both of these organizations no longer exist as corporate entities. You may recall that in 2006 the government intended to bring this act to this House as part of the Miscellaneous Statutes Amendment Act, but that act did not go forward at that time. That is why Bill 11, the Telecommunications Act Repeal Act, a stand-alone piece of legislation, is before us today for second reading.

I would also like to add that Alberta Justice and the Attorney General agree there's no legal reason to keep the act. As a result, this is a housekeeping item to clear the statutes of Alberta of an obsolete and invalid piece of legislation. The regulation of all telecommunications companies remains under federal jurisdiction through the Canadian Radio-television and Telecommunications Commission.

I support the repeal of the act and encourage other members of the House to do so as well.

Mr. Speaker, I would like to adjourn debate.

[Motion to adjourn debate carried]

**Bill 24
Real Estate Amendment Act, 2007**

The Speaker: The hon. Member for Leduc-Beaumont-Devon.

Mr. Rogers: Thank you, Mr. Speaker. I'm pleased to move second reading of Bill 24, the Real Estate Amendment Act, 2007.

Mr. Speaker, a complete review of the Real Estate Act has not occurred since 1996. In addition to several housekeeping matters, amendments being proposed will update and clarify legislation, address changes in the marketplace, and strengthen the Real Estate Council of Alberta's statutory authority to address the growing problem of mortgage fraud.

Mr. Speaker, some of the highlights of the proposed amendments include allowing the regulations to set out limits on current exemptions for financial institutions when they deal with real estate and mortgage products, requiring that industry members abide by the act and RECA's standards of conduct even in their personal trades and deals, and allowing RECA to require applicants to submit to a criminal record check for licensing purposes. This will assist RECA in combatting mortgage fraud by helping them identify individuals who apply for authorization under an alias to conceal a past criminal record.

Ensure more comprehensive industry representation on RECA's council by requiring that it include one licensed appraiser representative and one licensed property management representative, and make failure to comply with a direction from RECA an offence, which

will assist RECA in enforcing cease-and-desist orders in unlicensed practice situations. Clarify that unlicensed industry members cannot collect fees, and allow a consumer that pays a fee to such a person to initiate a court action to recover their money. Remove the requirement that RECA approve a prospectus on real estate located outside of the province of Alberta. Regulate real estate outside Alberta that goes beyond RECA's mandate and that RECA is not in a position to verify the information in the prospectus.

Set out situations in regulation where the executive director may refuse to investigate complaints, including anonymous complaints, Mr. Speaker. Provide that investigators can record information electronically. Make it an offence for an industry member to fail to co-operate with an investigation. Provide protection to individuals who co-operate as a witness by not allowing any incriminating evidence they provide in the investigation to be used against them in separate proceedings.

Allow nonindustry members who have relevant expertise to sit on a hearing or appeal panel, and allow a hearing panel that has cancelled an industry member's licence to specify the time period or the conditions to be met before that industry member can reapply. Require an industry member that initiates an appeal to pay the costs of preparing the record of the previous panel's proceedings. Give the executive director the ability to appeal a hearing or appeal a panel decision when it is in the best interests of the public to do so. Provide that a hearing or appeal panel can grant an application for a stay of proceedings, which postpones the penalty until an appeal is heard, rather than requiring an industry member to apply to the court.

Give more notice to affected trust fund beneficiaries when RECA has frozen an industry member's trust fund, and remove RECA's ability to appoint a receiver to deal with frozen funds as it takes RECA beyond its regulatory role. Clarify RECA's authority to include relevant personal information when publishing information about an industry member's licence. This is limited to business contact information and the type and status of an industry member's authorization.

Allow RECA to share relevant personal information that is limited to business information of industry members with other regulatory and law enforcement organizations in other jurisdictions. Simplify the consumer access to the assurance fund by allowing RECA to waive the requirement that an applicant obtain a court judgment where the case is straightforward, Mr. Speaker. Require an applicant to submit a statutory declaration to RECA setting out the details of their claim for payment from the assurance fund where the applicant has obtained a default or a consent judgment against an industry member but not a specific finding of fraud or breach of trust. Set out in the regulations the manner in which the assurance fund proceeds would be distributed if the fund were to be wound up, instead of having the proceeds distributed to all registered industry members. RECA suggests allocating the funds in accordance with uses authorized for surplus funds in the regulations to the benefit of the industry.

Provide for limited liability protection for governors, officers, and employees of the Alberta Real Estate Foundation. Remove the concept of a property user's licence as it relates to the use of real property, such as time-shares and vacation clubs so that RECA no longer regulates these. Remove the requirement for service agreements to be in writing although the act will specify situations where a written agreement is still required.

RECA's rules continue to recommend the use of written service agreements in all situations and to enforce the provision for written service agreements for exclusive representation of a buyer or seller and the representation of certain lender clients.

All of these amendments, Mr. Speaker, will update the legislation, improve clarity and consistency in the language, and add flexibility to address existing and future marketplace issues.

Mr. Speaker, with those comments I wish to move adjournment of debate on Bill 24. Thank you very much.

[Motion to adjourn debate carried]

head: 5:30 **Government Bills and Orders**
 Third Reading
 Bill 37
 Tobacco Tax Amendment Act, 2007

The Speaker: The hon. Minister of Finance.

Dr. Oberg: Thank you very much, Mr. Speaker. I rise to move third reading of Bill 37.

As everyone in this Assembly knows, this was part of budget 2007, which increased the tobacco tax. Also, as everyone here in the Assembly knows, by increasing the amount of tax on tobacco, we're hoping to cut down consumption, especially in those groups obviously who cannot afford the price of cigarettes.

Mr. Speaker, this is an important bill. It's an important element of the whole tobacco strategy that has been brought forward by the minister of health. I therefore would move that we adjourn debate on this bill.

Thank you.

[Motion to adjourn debate carried]

The Speaker: The hon. Government House Leader.

Mr. Hancock: Thank you, Mr. Speaker. I've run out of things that we can run off this afternoon, so I would move that we adjourn until 1 p.m. on Tuesday, November 13.

[Motion carried; at 5:32 p.m. the Assembly adjourned to Tuesday at 1 p.m.]