

Legislative Assembly of Alberta

Title: **Monday, November 19, 2007**

1:00 p.m.

Date: 07/11/19

[The Speaker in the chair]

head:

Prayers

The Speaker: Good afternoon. Welcome back.

Let us pray. We confidently ask for strength and encouragement in our service to others. We ask for wisdom to guide us in making good laws and good decisions for the present and future of Alberta. Amen.

Hon. members and ladies and gentlemen who are here, we'll now proceed to the singing of our national anthem. We'll be led today by Mr. Paul Lorieau. Please participate in the language of your choice.

Hon. Members:

O Canada, our home and native land!
True patriot love in all thy sons command.
With glowing hearts we see thee rise,
The True North strong and free!
From far and wide, O Canada,
We stand on guard for thee.
God keep our land glorious and free!
O Canada, we stand on guard for thee.
O Canada, we stand on guard for thee.

The Speaker: Please be seated.

head:

Introduction of Guests

The Speaker: The hon. Minister of Employment, Immigration and Industry.

Ms Evans: Thank you very much, Mr. Speaker. It's just an honour today to introduce a total of 74 of my constituents from Pine Street school. There are three classes that are attended by their teachers and group leaders, Heather Lockwood, Cheryl Hawryluk, and Pegi Brown, along with parent helpers Mrs. Jill Sharp, Mrs. Wendy Rudnew, Mrs. Pam Fair, Mrs. Violet Gernsheid, Mrs. Denise Conrad, and Tracy McFadden. I would ask our honoured guests to please rise and for this Assembly to wish them well.

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

Ms Blakeman: Thank you very much, Mr. Speaker. I'm hoping that the group is in the gallery, and now they are. On behalf of my colleague the Leader of the Official Opposition and the MLA for Edmonton-Riverview I'm absolutely delighted to introduce to you and through you to all members of the Assembly 28 guests. We have 26 students and two teachers joining us from l'école Notre-Dame in the constituency of Edmonton-Riverview. They are led today by their teachers Mlle Magali Com and Mr. Paulin Larochelle. If the group could please rise and accept the warm welcome of the Assembly.

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

Mr. MacDonald: Thank you very much, Mr. Speaker. It's with pleasure that I rise today to introduce to you and through you to all hon. Members of the Legislative Assembly a visiting delegation from Clara Tyner elementary school. Clara Tyner is another fine public school located in the constituency of Edmonton-Gold Bar. There are 27 visitors here today. As a matter of fact, they're here for

the week, and I certainly hope they find their week here informative and enjoyable. The group is led today by teacher Sandi James, and they're accompanied by Mr. Wayne Wheeler, a parent volunteer. They're in the public gallery, and I would now ask them to rise and receive the warm and traditional welcome of this Legislative Assembly.

Thank you.

The Speaker: The hon. Member for Drayton Valley-Calmar.

Rev. Abbott: Thank you, Mr. Speaker. It is a great pleasure for me to rise today and to introduce to you and through you to all members of the Assembly the Breton home-school group. We have with us today seven students: Tanner Daudelin, Mikayla Maciborski, Brittney Ellis, Brady Ellis, Brendan Ellis, Brooke Aldous, and James Aldous. They're here today with their group leader, and they're sitting in the very front row of the public gallery. I would ask them all to rise and please receive the traditional warm welcome of the Assembly.

The Speaker: The hon. Member for St. Albert.

Mr. Flaherty: Thank you, Mr. Speaker. It's my honour today to introduce to you and through you the Engler family: Garry; his wife, Dawn; children Jonathan and Patricia; and their guests, Lana LaFrance and Andrew Vandenhaak. Let me just, if I may, say a few words about Reverend Engler. Reverend Engler is the head of pastoral care at the Sturgeon hospital. He has a great compassion for those dying and sick. He's been instrumental in my life and my family. He's a wonderful man, and he's blessed by the good Lord for his good work. Would they please rise – they're sitting in the front row – and receive the warm welcome of the Assembly.

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

Mr. Mason: Thank you very much, Mr. Speaker. I'm delighted to introduce to you and through you to this Assembly two young Albertans seated in the gallery. They're Mandy Melnyk and Nathan Macklin. Mandy comes from a strong agricultural background and was born and raised in the Waskatenau area. She's a member of a long-standing family farm and has been active in organizing farmers at the grassroots level since she was just 14. Mandy is a passionate advocate for fair representation for rural Albertans.

Nathan Macklin is a young farmer in the Peace Country region. He's a descendant of one of the first homesteaders in the Grande Prairie and DeBolt areas. Nathan is active in the fight for farmers to retain their democratic control of the Canadian Wheat Board. He is also very active in the National Farmers' Union. Nathan is the NDP candidate in Dunvegan-Central Peace. I would now ask that both Nathan and Mandy rise and receive the traditional warm welcome of this Assembly.

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

Mr. Eggen: Thanks, Mr. Speaker. I'm very pleased today to introduce to you and through you to members of the Assembly quite a number of guests seated in the members' gallery. If you could rise as I call your name. They are as follows: Phillip Crawford, Zenovia Wiwihar-Crawford, Breanna Crawford, Natalia Crawford, Aiden Crawford, Marek Crawford – we have most of the Crawfords here – Mellissa Brade, Amber Brade, Shannon Kusch, and Meagan Cote. These individuals have come all the way from Whitecourt to add

their voices to the growing number of Albertans who oppose the development of nuclear energy in this province. They're rising, and I would now ask that they receive the warm traditional welcome of the Assembly.

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

Dr. Pannu: Thank you, Mr. Speaker. I have two introductions today. My first introduction is of a number of Edmontonians who joined the group outside the Legislature before noon today to protest nuclear development in this province. I believe they're seated in the members' gallery. They are Kate and Bryan Wrostok, Carl Beinert, Elizabeth Beinert, Zach Pentyluk, Kevin Wright, and Leila Darwish, who is with the Sierra Club prairie chapter. I will now ask the guests to please rise and receive the warm welcome of the Assembly.

My second set of guests, Mr. Speaker, is two federal candidates for the NDP here in Alberta. Ellen Parker, our federal NDP candidate for Crowfoot, is here today from Camrose to voice her concerns on the nuclear issue. Joining her is our federal candidate in Edmonton-St. Albert, Dave Burkhart. They are also seated in the members' gallery. We are honoured to have them here today. I will ask them to now rise and receive the warm welcome of the Assembly.

1:10

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

Mr. Martin: Thank you, Mr. Speaker. It also gives me great pleasure to introduce to you and members of the Assembly a number of guests seated in the members' gallery. They are Cole Commander, Holden Commander, Bonnie Commander, Jensen Commander, Shannon Rosnau, Jeff Rosnau, Katty Rosnau, Ben Rosnau, and Noah Rosnau. These guests are also from Whitecourt and are here today to ask the government to oppose the development of nuclear energy in this province. I would now ask that they rise and receive the traditional warm welcome of the Assembly.

head: **Ministerial Statements**

The Speaker: The hon. the Premier.

Teachers' Unfunded Pension Liability

Mr. Stelmach: Thank you, Mr. Speaker. Today I would like to inform the Assembly that this government has reached an agreement in principle with the Alberta Teachers' Association to address the teachers' unfunded pension liability. This agreement would resolve a serious issue that has hung over this province, its taxpayers, and its teachers for over half a century. Unresolved, this would have grown into a very mammoth \$45 billion problem for our children. Mr. Speaker, that simply is not acceptable. We will not leave this problem for the next generation.

As you can imagine, it was far from easy to resolve a difficult issue that has been around since the mid-1950s. I want to pay tribute to our Minister of Education and his negotiating team for the hard work they put into this on behalf of all Albertans. I must also thank a former member of this Assembly, ATA president Frank Bruseker, for his strong public support of this agreement. In my mandate letter to the minister last December I directed him to seek a very long-term solution that provides value for teachers, for students, and for taxpayers, and we have done that. This is a very positive, forward-looking move that meets the needs of a growing province.

Under the agreement the government of Alberta will assume the teachers' portion of the pre-1992 unfunded liability. In return,

Alberta will get five years of labour peace and the certainty that a massive, growing liability for taxpayers can now be dealt with. Mr. Speaker, I'm very pleased that this agreement benefits younger teachers, who have been carrying an unfair burden. In doing so, it really does address the issue of attracting the thousands of new teachers Alberta will need over the coming years.

This agreement must of course be ratified by Alberta's teachers, and all collective agreements must be in place by January 31, 2008. But I'm confident that Alberta teachers will see the advantage in an agreement that will allow the education community to focus on providing the best possible learning environment for Alberta's children. This government made it a priority to find a lasting solution to this problem, one that balances the interests of teachers, students, and taxpayers. This agreement in principle does that, providing the predictability and stability that our education system needs.

Mr. Speaker, it is another very important step in building the future of this province. Thank you so much.

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

Mr. Taylor: Thank you, Mr. Speaker. Teachers play a vital role in Alberta's culture, progress, and prosperity, so I'm pleased that the government has reached a deal with Alberta's teachers, a tentative deal, to address the unfunded pension liability. It looks like a good deal, one that could make teaching far more attractive for Albertans considering the profession while reducing the financial burden on teachers currently serving the province. We're glad that the government has followed the lead of this Assembly, who in April passed Motion 503 urging the government to take action on this issue. My colleague the hon. Member for St. Albert introduced that motion. I think he deserves some credit for bringing this issue to the floor of the House, as does the hon. Member for Edmonton-Rutherford, who has been raising the issue in question period and debates for many months now.

We must remember, Mr. Speaker, that addressing this long-standing unfunded liability, which is a \$64 way of saying debt, is not some kind of gift to teachers. It's merely a long-overdue correction to a bad policy, as the Premier himself indicated, a bad policy, it should be noted, that this government has been aware of for almost 50 years. While this is a good deal for teachers, it remains to be seen whether this government can make it a good deal for taxpayers. The debt that the government has just assumed – the debt – should be paid off sooner rather than later. The longer it's allowed to fester, the greater the cost to all Albertans.

Finally, Mr. Speaker, a note on trust and accountability, if I might. We're concerned that Alberta school boards, locally elected representatives of local people, local parents with a stake in this matter, were shut out of the process and had no voices as this deal was made. This follows a troubling pattern of disrespect from this government for our school boards. In 1995 they hamstrung school boards by taking over management of the education property tax. They failed to fund the settlement for school boards reached following the 2002 teachers' strike. Not the best way to celebrate a hundred years of service from our elected boards.

In conclusion, Mr. Speaker, it seems like a good deal. Let's hope the government follows through by taking care of this incurred debt in a responsible and timely manner.

Thank you.

The Speaker: Hon. members, I do know that the leader of the third party would like to participate. We'll need unanimous consent.

[Unanimous consent granted]

The Speaker: The hon. leader of the third party.

Mr. Mason: Thank you very much, Mr. Speaker, and also to all members of the Assembly. It's good to see this Conservative government step up and take responsibility for a situation that they themselves made worse. The pay-as-you-go philosophy in place since the '50s was a problem, but since 1992 the situation worsened. In that time the deficit grew from \$742 million to \$6.3 billion. It is also important to remember that assuming this debt does not mean that this government has a plan to eliminate it, but taking this \$2.1 billion government-imposed burden off teachers is certainly the right thing to do. Young teachers will benefit, as will taxpayers.

While it's a good step, we also need assurance that the standards will not drop for class sizes, school closures, cuts to classrooms, and teachers' working conditions. Albertans need to know that their educational system will not decline during the five-year term of this deal.

Mr. Speaker, the government certainly messed up on housing and royalties, but I think they did the right thing here, and I'm prepared to congratulate them for it.

The Speaker: The hon. Member for Cardston-Taber-Warner wishes to participate. We'll need the unanimous consent of the Assembly.

[Unanimous consent denied]

head:

Members' Statements

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

Dr. Bill Gunter
Dr. Stefan Bachu
Dr. David Keith

Mr. Johnson: Thank you, Mr. Speaker. Alberta is clearly recognized around the world as a good place for solutions-based research, and we have researchers in our midst who are taking us to new heights and accomplishments. As chair of the Alberta Research Council I'm pleased to note that three of Alberta's finest minds in research have been named as co-winners of the 2007 Nobel peace prize for their contributions to the Intergovernmental Panel on Climate Change document on global warming. They are Dr. Bill Gunter, a distinguished research scientist with the Alberta Research Council's carbon and energy management business, Dr. Stefan Bachu, senior geoscience adviser with Alberta Geological Survey, and Dr. David Keith, director of the ISEEE energy and environmental systems group at the University of Calgary.

These gentlemen were already highly esteemed international scientists whose expertise was being sought around the world. This outstanding tribute through the Nobel peace prize recognizes their efforts to build and disseminate greater knowledge, in particular on the capture and storage of carbon dioxide in suitable geologic formations. This is of immense importance to Alberta as part of a practical and achievable solution to climate change. Each and every one of these individuals and the organizations that support them, including the Alberta government, and all Albertans can be extremely proud of the work done to enhance world-class interdisciplinary research, innovation, and education focused on a cleaner environment, a responsible energy industry, and a suitable economy.

Mr. Speaker, the 2007 Nobel peace prize is further recognition that Alberta is home to world-class research talent and an unparalleled research system built on partnerships among government, universities, research organizations, and industry.

Thank you.

The Speaker: The hon. Member for Bonnyville-Cold Lake.

1:20

Adoption Awareness Week

Mr. Ducharme: Thank you, Mr. Speaker. I'm very pleased to rise today to recognize Adoption Awareness Week, running from November 19 to 25. Traditionally, the third week of November is a time when we stop and celebrate the many dedicated families who have opened up their lives to a child through adoption. It's a time when we ask families to think about the many children who are still waiting here in our province for committed, nurturing families and permanent homes.

Alberta has a number of successes to celebrate during this year's Adoption Awareness Week. We are the only province that has developed a dedicated website to profile children waiting for adoptive families. This year we celebrate our 24th anniversary working in partnership with CTV television on the Wednesday's Child series, the series that has proven to be a very successful way to find the right home for Alberta children hoping to be adopted. Last year Children's Services found homes through adoption and private guardianship for 471 children who were formerly in government care. In the first half of this year, I'm pleased to say, we've seen a 20 per cent increase in the number of children placed with new families.

Today there are about 165 amazing children who are still waiting to be matched with a loving, caring family of their own. To find out more about adopting a child in Alberta, families can tune in to the Wednesday's Child program, airing each Wednesday on CTV, log onto Alberta's adoption website at www.adoption.alberta.gov.ab.ca, or simply pick up the phone and call 780-422-2634.

Thank you, Mr. Speaker.

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

Riverdale Net Zero Energy House

Mr. MacDonald: Thank you, Mr. Speaker. This past Saturday I joined over 1,100 interested Edmontonians in Riverdale, one of the many fine communities in Edmonton-Gold Bar, for a tour of one of Alberta's first four net zero energy homes. The duplex located 9926-87th Street combines ultra energy-efficient design with three solar energy systems to produce more energy than it consumes over the course of a year. The Riverdale net zero energy house is the most northern one under construction in Canada and will be completed in February. I was surprised to learn that it is possible here in Edmonton's cold, northerly climate for a home to generate all its own heat and light.

On the tour we saw installed solar heating and solar-panelled power systems, high performance windows, partially insulated walls, other insulation details, very efficient wall construction, air tightness, and heat recovery water and ventilation. The technologies used in this house are all off the shelf. The way they are designed and integrated into the house to achieve the net zero energy goal is new.

We need to recognize the financial contributions to this project by both Canada Mortgage and Housing Corporation and the Solar Energy Society of Canada, northern Alberta chapter. There are over 40 Alberta specialists on the Riverdale net zero house project. The core project team consists of Peter Amerongen, Andy Smith, and Gordon Howell. This house, which is healthy, sustainable, zero annual energy costs, is the house of the future. It is here now. The public interest in the project is noteworthy.

I would like to thank all those who organized Saturday's event and encourage all hon. members of this Assembly to please visit this

house in Riverdale. For more information and tours, please e-mail info@riverdalenetzero.ca.

Thank you.

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

Oil Sands Multistakeholder Consultation

Dr. Swann: Thank you, Mr. Speaker. On July 7 of this year the report and recommendations of the Oil Sands Multi-Stakeholder Committee and panel released its recommendations to the government of Alberta. This is one of the most important public consultations undertaken in years, and the Alberta government has not yet responded to them. There seems to be a reluctance to publicly address these critical issues.

What is the government of Alberta's response to the recommendations on environmental, social, economic, and governance issues related to oil sands development? The consistent message from most presenters to the consultation was that the pace and scope of development is irresponsible, the social and health impact unacceptable, environmental risks too high, especially the massive tailings ponds, and the cumulative environmental impact not adequately understood. Industry is also asking what's going on. They invested many hours in the mining liability management program over several years. The proposal on who is liable for oil sands risks is still not out for public consultation. What are we hiding from?

Recently appearing on an Alberta Environment website is the index of reclamation and a clear indication that the government has changed the definition of reclamation. Reclamation means that a site has been cleaned up and restored to equivalent land use. Here it appears that Alberta Environment has redefined reclamation as any activity on a site that begins the process of reclamation.

In the face of mounting criticism, both within the country and in the international community, it appears that this government will do anything to give the impression: everything is fine; just trust us.

The multistakeholder committee and panel were not able to reach consensus on 26 recommendations. Most of the recommendations they were unable to reach agreement on relate to the protection of social supports and the environment, including interim, precautionary-based emissions and environmental thresholds, real greenhouse gas targets, and a limit on the cumulative amount of land that can be disturbed at any one time in each of the oil sands areas.

Albertans are increasingly . . . [Dr. Swann's speaking time expired]

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

Registered Apprenticeship Program

Mr. Cao: Thank you, Mr. Speaker. Today I would like to expose an Alberta trades top secret, the registered apprenticeship program, RAP. A week ago I attended a celebration to recognize the apprentice scholarship recipients from around the province.

Industry and government work together to provide on-the-job trades experience. Students can start in RAP as early as grade 10. The work earns them on-the-job experience through their apprenticeship along with credits toward high school diplomas. When apprentices graduate from high school and start their new first period of in-class training, they are eligible to receive \$700. They receive the remaining \$300 when they start the second period of in-class training.

The registered apprenticeship program 2007 scholarships of \$1,000 have been awarded to 384 high school graduates participating in the program. Alberta government partners with industry to

fund the annual \$1,000 scholarship. The RAP scholarships are an excellent way to promote trades study in Alberta. As more and more young people explore these challenging hands-on careers, these young people have successfully demonstrated both high academic skills and employability skills as part of RAP.

Strengthening postsecondary education is part of our government's plan to secure Alberta's future in building our communities, greening our growth, and creating opportunity. Currently Alberta has 47,000 registered apprentices in 51 designated trades and six designated occupations. On behalf of the youth and parents in my constituency I want to thank the participating companies and the government for investing the time, effort, and funding.

Curb the Danger Impaired Driver Program

Mrs. Forsyth: Mr. Speaker, it gives me a great deal of pleasure to tell all members of this Assembly about a very successful program in Edmonton. Over and over again as I travelled the province as chair of the Crime Reduction and Safe Communities Task Force, we heard about the importance of every Albertan getting involved to help make their streets safer.

Curb the danger is a process for curbing impaired driving through community involvement which was initiated by the Edmonton Police Service in October of 2006. This unbelievable and successful program urges road users of Edmonton to report suspected impaired drivers to the 911 emergency operators. Patrol and other members try and intercept these reported drivers. When an interception is not possible and a plate information matching the description of the vehicle, a letter is sent to the registered owner informing them of the incident.

Mr. Speaker, not only does curb the danger target impaired drivers, but it has been able to obtain stolen vehicles, suspended drivers, drivers without insurance, warrants, and drivers without valid licences. Since the program began, EPS has received 7,842 calls from citizens reporting suspected impaired drivers on Edmonton streets. Of the total, police pulled over 2,403, which led to 743 impaired charges and 148 24-hour suspensions. An additional 2,325 registered owners received letters in the mail, an indication that their driving habits were reported to the police.

I could go on and on, Mr. Speaker, about the wonderful job this program does and would like to acknowledge one of our own, Barney Stevens, who is a security guard. Thanks to Barney, EPS, and Edmontonians who have participated in a true example of community policing.

1:30

Oral Question Period

head:

The Speaker: First Official Opposition main question. The hon. deputy Leader of the Official Opposition.

Affordable Housing

Mr. Taylor: Thank you, Mr. Speaker. Instead of solving the affordable housing crisis, the Conservatives have gone and turned it into a money pit, another black hole down which they pour your tax dollars and mine without anything of lasting value to show for it. Their rent supplement program is now \$10 million over budget and climbing. To the Premier: what excuse does he have for the program going so far over budget? And we're only halfway through the fiscal year.

Mr. Stelmach: Mr. Speaker, in the spring I told this Assembly that for any people that are either moving to the province of Alberta from other jurisdictions or Albertans that are presently seeking housing on their own, we would be there to assist those families and their

children to find affordable housing and at the same time invest in affordable housing, working with the municipalities so that we would have more units available for families that continue to move to this province. That is our goal. We're meeting those obligations. It just shows that there are so many people coming to the province to seek opportunity here.

Mr. Taylor: Mr. Speaker, the truth is that the Conservatives' rent supplement program subsidizes landlords. The truth is that the Conservatives show their true colours every day. Their rent supplement program is not about protecting tenants, not about supporting people; it's about doing whatever it takes to make sure landlords can charge whatever they want, and if Joe Tenant can't pay, Joe Government will. When is the Premier going to check his good landlord/bad renter ideology at the door, do the right thing, and bring in a temporary rent cap?

Mr. Stelmach: Mr. Speaker, don't ever get baffled by the statement "temporary rent cap." There is no such thing as a temporary rent cap. You can speak to Premiers from one corner of this country to another. That's how originally some of them got caught up in this temporary rent cap. Temporary in some of those provinces is over 10 years. Temporary, quite frankly, has significantly reduced the number of available units for housing and at the same time put serious impediments on constantly refurbishing rental units in those particular provinces. And that's a proven fact.

Mr. Taylor: This is so important, and the results of not having a home can be devastating. A new report on youth homelessness from the regional municipality of Wood Buffalo reveals that some homeless youth in that area are so desperate that they are trading sexual favours for a place to sleep. Fort McMurray has been pleading for help from the province for years to deal with growth pressures, and this, Mr. Speaker, is the government's answer. To the Premier. No more rhetoric; no more saying you're doing a job, because you're not. What are you going to do right now to fix the housing problems in Fort McMurray so children don't have to trade sex for shelter?

Mr. Stelmach: Mr. Speaker, I will discount that kind of an opening statement. But let's face it—I don't know where he was this spring. He should know that this Assembly made a very important decision, and that is that we invested \$396 million into the community of Fort McMurray to deal with the critical housing issue, water and sewer treatment in the community of Fort McMurray. We've also put together a team that's moving the infrastructure dollars as quickly as possible. We've made huge, huge advancements in the community of Fort McMurray that he is not even aware of.

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

Department of Energy Consultant

Mr. MacDonald: Thank you, Mr. Speaker. The Department of Energy has a contract with Mana Energy Group Limited. The president of this company is Murray A. Nelson. The company charges \$500 per hour for professional services to the Department of Energy, and they have invoiced taxpayers over \$84,000 for a total of 160 hours of service since June. My first question is to the Minister of Energy. What services does this company provide to the government for \$500 per hour?

The Speaker: The hon. minister.

Mr. Knight: Well, thank you very much, Mr. Speaker. The engagement of professionals outside of the department for issues such as the impending set-up of the new Energy Resources Conservation Board and Alberta utilities commission would be some of the work that's contracted outside.

The Speaker: The hon. member.

Mr. MacDonald: Thank you, Mr. Speaker. Again to the same minister: what are the qualifications of this company to provide the service to your department for \$500 per hour?

Mr. Knight: Well, Mr. Speaker, it would be my understanding that the individual that's being spoken about is indeed very, very knowledgeable with respect to the industry and the utilities system in the province of Alberta. I believe that during this transition period that is taking place, we will require the services of experts such as this.

The Speaker: The hon. member.

Mr. MacDonald: Thank you, Mr. Speaker. Was this contract—this contract here—tendered? Again to the Minister of Energy.

Mr. Knight: Mr. Speaker, I don't believe that I really understood the question. He asked me if that contract was tendered to me. I would suggest it was not tendered to me.

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

Mr. MacDonald: Thank you. I'm certain that taxpayers are interested in how they can get themselves one of these \$500 per hour government jobs for giving advice.

Now, my next question, and perhaps the hon. minister can understand this one. Who in the Department of Energy authorized the contract?

Mr. Knight: Well, again, Mr. Speaker, there are a number of contracts, of course, that are out. Not only the Department of Energy but I think that a number of government departments would look outside of government for expertise with respect to the work that we have to do on behalf of Albertans. Most certainly, the work that will be provided on behalf of Albertans by this particular individual: I think the proof of that will come in the conclusion of the work that he'll be doing.

The Speaker: The hon. member.

Mr. MacDonald: Thank you, Mr. Speaker. This question is to the Premier. Why does the government of Alberta pay \$500 per hour for this company and this man's advice when you reject free advice from Joe Anglin of the Lavesta group regarding the electricity measures?

Mr. Stelmach: Mr. Speaker, I don't know who the hon. member is referring to. He may want to bring that issue and ask the Minister of Energy that question. I don't know who he's referring to.

Mr. MacDonald: That doesn't surprise me, Mr. Speaker. Again to the Minister of Energy. For \$500 per hour this company

must provide a great service for Albertans. Will the minister table in this house the details of the contract, what work was done, what benefits Albertans received, and so forth? Or was this contract one of those secret deals this government is so famous for?

Mr. Knight: Well, Mr. Speaker, again, you know, the work that's ongoing with respect to the transition from the EUB to two new regulators in the province of Alberta is extremely important for Albertans. At an appropriate time we will have two new regulators. We will do it right. In order to get it right for Albertans, we do require the services of outside experts.

The Speaker: The hon. leader of the third party, followed by the hon. Member for Edmonton-Manning.

Affordable Housing (continued)

Mr. Mason: Thanks very much, Mr. Speaker. Ordinary Alberta families are being hurt by this mismanagement of housing by this Conservative government. Thousands of low-income renters are just a paycheck away from being without a home. The government's own audit of the homelessness and eviction prevention fund found that rental arrears were the cause of half of the claims to the fund, but instead of putting in rent guidelines to stop skyrocketing rents, the government is throwing money at the problem, and it's ending up in the pockets of landlords. To the Premier: if you're going to spend \$21 million over eight months on this program, how many more millions of dollars will you dump into this black hole in the next year?

1:40

Mr. Stelmach: Mr. Speaker, we made a commitment to Alberta families that are in need of assistance. But I just want to go back to this other word that the opposition uses. The Liberals use temporary. The third party uses guidelines. Just give us guidelines. Don't legislate; just put in guidelines. Again, a misuse of words. You can't put in a guideline. If you want to put in rent controls, you actually legislate. You don't say that these are guidelines. That's another way of trying to kind of sneak this in, saying it won't harm the housing industry, keep down future construction, by using the word "guideline."

The Speaker: The hon. member.

Mr. Mason: Thanks very much, Mr. Speaker. Well, it's curious because we used the term that was used by the government's own task force on housing and homelessness. The term that they used was guideline, Mr. Premier.

But you can't get out of the question that easily. You know, it's important that this government recognizes that people are losing their homes because they won't stand up to landlords. To the Premier: is it because you want donations from big landlords for the Conservative Party that you won't take action?

Mr. Stelmach: Mr. Speaker, again, changing the questioning because I guess I struck a nerve with him with respect to guidelines. Let's be perfectly frank. Putting in legislative rent controls would only reduce the number of available units constructed in the province of Alberta.

Mr. Martin: Oh, they're really building them now.

Mr. Stelmach: By the way, one of the hon. members says that

they're really building them now. Well, quite frankly, yes. Individual housing starts for rental units are up. He should know the statistics out of Edmonton because they're quite phenomenal. In that short period of time many more built under this policy than the zero that would have been built under his policy.

Mr. Mason: Mr. Speaker, unfortunately, the Premier is forgetting that most of the units that are now being built are condominiums and that condominiumization of rental units is proceeding faster than new ones are being built. If you really want to increase the supply of rental units, Mr. Premier, why don't you do something about the condominiumization that's taking place in this province instead of ignoring the problem?

Mr. Stelmach: Mr. Speaker, last spring we did pass legislation in the House to do that, and secondly . . . [interjection] I don't know if truth hurts them or what. By the way, a teacher – a teacher – that I know would want some kind of behaviour in the classroom is the one that's actually abusing the rules of this House.

Mr. Speaker, the policy we have has been implemented, and it's working well for Albertans. We see the number of rental units increase. We also see the cost of housing beginning to level off. We're seeing housing becoming more affordable. The policy is working, and that policy is working within just a few short months.

The Speaker: The hon. Member for Edmonton-Manning, followed by the hon. Member for Edmonton-Castle Downs.

Health Care Accessibility

Mr. Backs: Thank you, Mr. Speaker. The success of any society is often judged by its efficiency in providing goods and services. How long do you have to wait? Is there good customer service? These are questions asked. Public and private services are subject to the same questions. Our Alberta health care is a public and private mix. Albertans often have to wait months for health procedures. Health suffers. To even see a doctor or to take a child to a clinic, employees often lose a full day's work. What a waste to them, the economy. What a frustration. There is a shortage of doctors, but why the wait times? My question is to the minister of health. The hip and knee replacement program was a great success in cutting wait times. When will this team approach to health . . .

The Speaker: The hon. Minister of Health and Wellness.

Mr. Hancock: Well, thank you, Mr. Speaker. I think the hon. member was going to ask when the hip and bone program is going to be extended across the province. I can tell you that we've worked with the bone and joint institute to look at their process. We've extended financial resources to them so that they continue their work, and one of the most important things that can come out of that process is to use it as a model in other areas of health care, where multidisciplinary teams of both health care professionals and those that support them can work with individual Albertans to make the most effective use of the resources, which results in a reduction of the time that people have to wait.

The Speaker: The hon. member.

Mr. Backs: Thank you. To the same minister, Mr. Speaker: how soon will a comprehensive electronic health card be in place for all Albertans, one that will save paperwork and wasted time for patients and staff in clinics and hospitals?

The Speaker: The hon. minister.

Mr. Hancock: Well, thank you, Mr. Speaker. There's been considerable debate and discussion around the concept of an electronic health card, or so-called smart card. We haven't gone in that direction in the province. We've gone in the direction of an electronic health record which can be accessed by appropriate health care professionals. We expect to have that electronic health record fully operational in 2008 so that most, if not all, pharmaceuticals will be recorded on the record, the electronic diagnostic testing will be on the record, and most Albertans will be on an electronic health record by the end of 2008.

Mr. Backs: A second supplementary question to the minister of health: Mr. Minister, what penalties for clinics for excessive wait times has or will your department attach to fee payments for publicly funded procedures, and are there other measures, private or public, planned to improve service?

The Speaker: The hon. minister.

Mr. Hancock: Well, thank you, Mr. Speaker. We're not going in the direction of penalizing, at least certainly not at this point in time. Instead, what we're trying to do is to create the environment or the climate in which clinics can adopt best practices, can use the benefit of health care professionals' training and expertise to their full value, working in the context of primary care networks, for example, bringing the full value of all health professionals to the table. At this point in time it wouldn't be appropriate to use a penalizing process because there's such a high level of integration between the various roles that are played. But it's very important to take the learnings from the bone and joint institute, to extrapolate that to other clinics and other processes and use health care professionals to the best of their training and expertise.

The Speaker: The hon. Member for Edmonton-Castle Downs, followed by the hon. Member for Lethbridge-East.

Teachers' Unfunded Pension Liability

Mr. Lukaszuk: Thank you, Mr. Speaker. For some 50 years Alberta's teachers, governments of the day, and Alberta's taxpayers were strapped with the unfunded pension liability, which was only growing, until this Premier made an undertaking to address this issue. Promise made; promise delivered. The ATA and the minister and the Premier should be commended on it. However, to the Minister of Education: what will the actual benefit be to an average Alberta teacher in his take-home pay, having ratified this agreement?

Mr. Liepert: Well, Mr. Speaker, I guess that first of all it needs to be pointed out that as a result of our initiative in this spring's budget, since September 1 of 2007 we have been picking up the 3.1 per cent contribution of teachers, which will expire at the end of December, so the immediate impact will not be seen. There will be a retroactive 3 per cent pay increase to September 1, and then there will be the lump-sum payment at the end of April, and then, going forward, there would be the ongoing wage increases.

The Speaker: The hon. member.

Mr. Lukaszuk: Thank you, Mr. Speaker. In that case what will the benefit be to an average Alberta taxpayer from this expenditure?

Mr. Liepert: Well, Mr. Speaker, I think there are a number of

benefits to Alberta taxpayers. I don't know how you put a number on students being in class for five consecutive years without labour agreement. Secondly, I think it's also fair to say that the ATA and the teachers have come to the table. They have accepted a 3 per cent wage increase for the current fiscal year that we're in, and that obviously is a lesser amount than has been accepted by other public-sector unions. I think the long-term benefit, though, on this deal is that it's good for parents, it's good for teachers, but it's especially good for students of Alberta.

The Speaker: The hon. member.

Mr. Lukaszuk: Thank you, Mr. Speaker. To the same minister. Even though pension funding right now is not flowing through school boards, some are asking why schools boards were not involved in this negotiation. Can you enlighten us on that?

Mr. Liepert: Well, Mr. Speaker, I think it needs to be pointed out that I was not involved in the negotiations as the minister, nor was the president of the Alberta Teachers' Association involved. Frankly, Mr. Speaker, we wanted to take politics out of the negotiations, and I think the results that we announced last Thursday show that we succeeded in taking politics out. Now, I know the opposition wants to make a political issue out of it, but we decided – we had a strong negotiating team led by the Deputy Minister of Education. The ATA came to the table with the intention of also resolving this issue, and unlike the Liberals, who will continually plant the same tree and expect to get different fruit from it, we took a different approach.

1:50 Affordable Housing for AISH Recipients

Ms Pastoor: Mr. Speaker, finding an affordable place to live remains a crisis in this province. People with full-time jobs can barely afford the rent on a one-bedroom apartment. For residents whose only income is \$1,050 a month, which is an AISH cheque, finding a place is almost impossible. A studio apartment is \$800 a month. To the minister of housing: do you expect people to live like this? Substandard basement suites are not the answer. What else can this minister do to get Alberta through this crisis? Whatever it is that's been happening up to now, it isn't working.

The Speaker: The hon. minister.

Mr. Danyluk: Well, thank you very much, Mr. Speaker. Last spring, when we initiated the housing task force committee, that housing task force brought forward recommendations. One of the recommendations was the homeless and eviction prevention fund, the recommendation being for \$7 million to address those exact issues. We have presently served 21,000 individuals under that program, trying to assist those individuals in time of need.

The Speaker: The hon. member.

Ms Pastoor: Thank you. It's actually helping the landlords.

To the minister of seniors. Band-aid measures this government has put in place in the spring haven't solved the affordable housing crisis. How are Albertans on AISH supposed to afford medication, food supplies, and equipment when most of it, 70 to 80 per cent, is spent on their rent?

Mr. Melchin: Mr. Speaker, with respect to those on AISH we do take that seriously in the sense that we have raised AISH rates over

the last three years. We continue to work towards that obligation of looking at how we can improve that going forward. We provide a full complement of health benefits to those on AISH. We've also tried to work to make it far more flexible for them if they are employed, that a greater amount of their income would be exempt from any clawbacks. We've also tried to make sure that we're working on more flexible employment initiatives for those with disabilities.

Ms Pastoor: I agree with the minister. There have been some good changes made. However, most of these people really cannot work at a full-time job. Will the minister increase AISH payments to reflect rent increases, or is the government finally going to implement temporary rent caps, as recommended by your own housing task force? Mr. Minister, temporary can be temporary if this government has the political will to make it so.

Mr. Melchin: Mr. Speaker, those on AISH receive a range of benefits. As we've said, there has been a very substantive increase over the last two, three years in AISH payments. We are going to see – and we're working towards that – that those payments do increase. We acknowledge that there are increases in living costs but have also tried to make sure that there are more flexible arrangements for employment. Acknowledging that they aren't always capable of working on a full-time basis, how do you ensure that you can work with employers in our system to ensure that to whatever flexible arrangements they can, they have opportunities to be included in work?

The Speaker: The hon. Member for Red Deer-North, followed by the hon. Member for St. Albert.

Teachers' Unfunded Pension Liability (continued)

Mrs. Jablonski: Thank you, Mr. Speaker. An Alberta education is ranked as one of the very best in the world. It takes many people and a lot of hard work to ensure that our students receive the best education possible, so it's important that we work together to benefit our students. Throughout the discussion and announcement of the agreement in principle to deal with the pre-1992 teachers' portion of the unfunded liability, the focus has been on teachers and government reaching a five-year agreement, but the students ultimately are the reason we are doing this. My question to the Minister of Education is: what's required to finalize this proposed agreement?

Mr. Liepert: Well, Mr. Speaker, the member is correct that it is a memorandum of agreement, and in order for it to be finalized, the 62 school boards and 62 ATA locals across the province have been given until January 31 to resolve this particular issue and sign contracts. I think it is important to point out that there are issues at the local level that school boards and ATA locals may want to include in the agreement, and we've given them the opportunity to do so.

The Speaker: The hon. member.

Mrs. Jablonski: Thank you. Mr. Speaker, this weekend during discussions with some of my constituents this question kept arising, so I need to ask the Minister of Education what the answer is. Does this agreement mean that the government is now bargaining provincially?

Mr. Liepert: Well, Mr. Speaker, that is not the case. This is a one-

off situation, and when this particular contract expires at the end of August 2012, we will resume the normal bargaining that exists today. I think it's fair to say that during the course of the negotiations there was a fair bit of give-and-take on both parts, and the ATA felt that it was in their best interests for their members to have labour peace in exchange for the assumption of the unfunded liability. That's the way this particular negotiation worked out, but we will revert in 2012 to the normal process.

The Speaker: The hon. member.

Mrs. Jablonski: That's all. Thank you.

The Speaker: The hon. Member for St. Albert, followed by the hon. Member for Battle River-Wainwright.

Mr. Flaherty: Thank you, Mr. Speaker. For years this government has managed to systematically erode the powers vested in publicly elected school boards across the province. Their exclusion from unfunded pension liability negotiation is simply another example of this. Why did the government choose to exclude school boards throughout these negotiations when they are essential to the agreement's implementation, Mr. Minister?

Mr. Liepert: Well, Mr. Speaker, if the member would have been listening, he would have heard the answer earlier. As I said to the very fine question from the Member for Edmonton-Castle Downs, the Minister of Education and the head of the ATA were also not involved in the negotiations because we have embarked on several occasions in the past which have not been successful, and our desire this time was to attain success. We put the two parties at the table that . . .

Mr. Chase: The Education minister gets in the way of successful bargaining.

Mr. Liepert: You know, Mr. Speaker, if the hon. Member for Calgary-Varsity wouldn't be spending so much time in his basement thinking about all these smart-aleck sayings that we hear from him every day, he might have been at the School Boards Association reception last night and heard the very, very positive response to this agreement.

The Speaker: The hon. member.

Mr. Flaherty: Thank you, Mr. Speaker. If one school board dissents, this agreement in principle will collapse. That's the way I understand it. This is to the minister. Given that they were just last week given the specifics, why has the government given the board such an immense responsibility in such a tight time frame to ratify the agreement? Why so tight, Mr. Minister? It's a very important agreement.

Mr. Liepert: Well, Mr. Speaker, this hon. member was at the reception last night, and if he would have been talking to the school trustees, as I was – and I've certainly been talking to my colleagues, who have been around the province this past weekend talking to teachers, talking to school board officials. I would say that there is a high degree of satisfaction with what has been put on the table. The school board trustees are saying to me that the fact that they now have the length of the contract, the funding in place, and the fact that they'll have labour peace for five years can now allow them to sign a contract with their ATA locals, and they can focus on educating students and not be negotiating contracts.

The Speaker: The hon. member.

Mr. Flaherty: Thank you, Mr. Speaker. What the government has done with this latest agreement is create a two-tier bargaining model across Alberta, where salary is negotiated provincially but things like working conditions are negotiated locally. To the Minister of Education: since the government is systematically eroding the autonomous powers of school boards, what future role does this government expect them to play? What is their role going to be? What are they going to do in the future, Mr. Minister?

Mr. Liepert: Well, Mr. Speaker, I'm sure that the Liberal opposition has looked long and hard and sometime this morning has finally found something that they think is negative about this absolutely incredible deal for all Albertans. I would just suggest that all of the feedback we have received has been very positive, and unlike the hon. Member for St. Albert I'm optimistic that we're going to have labour peace in this province for the next five years and students are going to be in the classroom getting educated, where they belong.

The Speaker: The hon. Member for Battle River-Wainwright, followed by the hon. Member for Edmonton-Calder.

2:00 Teacher Recruitment and Retention

Mr. Griffiths: Thank you, Mr. Speaker. I was a teacher in my previous life. It is one of the most meaningful and noble of all professions, and its role is second only to parents in producing a successful next generation. I've seen many, some of the best, teachers, many young and energetic teachers, leave the profession to pursue other interests. To the Minister of Education: given that recruitment and retention are critical to the future of this province and our students, does the minister have information or statistics to indicate the significance of this trend or its impact on the profession, the school system, and our students?

Mr. Liepert: Mr. Speaker, it is a fact that some 30 per cent of teachers within five years exit the profession. It's hard to put a number or a specific percentage on why a particular teacher leaves, but clearly in my meetings with teachers across the province in the last 11 months and especially with those who are new to the profession, they have indicated to me that paying for a liability that they had no part in creating was something that they felt was unfair. We have fixed that.

The Speaker: The hon. member.

Mr. Griffiths: Thank you, Mr. Speaker. I believe the new pension deal will attract and retain more teachers, and I think many Albertans agree with that, but proof and evidence are important. Does the minister have evidence that would show that the recent agreement for Alberta taxpayers to assume \$2 billion of the unfunded liability will solve the recruitment and retention issue?

Mr. Liepert: Well, I guess, Mr. Speaker, only time will tell. There are a number of factors as to why teachers leave the profession, and some of them we have little or no control over. However, this is one that we clearly have control over, and we've taken action. Teachers will have the 3.1 per cent no longer taken off their paycheques. In addition to that, they will have a salary based on the weekly earnings index for the next four years and 3 per cent this year. I believe it will keep the majority of new teachers in the profession for much longer than in the past.

The Speaker: The hon. member.

Mr. Griffiths: Thank you, Mr. Speaker. The pension plan liability issue has been resolved, but it's not a magic bullet for retention and attraction of professionals. Is the government considering other options to ensure that the best teachers stay in the profession for our students?

Mr. Liepert: One of the things, Mr. Speaker, that I think we need to do is recognition. Last night at the School Boards Association opening ceremonies they presented what was called the Edwin Parr award, and it is for first-year teachers. There were some seven recipients last year, and for those members in the House who were in attendance, I think everyone who was there will say how literally blown away we were with the quality of these young teachers. I believe that recognition either through such awards as the Edwin Parr award or our own excellence in teaching award – I would strongly encourage all members to nominate teachers in their constituencies for what is a very well received recognition of their work.

The Speaker: The hon. Member for Edmonton-Calder, followed by the hon. Member for Calgary-Mountain View.

Nuclear Power

Mr. Eggen: Thanks, Mr. Speaker. The rumours around the plans to build nuclear power plants in Alberta are starting to spin out of control. The Alberta New Democrat caucus and most Albertans have grave concerns about these proposals and would welcome the opportunity for the government to set the record straight here and now. The Conservatives, and the Liberals, too, for that matter, have had closed-door meetings with Energy Alberta. We believe, as do hundreds of Albertans that met today on the steps of the Legislature, that this issue is too important to ram through in secrecy. To the Minister of Energy: will the minister kindly describe the details of their meetings with Energy Alberta, with particular emphasis on why you think this province would need nuclear power in the first place . . .

The Speaker: We have a 45-second rule. That's about a minute and something else.

The hon. minister.

Mr. Knight: Thank you, Mr. Speaker. With respect to the development of nuclear energy in the province of Alberta most certainly there is an application that's in front of the Canadian Nuclear Safety Commission, and that's the proper place for it to be. Under our Constitution in Canada the federal government reserves a constitutional right to deal with these issues, and we respect that. Also, there will be at an appropriate time hearings that would take place and public consultation. You can rest assured that the Alberta government on behalf of the citizens of Alberta will be very active in that issue.

Mr. Eggen: Well, Mr. Speaker, it seems to me that these negotiations have obviously progressed along to a fairly advanced stage just with the amount of nuclear material we've been receiving around the province, yet we've had no position from the government as to their position on nuclear energy in general. So, Mr. Minister, please set the record straight once and for all. Does this government support a nuclear-free Alberta, or do they support building nuclear power plants on our soil?

Mr. Knight: Mr. Speaker, again, you know, it's easy if you want to just try to phrase a question that would put any individual in a corner. However, what I would suggest is that what will happen in Alberta, as may not be going to be done by the NDs, is that nuclear energy would be considered in the broader context of our comprehensive energy strategy. We are at this point neither a proponent of nor a detractor from any nuclear proposition in the province.

Mr. Eggen: You know, that's funny, Mr. Speaker, because I look at the 20-year plan for electricity, for example, in this province: no mention of nuclear energy. Suddenly here it is, popping up on the floor of the Legislature. Albertans deserve to know what's going on in the open in terms of nuclear power in this province. Why is the government pursuing this dangerous and costly nuclear route instead of investing in proven sustainable solutions such as conservation, wind, solar, and geothermal energy? The billions that it would cost to build and then clean up a nuclear plant afterwards could be invested in a much wiser fashion.

Mr. Knight: You know, again, Mr. Speaker, similar to some of the questions that we were dealing with last week, I can repeat the answer any number of times that the member opposite would like. We are neither a proponent of nor a detractor from any nuclear project in the province of Alberta. The mandate for this is clearly at the federal level. Clearly, the Canadian Nuclear Safety Commission will deal with it in a timely manner, and we as the government of Alberta will be involved in the process.

The Speaker: The hon. Member for Calgary-Mountain View, followed by the hon. Member for Calgary-Bow.

Dr. Swann: Thank you, Mr. Speaker. My questions are also for the Minister of Energy. Today concerned citizens from across Alberta, British Columbia, and Ontario gathered on the steps of the Legislature to express their deep concerns about the prospect of nuclear power plants close to their homes and families. While companies are filing applications and scouting locations, citizens feel ignored. These people and all Albertans concerned over the prospect of nuclear power were promised public consultations with full disclosure. Mr. Minister, is it your intent to push through Bill 46 to limit public participation in nuclear energy discussions?

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

Dr. Swann: I see you refuse to answer, Mr. Minister.

Citizens have pressing questions about health, safety, environmental and economic impacts. The MLA for Whitecourt-Ste. Anne has been heard to say that it's not a question of if but when for nuclear power in the Whitecourt area. Tell me, Mr. Minister: is this the position of the Alberta government? When, not if, on nuclear power?

Mr. Knight: Mr. Speaker, to clarify the first issue, number one, I believe that if you read the Order Paper, Bill 46 appears there at some point, so I think that wasn't appropriate.

Furthermore, Mr. Speaker, with respect to the answer to the second question, what another member might or might not say out in public is certainly not a concern for me.

I'll repeat the answer again. The government of the province of Alberta is neither a proponent of nor a detractor from any nuclear facility in the province of Alberta. It's being handled appropriately by a federal government agency.

The Speaker: The hon. member.

Dr. Swann: Thank you, Mr. Speaker. It is the government's duty to make balanced decisions, decisions that are made in the best interests of the people of Alberta and all future generations. Given the massive cost overruns of nuclear power in Ontario, will the minister commit here and now that no public funds and no public liability will be assumed to support the nuclear industry in Alberta?

2:10

Mr. Knight: Well, Mr. Speaker, again, you know, it's interesting when we get into these types of discussions. The answer to that question, I think very clearly, lies in the fact that it would be my observation that in Canada Alberta is the only jurisdiction that has no public money in the utility system currently, no debt and no public money.

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

Winter Emergency Shelters

Ms DeLong: Thank you very much, Mr. Speaker. Our province continues to experience strong economic growth, and along with that come a number of social needs for vulnerable Albertans. I know from past experience that with winter fast approaching, a number of homeless individuals in Calgary and throughout the province will require emergency shelter. My first question is to the Associate Minister of Affordable Housing and Urban Development. What is the status of the winter emergency shelters in our province?

The Speaker: The hon. minister.

Mrs. Fritz: Thank you. We've been very proactive in addressing the emergent needs of the homeless in the province. For a number of months we've been working with community agencies, with the municipalities and organizations, and that's to ensure that they're able to assist the homeless with winter emergency shelter in their own communities. Through you, Mr. Speaker, to the Member for Calgary-Bow: in Calgary today we did open an emergency winter shelter, which was the Foothills Shelter. It will be operated by the Mustard Seed until April of 2008. This winter emergency shelter will provide 450 emergency spaces for the homeless, and that's good news.

The Speaker: The hon. member.

Ms DeLong: Thank you very much. The second question is to the same minister. How many emergency spaces were provided last year, and will that 450 be enough for Calgary and others in the province for this year?

The Speaker: The hon. minister.

Mrs. Fritz: Thank you, Mr. Speaker. We know that with our strong economy people will arrive in our province without resources to establish themselves. That's why, as I said earlier, we partnered with municipalities and community organizations to provide additional winter emergency shelter spaces. This winter we added other municipalities to the program, like Lloydminster and High Level. In response to the member's question this year we're providing more emergency spaces than we've ever had before in the province. This year the emergency shelter budget tripled to 7 and a half million dollars, which will provide 940 emergency shelter spaces, and that's fairly significant.

The Speaker: The hon. member.

Ms DeLong: Thank you. A final question, Mr. Speaker, is also to the same minister. Are we doing anything to move people beyond their dependency upon the winter emergency shelters?

The Speaker: The hon. minister.

Mrs. Fritz: Thank you, Mr. Speaker. This question addresses why the Secretariat for Action on Homelessness, which was recently announced, is so important. Each year we do keep spending millions of dollars on solutions which address the immediacy but not the long-term, fundamental causes of homelessness. We know – we’ve heard it in the Assembly before – we can’t keep doing the same thing over and over again and expect different results. The secretariat will work with communities. They’ll work with communities and the homeless foundations in assisting them with their long-term plans and their 10-year plans. Also, the secretariat will provide leadership collaboration and co-operation as the 10-year strategy for homelessness is developed for our province.

The Speaker: The hon. Member for Edmonton-McClung, followed by the hon. Member for Whitecourt-St. Anne.

Crime Reduction and Safe Communities

Mr. Elsalhy: Thank you, Mr. Speaker. One thing I’ve learned in this Assembly is that when the government is spending money on something, they announce it in the biggest and boldest lettering available. That is why the government response to the recent report and recommendations on the safe communities task force was confusing. Not once anywhere was there any mention of money, not in the press release and not in the background documents. Then when challenged, the Premier told us in a press conference that \$470 million over three years has been committed. To the Solicitor General: what assurances do we have that this verbal commitment will bind your government to fully funding the recommendations of the task force, or are we supposed to just take the Premier’s spoken word?

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

Mr. Lindsay: Well, thank you, Mr. Speaker. As the hon. member mentioned, our Premier did commit to \$470 million for implementing these task force recommendations, and I look forward to that member and his colleagues across the floor supporting it when you bring it up in the budget.

The Speaker: The hon. member.

Mr. Elsalhy: Thank you, Mr. Speaker. It’s my understanding, then, that we’re going to see this in the spring budget, hopefully. This government, though, has so many examples of reports and recommendations that sit in a drawer or on a shelf gathering dust or are implemented piece by piece here and there with no clear plan. That is why I was questioning it. The best example is the crystal meth task force, headed by Colleen Klein, the former Premier’s wife, which came out with many good recommendations after months of public consultation. As happens so often, this report is in need of an APB to determine its whereabouts. Again to the Solicitor General: what assurances can he give us that the safe communities task force recommendations are not going to meet with the same fate?

The Speaker: The hon. minister.

Mr. Lindsay: Well, thank you, Mr. Speaker. Again, in regard to the crystal meth task force this ministry is already moving ahead on a number of initiatives that were mentioned in the crystal meth recommendations. In regard to the safe communities/crime prevention task force, we plan on implementing the ones that we have committed to.

Mr. Elsalhy: That’s the disconnect, Mr. Speaker. They say they’re moving on these initiatives. We don’t see this in the House. The safe communities task force recommended, for example, adding more police officers, but to do this, the minister needs to review and revamp the criteria for municipal policing grants. This government has repeatedly refused to revamp these criteria, and in their report they state that the recommendations and the provincial funding formula need further study. The current funding formula is so ridiculous that a town that has 5,001 people will end up paying hundreds of thousands of dollars for policing while a town with just 5,000 gets everything paid for. To the minister: why are small municipalities being penalized for experiencing growth? Why is there no sliding scale for police funding for towns that exceed 5,000 people?

Mr. Lindsay: Again, Mr. Speaker, any of the programs we have in place are subject to review time and again. The police grant program is one of those that we look at on a continual basis. In regard to the 5,000 population, we do give those communities two-year assistance on that particular program. The help is there. I also want to point out to the hon. member that this government also returns approximately \$100 million to police agencies as a result of fines that are collected in our province.

The Speaker: The hon. Member for Whitecourt-St. Anne, followed by the hon. Member for Edmonton-Centre.

Opening of U.S. Border to Live Cattle

Mr. VanderBurg: Thank you, Mr. Speaker. Border closures, court rulings, the changing dollar have created hardships for my producers. Many of my constituents in Whitecourt-St. Anne depend on the cattle industry for their livelihoods. Today the United States Department of Agriculture implemented its final BSE rule, allowing the importation from Canada of bison and live cattle over the age of 30 months. My first question is to the Minister of Agriculture and Food. Can the minister explain the impact of this rule on my producers in Whitecourt-St. Anne and others across the province? How quickly can they expect to ship cattle?

The Speaker: The hon. minister.

Mr. Groeneveld: Well, thank you, Mr. Speaker. Certainly, this is absolutely a positive step finally for our cattle industry. It’s been a long time coming, but some hard work by both the provincial government and the new ag department in the federal government has paid off. Live cattle and bison born on or after March 1, 1999, including breeding animals, which is very important, and meat products will be allowed into the U.S. Rule 2 restores trade and recognizes the effectiveness of our BSE safeguards.

The Speaker: The hon. member.

Mr. VanderBurg: Thank you, Mr. Speaker. My question is to the same minister. In Whitecourt-St. Anne I have an advisory committee made up of producers, and we’ve spent many hours talking about

age verification. Today's ruling will stress the importance of age verification for our producers. Can the minister tell us what steps are being taken to encourage age verification amongst Alberta's cattle industry and the producers border to border?

The Speaker: The hon. minister.

Mr. Groeneveld: Well, thank you, Mr. Speaker. It's certainly an important question indeed. We've been working with the Canadian Cattle Identification Agency since October of 2006. To date over 3 million birthdates have been recorded in the CCIA database. Alberta beef, of course, represents over 50 or maybe 60 per cent of the Canadian total. Although we have a multitude of cattle age-verified and identified, it's time to move forward. Now is the time we must age-verify all cattle that are born in the future.

2:20

The Speaker: The hon. minister.

Mr. VanderBurg: Thank you, Mr. Speaker. My next question is to the minister responsible for international trade. Like I said in the preamble, this issue is very, very important to the producers in my constituency, and the issue is: what's next, Mr. Minister? You know, the producers have been faced with many issues. R-CALF always seems to have endless issues to raise in the U.S. courts. It seems like one barrier after another hits the producer at the primary level. My question is to the minister. What's next? What can we expect?

The Speaker: The hon. Minister of International, Intergovernmental and Aboriginal Relations.

Mr. Boutilier: Thank you very much, Mr. Speaker. First of all, I'm very proud to say that Albertans are free traders who certainly oppose unfair trade barriers. We are working with the federal government and our partners through the WTO, the World Trade Organization, but there is no doubt that Alberta's agri-food industry would benefit from the reduction of trade-distorting subsidies and market access barriers. We are committed towards that end and that principle. However, we are extremely frustrated at this time with the glacial pace of the World Trade Organization negotiations, but we remain committed to achieving that objective and benefiting producers here in Alberta.

The Speaker: Hon. members, that was 88 questions and responses. We'll now return to the Routine.

head:

Presenting Reports by Standing and Special Committees

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

Mr. Johnston: Thank you, Mr. Speaker. Pursuant to the requirements of the Alberta heritage savings trust fund, it is my pleasure to rise today and table the required number of copies of the 2007 report of the Standing Committee on the Alberta Heritage Savings Trust Fund. The report will be available on the committee's website, and I have arranged to have copies distributed to each hon. member. I'd like to thank the staff at Alberta Finance, the office of the Auditor General, and the Legislative Assembly Office for the dedicated support they provide to the committee throughout the year.

Thank you, Mr. Speaker.

head:

Presenting Petitions

The Speaker: The hon. Member for Red Deer-North.

Mrs. Jablonski: Thank you, Mr. Speaker. Today I present a petition signed by 113 central Albertans requesting that the regulations for Bill 45, Smoke-free Places (Tobacco Reduction) Amendment Act, 2007, reflect the intent of the legislation as outlined in second reading.

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

Mr. MacDonald: Thank you very much, Mr. Speaker. I have a petition to present to the Legislative Assembly this afternoon, and it reads:

We the undersigned residents of Alberta, petition the Legislative Assembly to urge the Government of Alberta to launch a full public inquiry under the authority of the Public Inquiries Act into spying practices by the Alberta Energy and Utilities Board (AEUB) and the Minister of Energy's oversight role of the AEUB.

This petition is signed by people from Buck Lake and Rimbey and Bluffton.

Thank you.

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

Dr. Swann: Thank you, Mr. Speaker. I rise to table a petition from 85 Albertans. The undersigned residents "petition the Legislative Assembly to pass Bill 45, the Smoke-Free Places (Tobacco Reduction) Amendment Act, and not dilute its contents so as to compromise the version approved at second reading."

Thank you, Mr. Speaker.

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

Ms Blakeman: Thank you very much, Mr. Speaker. Two petitions today. One, indeed, from a number of individuals: 252 of them supporting the passage of Bill 45. So their mission has already been accomplished.

The second: I actually have two collections of the same petition, totalling 560, who are urging the government to ensure that remuneration paid to employees working with persons with disabilities is standardized, that they're fairly compensated and wages remain competitive, that they have improved access to professional development opportunities, and would the government please introduce province-wide service- and outcomes-focused level of care standards.

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

Mr. Backs: Thank you, Mr. Speaker. I have a petition from all the members of the newly elected executive of the Kilkenny community league and others, and it reads:

We the undersigned residents of Alberta, petition the Legislative Assembly to urge the Government of Alberta to cut unnecessary regulations that cause time to be lost in filling out forms and other burdensome and unnecessary rules (red tape) by supporting Bill 213 the Regulatory Accountability and Transparency Act.

Thank you, Mr. Speaker.

Mr. Cheffins: Mr. Speaker, I rise with signatures from 18 Calgaryans petitioning the Legislative Assembly to pass Bill 45, Smoke-free Places (Tobacco Reduction) Amendment Act, 2007.

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

Mr. Bonko: Thank you, Mr. Speaker. I rise to table a petition with 37 signatures. It reads:

We, the undersigned residents of Alberta, petition the Legislative Assembly to urge the Government to immediately establish, in consultation with community leaders and interested citizens, the Keystone Wildlife Preserve in a designated area west of Edmonton, north of Highway 16 and east of highway 751, to ensure that wildlife habitat and the surrounding environment are protected for generations to come.

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

Mr. Elsalhy: Thank you very much, Mr. Speaker. I have two petitions today. The first one is the same petition that's urging the Legislative Assembly to support Bill 45. I am pleased to tell the petitioners that we have done just that, and it's awaiting royal assent.

The other petition, Mr. Speaker, was signed by 231 Albertans from many communities but mostly from Edmonton, Sherwood Park, Leduc, St. Albert, Grande Prairie, and Spruce Grove. It reads: we, the undersigned residents hereby petition the Legislative Assembly to urge the Government to "introduce legislation or amend regulations to give consumers in Alberta access, even if limited or controlled, to raw (unpasteurized) dairy products, particularly for health or medical reasons."

Thank you.

The Speaker: Are there additional petitions? The hon. Member for Calgary-Varsity.

Mr. Chase: Thank you very much. I just want to add the voices of a number of Calgarians to the successful passing of Bill 45 in order to address the enormous health, social, and financial implications of tobacco use in Alberta.

head:

Notices of Motions

The Speaker: The hon. Deputy Government House Leader.

Mr. Renner: Thank you, Mr. Speaker. On behalf of the Government House Leader I wish to give oral notice to propose the following motion:

Be it resolved that the Legislative Assembly concur on the November 15, 2007, report on the Standing Committee on Legislative Offices and recommend to the Lieutenant Governor in Council that Franklin J. Work be reappointed Information and Privacy Commissioner for a four-year term.

head:

Tabling Returns and Reports

The Speaker: The hon. Member for Edmonton-Beverly-Clareview. We've got a whole list of others.

Mr. Martin: Well, thank you, Mr. Speaker. I have two from the leader of the third party. First of all, I'd like to table the appropriate numbers of copies of letters from Wayne and Marjorie Brideaux of Calgary regarding this government's failure to rectify the housing situation by allowing rent gouging to continue. They ask when this government will "stop applying ideology in the face of fact" and listen to the findings of the housing task force.

The second one, Mr. Speaker, was to table the appropriate number of copies of letters from Aubrey Finnen, a landowner in central Alberta, regarding his objections to the way he has been treated by the Alberta Energy and Utilities Board.

Thank you.

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

Mr. Backs: Thank you, Mr. Speaker. I have two tablings today. One is a document regarding geothermal applications, a recent document that shows how 2 per cent of the electrical energy generated for California is from geothermal now, and the entire capital of Iceland is heated that way.

Another is a communication from the Canadian Federation of Independent Business outlining support for the Bill 213, the Regulatory Accountability and Transparency Act.

Thank you.

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

Dr. Pannu: Thank you, Mr. Speaker. I have one document to table. It's the article from *Banff Crag & Canyon* of November 13, 2007, which I referred to in the House last Thursday and which reports that the only two child care centres in Bow Valley, one in Canmore and one in Banff, have a two-year waiting list.

Thank you, Mr. Speaker.

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

Mr. Bonko: Thank you, Mr. Speaker. I have two tablings. The first one: A Review of Discovery Wildlife Park Based on the Alberta Zoo Standards by the World Society for the Protection of Animals.

The second one is A Review of the Guzoo Animal Farm Based on the Alberta Zoo Standards, again by the World Society for the Protection of Animals.

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

Mr. Elsalhy: Thank you, Mr. Speaker. I have two tablings today pertaining to the same subject. On November 9 my wife and I along with the MLAs from Edmonton-Centre and Edmonton-Calder attended an event at the Edmonton Mennonite Centre for Newcomers titled Global Gallery. The first tabling is the news release announcing this event, which was designed to showcase immigrant talent in the area of visual arts, as in painting, photography, and sculpting.

The second tabling, Mr. Speaker, is the actual program book, containing many biographies and samplings of all 25 of those artists' work. It is now available online at www.emcn.ab.ca.

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

2:30

Mrs. Mather: Thank you, Mr. Speaker. I have three tablings today. The first is a letter from Stephen Renaud in which he is talking about the need to look at the quality of life for persons with disabilities: "Because of the low AISH income many individuals are challenged in today's housing market. Available low cost housing is very difficult to find."

The second letter is from M. Platts, where she says: "I do not believe that the purpose of providing early child education in any form is to make money but to provide a service. I would like to see that service fully funded for all children by our government."

The third one is from Kerri Bischoff. "I was appalled at the decrease in the maximum Number of children allowed in a care facility, 24 down to 16, as well as the food catering fees and of course the rise in cost due to the decrease of spots allowed in a facility."

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

Mr. Chase: Thank you, Mr. Speaker. I have two sets of tablings today. The first tabling is the program of the western legacy awards, which we celebrated on November 9 at the Roundup Centre in Calgary. The awards were presented for innovation, youth, and sustained contribution.

My second tabling consists of the highlights of this past weekend's Parkland conference I attended, the theme of which was From Crisis to Hope: Building Just and Sustainable Communities, a goal all members of this House have been tasked by our constituents to achieve.

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

Mr. Martin: Thank you, Mr. Speaker. I'm tabling correspondence from Yvonne Mireau of Edmonton. She's suffering from a serious jaw injury and has had to have it wired shut for the past year, during which she has been on a liquid food diet. Now, her treatment has cost her over \$1,000, but she's not covered by Alberta Health as it's classified as dental. She wishes to draw the attention of the minister to this major hole in our supposedly universal health care.

Thank you.

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

Mr. Taylor: Thank you, Mr. Speaker. It's my pleasure to table the requisite number of copies of the Fort McMurray Youth Housing Needs Report, prepared under the direction of the Youth Shelter Subcommittee at the request of the Homeless Initiatives Steering Committee, regional municipality of Wood Buffalo. I referenced this report earlier today in question period.

Thank you, Mr. Speaker.

The Speaker: Are there others? The hon. Member for Edmonton-Gold Bar.

Mr. MacDonald: Thank you very much, Mr. Speaker. I have three tablings today. The first two are in regard to my questions from earlier in question period. My first tabling is an invoice from June 1, 2007, to Kellan Fluckiger, executive director, Alberta Department of Energy, for \$38,000 for 76 hours of professional services. It's signed by Murray A. Nelson from the Mana Energy Group Limited.

The second tabling I have is a similar invoice, but this one is dated September 1, 2007. It's for 92 hours at \$500 an hour for a total of \$46,000. It's to the same executive director, Mr. Kellan Fluckiger of the Alberta Department of Energy, and it's signed, "Yours truly, Murray A. Nelson."

My third tabling is a letter dated November 8, 2007, to the hon. Premier from Mr. Bronconnier, the mayor of Calgary. This is outlining some of the concerns that Calgary city council and the citizens of Calgary have regarding Bill 46, the Alberta Utilities Commission Act. I would urge all hon. members of this Assembly, if they have not read this letter, to please do so quickly.

Thank you.

The Speaker: Are there others?

Hon. members, before we move forward, might we revert briefly to Introduction of Guests?

[Unanimous consent granted]

head: **Introduction of Guests**
(continued)

The Speaker: That being the case, the hon. Minister of Tourism, Parks, Recreation and Culture.

Mr. Goudreau: Thank you very much, Mr. Speaker. I'm pleased to introduce to you and through you to all members of this Assembly some guests from the Dunvegan-Central Peace constituency. I believe they are seated in both galleries. I would ask each of them to rise as I introduce them: Denis Sauvageau from Falher; Dan and Huguette Ropchan, Adele Boucher Rymhs, Knut Moller, and Eileen McGuire from Grimshaw; Peter and Sara Jessing and Trudy Keillor from Berwyn; and George Beinert from Whitelaw. Earlier I had a chance to meet with them. They're here to express their concerns over the nuclear proposal. Please join me in giving them our traditional warm welcome.

The Speaker: The hon. Member for Peace River.

Mr. Oberle: Thank you. It's also my pleasure to welcome some constituents who have travelled from our far northwest corner of the province to express some concerns they have about nuclear energy and to urge the government to engage Albertans in a policy discussion. Mr. Speaker, I regret that I was unable to meet with my constituents earlier, but I plan to sit in on a meeting this afternoon. Nonetheless, it's my honour to introduce to you and through you to all hon. members of this House Brenda Brochu; Erik Moller; Micheline Danburger; Wanda, Genevieve, Monique, and Jacqueline Laurin; Louise Alm; and Carol Akininstall. I'd ask them all to rise and receive the traditional warm welcome of the Assembly.

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

Mr. Eggen: Thanks, Mr. Speaker. Again it looks as though we're just catching the last few of the representation of guests from the nuclear demonstration this afternoon. I would like to introduce to you and through you to all members Sonja Myllymaki from Edmonton, Izumi Kuribayishi from Edmonton as well, Art Jackson from Jasper, Bob Cameron from DeBolt, Connie Bresnahan from Hinton, Paul Pryce from Calgary, and David Cammeron from Calgary. If you could rise and receive the Assembly's welcome.

head: **Orders of the Day**

head: **Motions for Returns**

Mr. Renner: I move that Motion for a Return 9 stand and retain its place.

[Motion carried]

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

**Bill 213
Regulatory Accountability and Transparency Act**

[Debate adjourned November 8: Mr. Eggen speaking]

The Speaker: The hon. Member for Edmonton-Calder may continue. I believe he still has nine minutes in his speaking time on Bill 213.

Mr. Eggen: Yes. Mr. Speaker, I believe that I've completed my comments on that bill. Thank you.

The Speaker: The hon. Member for Rocky Mountain House.

Mr. Lund: Thank you, Mr. Speaker. It gives me a great deal of pleasure to have the opportunity to speak to Bill 213, the Regulatory Accountability and Transparency Act as presented by the hon.

Member for Edmonton-Manning. I want to take this opportunity to thank him for introducing this legislation. I'm very appreciative because it indicates that he is very much in agreement with what the government is doing in this whole field of regulatory reform.

I want to make a few comments, though, about the proposed bill. Quite frankly, the intent of the bill, while admirable and right in keeping with what we would agree with – there are a few things that I want to bring to the attention of the Assembly. If we were to follow this bill, it would be very, very simple to do what is in here, but there's more to this than just counting numbers. In section 2(a) currently it asks for the number of regulations. If you're going to do just a number count, that would not necessarily accomplish what we really need to do. Some of the things that are in this bill that talk to the need of regulatory reform – I guess if you look at the preamble of it and you see the number of reasons for the introduction of this and the reason that we need to do it, we agree with those. But just counting numbers is not going to accomplish what the hon. member has identified in the preamble of his bill.

2:40

I would like to expand on what we feel needs to be done and what, in fact, we are doing. I think it's important, when a bill is presented, that it be in the greater public interest because that's really what you need to have as a driving force and to affect all the regulations. To address that issue, there are a number of criteria that I believe it should meet. Those are things like be necessary for the maintenance and/or enhancement of the public health, education, order, and safety; be necessary for the maintenance and/or enhancement of the environment; and contribute to the goals of sustainable development. Quite frankly, one of the things we hear often as we're talking to businesspeople about regulations and forms and things of this nature is that, in fact, there's a great burden, that they spend a lot of time and money having to fill out forms, having to meet certain regulations that maybe don't address some of the things that I'm just describing. It must contribute significantly and positively to the competitiveness of the private sector in the province, including promotion of innovation and encouragement of efficiency in the conduct of business, and of course be necessary for the effective internal administration of government of the province.

This regulatory reform is more than just outside of government. There's a big cost to government with some of these regulations. So I think it's important that we weigh that against the need – I believe that we need to look more at what it is that we're trying to accomplish; in other words, the outcome of the regulation.

Quite frankly, when we talk later in the bill about the accountability portion of the act, you need some way of measuring that, and I believe that we've got some suggestions that would really accomplish that. I think that there are some other very important elements that are necessary in the regulations, things like identifying the problem and desired objectives or outcomes – and that's what I spoke to briefly before – and to of course establish a clear case for the action and also to consider the options, regulatory or nonregulatory, for achieving the desired outcomes. Once again, it's a measurement of outcomes: how do you get there? Look at the problem and what it is you want to do. Now how do you get there?

Consult with those potentially affected in developing the regulatory action with the participation of the community. Once again, it is extremely important that as we develop regulations and/or review regulations, it not be just an exercise internally. Currently under our request for regulation we do have a section that speaks to having to consult with the stakeholders, consult with the public.

Assessing the impacts, costs, and benefits of each option for consumers, business, government, and of course the greater community, deciding on the alternatives on the basis of transparent criteria, and adopting the options of the greatest net benefit to the

community and developing a strategy to implement and enforce and review the preferred regulatory actions to ensure that regulation is relevant and effective over time. Now, I spoke briefly earlier about the need for having a way of measuring these regulations, and I believe that up front we have to make sure that we address certain issues so that in the process of approving regulations, we need to be able to look at the various terms and categories. I think that we can do that, and that will help with the measurement at the end.

I think we have to look at things like the environmental quality, the quality of life or health, social and cultural effects – that is, the awareness and tolerance, et cetera – changes in prices and quality of products, the effects on competitiveness and/or market openness, reduction in compliance and administrative costs, increasing market choice, improvements in information. Those are just a few of the things that I believe need to be incorporated. While some of them are alluded to in the principles of the act, I believe that there need to be some more things added to it. Certainly, if and when this reaches the committee stage, I would be wanting to look at some of those things.

There's going to be a lot of activity in the whole regulatory reform and all of the regulations because as TILMA develops, there is going to be the necessity to look at a lot of regulations. Currently we're asking departments to do an inventory. I'm not saying numbers; I'm saying do an inventory so that they know exactly what it is that they have in the form of regulations, that they know the quality of those regulations. Do they meet these other criteria that we're setting out for those regulations? Then as we try to synchronize with the TILMA process, we're going to have to be looking at how our regulations fit with the B.C. regulations.

Of course, another very good process that's developing – I'm very pleased to say that as I understand it, the city of Edmonton is going to be involved in it – is a system called BizPaL. What this system will do over time – it's a great undertaking, but what we're trying to do is make sure that business knows through one window what the municipal requirements are, for example, to establish a restaurant. What kind of regulations are there as far as the province is concerned? Then in some cases there are federal regulations that get involved. On the municipal side, of course, you get into all things like land-use bylaws and building codes that the city may have. Of course, on the provincial side, once again, you get into things like the building code.

There's another area that's very critical that we address, and I just don't see in the bill where this would be handled. For example, a restaurant: you're going to be affected by many government departments, not only the municipal but government departments. We've got to be able to say, whether it be to one ministry, "you will take the lead," and then it will be spread across the other ministries that are involved. Somehow we have to through the regulatory process determine which are involved and who should be taking the lead, which ministry, because that's one of the things that is extremely frustrating.

The Speaker: I think the speaking time is over.

Mr. Lund: Oh, I'm sorry. Just one thing.

The Speaker: No. You'd need unanimous consent for that. Sorry. It doesn't quite work that way.

The hon. Member for Edmonton-Ellerslie.

Mr. Agnihotri: Thank you, Mr. Speaker. I am pleased to rise and speak in support of Bill 213, Regulatory Accountability and Transparency Act. The purpose of this bill is simply to ensure that current and proposed regulations in regard to red tape for businesses

and nonprofit organizations are necessary. It attempts to streamline red tape for businesses and nonprofit organizations and citizens to reduce what is an unnecessary cost.

Alberta Liberals have been strong advocates of this type of legislation in the past and applaud this member for bringing this bill forward. It is a bill worthy of support. This bill forces the government to do something that has been absent in Alberta for a long, long time: be accountable to the people and to the Legislative Assembly. It opens the doors that have been closed for so long. It's in the public interest and, as such, should be supported. Businesses in Alberta are drowning in red tape. It is time to throw them a lifeline.

This legislation is a long time coming, something that small- and medium-sized businesses everywhere have been calling for. Mr. Speaker, those calls have previously fallen on deaf ears. We have an opportunity to do the right thing here today, the right thing for Alberta businesses. A vote against this bill is a vote against transparency and accountability, and we must make effective and sustainable red tape relief a top priority.

2:50

Mr. Speaker, this bill is designed to eliminate unnecessary government red tape that poses a significant financial burden and a significant time burden on businesses, nonprofit organizations, and private citizens. This bill will place the burden on government to ensure that all regulations that are being posed or that will be passed in the future dealing with accountability and compliance will be subject to full process to ensure that they are absolutely necessary. It will ensure that all government regulations have an element of accountability to ensure that they are necessary regulations and that alternatives to regulations do not exist.

Bill 213 places a specific timeline on the Minister of Justice to develop a regulatory review, regulatory reform plans, and progress reports for all new regulations. In other words, Mr. Speaker, it forces government to undergo a process before passing new regulations to ensure necessity. It also addresses public documents that the minister is required to make public again. It puts into legislation a process to be followed regarding documents that the minister is required to make public. The documents must be placed before the Legislature and must be made available to the general public.

These are the strong accountability functions. Mr. Speaker, this Bill 213 is about accountability. You know, businesspeople are facing lots of burdens, especially fiscal responsibility, taxing, and spending, and burdens of regulations, especially increases in accountability. Government, I think, must reduce the burden on businesspeople in this area.

This bill also is about compliance, Mr. Speaker. I receive numerous phone calls and e-mails from some businesses in my riding. They are facing, you know, lots of problems with labour shortages. We all know that this is a problem, not only in my riding but all over Alberta, and lots of businesspeople are facing this.

Even the temporary foreign workers: there are so many flaws there. You know, they are blaming temporary foreign workers even though this program is a federal program. But they expect the Alberta government, because the Alberta government has signed onto this accord recently – they think that that accord is not strong enough. It is not in their favour because sometimes they get approval from HRDC, which is a totally federal government department, and once they get approval from them, they send those papers back to their potential employees back home, wherever those people are coming from, maybe in Asia, maybe in Europe.

They are facing lots of problems. Even, you know, the employees or some agencies overseas pay an application fee, and after that they don't get any response. What they get is just a simple letter that they

don't qualify for it; their financial situation is not sound enough. Sometimes they get a denial letter just saying: your intention is not to work in Alberta; maybe your intention is to stay here permanently. Those people are telling me that, you know, if their financial situation is so strong, why would they come to Canada to work as a temporary foreign worker?

It is understood, Mr. Speaker, that there are lots of other problems that foreign workers are facing in this country, especially accommodation, and inflation is going up. Everything, especially in Alberta recently, has gone up, and they are facing financial problems here as well.

I'm not criticizing only the department, federal government or the provincial government. There are lots of flaws in this system, especially in some agencies working overseas – we don't have any control – and some agencies working here. Employees are also, you know, playing some dirty games sometimes. I heard that some employees also come here on a sponsorship for a certain employer, and then afterwards they slip, and they work for somebody else.

Businesspeople are complaining that the labour shortage is still a big headache for them. It's a big problem, and it's a hurdle. The government of Alberta, I mean, has signed an agreement with the federal government, and they should talk to their Tory cousins in Ottawa and do something about it. I said that definitely, when I speak in the Legislature, I will pass on your message. I hope the ministers concerned are listening.

Even last session I introduced a motion to not rely on temporary foreign workers, to increase the number of PRs, permanent residents, or immigration in this country. These messages should be sent to the federal government so that it helps not only the citizens of Canada; it should help businesspeople. Also, some organizations working here who are nonpolitical, nonreligious: it might help them, too.

Thank you.

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

Mr. Griffiths: Thank you, Mr. Speaker. It's a pleasure for me to rise today to speak to Bill 213. I'd like to begin my speech by complimenting the Member for Edmonton-Manning on his hard work and dedication to this issue. It's an incredibly timely issue that needs to be addressed. Alberta has work to do on regulatory reduction, so I appreciate greatly the member's foresight and his dedication to this. I'm sure small business, volunteer organizations, and all Albertans in general appreciate him bringing this to the discussion in the Assembly today.

Mr. Speaker, I would like to move that

Bill 213, Regulatory Accountability and Transparency Act, be not now read a second time but that the subject matter of the bill be referred to the Standing Committee on Government Services pursuant to temporary Standing Order 74.2.

Thank you very much.

This bill focuses, Mr. Speaker, on counting regulations, which is an incredibly important part of any regulatory review process that this government would undertake. It creates a visual picture of the regulations, and quite frankly it brings to the consciousness of Albertans and bureaucrats as well as members of this Assembly just how many regulations there are and how encompassing they can be and perhaps on occasion even a barrier to growth and productivity in this province.

3:00

Mr. Speaker, that is not the entire process that needs to be undertaken to make sure that we review regulations to minimize the burden that we place on society with the regulations that we have. It's critical that we're able to do a cost-benefit analysis of all the regulations. In fact, some statistics and some numbers show – and

I think some other members have mentioned them – that for every dollar the government spends to administer a regulation, the private sector spends \$20 trying to comply with that regulation. So when we come up with new regulations, it's critical that we do a cost-benefit analysis to determine just how much it will cost the voluntary sector or private business or any other segment of our economy or society that has to adapt to that regulation.

It's also critical – and I've heard a couple of other members discuss it here as well – that we're able to do a time-cost analysis on what regulations mean to sectors of the economy. In fact, I know some members here have cited information that some Albertans spend up to nine hours a week just trying to comply with regulations that we've set in this province, whether it's a small business or a voluntary organization. Mr. Speaker, that can translate into upwards of 40 days per year in just complying with government regulations. If we're going to do this analysis, it's very important – and this bill is critical – that we count the regulations, but it's also important that we do a cost-benefit analysis and that we do a time-cost analysis.

Mr. Speaker, one thing that I don't think I heard one member of this Assembly mention is that we need some place for people within society to actually come and speak to the government about a particular regulation that's creating a tremendous burden on their business or their sector of the economy or their sector of society. We hear all the time about the problems with regulations and how much of a burden they are, but very rarely have any of my constituents or the people that I've dealt with in the business community or the volunteer community come forward and said: this is the regulation that's creating a burden. They talk about regulations in general all the time. If there was some body or organization or institution set up within government that allowed members of the public to come and cite specific regulations and educate us on just what a particular burden it was to them and their business or their public-sector organization, it would really help us to address the regulatory burden.

Mr. Speaker, this field committee that I've asked by motion that this bill be referred to would provide an opportunity to discuss, examine, and recommend changes to this bill in an open and transparent manner. This process has the potential to determine the best means available when addressing the important issue of regulatory reform and to incorporate those actions with those currently being undertaken by this government. I know that there are many actions being undertaken by this government to reduce the regulatory burden. This process would allow a full evaluation, and it would allow review by the public, because even though we have some brilliant members in this House, we can't consider everything all of the time. The purpose of creating those standing committees was to get input from the public that has to deal with the regulations that we're dealing with. This regulatory efficiency is an important issue to this government, and ensuring that the system remains vibrant is essential to the prosperity of this great province.

I commend the member for bringing this forward. I think it's timely. I think he deserves the recognition of this House and the recognition of the public, both the private-sector businesses and the voluntary sector, because they face a lot of regulatory burdens as well that we often don't consider.

With that, Mr. Speaker, I thank you.

The Speaker: Hon. members, we have an amendment to Bill 213. First of all, we'll proceed with the hon. Member for Edmonton-McClung.

Hon. Member for Drayton Valley-Calmar, did you want to get in on this amendment?

Rev. Abbott: No.

The Speaker: We'll proceed, then. The hon. Member for Edmonton-McClung, then the hon. Member for Calgary-Currie.

Mr. Elsalhy: Thank you very much, Mr. Speaker, for this opportunity. I have to start as well by thanking the hon. sponsor of Bill 213, the Member for Edmonton-Manning. I'm thanking him because he's raising awareness about this issue that, as was said before, does not only apply to members of the business community, in particular the small business community, but also community leagues, nonprofit organizations, volunteer-run organizations, and so on.

I also have to put on the record my appreciation for the effort he made to make every member of this House aware of his bill, you know, offering some background information and offering justification for why he was sponsoring this bill, which really should be adopted by all private members in this House. The model of sharing information ahead of time to try to enlighten those members as to why and the rationale behind it and, hopefully, to secure their support, as was said before, is something that has been part of the Alberta Liberal platform for some time. As such, we have no problem supporting this initiative.

Now to the motion as introduced by the hon. Member for Battle River-Wainwright. While I'm not necessarily opposed to referring this particular piece of legislation, the idea that's contained in it, the subject matter that it raises, to one of the four standing policy field committees, I have to question what I am starting to see as a pattern developing here in this Assembly and in this government, Mr. Speaker. By that pattern I am referencing the fact that it seems to be the easiest way out of having to make a decision by referring an idea or a bill to a committee or a task force. We have different names for these things now. Then these people meet, and they have hearings, and they invite submissions. A report or a file is issued with recommendations and suggestions, and then most of the time it gets ignored. I don't want to see this happen today, and I don't want to see this happen to this idea in particular.

The regulatory burden is not only huge, but it's increasing, Mr. Speaker, and we need to definitely address it. So I would rather see this House commit today and make the decision today and pass this bill today because I haven't heard anybody in this House from either side who has expressed any major concern to it. The opposition as well as members from the government have both indicated that, yes, it is timely, yes, it is important, yes, we have heard the cries and the plight of those people from the small business community, from the nonprofits, and, yes, we agree. So why delay it further? Why send it to the committee? The committee takes its time, and then the committee reports back to the Assembly. We're going to still make the same decision, I'm hoping, which is to reduce regulatory burdens and to make our regulations more efficient.

So I think that it's an unnecessary step. I think that it's wasting time. You know, in my opinion – maybe I'm a bit cynical now, having been here for three years – it just stalls. I haven't heard anybody opposed to the idea, so let's get on with it, and let's vote today. That is basically my two cents with respect to this motion to refer Bill 213.

Now, I did some research, Mr. Speaker, and this is not new. We're talking about an issue, you know, that is not an innovative thing that the House is discussing or contemplating. We've had task forces, and we've had review committees for as long back as the library here can produce records. I actually went and asked the Legislature Library, and they produced one of the reports. I'm telling you, we seem to have task forces galore in this province. We have reports galore. Here is the regulatory reform task force report from 1997, the status report, fairly thick. It talks about what should be done. The next year the same thing, 1998 status report, even thicker. Nothing has been done yet. The Regulatory Review

Secretariat, which evolved from the earlier task force, 1999 status report, extremely enlightening and very useful had it been implemented. Then you move on, Mr. Speaker, to 2001 as well, the Regulatory Review Secretariat status report, and so on. I didn't ask for all those records. I just asked for a sampling, and the Leg. Library was really generous and shared these with me.

This secretariat has not been eliminated or struck. It is still here. So why do we need to do this outside of something that is already here? Three members of this Assembly sit on it. One of them is the hon. Member for Rocky Mountain House, who has spoken earlier. Another member is the MLA for Calgary-Bow, and a third member is the MLA for Lesser Slave Lake. I mean, these people sit on this committee supposedly to study this. I don't think we need another committee, Mr. Speaker.

Thank you.

The Speaker: On the amendment the hon. Member for Calgary-Currie, as I've already recognized, followed by the hon. Member for Whitecourt-St. Anne.

3:10

Mr. Taylor: Yes. Thank you, Mr. Speaker. As deputy chair of one of the policy field committees I find this amendment interesting. I'm a little bit torn about the direction in which, perhaps, the House should proceed because I do believe the policy field committees have done some good work in their initial efforts over the spring, summer, and fall, and I believe that they have the potential to continue to do good work.

Having said that, I tend to support my colleague from Edmonton-McClung that we are adding in here a step that I don't think needs to be taken at this time, Mr. Speaker. I'm referring back to *Hansard* on May 14, 2007, when private member's Bill 207, which was introduced by my colleague the hon. Member for Edmonton-Mill Woods, was up for second reading debate in this House and there was an attempt to bring in a similar amendment at that point to refer Bill 207 to another policy field committee, I believe community services rather than government services on that one. There were some quite strong arguments made by members on the government side of the House, albeit speaking, I am sure, privately, for themselves and for no one else, because it was a private member's business day, some fairly convincing arguments against referring that bill to the policy field committee. One member said that it should be debated here and now on the floor of the House, for instance, and there were other comments like that.

I'm reminded as well – although I wish I could reference this for today's *Hansard*, and I can't. I think I picked it up on a TV show somewhere some years ago. Maybe it was that British parliamentary satire *Yes Minister* – I'm not sure – where it would have been Sir Humphrey, if that was the show, the chief public servant advising the minister, who would have said: Mr. Minister, we're all in favour of cutting red tape as long as we cut it lengthwise. It strikes me that that's what we're attempting to do here. We're attempting to drag out the process of dealing with the red tape that small businesses across my constituency and all over this province are strangling in, and I don't think that we need to do that.

With respect to the hon. Member for Battle River-Wainwright and his concern about, I guess, the breadth and scope of regulations that could be involved here, if this Bill 213, the Regulatory Accountability and Transparency Act, passes today on second reading, then we can refer it to the Committee of the Whole. Mr. Speaker, I believe we can do much of the same work in Committee of the Whole. I see no reason why we can't.

Now, again, as I said before, I believe that the policy field committees can do fine work. They can dig deeper. They can do all sorts of things that we cannot do at committee stage in this House.

They can call witnesses. They can commission reports, studies, et cetera, et cetera. But that, in my view, might be an appropriate tack to take after Bill 213 proceeds through the House.

I think Bill 213 gives the government the discretion to set a reduction target in the number of regulations if it chooses. It does not require or specify that the number of regulations has to be reduced, that sort of thing. I think that Bill 213, if passed by this House, can set a general tone – and perhaps we can get quite specific at the Committee of the Whole stage – for where the province wants to go on regulatory accountability and transparency. I mean, there are a few bad apples in any bunch, but you'd be hard pressed to find very many small businesspeople who would not acknowledge that there is the need for some, you know, government regulation of their business.

I take it I'm done. Thank you.

The Speaker: I hesitate to interrupt the hon. Member for Calgary-Currie, but under Standing Order 8(7)(a)(i), which provides up to five minutes for the sponsor of a private member's public bill to close debate, I would invite the hon. Member for Edmonton-Manning to close debate on Bill 213 as amended with an amendment in place. Proceed.

Mr. Backs: Just a quick point of clarification. Is the amendment still on?

The Speaker: Hon. member, we'll proceed to hear you close the debate. Then we'll proceed to take the vote, first on the amendment, and then, depending on the resolution of the amendment, we could go forward to the second vote.

Mr. Backs: Thank you, Mr. Speaker. I'm very, very pleased to have seen such interest in this bill. There were very many speakers – I counted 17 – who have fully spoken to this bill. I think that that underscores the importance in many Albertans' minds, in many small businesses, in many voluntary organizations, and even in many organizations in the public sector of concerns over the time they spend on the regulatory burden and how to deal with it. We've had a number of, you know, questions that have been raised in question period that have looked at this issue, such as the issue that looked to the problems with the log books in the transportation industry and today in the issue of smart cards, perhaps, in health care and the issue of waiting lists and things like that. These are all parts of the paper burden, the time burden, the waiting that has made for some inefficiency in our society.

In reality, you know, the success of a society is defined by many things, but one of the things is its efficiency, and one of the things is its ability to do things in a way that doesn't waste the time of its citizens. I think there are many things that are in this Bill 213 that can work to do that. I think that many people have worked to bring matters forward on this, with many good comments from all of the 17 speakers on this issue. I really don't have time in the five minutes to speak to all of them although I would like to do so and thank them all for their many comments.

There has been brought to me the need for some improvements, some things that could be brought forward on the issue from further public hearings and from further debate in committee. There are, of course, two options to that. That's to go to third reading, and the other is to go to a policy field committee. You know, I'm torn somewhat on which would be the best, but I would support the amendment from the Member for Battle River-Wainwright in that I think it is important to take that extra public consultation and to put that forward to a little bit more sober second thought, you might call it, over a bit of a longer period of time even though we would like

to see that brought in in departments and in areas in a way and in a fashion that would come to implement some of these matters sooner. I think the fact that we have brought a lot of this to light will certainly have a psychological effect on many of the rule-makers.

With that, I thank the Assembly for their support in the many words that have been spoken on this one, and I close, Mr. Speaker.

[Motion on amendment to second reading of Bill 213 carried]

head: 3:20 **Government Bills and Orders**
Committee of the Whole

[Mr. Shariff in the chair]

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

Bill 212
Safer Communities and Neighbourhoods Act

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

Mr. Johnston: Thank you, Mr. Chairman. It is an honour to rise on behalf of the constituency of Calgary-Hays and begin the Committee of the Whole debate on Bill 212, Safer Communities and Neighbourhoods Act. If passed, this innovative piece of legislation has the potential to bring community safety and quality of life to a higher level in Alberta. I believe that this is what we all strive for.

I would like to thank the members of this Assembly for the tremendous support they have shown throughout the process. I believe that the ways this bill will help our communities are numerous and far reaching. As legislators and representatives of our constituents we owe it to Albertans to thoroughly consider all aspects of legislation that can increase safety in our province. I commend my colleagues for doing just that.

Mr. Chairman, I would like to take this opportunity to address some of the remaining questions which were previously raised by the opposition. During second reading debate the hon. Member for Edmonton-Beverly-Clareview raised concerns regarding the possibility that drug houses would move from neighbourhood to neighbourhood with the measures called for by Bill 212. I believe the diverse mechanisms within this legislation properly deal with this apprehension. The act is able to address this concern because it attacks drug and prostitution operations from two separate directions.

First, if it is found that the manufacturing, purchasing, sale, or consumption of intoxicants is occurring on a property, Bill 212 can shut the operation down by requiring all implicated persons to vacate the property and not allow them to re-enter or reoccupy it. Furthermore, the Court of Queen's Bench can require the safety agency to close the property for use and occupation for up to 90 days. This means that even in the event that an individual is found to be responsible for breaking the law and is subsequently sent to jail, the property itself would no longer be available for use. The individual in prison would not be able to ask associates to continue the disturbing behaviours, as is sometimes the case. Therefore, drug production would cease on that property.

Secondly, Mr. Chairman, any time and place that a drug or prostitution operation is brought to the attention of the agency proposed by this bill, pending a third investigation it can be shut down no matter what community it is spotted and reported in, and if the operation moves, it can be reported, investigated, and shut down again. Committing a crime is partly a matter of convenience. If a

drug operation repeatedly gets shut down due to community observations, eventually these individuals will get frustrated and cease production in Alberta. They may find somewhere else more convenient, without observant eyes and ears in every direction, but thanks to this proposed legislation that place will likely be outside the great neighbourhoods of this province.

Mr. Chairman, while the same member conceded that Bill 212 properly deals with the supply of illicit substances, he was concerned about the demand side of drugs. I am proud to say that one of the spectacular features of this proposed act is its preventative nature and capabilities. For instance, if someone in the community notices a lot of traffic at an individual's home and witnesses increasingly disturbing situations occurring on the property, the community member can call the agency for help. If the agency finds that activities are occurring that negatively affect the community but are not beyond repair, the agency can address the situation in a community-based manner.

In addition, those who may not be heavily involved in disturbing behaviours may realize that it is not worth losing their tenancy agreement over these activities and, consequently, cease them. This negative attention from the law holds the potential to lead a person out of trouble before the situation becomes too grave and before they are tainted with a criminal record. It is in this manner that I believe the act addresses demand. It identifies issues before they get out of hand and before addictions are created.

Mr. Chairman, the Member for Edmonton-Glenora voiced concern about the role of peace officers within the act. In part 3 it is stated that "if requested to do so, a peace officer shall provide any assistance required by an inspector or the Director in the performance of [their] duties." This just means that if an occupant of a property and any other persons at the property do not comply with a request to leave the property, the director may obtain the assistance of a peace officer to remove them from the property. The use of peace officers in this case would be a precaution in the event that the director fears complications.

The same member also had a concern with who exactly the director would use as investigators. In the jurisdictions which already use this legislation, directors employ individuals with extensive investigative experience. Their know-how is crucial to the success of this proposed act because these individuals are sworn in by the courts as experts. I assure the member that the investigators are of the highest calibre.

Lastly, I would like to address his concerns regarding the relationship of investigations under this act and those of the municipal police. Again, in the jurisdictions I have visited, these two bodies operate in a co-operative manner. The investigations mandated under the Safer Communities and Neighbourhoods Act do not get in the way of police investigations since they keep in constant communication with each other and work as allies.

If I may, Mr. Chairman, I would like to move a package of amendments to the bill and take a few moments to briefly outline them.

The Deputy Chair: Hon. member, we need to make sure that the amendments are circulated.

Mr. Johnston: Thank you, Mr. Chair.

The Deputy Chair: Hon. members, the amendment that is being circulated to you shall be referred to as amendment A1.

Hon. Member for Calgary-Hays, you may proceed.

Mr. Johnston: Amendment A allows the director to delegate his or her powers, duties, or functions to an employee under the adminis-

tration of the minister. Amendments B, J, and Q call for the Mobile Home Sites Tenancies Act to be included under the jurisdiction of this bill. Amendments C, K, and L clarify which certificates of title are affected by a community safety order. Amendments D and P are simply style changes, and amendments E and M switch the term "interest" to "caveat" to be consistent with terms used in Alberta. Amendment E also ensures that caveats cannot be lapsed.

Amendment F clarifies the collection of information during the investigative process. Amendment G is a grammatical change. Amendment H seeks to strike out section 32(3) to be in sync with Alberta's Torrens system. Amendment I removes the term "summary conviction" since the term is not used in Alberta. Amendments N and O are cross-reference changes. Amendment R is a terminology change.

Mr. Chairman, I ask that these amendments be brought forward as one package if that is at all possible and acceptable to the committee. While these amendments are very minor, they will go far to strengthen Bill 212. The Safer Communities and Neighbourhoods Act thoroughly confronts undesirable activities in our province. It presents many different approaches to deal with crime and disruptive behaviours. Therefore, we have a lot to consider here today.

I look forward to hearing the debate on the Safer Communities and Neighbourhoods Act and the amendments I have brought forward. Thank you, Mr. Chairman.

The Deputy Chair: Anybody on the amendment? The hon. Member for Edmonton-Mill Woods.

Mrs. Mather: Thank you, Mr. Chair. I'm glad to speak again and add some further thoughts to the debate on Bill 212. As I look at these amendments, it appears that they're mostly housekeeping but also clarifying some things in terms of delegation. "The Director may delegate the Director's powers, duties or functions under this Act to an employee under the administration of the Minister." I guess I'd like to have an opportunity to ask for some clarification on that. The other parts of the amendment I think are quite clear, and I would support them.

3:30

Bill 212's purpose is to enhance community and neighbourhood safety by providing a way for people within the community to make a complaint to the government about properties that habitually negatively impact the health, safety, or security of one or more persons in a neighbourhood and/or interfere with the peaceful enjoyment of one or more properties in a community or neighbourhood. This bill will provide for a government agency through the Ministry of the Solicitor General and Public Safety to respond to these complaints and put an end to activity that adversely affects or harms a neighbourhood. I'm thinking that this amendment means that that power can be delegated to an employee.

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 at risk. 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 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.

The individuals in my constituency that I've talked to about this believe that these restrictions will really be effective in reducing

dangerous activities in our communities and that they are a creative way to address the concerns that they have that there is a compromise to safety and the quality of life in our community. This forces property owners who are involved in activities which present a danger to communities to vacate the premises for a period of time, and we're therefore taking away their opportunity to put neighbours at risk. This is particularly true when we're talking about drug houses, where property is, I guess, attached to hazardous activities because the police can't know everything, and individuals in the community can take responsibility and report these things.

Bill 212 represents an opportunity for improvement because it outlines a specific process of reducing activities which can harm the public. It gives an opportunity to make our province a safer place for children by being proactive and focusing on the prevention rather than waiting for harm or dangerousness to reach a level of crisis. I really like that approach. I think this legislation ends up controlling dangerous activity through civil rather than criminal sanctions, and it allows us as Assembly members to take direct actions to protect Albertans. All Albertans have a right to live in a safe and secure environment.

The provisions of this proposed act empower citizens to identify activities which could disrupt families' healthy existence, and it provides a direct route to address criminals. With immediate and direct attention as is called for with Bill 212 – and I don't see anything in the amendments changing that – disruptive activity taking place in communities will not be given the opportunity to flourish.

A number of other jurisdictions have already passed very similar versions of this legislation. The provinces of Saskatchewan, Manitoba, and Nova Scotia and Yukon have all brought forth legislation similar to this, especially the Saskatchewan version.

This legislation empowers citizens to take back control of their neighbourhoods by reporting problem nuisances and businesses. It will also hold property owners accountable for threatening or disturbing activities regularly taking place on their properties. I really think that that's an important step, and I applaud the Member for Calgary-Hays for bringing this forward.

We know that the police do not have the resources to deal with all the complaints they receive even if the information is reliable. There simply are not enough police officers, so this bill will create another investigative agency, staffed by trained investigators. The member had that explained to me the other day. They will be trained to deal with problem properties in neighbourhoods where illegal activities are occurring. Any tool to deal with the rise in crime in Alberta is welcome.

I'm happy to support Bill 212. I do have a question, though, about the first amendment that's suggested here, 1.1. I wonder if I could get that explained more clearly.

The Deputy Chair: The hon. Member for Calgary-Fish Creek.

Mrs. Forsyth: Thank you, Mr. Chairman. I rise today to contribute to the Committee of the Whole debate on Bill 212, the Safer Communities and Neighbourhoods Act. After a very positive second reading debate the hon. Member for Calgary-Hays has moved amendments to the legislation in order to further strengthen the bill. With the proposal of amendment A the powers, duties, and functions of the director may be delegated to an employee under the administration of the Solicitor General and Minister of Public Security. This would allow the acting director to deal with the various requirements that may arise under the proposed act.

Mr. Chairman, the director plays a significant role in many aspects of Bill 212. Within the Safer Communities and Neighbourhoods Act there are certain necessary functions that only the director can

accomplish. This role is vital to this bill. For example, complaints are given by concerned Albertans to the director. The director then assesses their validity. Section 3 of the act explains that complaints may be given to the director when a person believes their community is being adversely affected by activities within it or if property in the community is being habitually used for a specific purpose. The director is required to process the complaints by checking their validity and completeness before deciding the proper course of action. This will help ensure that those who have made complaints to the director will have their case heard as quickly as possible.

Amendment A, which has been proposed for Bill 212, allows for action to be taken by the acting director upon receiving the complaint. The transfer of duties will reduce the backlog of cases for the director upon returning to the position and ensures that concerns in the community are being dealt with in an expedient manner.

Under section 4 the director has the authority, upon receiving the complaint, to act in the best interest of the community. This includes investigating the complaint, sending a warning letter to the appropriate party, applying to the Court of Queen's Bench for a community safety order, and making a decision not to act in certain cases.

Mr. Chairman, with respect to the community safety order there is a provision which states that a complaint can be taken to court on an urgent basis. This may require the director to close the property from use and occupation on a specific day and keep it closed for up to 90 days.

A director can also apply to vary any order. Consequently, proposed amendment A would allow the director authority to be exercised when an order needs to be modified. This accommodates those who are indirectly affected by the actions taken by the director or the acting director. It can assist families who are not directly involved with the complaint to continue their daily routine. This may require further investigation, but the option to retain possession of their property will be available. Conversely, the acting director would have the authority to remove those remaining within the property upon further complaints.

While a community safety order may also be modified by a resident of the property, it must be sent to the director. This can discontinue an application for a complaint or the closure of a property. Furthermore, the modification of any order might need the appearance of the director in certain cases. It may also be necessary for a director or acting director to present the case. When the director deems the application for either a community safety order or an application for a variation frivolous or not in the public's interest, that would be a need for his or her presence in court. This would ensure that the director's position is heard and that the rationale of each case is presented.

The proposed amendment listed as amendment A provides an opportunity to address the concerns through the delegation of the director's powers and duties if need be.

Mr. Chairman, section 24 of the Safer Communities and Neighbourhoods Act states that it is the responsibility of the director to handle property closures appropriately. Closure of a property once a community safety order is granted would require the director to be available to ensure that the copy of the order is both given to the respondent as well as being posted in a conspicuous place on the property. The director may enter the property to close it and keep it closed with or without the consent of the property owner.

Also, under Bill 212 the director would have the authority to take any measures in order to safely and effectively close the property and keep it closed. This includes ordering the occupants to vacate the premises, attaching locks or other secure devices, erecting fences, changing or terminating utility services, and/or making

alterations to the property to ensure that it is not a hazard while it is being closed.

3:40

Amendment A as proposed would allow for the employee under the authority of the Solicitor General and Minister of Public Safety to enact the safest possible solutions available under Bill 212 if the director was temporarily unavailable. According to the Safer Communities and Neighbourhoods Act the director must ensure the necessary means to achieve that a property closure is met. If a director is not around when a property closure is scheduled, the process might not be handled smoothly.

Finally, Mr. Chairman, the availability of a director is important to Bill 212 for information-gathering purposes. The investigation of any complaint would require the gathering of all necessary facts. Section 29 goes into details on the authority of the director with respect to information gathering. The director is authorized to collect data on those in question from various sources, including public bodies. Without a director present, access to the proper information would pose a challenge to the investigation. The ability of the director to gather crucial information gives the bill its strength. Through proposed amendment A, which allows for the delegation of the director's powers, duties, or functions, an investigation can be conducted thoroughly and accurately in all cases.

In conclusion, Bill 212 as proposed via amendment A has granted the authority of the director to be given to an employee under the administration of the minister. It gives the authoritative power necessary to continue with and carry out the objectives in Bill 212. By doing so, the director's role would always be available to provide safe communities for all Albertans.

The safety of communities throughout this province should not be put on hold for any circumstance no matter what may happen. Amendment A as proposed would not allow for security to be jeopardized. Mr. Chairman, I feel that Bill 212 is a positive piece of legislation and that the proposed amendment to section 1 will help strengthen it.

Thank you.

The Deputy Chair: The hon. Member for Lethbridge-East.

Ms Pastoor: Thank you, Mr. Chair. I would like to address the amendment, 1.1. I have a concern with that in that I really would like a clarification from the mover of this amendment as to who exactly that employee could be. I think this is a very good bill, and I've seen effective community behaviours in helping to identify crack houses or whatever. However, I see a problem with the director and going to the employee, who, I assume, will be one of the government police. Then I'm not sure how the two would actually work with the police department that's in charge of that particular area. I think I would like a little clearer definition on how that exactly would work in terms of working with the police departments that are responsible.

When I hear that a complaint can be made to a director and then it's going to go here and then it's going to go there, in that time frame a good gang could have had that house sold and moved out in two seconds flat. I'm just wondering how quickly these directors and these employees would be able to operate because I really can see people moving in and out of these houses as rapidly as they need to so that they don't get caught.

Thank you.

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

Dr. Pannu: Thank you, Mr. Chairman. I rise to speak on Bill 212, Safer Communities and Neighbourhoods Act. Certainly, this bill, as

many members have noted, is a step in the right direction. Illegal activity, criminal activity in communities and neighbourhoods does increasingly present a serious challenge and often a threat to the safety of community members, people who live there, children, and others. So the provisions of this bill certainly are an attempt to address this growing threat to security of neighbourhoods and safety of neighbourhoods and communities.

Most of the provisions of the bill deal with what responsibilities the director will have and how the director will discharge those responsibilities. There's a fair bit of detail with respect to the responsibilities not only of the director but of other people, such as inspectors, who may be empowered by the director or by this act to undertake activities, all of which taken together will help prevent the incidence of crime in these communities and, if necessary, to be able to close down buildings and residences where such activities may take place.

There are provisions in the act which allow appeals to the orders or the decisions made by the director or people working on the director's behalf. So there is a due process provision duly included in here, which is a good thing, Mr. Chairman.

There's a fair bit of detail from section 24 onwards with respect to the closure of properties by the director and matters related to the recovery of costs in closing the property.

The bill, Mr. Chairman, is a good one. The amendments that are made: most of them are changes to language, either fixing minor grammatical problems or the terms that are used. The bill follows quite closely bills that are already law in other provinces. Manitoba has had this kind of bill in place for five years; Saskatchewan, over three. Nova Scotia and the Northwest Territories or Yukon have had similar bills proclaimed more recently, in the last year or so.

The usefulness of this kind of piece of legislation is demonstrated by the practices that have ensued and the ability of the governments in other provinces to get after the individuals or groups, gangs or criminals, individuals who take advantage of the relative anonymity of neighbourhoods, set up their operations related to illegal drugs and whatever have you in those places, and use those as safe houses for engaging in activities which certainly are to the detriment of both communities and individuals living in those communities. Particularly, I think our concern must focus on the exposure of children to such illegal and criminal activities.

Most of the sections of amendment A1 are quite good. This will improve the bill, clarify the bill, make it consistent with the language that is used in this province as distinct from the language that may be used in other provincial and territorial jurisdictions.

The concern expressed about the very first element in amendment A, which has to do with allowing the director to delegate his or her powers, duties, or functions to an employee under the administration of the minister, is one that can be addressed, I guess, in the development of regulations. I think the suggestion that was made that there is a need for clarification as to what level of employees should be able to receive the delegation of powers from the director is a good suggestion, but I think it's a matter that perhaps is better dealt with in the development of regulation pursuant to the passage of this act here in this Assembly.

One concern that I have, Mr. Chairman, with respect to the bill as it stands is a matter that was raised by the Information and Privacy Commissioner. I just want to get to the letter. The office of the Information and Privacy Commissioner and the commissioner in particular, I think, rightly draw attention to the section of the bill which will override the Freedom of Information and Protection of Privacy Act. The point that the commissioner has made is that this is unnecessary. The section that he refers to is section 30(2) of Bill 212. The commissioner clearly says that it is unnecessary to have that section in the bill. In fact, he recommends that this particular

section be deleted. This is the right time in the debate on the bill, when the bill is in the committee, for the recommendation made by the commissioner to receive attention, I think.

3:50

The last paragraph of the news release that was issued by the commissioner's office I think makes an important point, and I will just read that particular paragraph – it's a short one – into the record, Mr. Chairman. The last paragraph states:

The FOIP Act sets out the Alberta Government's commitment for openness, accountability and protection of privacy. The Commissioner is concerned that override provisions which are unnecessary fail to recognize the purpose and objectives of the FOIP Act.

That's a fairly strong statement, in my judgment, Mr. Chairman, coming from the commissioner. I think we shouldn't be passing legislation in this House that suffers from that kind of failure and fails to recognize the purpose and objectives of another act of this Legislature. The concern, I think, is about section 30(2), and the concern deals with the ability of this act to ensure that the informant or a member of the community who lodges a complaint to the director has his or her identity kept confidential. The confidentiality issue is certainly an important one, but the commissioner's own observations suggest that the provisions of the FOIP Act already ensure that such confidentiality can be maintained and that the identity of the person who lodges the complaint with the director can be fully protected under the provisions of the FOIP Act. That's my only concern about the amendment: that it omits to include in the list of various elements of amendment A1 the deletion of this section 30(2) of Bill 212.

Thank you.

The Deputy Chair: The hon. Member for Cypress-Medicine Hat.

Mr. Mittel: Thank you, Mr. Chairman. It's my pleasure to rise today and join the discussion on Bill 212, Safer Communities and Neighbourhoods Act, at the committee stage. Before I start, Mr. Chairman, I'd like to acknowledge the efforts of the Member for Calgary-Hays. This bill represents an example of how we can move one step closer to making our communities safer for all Albertans. This legislation could empower Alberta citizens and enhance their sense of ownership and responsibility within the community while lessening the load on our hard-working police staff. As a government we have committed to creating safe and secure communities throughout the province, and this bill is a step in the right direction.

With that said, Mr. Chairman, I'll now speak primarily to the proposed amendments to section 29 of the act. This section is important to the overarching structure of the bill as it describes the role of the director and his abilities regarding the collection of information from the accused. The proposed amendment seeks to add the words "including personal information" after "collect information" in subsection (1)(a), (b), and (c). This would help to clarify any possible ambiguity with the jurisdictional limits of the director. Mr. Chairman, the range as well as the right to obtain this information is not clearly or sufficiently defined within the current wording. The addition of "personal information" solidifies the authority to obtain information about an identifiable individual or personal and distinguishable characteristics of that individual.

Mr. Chairman, personal information is clearly defined in the Freedom of Information and Protection of Privacy Act, section 1(n). The reference to personal information within the Freedom of Information and Protection of Privacy Act provides precedents for the legal meaning of personal information as well as an understanding of which aspects should be included. Therefore, as stated in the FOIP Act and as proposed in amendment F to Bill 212, the personal information which could possibly be collected by investigators

includes the person's name and address, the whereabouts of the person, and the person's place of employment. Access to this information would further the director's ability to make a well-informed decision on the complaint.

Mr. Chairman, the description of collectible information within Bill 212 combined with the proposed changes to section 29(2) also protects Albertans from misinterpretation. For example, acquiring personal information could otherwise include infringement on an individual's rights, such as information revealing the individual's race, ethnic origin, religious or political beliefs, or associations; the individual's age, sex, marital status, or family status; an identification number or symbol assigned to the individual; fingerprints; other biometric information, including blood type, genetic information, or inheritable characteristics; information about the individual's health and health care history, including information about a physical or mental disability; or information about the individual's educational, financial, or employment history. Quite simply, the amendments proposed for section 29 clarify the director's investigatory scope.

Bill 212 would protect communities and neighbourhoods in Alberta from disruptive or illegal activities that may cause harm or create a potential to cause harm while also ensuring that Albertans' rights are properly protected. Mr. Chairman, following implementation of Bill 212, a person may file a complaint if they believe that their community or neighbourhood is being adversely affected by activities on or near property in the community or neighbourhood or if the activities on the property indicate that the property is being habitually used for a specified use beyond the inhabitants' legal authority.

To state the obvious, Mr. Chairman, this legislation could allow for a vast amount of complaints to flow through the director's office. Without being supplied with all the information available pertaining to a particular complaint, how can the director make effective or accurate decisions regarding the complaint in question? Once again, the inclusion of personal information in section 29(1)(a), (b), and (c) clarifies the ability of the director to make just decisions on accurate information without infringing on the rights of individuals and without the meaning of the legislation being lost in interpretation.

The importance of the inclusion of personal information is reiterated in the proposed amendment to section 29(2). By substituting the preamending wording with the proposed amendment, any possibility of confusion or appeal by an individual under complaint should be reduced. The clarification of the rights of Alberta's directors will allow for a smoother process for all.

Mr. Chairman, I'd like to also mention to the hon. members that the proposed amendments to section 29 are supported by the access and privacy branch of Service Alberta. The access and privacy branch is the entity responsible for co-ordinating and administering Alberta's Freedom of Information and Protection of Privacy Act as well as providing support to the government of Alberta and local public bodies that are required to comply with the act. The access and privacy branch also co-ordinates the province-wide administration of Alberta's Personal Information Protection Act and assists private-sector organizations that are subject to the act.

To carry out its mandate, the branch provides publications and resource materials on its FOIP and PIPA websites. The expert feedback they have provided on amendment F will further the positive impact Bill 212 can make.

4:00

Mr. Chairman, this bill will represent a valuable service enhancement for all Albertans. As Alberta continues to grow, the necessity of legislation which furthers the ability of communities to remain safe and secure is paramount.

Once again, I'd like to acknowledge the efforts of the Member for Calgary-Hays and urge all members here to vote in favour of Bill 212 and its proposed amendments. Thank you.

The Deputy Chair: The hon. Member for Calgary-Elbow.

Mr. Cheffins: Thank you, Mr. Chairman. I rise to support the concerns raised by my colleague from Lethbridge-East with regard to the amendment and to support the Member for Calgary-Hays on this important piece of proposed legislation and to express the concerns of my constituents regarding public safety. I've had some direct experience over the past decade or more in considering these issues, and what I've learned, particularly from community groups, is that public involvement is key to public safety, most certainly over the long run.

Mr. Chairman, rising levels of gang activity are of great concern to Calgarians and Albertans in general. Increased gang presence represents serious potential encroachment, even entrenchment, within our communities of a criminal presence amongst law-abiding families and individuals. Crack houses, grow ops, and meth labs are dangerous to the public safety of Albertans and to their health and well-being. One of my brothers is a firefighter, an officer with the Calgary fire department, and these criminal operations in our neighbourhoods also present a risk and danger to such stalwart citizens providing services in our communities. We need to clean our communities up by cleaning these facilities out. Indeed, we need to take our communities back.

In order to accomplish this, we must facilitate the involvement of community members, who absolutely must feel protected in coming forward. That is key. We must protect concerned, involved citizens who step forward to report suspicious activities. Protecting these individuals will encourage them to contact authorities again the next time and will encourage others to do the same. These sections are of particular significance to this important proposed piece of legislation.

Thank you.

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

Mr. Backs: Thank you, Mr. Chairman. I'm very, very pleased to rise and to commend the Member for Calgary-Hays for his fine, fine work in bringing this bill forward. It's a very important bill and an important bill to my constituents in Edmonton-Manning, and certainly the amendments I believe do strengthen the bill.

The one that's of a particular interest to me and very important to some communities in my neighbourhood is the addition of the Mobile Home Sites Tenancies Act to the Safer Communities and Neighbourhoods Act. I had the honour of putting together the 20th anniversary memorial of the Edmonton tornado in the Evergreen community, which sustained some difficult losses in that tragedy. The one thing that came through to me in that was the strength of the community and how many people have stayed in Evergreen for many, many years. In fact, 25 per cent of that community is still there or have moved back since that time 20 years ago. They want to keep their community safe. They want to keep their community growing. They want to keep it a good and strong community. Sometimes in the recent past there have been some problems. You know, this act will come a long way to I think deal with some of those problems, and including the Mobile Home Sites Tenancies Act was very important in strengthening this bill so that it can be used for that community.

In general in northeast Edmonton this will be very helpful. We've had a number of instances that I've known about and a number that continue to be a problem. There are those that rent these houses and

don't seem to care. Well, I think this will bring them to bear and focus them pretty quickly. There are those that attract criminal activity because of their own ways. We've had one particular place I know that's been off and on that way for 30 years because the individual, although he does nothing criminal himself, sort of has lots of friends in that community. This will, I'm certain, begin to allay the fears of their neighbourhood and the police service and all the rest of them and begin to clean up that problem that's been in that particular neighbourhood for quite some time.

Again, I commend the Member for Calgary-Hays. I think he's done a very fine job in bringing this forward. I hope that the amendments and the bill pass with strength. Thank you, Mr. Chairman.

The Deputy Chair: The hon. Member for Calgary-Fort.

Mr. Cao: Well, thank you, Mr. Chairman. I'm pleased to rise today and join the debate in committee stage of Bill 212, the Safer Communities and Neighbourhoods Act. I would like to speak today about two proposed amendments. Amendment B proposes to add "or a tenancy agreement as defined in the Mobile Home Sites Tenancies Act" in section 2(1)(f), and secondly, amendment Q proposes to amend the Mobile Home Sites Tenancies Act by adding the following section after section 4:

Notwithstanding anything in this Act, if an order is made pursuant to the Safer Communities and Neighbourhoods Act that terminates a tenancy or entitles a landlord to possession of the mobile home site, the tenancy terminates and the landlord regains possession in accordance with the order.

Mr. Chairman, illegal activity can occur anywhere, including in mobile-home communities. Mobile-home owners purchase their homes as an investment, just like people who buy houses or condos. The communities in which these investments are made should be subject to the same legislation. After all, Bill 212 is making all neighbourhoods more safe and secure. Mobile-home communities experience the same safety concerns as any other community. In some cases there may be a perception of added security for those who choose to break the law in these communities as they can be located outside the city limits and include a large number of residences in a concentrated area. With a high concentration of housing, drug dealers may also view these communities as providing an ample supply of buyers and sellers. These areas, like all other Alberta communities, could greatly benefit from the proposed legislation, and these amendments, amendments B and Q, allow for that.

Bill 212 would empower Albertans to kick this kind of activity out of their communities. The Mobile Home Sites Tenancies Act is legislation that governs residential tenancy agreements for people who own or occupy a mobile home. A mobile home, also called a manufactured home, is usually a factory-built, single-family dwelling which can be moved from one place to another. It should be noted that the Mobile Home Sites Tenancies Act does not apply to holiday trailers or recreational vehicles being used for recreational purposes. A tenant under the Mobile Home Sites Tenancies Act is the owner of a mobile home who rents a mobile-home site from a landlord. If the owner rents the mobile home to another person, the act does not apply. The Residential Tenancies Act applies to this tenancy relationship. The proposed amendments ensure that mobile-home owners as well as tenants would be covered under the Safer Communities and Neighbourhoods Act.

All dwellings should be subject to the Safer Communities and Neighbourhoods Act, and all residents who use their property for activity deemed unacceptable in this act should be subject to the same consequences as those who live in any other type of dwelling. Mr. Chairman, all Albertans have the right to live in a safe commu-

nity. Including these proposed amendments would ensure that the possession, growth, and sale of drugs and all other offences listed in the Safer Communities and Neighbourhoods Act would not be tolerated in mobile homes and mobile-home communities.

4:10

Like any kind of housing, mobile homes can be purchased as a primary residence or can also be rented out to individuals with a tenancy agreement. Tenants may sublet this site to another tenant. A tenancy agreement may indicate that the landlord's consent is required to sublet; however, a landlord cannot unreasonably withhold the consent. The tenant arrangement can be on a month-to-month basis or can be longer, depending on the wants and needs of the landlord and the renter.

Currently for mobile-home owners and landlords there are two ways of dealing with problem tenants: one is with a 48-hour notice and the other is with a 14-day notice to vacate the premises. A 14-day notice is also called a substantial breach. If a tenant physically assaults a landlord or another tenant or there is significant damage to a mobile-home site or common area, the landlord can apply to the court to end the tenancy or give the tenant a 48-hour written notice to end the tenancy. If a tenant has been given a 48-hour notice but does not move out, the landlord has five days after tenancy ends to apply for a court order that confirms that the tenancy will end. If the landlord doesn't apply within the five days, the 48-hour notice is no longer valid, which means that the tenancy has not ended.

A substantial breach occurs when a tenant does not carry out any of the obligations under the Mobile Home Sites Tenancies Act or when the tenant commits a series of breaches of the tenancy agreement and the cumulative effect is damaging. If a tenant commits a substantial breach of the tenancy agreement, with the exception of nonpayment of rent, the landlord can apply to the court to end the tenancy or give the tenant a 14-day notice to end the tenancy.

Now, the amendment amending the Safer Communities and Neighbourhoods Act to include the tenancy agreements of mobile-home sites would provide landlords with a good tool to use when faced with illegal activity occurring in and around the property.

Mr. Chairman, the amendment also includes provisions for mobile-home occupants to own their home and live there as their primary residence. First-time homeowners often see single mobile homes as a good alternative to buying a house, as stand-alone structures that have yards, good square footage, and enough room to raise a family.

Mobile-home communities have lots of children and seniors, who deserve the same protection as all Albertans. Without these proposed amendments mobile-home communities could possibly see an increase in criminal activity as these areas may not be appropriately addressed by this legislation. So if a landlord is unable to effectively evict tenants for activities that are in this bill, renters who are being evicted from other communities may see a mobile-home park as a viable option to continue their illegal activities.

I applaud the important direction of this bill, and I believe that the proposed amendments B and Q are necessary to ensure that all communities will benefit from the tool this bill provides and all of which work toward keeping communities safe. Mobile home communities are not exempt from the devastation criminal activity can bring to a neighbourhood, and therefore they should not be exempted from this bill.

Mr. Chairman, ensuring that mobile home communities are protected by this legislation and that all the consequences set out in this bill will apply to all members of these communities that choose to break the law is necessary if this legislation is meant to protect all

Albertans. I would like to urge all members to support this bill, including the proposed amendments B and Q, because of the positive role this legislation could play in Alberta communities.

Thank you very much, Mr. Chairman.

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

Mr. Agnihotri: Thank you, Mr. Chairman. I'm really pleased to rise and speak to amendment A1 to Bill 212, Safer Communities and Neighbourhoods Act. You know, first of all, I want to applaud the Member for Calgary-Hays for, first, sponsoring the bill and then for his amendment A1. I think that with these amendments we will be able to strengthen this Bill 212. As well, we will strengthen the community. Anything for safety, you know, is very important for all of us, and I commend the member for adding extra amendments to improve this bill.

Mr. Chairman, now with these amendments I think this bill allows for communities and neighbourhoods to have a say in the safety and security of all communities. This is all about community empowerment and allowing people to be active in ensuring the safety of their neighbourhoods.

This bill also would enable another tool for the people to access 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. For instance, there may not be necessary resources to conduct a full investigation of a possible house being used for purposes of meth production, drug trafficking, illegal liquor sales, or any other criminal offences. People within the community are witnesses to critical circumstantial evidence, including illegal activities like vehicle traffic at odd hours, noxious smells, and disposal of certain toxic substances that police services could only determine through constant surveillance. Given the pressures the police forces face, this is another tool to be utilized for community safety.

A director of the Ministry of Solicitor General and Public Security can now investigate the complaint and take a number of steps, including informal resolution, warning letters, or application to the courts for community safety orders. These are all effective tools to discourage the illegal activities that may be harming the security of the neighbourhood. The amendments in this bill will also be effective in putting more pressure on criminal organizations that use property to carry out illegal activities. It will also allow for people to take control of the direction their neighbourhoods take to ensure safe and healthy communities.

Mr. Chairman, the investigator can also call in the support of police services or peace officers if need be, depending on the evidence. This ensures the safety of the civilian investigators and creates an integrated dynamic between the investigative unit and the police services.

4:20

Mr. Chairman, you know, this bill is all about empowering citizens to take back their communities, and it is another tool in the fight against illegal activities in our communities. The police do not have the resources to deal with all the complaints they receive even if the information is reliable. There simply are not enough police officers. We had task force recommendations, and I'm not sure how many police officers the government is going to recruit. I don't have that detail in front of me, but I heard from my community, especially my riding, and they keep on asking and putting pressure on some of the ministers that they should give us some more police officers in that area because the crime rate is really high. This is very important for all the communities.

This creates another investigative agency staffed by trained investigators to deal with the problem properties in neighbourhoods

where illegal activities are occurring. Any tool – any tool – to deal with the rise in crime in Alberta is welcome, and 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. Meth houses, child exploitation: these are serious offences, Mr. Chairman, and need to be monitored by all sources, not just the police. This bill provides that mechanism, and this is critical in the fight to win back our neighbourhoods from criminal activities. This is a bill worthy of support. I will support this bill, and I applaud the Member for Calgary-Hays once again.

Thank you very much.

The Deputy Chair: The hon. Member for Bonnyville-Cold Lake.

Mr. Ducharme: Good afternoon and thank you, Mr. Chairman. It's a pleasure to rise and join the debate regarding Bill 212, Safer Communities and Neighbourhoods Act. It is the responsibility of the Committee of the Whole to deconstruct the legislation brought before it in order to produce laws that best serve the interests of Albertans. The bill before us today and the proposed amendments certainly uphold the interests of this province.

Mr. Chairman, the Roman philosopher Seneca is quoted as stating: he who does not prevent a crime when he can encourages it. We can use this sentiment being addressed when we analyze the purpose of Bill 212: to protect communities and neighbourhoods in Alberta from disruptive and illegal activities. This would be accomplished by taking a hard look at the areas where these activities are taking place and holding the property owners accountable for those activities. In other words, we investigate the suspicious drug dens and criminal dwellings which may plague some of Alberta's communities, investigate them and take appropriate action depending upon the activity and reaction of the participants.

This legislation, it seems, becomes a preventative measure with the aim of improving public safety in Alberta communities in a more direct manner. Mr. Chairman, it doesn't get much clearer than that. This proposed legislation is a tool that Albertans can empower themselves with in order to feel confident that their neighbourhoods are crime free. Having briefly gone over the character of the Safer Communities and Neighbourhoods Act, I would now like to take the opportunity to dig into some specifics related to the proposed amendments listed as E, K, L, and M.

Mr. Chairman, I'll begin by introducing the common concept of caveat emptor. Generally speaking, this is the property law doctrine that controls the sale of real estate property after the date of closing. Under this doctrine the buyer takes responsibility for the condition of the property they purchase and should therefore examine it before acquisition. The only exception to this is if the seller overtly covered up latent defects. This concept is embedded in property legislation as a means of protecting the seller from unwarranted legal action.

I bring this up, Mr. Chairman, since Bill 212 as proposed is a piece of legislation with specific inherent features that refer to property and property rights. The Constitution Act, 1867, allocated legislative power over property and civil rights to the provinces. This included general property law, which encompasses succession law and matrimonial property law. The property laws of the common law provinces are generally similar, but one area in which the real property law does differ is in the system of recording the ownership of land.

In the Atlantic provinces and southern Ontario there is a deed registration system. However, in the four western provinces and northern Ontario there is the land titles, or Torrens, system. Under the deed registration system individuals establish ownership to land

as a result of their predecessors on the deed. Theoretically, to establish ownership, they should trace the title to the original grant of the land from the Crown. In southern Ontario it is necessary to show a good root of title dating back 40 years.

Under the land titles, or Torrens, system the state registers all lands within its jurisdiction by listing who owns them and who has claims against them. Prospective purchasers only need to be concerned with who the register says is the owner and not with whether there is a good root of title.

As we can see, property law itself is characterized by a great degree of historical continuity and terminology. I believe it would be in the best legal interests of Albertans that Bill 212 conform to this continuity. By saying this, I mean that when the bill in question makes specific mention of property, it is important that it utilizes the term "caveat" as opposed to other terms. This is the substance of the changes outlined in proposed amendments E, K, L, and M. These are significant, Mr. Chairman, as they would allow this act to fall into sync with other legislation relating to the rights of buyers and sellers in property matters. By doing this, the Safer Communities and Neighbourhoods Act would avoid any legal confusion.

As alluded to, various sections of Bill 212 require amendments in order to fall in line with this idea. For example, proposed amendment E asks that section 21 be amended (a) by striking out "an interest" wherever it occurs and substituting "a caveat," (b) by striking out "the interest" wherever it occurs and substituting "the caveat," and (c) by repealing subsection (4) and substituting the following:

(4) The registration of a caveat may be discharged pursuant to subsection (3) with respect to any or all parcels of land described in the community safety order.

(4.1) Notwithstanding section 138 of the Land Titles Act, a caveat registered pursuant to this section does not lapse and shall not be cancelled or withdrawn except at the Director's request.

A similar argument is relevant with respect to proposed amendment M, which asks that section 46 be amended (a) by striking out "an interest" wherever it occurs and substituting "a caveat," (b) by striking out "the interest" wherever it occurs and substituting "the caveat," and (c) by repealing subsection (4) and substituting the following:

(4) The registration of a caveat may be discharged pursuant to subsection (3) with respect to any or all parcels of land described in the community safety order.

(4.1) Notwithstanding section 138 of the Land Titles Act, a caveat registered pursuant to this section does not lapse and shall not be cancelled or withdrawn except at the Director's request.

These amendments are supported by the introduction of the term "caveat" in place of the term "interest." As I've indicated, this properly aligns the bill with our system of property law.

If I may beg your indulgence, Mr. Chairman, I would like to briefly outline that amendments K and L also seek to include the term "caveat" into the legislative framework of the Safer Communities and Neighbourhoods Act. This would be done by adding the specific clause stating:

(a.1) if the Director intends to register a caveat under section 46, specific references to the certificates of title with respect to which the order is made.

This new clause would be added to sections 43(2) and 44(2) after clause (a) respectively. Again we see the inclusion of the term "caveat," and I would again note the importance of this inclusion based on my prior line of reasoning.

4:30

In conclusion, Mr. Chairman, the proposed amendments are a step in the right direction, and the debate that has taken place is a necessary one. I encourage all members to support Bill 212 with its proposed amendment. As we are discussing the possibility of

property transfers, we must provide a context by which we would protect the rights of the potential buyers and sellers. The use of appropriate terminology assists in the construction of a more valid framework for this important legislation.

As I began my speech by referencing Seneca, I would like to finish it by reminding my colleagues of his sentiment that the prevention of crime is a crucial step in eliminating it. A safer Alberta begins with safer communities. Thank you.

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

Mr. Elsalhy: Thank you very much, Mr. Chairman. I've been listening very intently to the debate and eagerly awaiting my turn, and I thank you for this opportunity. Now, typically when we see an amendment introduced in the House, it is usually very specific and it's usually very targeted, especially in Committee of the Whole. We're actually amending one section, taking out a clause, adding in another clause, or basically amending a certain section in the act. Bill 212, as you know Mr. Chairman, is a private member's bill. I spoke to it in second reading, and it is, in fact, my pleasure again to participate at this stage, being Committee of the Whole.

Typically on the opposition side we like to sever omnibus amendments into their individual sections, into their individual pieces, usually because of a concern that we have that sometimes the government attempts to lump together pieces that are good with pieces that are bad. It forces us, actually, to be in a situation where it's a take-it-all or leave-it-all scenario. I have to confess that this amendment, the draft of which was dated November 8, was shared with us in the Official Opposition sometime, I think, last week, and I also have to confess that today was the first time I've seen it. I'm not sure when it reached our research department, but they assured me that there is nothing contentious in it, that it doesn't raise any particular flags for us, and that it's for the most part based on the comparable Saskatchewan legislation. As such, I'm not going to be voicing any opposition to the amendment as it is worded. I just wanted to emphasize that it was our preference to see this broken down so that in the future we're not forced to either take it all or leave it all.

Now, Mr. Chairman, I wanted to confirm that on this side of the House we definitely applaud and appreciate any initiative that reduces crime, that basically addresses the issue of crime, which is an issue that is of concern to most Albertans, young and old. We particularly like initiatives that engage the community. We like initiatives that get people behind law enforcement and sometimes even in front of law enforcement. We have advocated for a long time to the government that the government should really put its money where its mouth is. By saying that, I'm basically talking about the various, you know, committees and task forces and studies that have been commissioned over the years to deal with crime in so many different ways. Sometimes it's child exploitation. Sometimes it is the situation about drug and substance abuse. Sometimes it's about, you know, prostitution, gang violence, drinking age, minimum drink prices, and so on and so forth. So many recommendations come and go, and so many committees come and go. Task forces come and go.

If you ask me, Mr. Chairman, I would have much rather seen this bill as a government bill, as some government bill that is the work and the sponsorship of the Solicitor General, for example, or the Minister of Justice. But failing that, I'm pleased that it's a private member's bill, and I'm pleased that at least somebody from the government side is finally recognizing the role for the community and, you know, moving forward.

We just recently had the announcement about the safe communities task force. The community actually met together, and they had

these public hearings, and they produced a document that is a good read. The government is promising to move forward on this, and they're asking us to be patient. Today in question period, in reaction to one of my questions, we were told that we have to stay tuned because it's going to appear in the budget next spring. I'm going to be watching very carefully and eagerly that it does because if it doesn't, we're going to be asking very hard questions as to why not.

About a month ago or so, Mr. Chairman, the sponsor of Bill 212 and myself and the Solicitor General and other members, namely the former Solicitor General as well, were attending the International Conference on Crime Reduction in Banff, Alberta. I have to tell you, I thoroughly enjoyed myself and learned a lot at the Banff conference. It was structured in such a way to bring members from the law enforcement community, lecturers, statisticians, people who study crime, and even people who were affected by crime all together under one roof to talk about ways to reduce crime. We covered a lot of ground, and I'm going to share with you some of the stuff I learned, which really hit the nail on the head in terms of Bill 212 and community engagement and community involvement.

The opening ceremony keynote was basically talking about something called reassurance policing. It's the type of community policing that, basically, reassures the community, that tells the community that we realize that there is a particular crime issue, and here's how we're dealing with it. It's not only actual crime, Mr. Chairman; it's the fear of crime. People are anxious, people are apprehensive, and reassurance policing addresses that. This particular keynote was extremely well received, and it was given by a person who is a PhD from Cardiff University in the U.K. His name is Martin Innes. We learned lots in that presentation.

Then the following couple of days we actually broke out into concurrent sessions where people listened to a presentation but then had a question-and-answer period right after. The one I attended first was something about public transit, ensuring safety and order. It was talking about the entire trip, Mr. Chairman, realizing that sometimes problems on public transit have a spillover effect in the community that is immediately adjacent. So our approach as per that discussion was the whole trip safety approach, where the person has to feel safe from the minute they leave their door, walking to the station or the stop, being on public transit during the trip, and then descending from public transit, walking to their destination, and then vice versa on their way back.

One of the people that I have to highlight on that panel was Mike Derbyshire, who is the director of safety and security, Edmonton Transit. Mike was basically seconded from being an Edmonton police officer to the public transit, and he takes that leading role very, very seriously. I have to applaud him because, yes, crime on public transit, for example, has that spillover effect.

The next session had to do with strategic approaches to crime reduction. One of the presenters who I thoroughly enjoyed and learned lots from was Ward Clapham. He's the superintendent of the RCMP Richmond detachment. It talks about, you know, blending both proactive and reactive strategies together, highlighting the fact that communities have to be engaged, you know, talking about crime reduction at the local community level, including evidence-based problem solving, evidence gathering, intelligence gathering, and so on. The community knows what the community has to deal with. We can tell them what we think is right or what we think needs to be done, but the community knows what ails it, and the community can tell us how to address that.

Superintendent Clapham actually has 25 years under his belt, and he has written some books that I urge members from the Assembly to maybe consider reading over the Christmas holiday, many books on community policing and, you know, root problem solving.

The fourth session which I attended was talking about turning

around subsidized housing and neighbourhood quality of life, to fix the broken window theory. It basically talks about taking pride in your rental property ownership, dealing with disorder, avoiding slums, avoiding ghettos or the ghettoization of our lower income people. Again, it addresses things like the fear of crime because sometimes when people are afraid of crime, they themselves tend to be aggressive, or they themselves tend to be more prone to disorder, conducting disorder, or causing more trouble or more problems.

One of the presenters, which I have to highlight, was Constable Dale Brenneis from the Edmonton Police Service, who is actually championing something called the crime free multi-housing project here in Edmonton, Mr. Chairman. I'm sure you've heard of it. It's a pilot project that I think should be expanded upon and should be implemented across the province.

4:40

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

Ms DeLong: Thank you very much, Mr. Chairman. Thanks for the opportunity to join the Committee of the Whole on Bill 212, the Safer Communities and Neighbourhoods Act. I would like to acknowledge the efforts of the Member for Calgary-Hays. The hon. member has demonstrated exceptional leadership in community crime prevention by placing this legislation before us, and the committee should give it a test.

Our government must continue to provide police services with the support they need to adequately address unsafe properties that threaten the quality of life within all our communities. Thanks to the proposed amendments listed as amendments B and Q, all mobile-home properties will be included under this bill. After all, safety is important to every Albertan community. I especially appreciate this because I do have a large mobile-home community within my constituency.

Mr. Rodney: Do you live there?

Ms DeLong: I live very close by.

Bill 212 provides a clearly defined mechanism for residents to act on their concerns if they identify illegal or suspicious activity occurring in their neighbourhood. Section 3 of Bill 212 establishes that if residents in a community have noticed activities that are negatively affecting their neighbourhood and these activities are of a criminal nature or could present all the evidence to be deemed as such, the residents are then empowered with a complaint measure. The residents can take their concerns to an appointed director of law enforcement, who will then proceed by assessing the legitimacy of the complaint and decide on the appropriate action that should be pursued to solve the concern.

Mr. Chairman, this is a fundamental part of the process. Residents who have encountered conflicts with unsafe or hazardous properties in their neighbourhoods have indicated in some instances that their concerns are not being properly addressed. As I believe was mentioned earlier in this debate, proposed amendment A ensures the complaint mechanism can function properly in all circumstances by granting the authority to delegate the powers, duties, and functions of the director to another employee under the administration of the Solicitor General and Minister of Public Safety. By establishing a fully functional complaint mechanism, Bill 212 with its proposed amendments will provide a course of action that will give attention to these issues when they arise in a community.

Section 4(1) of Bill 212 details the thoroughness in which complaints are dealt with and allows for the director to take action depending on the seriousness of the matter being reviewed. Provisions in this section of the Safer Communities and Neighbourhoods Act are intended to eliminate concerns that are frivolous,

vexatious, or may be more appropriately dealt with through an alternative route.

If the complaint requires decisive and strong action, then the next stage of the procedure, as outlined in section 5(1), could be the issuance of a community safety order. Before the community safety order is processed, the Court of Queen's Bench will determine, based on the facts that have been presented for its review, whether the property and its surrounding area are being adversely affected. The court will base its assessment, as indicated in section 6(1), on all activities that present an "immediate threat to the health, safety and security of one or more occupants of the property or persons in the community or neighbourhood." This is a central part of the procedure, enabling the court, which is a fair and just authority, to determine whether action should proceed. It strengthens the bill, adding another level of checks and balances. It would be concerning not to access the resourcefulness of our judiciary at this stage, and without this section of the bill questions could arise regarding the criteria under which a community safety order is to be administered.

Mr. Chairman, if the facts of the complaint necessitate the issuance of a community safety order, the bill clearly states what the community safety order will detail related to the property and the individual in question. The community safety order will give a description of the hazardous or illicit activity that initiated this course of action. This will enable those responsible for the behaviour an opportunity to stop what they're doing or be held accountable if they fail to comply.

There are two important provisions within section 6(2) that enhance the effectiveness of community safety orders: first, section 6(2)(d), which allows for the order to have a set date, and secondly, section 6(2)(e), which informs the individuals named in the order of their right to appeal. The amendment C will further improve section 6(2) by ensuring that the director intends to register a caveat under section 21 and that they specify the certificates of title on which the order is made. This ensures that the centralized registry of the Alberta lands system, which falls under the Torrens system, has all the relevant information for a given title.

Mr. Chairman, the community safety order is an essential tool and gives a mandate for more aggressive action against an offender. Its provisions will allow the court to provide direction through measures such as instructing those who are considered violators to vacate the premises within a prescribed time frame or terminate their tenancy agreement. This encouraging aspect of the procedure that's laid out with this piece of legislation and its proposed amendments is that it allows for the involvement of the director throughout the process. This is beneficial to ensure that the director, who is the representative of the community where the infraction has occurred, has an ability to sufficiently carry out the concerns that have been raised by residents.

Section 7 allows the director to apply to vary the safety order only to better address the safety concerns of the residents. On the other side of this provision the participation of the court ensures that the actions which will be taken are in accordance with Canada's laws and are solely carried out to uphold the safety of the community.

Within section 8 the proposed act defines the court's ability to negate a variance proposed by the director if the judiciary concludes that the community safety order has already appropriately addressed the issue raised in the complaint. The sections in this legislation and the amendments proposed to them continually emphasize a common theme, which is that Bill 212 strikes the right balance. It empowers citizens who are concerned about illegal or disturbing activities in their communities and at the same time involves the judiciary, that is best equipped to ultimately deal with unsafe or hazardous property.

Further to my point, Bill 212 includes section 9, which defines the

ability of the resident who is in question to take action to appeal or apply to vary the community safety order. This section is a valuable portion of the legislation as it allows for those who may be innocent or falsely identified as affiliates in the activity a method of recourse. The legislation has also enabled the complainant with the ability to apply to the court for a community safety order if they feel the director has not pursued their concern with the urgency and tactfulness that is required.

In section 17 the act indicates that the court has the authority to recoup the costs of assessing a complaint brought forward by a complainant that is not legitimate enough to demand their consideration. I believe that sections such as this illustrate the comprehensiveness of this legislation and the proposed amendments.

Bill 212 represents a new approach to dealing with illegal and unsafe activity in the residential properties, and I will offer my support to have it proceed with the amendments that have been presented.

Thank you very much, Mr. Chairman.

The Deputy Chair: The hon. Member for Edmonton-Beverly-Clareview. And I also advise you that I will be interrupting you within about three, three and a half minutes.

Mr. Martin: I will certainly step down so that if we want to vote on this, we will. I have no intention of going on very long.

I spoke about this, Mr. Chairman, in second reading. I think the amendments, basically, are housekeeping amendments. I think it's more to do with some of the terms used because of the fact that the bill was based on Saskatchewan law. So the amendments do not change the intent of the bill. Certainly, I strongly supported it, you know, in second reading because, let's face it, this is a small step in the right direction. We have to empower the community. The police cannot do it all. We have to empower the community, and the community feels more helpless when they have a drug house in their community. They don't know what to do. They call the police, but as we know, that's a very complicated procedure.

4:50

We're not reinventing the wheel here. This has been brought in in Manitoba for five years – and I've talked to the people in Manitoba; they feel it's had a really positive effect – Saskatchewan, for three years, Nova Scotia, and Yukon.

I do want to compliment again the Member for Calgary-Hays because it's absolutely crucial. This is a step in the right direction. If we do not empower the community to deal with some of these problems, we'll never solve the problems because, as I said before, the police cannot do it alone. So I think this is one tool. It's not going to solve all the problems. It certainly doesn't deal with the causes of crime. But if you have a drug house in your community, at least it empowers you to be able to do something about it, and I think that was the main message we got from Manitoba when I talked to them about this, that it had empowered the community to do something about it.

Mr. Chairman, I don't want to hold this up at all. I just want to say that we strongly support it. It's absolutely a good step in the right direction. I compliment the member for bringing it forward, and I hope that this will move forward and become law in the province as quickly as possible.

Thank you.

The Deputy Chair: Hon. members, we have about two minutes or so. Does anybody wish to participate? The hon. Member for Edmonton-McClung.

Mr. Elsalhy: Thank you very much, Mr. Chairman. I ran out of

time in my earlier remarks, so I wanted to just finish my thoughts. I was mostly talking about the crime-free model here in Edmonton in the rental market, and I mentioned that particular constable from the Edmonton Police Service heading that crime-free multihousing project. I just wanted to talk about that project.

It basically means that rental properties get certified, and to get certified is a really interesting way to tell your tenants and tell the community where your housing project is that you are not going to tolerate disorder and crime within your premises and that this would be the reason why somebody could get evicted, for example, if they get sucked into that cycle of crime and disorder. You basically get a plaque or a certificate, that you post on your wall, and then you get recertified every so often, like every two years, I believe, and if you fail, your certification is revoked, and then you have to apply again.

That particular constable actually was instrumental initially in something called the Oliver citizen's foot patrol, which is a form of community policing, Mr. Chairman, and he was also instrumental in establishing a proactive community plan in response to . . .

The Deputy Chair: I hesitate to interrupt the hon. Member for Edmonton-McClung, but pursuant to Standing Order 8(3.1) I must now ask the Deputy Government House Leader to move that the committee rise and report progress on Bill 212.

Mr. Renner: Thank you, Mr. Chairman. I move that the committee now rise and report progress on Bill 212.

[Motion carried]

[Mr. Shariff in the chair]

The Acting Speaker: The hon. Member for Olds-Didsbury-Three Hills.

Mr. Marz: Thank you, Mr. Speaker. The Committee of the Whole has had under consideration a certain bill. The committee reports progress on the following bill: Bill 212. I wish to table copies of all amendments considered by the Committee of the Whole on this date for the official records of the Assembly.

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

Hon. Members: Concur.

The Acting Speaker: Opposed? So ordered.

head: **Motions Other than Government Motions**

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

Education Property Taxes

513. Mr. Elsahy moved:

Be it resolved that the Legislative Assembly urge the government to take measures to exempt not-for-profit organizations that provide affordable housing and not-for-profit postsecondary education institutions' campus residences from the provincial educational property tax requisition and examine the feasibility of extending the exemption to small-scale landlords.

Mr. Elsahy: Thank you very much, Mr. Speaker. You don't need me to tell you that this motion is intended to increase the availability of affordable housing units by exempting the provincial education requisition tax portion of property taxes on housing provided by nonprofit organizations, postsecondary institutions, and potentially

extending it to small-scale landlords. We all know that we have a housing problem in this province, and we all know that there is need for new housing units to be brought onto the market, but until then we feel that we need to be looking at different things that we can do in the interim, different things that we can do today, right now, until that new supply hits the market.

Now, who are we trying to support? Who are we trying to assist? Well, definitely whenever you think about nonprofit or volunteer organizations, they're usually supporting people who are the most vulnerable or the least advantaged. Add to that seniors, for example, add to that AISH recipients, definitely add students. We've all heard those stories, you know, that particular student who was living in a shed with no heat and just a little lamp, and all his belongings were in that 1 metre by 2 metres space. We know about people with disability.

These agencies and these organizations look after people with disability. They look after people who have drug or substance abuse issues and so on. So it's definitely people who, for the most part, can't afford better housing options. These are people who are at the very bottom of that food chain that need assistance from the government, need assistance from community organizations. Their need is real, and it only gets worse. We know that sometimes, you know, there are situations where you have tent cities, for example, and people are concerned and upset because it doesn't look good, and it's an unsavory site. But what happens to these people in the winter? What happens when those shelters fill up? What happens when we can't secure affordable, dignified housing solutions for them?

I told you what the motion reads, Mr. Speaker. It is trying to provide something in the interim, something until new affordable housing units are brought onto the market, and it's one step of many. I'm not saying that this is the be-all and end-all. This is just one step of many, and hopefully the government is considering most of these options.

Now, whom did we consult, Mr. Speaker? Well, typically we consult people who are immediately affected or who are likely to be immediately affected. So we actually went and asked postsecondary institutions which offer that type of assistance, you know, both on-campus and off-campus. We went and asked municipalities. We went and asked nonprofit housing organizations. Then we also solicited some feedback from Alberta Municipal Affairs and Housing, the ministry itself.

Let me talk about nonprofits very briefly, Mr. Speaker. We have many nonprofits in Alberta. Part of their work would be to provide accommodation, to provide housing. Like I mentioned, they're mostly serving those who are less advantaged, people who are left out, if you will. One of the examples I am going to highlight is an agency by the name of Edmonton Inner City Housing. That's in Edmonton, obviously. They have existing facilities, but they were planning on adding two new ones. The province, actually, back in 1998, if I remember correctly, changed the law with respect to property taxes, the education part and the municipal part. In 1998 changes to provincial rules took place that basically treated some of those nonprofits as taxable; namely, because these sometimes charge rents. Now, we all know that the rents they charge are token rents. These are by no stretch of the imagination representative rents or real rents. These are just minor fees to tell people, you know, "You're responsible for your unit," to do the upkeep, to take pride in the ownership, and so on. Because they charge whatever little rent, then they are deemed to be taxable.

5:00

It is typically a situation where you talk about row housing, for example. I'm really interested in this because there is supposedly a

new project in Edmonton-McClung that is going to offer row housing. It's in an area called Jamieson. Many people are concerned because they don't want it to be a ghetto; they don't want it to be a slum. They want it to be integrated into the larger community. They don't want the troubles and the disorders that come with a ghetto or a slum, and I understand their concern. We want it to be successful, and we want these people to have roofs over their heads. So that's a question.

You know, sometimes cities have to charge the education part of the property tax because if they don't, for example, the province will come after them and say: "You know what? You have to. Because you failed to collect it is no excuse, and we're going to take it from your revenues." Sometimes cities, you know, their hands are tied. We know certainly that the mayor in Edmonton here was frustrated a bit. Let me tell you that it doesn't affect only one agency or two or 10. It actually affects potentially hundreds. We know that at least 300 properties fit that description and are going to be reviewed in the city of Edmonton alone. If you add Calgary and you add all the other major towns and cities, the picture is far greater, Mr. Speaker.

At least 300 of these facilities are being reviewed in Edmonton; more are being reviewed throughout the province. If the city in question does not charge the education property tax component, the government, the province, is going to come after them and say: gimme, gimme. Where can they come up with that money? What it is doing is adding an undue burden on these nonprofits that cannot really make ends meet now.

In terms of students and in terms of residences the current situation as per the Municipal Government Act dictates that a student dormitory is exempt from the provincial tax component. But dormitories are one type of student residence. A student dormitory is a facility – and this definition, actually, was shared with us by municipal affairs – that houses students in a communal living arrangement where they share living and kitchen spaces. Sometimes the bedrooms are private. Sometimes they are; sometimes they're not. But that's a dormitory. Well, I would argue that not every student in this province who is living away from home lives in a dormitory situation because you can add individual residences, such as apartments or townhouses, which are not communal.

Motion 513, as I'm suggesting, explicitly includes all campus residences, both on campus and off campus, not just dormitory-style ones. It expands that exemption, and it basically says that a student is a student; a student residence is a student residence. If one is exempt, all the others are. It ensures that the tax exemption applies to all campus residences.

I mentioned some of those examples which we heard about, Mr. Speaker: people who are living in less-than-optimal conditions, people who are living in basement suites that are substandard, or people that are living in a shed or, you know, in somebody's backyard, and they're camping out. That is not acceptable. If they can't afford it, it is, I think, the duty of this government to make it less difficult. While this is not giving an incentive per se, at least it is removing a deterrent. These organizations do not need to be burdened with this tax requisition.

[The Speaker in the chair]

I'm going to give you examples, Mr. Speaker. For example, on campus I'll give you the example of Lister hall, which is right on the University of Alberta campus. Then off campus I'm going to give you Michener Park. Michener Park is a big community that houses thousands of people.

How many minutes do I get as the mover? Twenty minutes, I believe. Anyways . . .

The Speaker: We'll now call on the hon. Member for Drayton Valley-Calmar.

Rev. Abbott: Well, thank you, Mr. Speaker. It is a great pleasure to have an opportunity to speak to Motion 513, which centres on providing education property tax exemptions to a number of property types. I would like to focus on the element of student residences, also known as student dormitories, and show how through current legislation, the Municipal Government Act, student residences are already exempt from paying education property taxes.

Mr. Speaker, if anyone is for tax cuts, it is I. However, I cannot support this motion because we already do this. Our government has a well-thought-out education property tax system and a very effective structure for receiving adequate payment to fund Alberta's priorities in education. Every year the province calculates, based on assessment value, the amount each municipality must contribute towards the provincial public education system. Municipalities are each responsible for collecting the property taxes and then forwarding the education portion to the province for deposit into the Alberta school foundation fund, or ASFF. In 1994 the Alberta government established the ASFF to make sure that all education property tax is accounted for separately from general revenues.

As a result of the strong overall growth in assessment, the province has reduced its education property tax rates by about 5.8 per cent for the 2007 tax year. Mr. Speaker, this move marks the 14th straight year that the education property tax mill rate has been lowered or frozen. Now, it hasn't been raised in 14 years. Since property taxes are collected by local municipalities, it is the Municipal Government Act that sets out the provisions and legal basis for the way local governments in Alberta's cities, towns, villages, and rural areas operate in this regard.

The act also covers property tax exemptions and gives reference of properties and organizations that may be typically considered for exemption. In Alberta exemptions are provided to qualifying properties that tend to reflect social values that are based on collective principles. The usual basis for determining tax exemption is the facility's accessibility and the public benefit that arises from its use. Property used in connection with educational purposes, regardless of how it is registered, is exempt from property taxes as it falls under the Government, Churches, and Other Bodies division of the Municipal Government Act.

Section 362 of the Municipal Government Act outlines the exemptions available to postsecondary institutions in our province, specifically outlining the properties held by postsecondary educational institutions which are exempt from paying education property taxes. According to the act, a student dormitory is defined as a housing unit that is used in connection with a purpose referred to in section 362(1)(c), (d), or (e) or with a college incorporated under a private act of the Legislature. The definition also includes the residents of which are students of a facility and are used in connection with the same purposes, as listed in the given subsections of section 362 of the Municipal Government Act.

For the purposes of the act student dormitories are exempt from taxation in whole or in part by section 363(1)(d). Mr. Speaker, this section exempts student dormitories from paying property taxes but continues on to section 363(3), which states that it gives municipalities the option to tax student dormitories by establishing a bylaw. Even though Alberta municipalities currently have the option to tax student dormitories for other purposes, education property taxes on student dormitories are not collected.

Our government has an effective education property tax system and fully functioning legislation which takes into consideration the best interest of all Albertans. As you can see, Mr. Speaker, our government has already addressed exempting student dormitories

from the education property tax, and as a result I will not support Motion 513. In the future I hope that the opposition Liberals will do better research before they introduce motions in this House.

Thank you.

5:10

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

Mr. Martin: Thank you very much, Mr. Speaker. I'd like to make a few comments in regard to this particular motion. I was going to point out, the same as the Member for Drayton Valley-Calmar did, that in the presentations that they made to the policy field committee on growth pressures, in the one that was the University of Calgary's, they made it very clear what they wanted. They acknowledged that the education tax has been waived for university residences, but they were still assessing. What they wanted was municipal tax; they want to amend the Municipal Government Act. That was their presentation.

The Member for Drayton Valley-Calmar is right that they do not pay taxes on student residences at this particular time. We've had quite a discussion in the policy field committee about amending the Municipal Government Act. There were differences of opinion there, but we'll come back to that.

I know that the member is trying his best to try to look at the affordable housing crisis and do something about it, and this is one motion trying to deal with it. I'm not sure how you would go about, beyond the residences, though, giving tax breaks exempting small-scale landlords. If I know something about landlords, if there's a tax exemption, everybody will be a small-scale landlord very quickly, I would think, so I think it would be very hard to define "small scale."

Again, we had the discussion in the Legislature about rent supplements, that in fact they end up being supplements for landlords. There's nothing to say that even if they had this tax break, they would pass it on in terms of lower rents. In our experience with the other programs, probably not. It would be another tax break for landlords rather than the people that need it.

I know that the member is trying to deal with housing, and I'd still say to the members here that it is a crisis in how we deal with it. The government has refused to look at a lot of the things from the housing task force that we advocated. They picked some things, cherry-picked them, and I think they've made it worse in many cases.

We look at all the things happening. Rents keep going up. I pointed out in the House the CMHC in another presentation to our policy field committee: rents are still going to go up significantly. Their projections are that in 2008 in both major cities they'll be up significantly. Condo conversions, even with Bill 34, go on unabated. We just can't keep up, so a lot of people are suffering, Mr. Speaker. There's absolutely no doubt about that.

I guess we try to do what we can here and there and everywhere, thinking: would this help, if we did the Municipal Government Act? Maybe a little bit. Would that help, if we did something else? Maybe a little bit. But the problem is so severe with the pace of development that I think it's going to take a very comprehensive approach in dealing with this problem.

I'd like to say, as some government members believe, that it's getting better. Mr. Speaker, contrary to that, I do not believe that it is. I think that the housing situation, for renters at least, is as severe as it's ever been. If the phone calls to my office are any indication, we're still facing the very same problems. Bill 34, where they took part of what the housing task force brought forward and said, "Rent increases only once a year": well, that in many cases, without the rent guidelines, made it worse because people were getting hit harder right at the start. Where it might have been two or three smaller

increases in rent, now we've got it all at once. And it's still going on, Mr. Speaker.

But, as I say, the problem is when you try to do a motion and it's a feel-good sort of thing. I don't think that this would particularly solve it because, as mentioned, it already is waived for university residences. I don't know how you'd begin to figure out where everybody was living, with students all over the city, to give tax breaks. I think it would take an army of bureaucrats to figure that out.

Then exempting small-scale landlords. As I say, I honestly believe that this would just be adding more profits to the landlords if we don't have rent guidelines. It's not to say that I don't appreciate the member bringing it forward. At least, this is an important debate that we should be holding in this House. I think the government had hoped that after the spring session this would go away, this whole housing crisis, but, Mr. Speaker, it hasn't.

I think we need to relook at where we're going in this province, but I do not see any urgency on the government's part. They seem to think things are working out well, that the heated economy is helping everybody, but it's not. Mr. Speaker, we talked in this House about Calgary, perhaps per capita one of the richest places in North America, and 61 per cent of the people there in a survey said that things are worse: we're worse off than we were a few years ago. Sixty one per cent of the people in Calgary. I expect that if you took that survey anywhere else, it would be the same. Of the big concerns they have – it's everything: health and the rest of it – one of the major reasons was housing and rents and what's going on.

As I say, Mr. Speaker – I won't go on much longer because other people want to get in – I don't think this solves the problem, but I do commend the member for bringing it forward to at least have another discussion in the Legislature about where we should be going with affordable housing. As I said, if this government feels that this is not a problem anymore, I just don't know where they're at. I honestly don't. People are still suffering. We all agree that we should get more supply on, but that takes time.

In the short run, then, what do we say to people? For instance, one of my constituents, a single parent, is working at very minimal wages, \$1,400, and he has two young girls. His rent went from \$700 to \$1,400. Now, in fairness, he has gotten some money from the homeless and eviction fund and some from the rent supplement, but he just can't keep up, and that's not untypical of the stories that we're getting. You know, rather than sitting complacently and saying, "We've spent this amount, and we spent that amount," we should look at if the programs are working or not, and they're not. Mr. Speaker, I would suggest that they're not. Rather than with our head in the sand, I think we should relook at the whole housing area and what we're doing to people in this province.

It's not only the people on fixed income anymore. It's bad enough when they're paying 60, 70 per cent and in this case 100 per cent for the constituent I talked about, but it's starting to impact what I call middle-income people, too, younger people who thought at one time that they would have enough to buy a house. They don't have that anymore, Mr. Speaker. They don't have that option.

I would hope that the government would review these matters. I guess hope springs eternal, and I'll hope eternally that they will see the light, but I will not hold my breath at the same time. Thank you, Mr. Speaker.

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

5:20

Mr. Agnihotri: Thank you, Mr. Speaker. I'm pleased to rise and speak in support of Motion 513, provincial education property tax exemption for affordable housing. I'll be very brief.

First of all, I applaud the sponsor, my colleague the Member for Edmonton-McClung. I know this motion is not going to solve all the problems in the affordable home crisis in Alberta, but definitely this motion is intended to increase the availability of affordable housing units by exempting the provincial education requisition tax portion of property taxes on housing provided by nonprofit organizations and public postsecondary institutions. It will also ask the government to explore extending the exemption to small-scale landlords.

Mr. Speaker, this motion is very important in providing more affordable housing units for Albertans. We all know that this affordable housing problem is very severe, and lots of people are crying for help. All the programs we have at this moment are not working for all Albertans, and this is another try, you know, another tool to help those people who need some help.

As we all know, with subsidized homes we have a long waiting list, and the rent is really high. As my background I'm a real estate agent, with lots of people calling me to find a suitable place, especially some people who are on a fixed income. Sometimes I feel really bad that I can't find a suitable place for them according to their level of income. I feel really bad. I know that this motion alone, just the idea, is not going to solve all the problems, but I think it will help.

Why are we talking about tax exemptions for affordable homes? We all know it's demand and supply. We have, you know, shortages of supply. To increase the supply, we have to give some incentives so that they can, you know, work faster to build some affordable homes here and which we are not expecting. I heard from the Premier the other day that some affordable homes are nearly finished, which is good. [some applause] Thank you very much. Well, it's a long time due. The thing is that this is a problem created by the present Tory government. If after some time they have decided to take it seriously, it's good news, and we welcome that. But we must catch up with the supply. This is the important thing. How can we help to increase the supply? This is another idea. That's why I say that the hon. Member for Edmonton-McClung at least introduced something, some ideas, so that we could consider this seriously.

While building new spaces is very important, as we know, further action needs to be taken right now, the sooner the better. In waiting for new units to be built, other measures, such as this motion, need to be explored – this is where we are today – especially for nonprofit groups. Nonprofit groups have a very limited amount of money, and they are sometimes totally dependent on provincial or federal or municipal grants. They're, you know, just looking at their financial hardship. If we help them, somehow give some incentives so that they could speed up the process, if we are able to help in this problem, which is really severe, and help the people who badly need some help from us – let's consider this motion. If we could add something, some better ideas, I think it's welcome. Giving some incentives, I think, like for the small-scale landlords, is needed badly. Yeah, some people may not like this idea, but I think, you know, that if we give them some incentives, it might help.

Considering all these things, I think this motion is a step forward. We should consider it very seriously. Once again I applaud the Member for Edmonton-McClung for sponsoring this motion.

Thank you very much.

The Speaker: The hon. Member for Lethbridge-West, followed by the hon. Member for Calgary-Currie.

Mr. Dunford: Thank you, Mr. Speaker. I rise with some ambivalence to speak today on 513. Part of me, of course, is willing to look at almost any idea at all that will get people into proper shelter and properly aligned with their current ability to attract income. I guess

part of what would help me – and I realize that it's just an idle wish now, at this date – is if I had more information on the chronology of this motion. At 513 it obviously didn't come in this summer. It must have been on the books prior to the spring session. I note that it's amended. People here in the House might know when that amendment took place. However, as I stand here, I don't. I think what's happened is that current events have overtaken the attempt of the Member for Edmonton-McClung to provide some assistance in this field.

One of the previous speakers talked about the fact that a policy field committee is looking into this particular situation. I chair that particular committee, so another part of my ambivalence is: what's it going to look like if I stand up and give a speech denying your motion? Does it mean that I don't care? Well, it doesn't mean that. What has happened since, I think, the motion was probably formulated is that we had a task force with quite a number of recommendations, some of which were accepted, some of which were, I guess, put aside for a period of time, others that may never see the light of day.

Then, of course, we had this unusual situation the first time out for the policy field committee on managing growth pressures: to have nothing assigned to it by this Legislature. Well, I'm going to speak on behalf of the co-chair, not only because I like him but because I feel like I'm getting to know him. Neither one of us are the kind of people who are going to sit around and do nothing, so we made sure, then, that we had something to look into. I have to admit to a great deal of surprise in finding out that what we were going to look into was affordable housing after such a huge analysis had been done.

For the information of the Legislature on how some of these things happen, maybe in the future when you're on a policy field committee and you don't have anything assigned to you, we did quite a democratic procedure and allowed each member to bring forward three of their top picks. Nuclear power was one of them that I chose. I'm still surprised that I misread my committee to the extent that they wouldn't see the importance of it on the scale that I do. In any event, we ended up with a decision, then, to look at affordable housing.

5:30

Now, in the early machinations of getting the committee organized and that sort of thing, there was an idea that came up that because the committee had already looked at affordable housing, maybe we should zero in on a particular item. Somebody suggested student housing and that we would look at that as a single idea. However, it was spread to the point where we are now going to report to this House on affordable housing with an accent on whether or not there are either legislative or regulatory barriers to dealing with this particular situation. And to the Member for Edmonton-McClung, we're right in the middle of it. We had six focus issues that, you know, sort of came out of all of the hearings that we held. We've dealt with three of them, but there are three that are currently at the legislative research stage, and early next week we'll be looking into that particular area.

I find myself very, very hesitant to then further narrow our work by standing here and supporting your motion. I think what I'll do is simply state to my colleagues here in the House that, again, I believe that current affairs have overtaken the particular issue you were trying to deal with and that when our committee finalizes its report and tables it here in the House, I hope that you will find some consolation, then, in what we have done and maybe even say that you urged us and encouraged us and made us do it.

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

Mr. Taylor: Thank you, Mr. Speaker. I was a little bit nervous

there for a second at the hon. Member for Lethbridge-West, you know, that when he said that he was going to speak for me, maybe there wouldn't be anything left for me to say. But there is. There are a couple of things left for me to say.

I have to agree with my colleague to the extent that I think current events have overtaken this motion. This motion is a motion that has had a bit of a long and difficult history, I think we could say. The motion as presently worded – and I'll just read it into the record again – is:

Be it resolved that the Legislative Assembly urge the government to take measures to exempt not-for-profit organizations that provide affordable housing and not-for-profit postsecondary education institutions' campus residences from the provincial educational property tax requisition and examine the feasibility of extending the exemption to small-scale landlords.

That is how Motion 513, I guess as amended or as worded today, reads right now.

That Motion 513 replaced the original Motion 513 that the Member for Edmonton-McClung submitted last fall because, Mr. Speaker, there is such an incredibly long read time on private members' bills and motions other than government motions and because the recommendations in his earlier motion were pretty much adapted in our debate on the Residential Tenancies Act in the spring, so the Member for Edmonton-McClung was given an opportunity to change to a new motion. So I hope that for the benefit of the Member for Lethbridge-West that sheds some light on the chronology that he was looking for.

Of course, as that was going on, our policy field committee on managing growth pressures, of which I am the co-chair, decided in late summer, early fall that the first issue that we were going to focus on as a growth pressure issue in the province of Alberta was, again, the affordable housing crisis. The Member for Lethbridge-West, who chairs the committee, is quite right that we decided to look at some specific areas that in the collective wisdom of the committee we felt had perhaps not been dealt with yet, and the work on that proceeds.

Now, I cannot speak for the chair of that policy field committee when he says that he hopes that when the committee's report comes forward to the Assembly in a couple of weeks' time, the Member for Edmonton-McClung will take comfort in the report. I don't know whether the Member for Edmonton-McClung will take comfort in the report or not. I do know this: although the chair of the committee, the Member for Lethbridge-West, was surprised – I know he was very surprised – when affordable housing came up as the top issue in our poll of committee members, that occurrence by itself is as clear an evidence as I think we could find that the affordable housing crisis is ongoing.

Whether it was me on behalf of the Alberta Liberal caucus back in January producing the first comprehensive affordable housing policy, whether it was the all-party task force on affordable housing struck by the Premier, which took that policy of ours as a significant guide in producing some very, very good work, whether it's the policy field committee on managing growth pressures, whether it's Motion 513, whether it's anything that any individual member has in the past or should in the future have to say on the floor of this Legislature or outside about the affordable housing crisis, there are a couple of key things to keep in mind.

Number one. We need to keep the focus on the affordable housing crisis until that crisis is solved. This should be our top priority in the province of Alberta. This should be our top priority as the province of Alberta because everybody needs a home. The other things we talk about, the other issues we talk about, while in some cases very important and in some cases not so important, pale in comparison to that inescapable, incontrovertible fact that every-

body needs a home. Shelter is as basic as food to the human condition, so we must solve this problem.

Another point which is very key is this: we are not talking about rocket science here. We're talking about creating something in the neighbourhood of 10,000 to 12,000 units of affordable housing in the province of Alberta within the space of the next five years. By comparison, for instance, President Kennedy's assertion in 1960 that the United States would put a man on the moon by the end of that decade is something that you know, Mr. Speaker – because you and I are both old enough to remember that although I had much more hair at the time – that they pulled off. That was a truly amazing achievement because they went from a near zero knowledge base to something that existed when the President made that declaration, really, in the realm of a dream more than anything else. This is not a dream. Solving the affordable housing crisis is not a dream. This is something that's absolutely doable, and we should get on with the job now.

The other key thing, Mr. Speaker, to remember – and Motion 513 is but one small part of this – is that if we're going to solve the affordable housing crisis, we can't just do it with an initiative here and a rent supplement program there and a Residential Tenancies Act that requires a year's notice if you want to convert your affordable rental housing to ridiculously overpriced condominiums or anything like it. You can't just do it with one-offs. Okay? This is an essential issue that we get right by tackling it simultaneously on a number of different levels and a number of different platforms. It will take time to build 10,000 or more units of affordable housing. If we started right now, it would take a couple of years before we could build a significant number of new units of affordable housing.

There are things we can do in the interim to increase supply, and the ideas expressed in Motion 513 speak to that in a couple of ways. But we also need to crisis manage this situation, and that means keeping roofs over the heads of people who have them now but can barely afford to hang on to them. That means we have to punt the ideology that says that it's okay to subsidize landlords through rent supplements because they're good guys, they're business, but it's wrong to subsidize tenants through rent caps because that'll hurt business. You know, both sides need to hurt a little bit over the short term for a long-term solution to this.

5:40

Motion 513 is a motion that you may or may not choose to support, but it is very definitely one member's attempt – and it's been a difficult attempt for the Member for Edmonton-McClung – to shed some light on the most important issue that we have facing us in the province of Alberta right now other than over the long term what we're doing to the environment; that is, supporting people through making sure that everybody in the province of Alberta has a home.

With that, I will take my seat and leave it up to others to talk about this. Thank you.

The Speaker: The hon. Member for Cypress-Medicine Hat, followed by the hon. Member for Calgary-Elbow.

Mr. Mitzel: Thank you, Mr. Speaker. I'm pleased to rise today to speak to Motion 513 brought forth by the Member for Edmonton-McClung. The motion recommends that the government allow exemptions for not-for-profit organizations that provide affordable housing and not-for-profit postsecondary institution residences from the provincial education property tax requisition, both of which have already been done.

The motion also suggests that the government look at the feasibility of extending this exemption to small-scale landlords. It is this last area that I'd like to address, Mr. Speaker, because I believe that it presents a whole host of difficulties, not the least of which include implementation, regulation, and monitoring.

I'd like to thank the Member for Edmonton-McClung for this motion and for bringing everyone's attention to this very important issue of affordable housing. It serves as a valuable reminder that this issue continues to be important for many Albertans and that we need to remain vigilant in doing all that we can for them. However, effectiveness needs to be an important consideration as well. We need to ensure that the way we implement solutions to address this need is going to be effective and efficient while making sure that the process itself is resistant to manipulation. We also want to make certain that those who receive the help are those who truly need it most.

My concern with this motion lies in the fact that the definition of small-scale landlords has no concrete, specific, and applied definition in the province of Alberta. There seems to be some commonality where usage of the term occurs, but even that is mostly implied. Generally, small-scale landlords are considered to be individuals or smaller companies who rent out one or more units in a small number of buildings. They may also include those who rent out rooms within a unit, wherein the owner may also share this space with another person or persons. They may also be those who own units or buildings but outsource the management of these properties to a managing agent. Mr. Speaker, according to these loose and vague interpretations the problem of application becomes evident from the beginning. What mechanism or criteria are we using to determine who is and is not a small-scale landlord? Clearly, the answer to this question is none.

I believe the danger here is threefold. First, not-for-profit organizations and postsecondary housing facilities are typically designed to help those Albertans who are facing challenges when it comes to finding affordable housing. Small-scale landlords are not necessarily interested in doing so, nor are they required to.

Second, how could we ensure that the savings we are passing on to these owners would be reflected in the rental prices that they would charge? This takes us back to the issue of effectiveness. Without accountability here we would not be solving the problem that the motion was designed to address.

Third, Mr. Speaker, the logical next question would seem to be: why? By what determination have we arrived at the conclusion that small-scale landlords represent a need to be addressed? In what way do exemptions for these individuals or small companies represent a need, and how does the tax exemption solve this? The truth is that without clear definitions we're not able to realistically know if a need exists and, therefore, if an exemption is even warranted. This may result in spending money that could be better used in other avenues that address the affordable housing issue, many of which are, in fact, already in place.

Again, the Member for Edmonton-McClung raises a valuable and worthwhile consideration, and I support his intentions, Mr. Speaker. However, considering that the substance of the motion is already being addressed through existing legislation, coupled with the important questions I've asked, I believe there is an inherent redundancy in this motion.

Thank you, Mr. Speaker.

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

Mr. Cheffins: Thank you, Mr. Speaker. I rise to support Motion 513 as sponsored by my colleague from Edmonton-McClung, which

refers to a provincial education property tax exemption for affordable housing. Indeed, as others have said here, I support anything that's going to keep this important issue before us. I've spent considerable time working for and with not-for-profit agencies. I have a strong belief in this important sector, and it's my belief that this sector is underutilized, underappreciated, and undersupported in general. This sector is critical as Alberta wrestles with the issue of affordable housing.

Not-for-profit groups which provide affordable housing face uncertain futures. Some have indicated that it's the worst crisis we've faced in decades. High tax bills put new projects by not-for-profits in jeopardy, which could result in less affordable housing for Albertans.

I'd like to take just a moment regarding housing for students. I note that a student dormitory is a facility that houses students in a communal living arrangement, where they share living and kitchen spaces, and that these dormitories are exempt from provincial tax. However, this doesn't capture individual residences such as apartments or townhouses. Motion 513 explicitly includes all campus residences, and I think this is a valuable consideration.

As my colleague from Lethbridge-West has indicated, he hopes that the initiative by the Member for Edmonton-McClung will nudge things along. We all support these measures in whatever capacity they might be able to have an impact, but I'd have to conclude what others have suggested, that this is a housing crisis that exists in Alberta, one that's seriously harmful for Albertans, including families and children. My constituents know, and those of us charged to listen and act should know, that bold action is required. Much of that bold action was recommended in the task force report and then ignored. But we'll keep trying. We'll keep the issues at the forefront, and we will not forget those who are suffering.

Thank you.

The Speaker: Hon. Member for Calgary-Bow, have you indicated your desire to participate?

Ms DeLong: Yes, please.

The Speaker: Proceed.

Ms DeLong: Thank you very much, Mr. Speaker. It's a pleasure to rise and debate Motion 513. The ideas expressed in this motion are already covered by a combination of legislation and regulations. A campus residence of a qualifying educational institute is not required to pay the education tax portion of a property tax, and this exemption was implemented by the Alberta government through the Municipal Government Act. Several sections of the MGA also provide municipalities with the ability to consider and make decisions about property tax exemptions to respond to the individual, specific circumstances of nonprofit organizations providing affordable housing. So municipalities have the ability to decide if it is feasible to exempt certain small-scale landlords from paying the education portion of the property tax as well.

The difference between what this motion is asking and the current legislation is: who has the authority to grant the tax exemptions? To achieve the purpose of this motion, this government would have to take authority away from the municipalities. As stated in the MGA, it is under the purview of municipalities to grant tax exemptions. Now, within the MGA community organization property tax exemption regulation municipalities can also establish specific exemptions and regulate them through bylaws. Section 362 of the MGA gives not-for-profit organizations provisions for a property to be exempt from paying property tax if it's "used for a charitable or

benevolent purpose that is for the benefit of the general public.” Also, under section 364 “a council may by bylaw exempt from taxation . . . property held by a non-profit organization.” So currently student dormitories in Alberta are exempt from paying education property taxes. However, most municipalities still require that municipality taxes be paid.

5:50

All property owners pay the education property tax. People who rent or lease property contribute indirectly through their monthly rent or lease payments as the education system benefits all Albertans. As new development brings with it new taxpayers, the education requisition will be spread across a broader assessment tax base. Every year the province calculates, based on assessment value, the amount each municipality must contribute towards the provincial public education system. If the province's property tax rate decreases, the amount it requires from municipalities decreases as well, but if the municipality tax rate increases, the overall property tax may not change or could potentially rise. Municipalities use the property tax rate in conjunction with a local education tax rate to determine how much education property tax they will collect.

The relationship between property assessment and taxation is – and I have a little calculation here; I always like formulas – assessed property times tax rate equals taxes payable. The municipal council is responsible for setting the tax rate, and the municipality is responsible for calculating the taxes payable, collecting the taxes, and remitting the provincial education portion to the province.

Now, municipalities collect the education property tax and then forward it to the province for deposit in the Alberta school foundation fund. Although the provincial uniform education property tax rates will be reduced by about 5.8 per cent in 2007, the government will collect \$81 million more in education property tax revenue as a result of the newly built homes and businesses and real property improvements. The additional \$81 million will help pay for instructional costs, including teachers' salaries, textbooks, and other classroom resources. The education property tax provides Alberta's education system with a stable and sustainable source of revenue. Pooling the education property tax in the Alberta school foundation fund ensures that students receive a quality education regardless of their municipality's assessment wealth.

Mr. Speaker, creating more legislation around education property tax is not the most efficient way to achieve the goals and purposes of this motion. Municipalities already have the authority to implement all of these tax exemptions. Therefore, I do not support this motion, and I encourage my colleagues to do the same.

Thank you very much, Mr. Speaker.

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

Ms Pastoor: Thank you, Mr. Speaker. I think that after listening to all the debate ahead of me, I support the process of actually discussing this on the floor. My colleague from Edmonton-McClung has brought forward a very thoughtful motion. Perhaps it has been macerated through the committee looking at housing, but the fact that he has brought it forward and that we have discussed it and that it is actually based on the fact that there were some nonprofit housing projects that actually did receive this tax benefit and now are going to be assessed is, I think, something worth looking at.

Nonprofits that can provide housing in this day, when we are in such a crisis, I think should be looked at. Because we do something at this point in time does not mean to say that it's actually cast in concrete. It should be cast in an evaluation process where we do

something that's right now and look at it a year from now because it may not be right a year from now. Maybe housing will have caught up. Highly unlikely in that short space of time, but maybe housing will have caught up at that time, and then we could relook at who would get breaks and who would not get breaks.

I think that my colleague from Lethbridge-West stood up and spoke with respect on how this process has come forward lends credence to what I'm actually saying, and so I'm supporting it in terms of the . . .

The Speaker: Excuse me, hon. member. I hesitate to interrupt, but under Standing Order 8(4) I would now like to invite the hon. Member for Edmonton-McClung to close the debate.

Mr. Elsalhy: Thank you, Mr. Speaker. I have to thank all the hon. members of the Assembly, both who supported the motion and who expressed some hesitancy, for their contribution. Briefly, I just want to react to some of the comments which I heard earlier in debate.

First, I will respond to the hon. Member for Lethbridge-West, who was talking about committee work and the committee that he, in fact, chairs and that the hon. Member for Calgary-Currie is the co-chair of. Those committees are new. They're new creatures, and there is no manual. We're making those rules as we go. I would argue that this is just one layer which we didn't have before. Until they were announced, we only had the House; we only had the Assembly. This is a new layer. Even when they do meet and even when they do make recommendations and issue a report, these recommendations are presented to the Assembly in the form of a suggestion. They're not binding on the Assembly. It is basically a recommendation, and then all 83 members in the House would have the opportunity to debate it and make their own decisions. I would argue back to the Member for Lethbridge-West that it's the Assembly where all of these decisions have to be made, and it's the Assembly where all of these ideas have to be thoroughly discussed and researched.

My hon. colleague from Cypress-Medicine Hat was talking about small-scale landlords and, you know, that the criteria were loose. My response to him would be that anything we do that, basically, even minimally addresses the affordable housing crisis would be useful; it would be beneficial. We have regulations, and this government loves to rule by regulations, loves to put everything in regulation, not in legislation. This is no different. They could put regulations in place that define what is a small-scale landlord.

To my hon. colleague from Cypress-Medicine Hat, I'm not talking about all small-scale landlords. I'm talking about those ones in particular which offer affordable housing. Regulations can define what is affordable and what's not, but at least we know that 30 per cent of one's income should serve as a guideline. Nobody should pay more than 30 per cent of their income to be deemed affordable housing or affordable living.

The hon. member also mentioned abuse or effectiveness, misuse of the funds, whatever. I was really puzzled by his remark because we know that the homelessness and eviction prevention fund has been abused. It was reported widely that people who don't need the assistance are basically drawing that money out. If we need effectiveness with respect to Motion 513, I would argue that we need effectiveness with many, many different government programs and different funds. This is not an assistance to the landlord. This is an incentive for the landlord to continue to offer affordable housing.

In terms of students, again, I emphasize that “dormitories” is not the definition that is one size fits all. I am arguing that it is just one type, and then you have apartments and you have townhouses, that

are not included currently. Motion 513 was attempting to include them in the exemption.

The nonprofits, Mr. Speaker, have to be assisted. When an agency like the Edmonton Inner City Housing Society gets charged something in the neighbourhood of \$25,000 per new building to pay property taxes, I don't think it's fair, and we're sending them the wrong message. If they absolutely have to get that money to pay for that tax assessment, where it is likely to come from is from those poor people that these agencies are trying to help. If you're going to collect \$25,000 from 25 units every year, that is totally unaffordable.

Mr. Speaker, I would urge all members from this Assembly to support Motion 513. Let's keep that discussion going because the

crisis is real and it is continuing and everything we do here should have a favourable impact.

Thank you.

[Motion Other than Government Motion 513 lost]

The Speaker: The hon. Deputy Government House Leader.

Mr. Renner: Well, thank you, Mr. Speaker. I move that given the hour, we call it 6 o'clock and adjourn until 1 tomorrow afternoon.

[Motion carried; at 6 p.m. the Assembly adjourned to Tuesday at 1 p.m.]