

Legislative Assembly of Alberta

Title: **Wednesday, November 21, 2007**

1:00 p.m.

Date: 07/11/21

[The Deputy Speaker in the chair]

head:

Prayers

The Deputy Speaker: Let us pray. Give to each member of this Legislature a strong and abiding sense of the great responsibilities laid upon us. Give us deep and thorough understanding of the needs of the people we serve. Amen.

You may be seated.

head:

Introduction of Guests

The Deputy Speaker: The hon. Minister of Infrastructure and Transportation.

Mr. Ouellette: Thank you, Mr. Speaker. It's my pleasure today to introduce to you and through you to all members of this Assembly a few guests joining us today from Delburne school. We have 30 grade 6 students joining us, and accompanying them are their teachers and volunteers. With them is Mr. Larry Neville, their teacher; Mrs. Terry MacDonnell, Mrs. Tracy Jackson, Mrs. Kathy Ivey, Mrs. Teresa Greening, and Mr. Hugh Greenwood, their bus driver. I get to coffee with him once in a while whenever I go to Delburne. I'm pleased that they could make their way up to Edmonton. I have visited Delburne school many times because both of my sons went to school there from K to 12. I just have a soft spot in my heart for that Delburne school. I'd like them to rise.

The Deputy Speaker: The hon. Member for Athabasca-Redwater.

Mr. Cardinal: Thank you very much, Mr. Speaker. I'd like to introduce to you and through you to the Members of the Legislative Assembly students from the Thorhild school. Eighteen students along with their teacher, Mike Popowicz, are seated in the members' gallery. I'd like them to rise and receive the traditional warm welcome of the Assembly.

The Deputy Speaker: The hon. Member for Edmonton-Rutherford.

Mr. R. Miller: Thank you very much, Mr. Speaker. It is indeed my honour this afternoon to introduce to you and through you to all members of this Assembly 76 visitors from St. Teresa school in the constituency of Edmonton-Rutherford. We have with us today 70 bright, inquisitive young minds that are here to observe the proceedings of this House and to watch their MLA ask a question in question period. They're joined by three teachers and three parent helpers. The teachers are Mr. Charlie Stuart, Mrs. Thérèse Coates, and Mrs. Tracee Laba, and the parent helpers are Mrs. Susan Garbutt, Ms Kim Frey, and Mrs. Andrea North. I would ask them all to please rise and receive the traditional warm welcome of the Assembly.

The Deputy Speaker: The Minister of Health and Wellness.

Mr. Hancock: Thank you, Mr. Speaker. It is my honour today to introduce to you and through to members of the Assembly Dr. Cy Frank, executive director of the Alberta Bone and Joint Health Institute. Under the direction of Dr. Frank the institute is dedicated to creating and maintaining a standard of bone and joint health and health care that is the best in the world. Dr. Frank and his colleagues

are well on their way to meeting that goal. The hip and knee joint replacement project at the institute was a great success, signifying reduced waiting times and benefiting patients in need. At the same time, it's garnered national attention for the institute and for Alberta as being a leader in the field. I ask Dr. Cy Frank to rise and receive the traditional warm welcome of this Assembly.

Accompanying Dr. Cy Frank, of course, is my own executive assistant and senior policy adviser, Fred Horne, who has helped as well in moving this initiative along as we are working this week to provide ongoing funding to the institute so that Dr. Frank and his team can continue their great work. I'd ask Fred Horne to rise as well to be recognized and thanked by the Assembly.

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

Mr. Lindsay: Thank you, Mr. Speaker. It's a pleasure for me today to introduce to you and through you to members of this Assembly Mr. Clifton Purvis, the civilian director of the new Alberta serious incident response team, also known as ASIRT. This provincial unit provides another option under the Police Act to investigate serious or sensitive allegations of police wrongdoing in circumstances where there is a serious injury or death resulting from police actions. Maintaining objectivity, accountability, and public trust are key elements of these types of investigations. With that in mind, Mr. Purvis's extensive legal background, including 17 years' prosecuting all manner of cases, makes him an ideal choice to lead and guide this new team. I would ask Mr. Purvis to please rise and receive the traditional warm welcome of this Assembly.

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

Ms Blakeman: Thank you very much, Mr. Speaker. CKUA radio network has grown from a one-room low-wattage radio station into a full-fledged radio and Internet broadcast network staffed by world-class broadcast and business professionals. I would like to introduce to you and through you to all members of the Assembly a number of those world-class staff and board members. Joining us today to celebrate the 80th anniversary of the CKUA radio network is Lynn Friedrich, a board member of CKUA. Lynn, would you rise, please. Joining and with her is Ken Regan, the general manager of CKUA, and Katrina Regan-Ingram, the manager of marketing and communications for CKUA. A wonderful radio station. Thank you so much for the gift of 80 years. Please join me in celebrating and welcoming them.

head:

Members' Statements

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

Alberta Bone and Joint Health Institute

Mrs. Jablonski: Thank you, Mr. Speaker. I've been told by some of my constituents in Red Deer-North that waiting for a hip or knee replacement is one of the most painful conditions they have ever experienced. I have listened to people in pain describe their agony and then ask me why they have to wait so long for an operation. Today I'm very proud and happy to let you know and to let all Albertans know about the success of the Alberta Bone and Joint Health Institute. This not-for-profit organization is dedicated to creating and maintaining the best bone and joint health care in the world.

A couple of years ago the Alberta hip and knee joint replacement pilot provided 1,200 hip and knee surgeries using a multidisciplinary

team of health care professionals. It was a tremendous success, gaining national attention for Alberta as a leader in this field. An independent evaluation of the project showed these results: there was an 85 per cent reduction in wait times, from 145 days to 21 days, bone and joint institute patients spent less time in the operating room, bone and joint institute patients were discharged in 4.2 days compared to 6.2 days, and 94 per cent of the patients were satisfied with their overall experience.

That's just the start of the good news, Mr. Speaker. Today Health and Wellness announced \$18 million in new funding to ensure that the institute is able to keep up the good work and expand what we've learned in new areas of health care. Last June they received \$6 million to conduct projects regarding joint disabilities, conditions, and diseases and to share this knowledge of leading practices with regional health authorities and physicians. We need to use the pilot project as a model in other areas of health care to achieve better care and reduced wait times. Perhaps we can even duplicate the bone and joint health institute in other regions.

Mr. Speaker, please join me in recognizing the significant achievements of Dr. Cy Frank and his colleagues and thank him for helping to ease the pain of Albertans. Let's keep working towards the goal of achieving the best bone and joint care in the world and better wait times for all Albertans.

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

Castor Area Grass Fire

Mr. Griffiths: Thank you, Mr. Speaker. I rise today to speak of an event that happened in my constituency last week. A grass fire broke out within the constituency just north of Castor. If you recall, last week when this event happened, the winds on that day were gusting over 80 kilometres an hour. The fire spread rapidly, with over 2,000 acres burning at any one time. But an amazing thing happened that I think is symbolic of Alberta and Albertans' spirit. Volunteer firefighters from Stettler, Castor, Coronation, Galahad, Forestburg, Hanna, and virtually everywhere else within a 40-mile radius jumped to the call of a local emergency disaster to stave off what could have been a provincial disaster with winds that high. These volunteers fought off a fast, hot fire in high winds. They came together like Albertans do to solve a problem, and they saved farms, and they saved lives.

1:10

One of the farms they saved is owned by a young friend of mine, Daryl Fetaz, who I'm sure someday will take my place in this Assembly. His parents, Rosemary and Paul, and his sister Jennifer watched as the fire licked around their farm right up yards from the house, terrified that it would take everything they owned. But it didn't, thanks to the hard work of those volunteer firefighters and locals that came in and joined to save this family's farm.

On behalf of myself, the Fetazes, the government, and all Albertans, thank you to all volunteer firefighters and those that jumped to the call for what you do and what you did that day. Thank you for answering the call. You made us proud.

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

CKUA Radio Network Anniversary

Ms Blakeman: Thank you very much, Mr. Speaker. Today is the 80th anniversary of the CKUA radio network, and I am pleased to

be joined by members of the network to celebrate this important milestone. CKUA has the distinction of being Canada's first public broadcaster and the first radio station in Canada to go online. As the voice of Alberta artists, musicians, and cultural enthusiasts CKUA broadcasts a wide selection of music and possesses a music library of more than a quarter million CDs and LPs.

CKUA operates on a not-for-profit basis, relying on listener donations, program sponsorship, subscriptions, and corporate support to continue offering its valuable programming. The annual fundraising drive supported by volunteers like my neighbour Louise demonstrates how important CKUA is to both individual listeners and to the Alberta music scene.

At a folk festival a few years ago a B.C. musician and music promoter spoke to me about how lucky we are to have a radio station that plays local artists and how important that is to promote artists on a wider basis. He was quite jealous.

The CKUA radio network has given Alberta, Canada, and the world many of its most beloved artists. Many of Alberta's well-known musicians have launched their career through CKUA radio network, including Jann Arden, k.d. lang, Amos Garrett, and Tommy Banks, to name a few.

The number of CKUA listeners continues to grow. Its audience has in fact doubled since 1996, with an average of more than 160,000 weekly listeners. A province-wide signal and online presence of 4.5 million hits per month brings in listeners from across Alberta and around the globe. The network has embraced the use of the Internet and iPods to offer its services to listeners.

Please join me in recognizing the leadership and the valuable contribution CKUA has made in its 80 years of broadcasting in Alberta. Happy birthday, and thank you.

The Deputy Speaker: The hon. Member for Calgary-Lougheed.

National Bullying Awareness Week

Mr. Rodney: Well, thank you, Mr. Speaker. We are in the very middle of National Bullying Awareness Week, November 19 to 24. No one deserves to be bullied, but research shows that 1 in every 4 Canadian children in grades 4 to 6 reports being bullied and 1 in 10 admits to bullying others.

The government of Alberta has taken a leadership role in preventing bullying in our province. Alberta's strategy for the prevention of bullying raises awareness of what bullying is, it identifies what we can do to stop it, and it encourages changes in societal attitudes towards bullying. Under this mandate our government launched the third phase of the bullying prevention and public awareness campaign this morning at H.E. Beriault school in Edmonton. The Reverse It; Be Better than Bullying campaign is aimed at children and youth between 7 and 13 years of age. It builds on previous campaigns and is focused on educating children, youth, and adults in prevention and safe intervention. It's based on research that shows that bullying behaviour is best changed by having the person who is exhibiting the bullying behaviour develop empathy for the victim.

I encourage adults who want to learn more about bullying to visit www.bullyfreealberta.ca. Links are available there for websites for children and youth, as is access to the 24-hour bullying prevention helpline number.

Mr. Speaker, bullying is hurtful and harmful, and in an ideal world it would not be part of growing up. Perhaps we can all agree that bullying can prevent children and youth from reaching their full potential and that together we can decrease bullying and help create stronger communities.

I just want to add that I'm really glad there are many young people in the gallery here today. I trust they will do all they can today and every day to make positive choices for themselves and others around them.

Thank you, Mr. Speaker.

The Deputy Speaker: The hon. Member for Edmonton-Riverview.

Medicine Hat

Dr. Taft: Thank you, Mr. Speaker. Once again I have the great pleasure of visiting a model Canadian city, Alberta's own Medicine Hat. I've called Medicine Hat a model city many times because it really does set an example for the rest of the province and, indeed, the nation. For one thing, it has a fabulous affordable housing program, something the rest of the province desperately needs. Medicine Hat also had the good fortune to be exempted from electricity deregulation by this Legislature. Thanks to that decision and its vast natural gas reserves, Kipling's famous "all hell for a basement," the city enjoys some of the lowest power rates and best reliability in Alberta. By and large the people and leadership of Medicine Hat have done a superb job of managing growth and developing a balanced, diverse economy.

That's not to say that Medicine Hat doesn't face its share of challenges. Access to health care needs to be improved. As in other cities the people of Medicine Hat often face long waiting lists for basic services. Transportation links to the city must be upgraded. For example, my colleague the hon. Member for Lethbridge-East has pointed out in this House that highway 3 should be twinned. Citizens in Medicine Hat are also considering the value of a new transportation corridor along Alberta's eastern border, linking the U.S. with Medicine Hat up through eastern Alberta all the way to Fort McMurray.

They want to make sure that their children get the best possible education, recognizing, as we all should, that Alberta's future can be assured only if we create the very best education system we possibly can.

I'll be speaking with the folks of Medicine Hat about all these issues and more and listening to their hopes for the future. In short, Mr. Speaker, I anticipate a productive and enlightening visit to the Hat. It may well have all hell for a basement, but what's above the surface is pretty divine.

Thank you.

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

National Housing Day

Mr. Mitzel: Thank you, Mr. Speaker. It's my pleasure today to rise and speak about National Housing Day, recognized on November 22. A safe and affordable place to call home is important to our health and to our quality of life. It helps provide an atmosphere for families to grow together, for children to learn, and provides a sense of security and comfort.

This government is taking action to address affordable housing in the province. In April our government announced its response to the Alberta Affordable Housing Task Force with \$285 million to address immediate housing pressures, where the goal is to create more than 11,000 affordable housing units over the next five years.

As part of this funding, Mr. Speaker, high-need, high-growth communities will benefit from \$143 million in new funding through the municipal sustainability housing program. Smaller municipalities that were not eligible to receive funding out of this program may

apply for a share of the \$60 million request for proposals fund. Successful projects, announced earlier today, are expected to produce more than 500 affordable housing units outside of Edmonton and Calgary. I was pleased to be a part of this announcement this morning in Beaumont. I'm also pleased to know that an application from my constituency of Cypress-Medicine Hat was favourably received and approved. I look forward to meeting in the near future with the Medicine Hat Community Housing Society and the city to help present the cheque for nearly \$5 million.

Sixteen million dollars was also made available for the off-reserve aboriginal housing program. The successful applicants will be announced later this month. In addition, the rent supplement program funding has been increased from \$14.3 million to \$33 million. The new homeless and eviction prevention fund has already helped more than 21,000 people, and our direct rent supplement program has helped over 1,800 low-income families across Alberta.

Mr. Speaker, we're addressing affordable housing in the true Alberta spirit, by working together with our communities and our partners to give hope and opportunity for our families, friends, and neighbours so they can have a safe and affordable place to call home.

Thank you, Mr. Speaker.

head:

Presenting Petitions

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

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

We, the undersigned residents of Alberta, petition the Legislative Assembly to urge the Government of Alberta to immediately abandon plans to increase the role of private insurance in the health care system, and instead, commit to strengthening the single-payer, public system.

This is signed by many constituents from Edmonton-Gold Bar.

Thank you.

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

1:20

Ms Blakeman: Thank you very much, Mr. Speaker. I'd like to present a petition signed by 182 people, mostly from Edmonton, who are urging the government to ensure that remuneration paid to employees working with people with disabilities is standardized across this sector, that these employees are fairly compensated and their wages remain competitive, that they have improved access to professional development opportunities, and also asking the government to provide province-wide service and outcomes-focused level of care standards.

Thank you.

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

Mr. Taylor: Thank you, Mr. Speaker. It's my pleasure to present a petition signed by 262 Calgarians to the Legislative Assembly that reads as follows.

We, the undersigned residents of Alberta, petition the Legislative Assembly to urge the Government to introduce legislation that will

1. place a temporary limit of 10% per year on the amount that rent may be increased; and
2. prevent landlords from avoiding the one year notice requirement for [condo] conversions by forcing tenants to leave due to unreasonable rent increases.

Thank you, Mr. Speaker.

head:

Introduction of Bills

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

Bill 50 Health Professions Statutes Amendment Act, 2007 (No. 2)

Mrs. Jablonski: Thank you, Mr. Speaker. I'm pleased today to rise to introduce Bill 50, the Health Professions Statutes Amendment Act, 2007 (No.2), for first reading.

Bill 50 proposes providing liability protection to Alberta health care professionals who agree to assess the skills of other health care professionals from outside Alberta who wish to practise in our province. For example, this assessment is often required when health care professionals trained in another province or country apply for registration in Alberta. Providing this assurance will encourage a greater number of health care professionals to assist with these assessments and enable them to be completed on a quicker and more efficient basis. This legislation is another tool government is bringing forward in our efforts to recruit and retain health care professionals.

I move first reading of Bill 50.

Thank you, Mr. Speaker.

[Motion carried; Bill 50 read a first time]

The Deputy Speaker: The hon. Government House Leader.

Mr. Hancock: Thank you, Mr. Speaker. I'd move that Bill 50 be moved onto the Order Paper under Government Bills and Orders.

[Motion carried]

Bill 53 Teachers' Pension Plans Amendment Act, 2007

Mr. Liepert: Mr. Speaker, I request leave to introduce a bill being the Teachers' Pension Plans Amendment Act, 2007.

This Bill 53 is amending legislation, which will allow for the \$25 million payment to teachers which was previously approved in this Assembly.

[Motion carried; Bill 53 read a first time]

head:

Tabling Returns and Reports

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

Mr. Backs: Thank you, Mr. Speaker. I'm very pleased to rise today to make one tabling. It's the program for the very successful community awards dinner in Edmonton-Manning last night. It is a very nice program, and it has a quote on it: "The heart and soul of Alberta doesn't lie in the rich farmland, the majestic Rockies, the precious oilfields or bustling cities. As wondrous and important as those features may be, that heart resides in our people." That's a quote from Lois Hole.

Thank you.

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

Mr. Martin: Thank you, Mr. Speaker. I would like to table two messages today. The first one is a letter from Kathy Hogman, chair of the Edmonton presbytery of the United Church of Canada. The

letter includes a motion passed by the presbytery expressing deep regret at the forcible eviction of homeless people last summer from a vacant lot in Edmonton and urging the province to implement the recommendations of the Affordable Housing Task Force.

The second one, Mr. Speaker. I table the appropriate number of copies of a letter sent to me by Christopher Legere, one of my constituents. Christopher is waiting for minor surgery while appealing his WCB claim decision. He's concerned that the slow appeal process is delaying his return to the workforce.

Thank you.

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

Mr. Eggen: Thank you, Mr. Speaker. I'd like to table the appropriate number of copies of a letter from Dr. Timothy Losey and Mrs. Cheryl Kerpan expressing their concern about a proposal to drill sour gas near Tomahawk, which is near a school attended by 139 students.

Thank you.

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

Mr. Agnihotri: Thank you, Mr. Speaker. I have six tablings. They have come from my constituents Ravi Anand, Raminder Gill, Carla Segura, Gladys Segura, Margaret Lenny, and George Lenny. They are all concerned about Alberta labour laws and strongly believe in major changes to encourage fairness to all working people, strongly urging this government to implement and support changes to our province's antiquated and unfair laws and bring Alberta labour into the 21st century.

I have two other tablings, Mr. Speaker, from residents of Edmonton Randie Anderson and Rebekah Movold. They are all concerned about the homeless problem in Edmonton, urging this government to do something.

Thank you.

The Deputy Speaker: The hon. Minister of Health.

Mr. Hancock: Thank you, Mr. Speaker. I take great pleasure today in tabling the requisite number of copies of a news release issued today. I'm tabling it just so that all members will be aware of the \$18 million that we have provided to the Alberta Bone and Joint Health Institute to continue funding their good work on multiyear projects, focusing on areas of development of guidelines, processes, and clinical protocols to support planning and program design beyond hip and knee replacement to other areas of care such as back, spine, inflammatory joint conditions, joint surgeries, bone fractures, et cetera.

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

Mr. Johnston: Thank you, Mr. Speaker. Pursuant to Section 15 of the Alberta Heritage Savings Trust Fund Act as chair of the Standing Committee on the Alberta Heritage Savings Trust Fund it is my pleasure to rise today and table the required number of copies of the second-quarter update of the fund.

Thank you.

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

Mrs. Mather: Thank you, Mr. Speaker. I have two tablings today. They are both regarding Bill 4. One is from Nicole Scharmann, and

she says: "This proposal will not help the daycare situation in this province. My daycare will go from 24 licensed spaces to a mere 16. What we need are more daycares and more spaces, not less!"

The other one is from Carol Hanson of Sherwood Park.

As a mother of two boys aged six and seven, I am quite concerned about where our child care system is headed.

First I would like to start by saying it is a little hard for parents to become involved with attending the one and only information session when we find out about it after the fact.

The Deputy Speaker: The hon. Member for Whitecourt-Ste. Anne.

Mr. VanderBurg: Thank you, Mr. Speaker. I rise today to table five copies of the Seniors Advisory Council annual report 2006-2007.

The Deputy Speaker: The hon. Member for Edmonton-Glenora.

Dr. B. Miller: Thank you, Mr. Speaker. I have the appropriate copies of five letters to table from my constituency requesting that Alberta's labour laws be changed to encourage fairness to all working people in Alberta. These letters are from Antonio Alves, Paulo Ferreira, Ernest Aumond, Ernest Fuller, and Anthony Scowen.

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

Mr. Elsalhy: Thank you very much, Mr. Speaker. I, too, rise to table the requisite number of copies of letters I received from six of my constituents, all urging the government and the Assembly to look at revamping Alberta's labour laws, which, in their opinion, are antiquated and unfair to all working people in Alberta. These letters are from Larry Casovan, Richard Parks, Hakimeh Hashemzadeh, Dallas Ogilvie, Shauna Warrilow, and Barb Sutherland.

Thank you.

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

Mr. Bonko: Thank you, Mr. Speaker. I have the appropriate number of copies from an event on Friday. It was at the Military Family Resource Centre. They were honouring corporate and citizen donors who keep the program running. If it wasn't for them, the program would not be able to support the military families.

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

Mr. Cheffins: Thank you, Mr. Speaker. I rise on behalf of my colleague the hon. Member for Edmonton-Mill Woods to table five copies of a letter from Jennifer Dong, who writes concerning the problem of homelessness in Edmonton and calls for federal and provincial governments to commit 1 per cent of their budgets to housing programs.

I also would like to table on behalf of the same member five copies of a letter on behalf of Carlie Smith from the Cross Cancer Institute in Edmonton outlining in well-considered detail concerns about upcoming changes to child care licensing regulations.

Finally, on behalf of the same colleague I'd like to table five copies of a letter from Jules Munteer from the University of Alberta, pointedly expressing concerns with proposed changes to the Alberta child care policy.

1:30

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

Ms Blakeman: Thank you very much, Mr. Speaker. I have five

copies from my wonderful constituents, all on the issue of labour laws in Alberta. They're asking for five significant changes, the first of which is a process for first contract arbitration. The letters are from Mary Elizabeth Archer, Lauren Jeffreys, Jay Hannley, Dr. Basaraba, and Seymour Neumann.

Thank you very much.

The Clerk: Tablings to the Clerk.

The Deputy Speaker: We will continue with the Routine after question period is over.

head:

Oral Question Period

The Deputy Speaker: The first main question for the Official Opposition. The hon. Leader of the Official Opposition.

Industrial Development in Fort McMurray Area

Dr. Taft: Thank you, Mr. Speaker. This government did not collect billions in royalties, insisting this money was reinvested in Alberta. Fort McMurray knows without a doubt that these missing billions were not reinvested in public services in their community. The Premier has refused to touch the brakes on development in the oil sands, ignoring the impacts of unrestrained growth on Fort McMurray. My question is to the Premier. Does the Premier still hold the view that he is not touching the brakes on oil sands development despite the concerns of municipal leaders and residents who have said clearly that they cannot keep up?

Mr. Stelmach: Mr. Speaker, one of the first things our government did was to support the municipality of Fort McMurray with an injection of \$396 million. That money is to go to water and waste water, additional infrastructure, look at supporting the municipality with additional staff support in a number of areas: social services, supporting people in education, and other programs. We immediately recognized the need, and we delivered as soon as possible.

Dr. Taft: Well, the people of Fort McMurray are not feeling the love from this government, I can tell you, Mr. Speaker.

Communities at the heart of the oil sands know the difference between private investment and public services. Again to the Premier. This government failed to collect billions in royalties, and industry did not invest that money in public services in Fort McMurray. Industries do not invest in public roads or in schools or in continuing care facilities. Given how critically important additional public investments are in this region, whose job is it to make these investments if it's not this government's?

Mr. Stelmach: Mr. Speaker, when I talked about the \$396 million, that's over and above what goes to the community with respect to the basic funding and all the programs. The \$396 million: \$100 million for the new municipal sustainability housing program, \$96 million to the capital enhancement fund, \$13 million for homeless support, a \$3 million increase to the provincial homeless initiative – that's a \$6 million total budget for the community – \$14.3 million for rent supplements, \$4.3 million increase for support to housing, \$45 million for new affordable housing for 300 units in Fort McMurray, \$7 million for the new homeless and eviction prevention fund, and \$2.5 million for the new Alberta transitional housing initiative.

Dr. Taft: Mr. Speaker, the Radke report clearly indicated the government's failings on the environment in the oil sands region.

The report shows that the Department of Environment has no capacity to complete environmental impact assessments. If there's no capacity to do individual EIAs, then there's no way they can do cumulative impact assessments. To the Premier: why has this government not provided the capacity to conduct cumulative environmental impact assessments in the oil sands as they have in the Industrial Heartland?

Mr. Stelmach: Mr. Speaker, I'll have the Minister of Environment answer that question specifically. But once again the hon. member is totally wrong.

The Deputy Speaker: The hon. minister.

Mr. Renner: Thank you, Mr. Speaker. You know, sometimes it's easier to perpetuate a myth than to acknowledge reality. I want to point out to the hon. member what Environment has done with respect to the oil sands. We've realigned the department and created an oil sands division specific to the oil sands. We announced in-stream flow needs and a water management system for the Athabasca River. We began the water management framework for the South Saskatchewan River as it affects the Industrial Heartland. We have been involved in various issues with respect to cumulative impact, the in-stream flow needs being only the very beginning.

The Deputy Speaker: I'm sure we'll get to that with the next set of questions, hon. minister.

Second main question of the Official Opposition. The hon. Leader of the Official Opposition.

Watershed Management

Dr. Taft: Thank you, Mr. Speaker. This government has released a cumulative effects framework for the Industrial Heartland as a pilot project. Terrific. However, they've not completed such a framework for the oil sands despite the recommendations of the Radke report and the Oil Sands Multi-Stakeholder Committee. A cumulative-impacts approach is desperately needed in the Fort McMurray region. To the Premier. This may be the largest industrial development on the planet. Is it the Premier's position that a development of this scale should proceed without an understanding of its cumulative environmental effects?

Mr. Stelmach: Mr. Speaker, this government undertook a policy to study cumulative impacts on all major development. We started with the Industrial Heartland, we're working in Fort McMurray, but we also made a commitment that if there is any large development anywhere in Alberta, we'll look at the cumulative impacts, those environmental impacts. Of course, our top priority in government is to ensure the safety of our air, soil, and water, certainly. That's a new way of doing it, I know, for the opposition, but we're going to find that a much better way to secure the long-term prosperity of the province of Alberta is by doing a very good, solid environmental review of the cumulative impacts.

Dr. Taft: Mr. Speaker, most people seem to have a different view on this than the Premier.

Water concerns in the Athabasca are serious. This government's water management framework, which the minister seemed to mention, was released in response to the Radke report, but it does not do enough to protect water resources. As one of our province's prominent water experts, Dr. David Schindler, said, I'm sure they're trying to put the best face on a bad scene. My question is to the

Premier. Can the Premier assure the residents that its framework provides the best science available to protect the long-term health of the Athabasca River?

Mr. Stelmach: Mr. Speaker, I have great confidence in the scientists that the Department of Environment uses to evaluate the cumulative effects of the various pressures on the environment, and I have great respect for Dr. Schindler. In fact, I talked to him not that long ago at the University of Alberta when we introduced a new approach for the Water for Life strategy. He is part of that group, and I am looking forward to continued working relationships with all of the scientists involved in this particular area, a very important area.

The Deputy Speaker: The hon. leader.

Dr. Taft: Thank you, Mr. Speaker. The heart of sound water management is watershed management planning, but in Alberta only the South Saskatchewan basin has a plan for the entire watershed. There is no way to make sound water decisions in the absence of watershed management plans. Again, to the Premier: why is watershed management planning not mandatory for all river basins, including the Athabasca River basin?

Mr. Stelmach: Mr. Speaker, I guess, just another example of where the leader is completely out of touch. In fact, we've had more industry participation, not only from the oil and gas sector but from agriculture as well and forestry, working together towards ensuring the quality of water in this province of Alberta. We understand that good clean water is critical not only for continued economic investment but is also necessary for a good quality of life in the province of Alberta. It's a top priority. In fact, we've put more money towards the Water for Life strategy than ever before, and we'll continue to invest in this very important key area.

The Deputy Speaker: Third main question for the Official Opposition. The hon. Member for Edmonton-Rutherford.

1:40

Heritage Savings Trust Fund

Mr. R. Miller: Thank you very much, Mr. Speaker. Yesterday the Minister of Finance announced another \$2.2 billion increase in the surprise surplus while at the same time – at the same time – we learned that the Alberta heritage savings trust fund actually lost half a billion dollars in value. My question is for the Premier. When will you finally adopt the Alberta Liberals' plan for funding Alberta's future and start saving 30 per cent of natural resource revenue for future generations? When will you do it?

Mr. Mason: Just say never.

Mr. Stelmach: Actually, the leader of the third party gave me the answer, but I won't repeat that.

Mr. Speaker, the government is determined to secure long-term prosperity for the province of Alberta. Certainly, saving for the future is important. It's also very important to make very prudent, necessary investments in infrastructure, and it's also very important to ensure that we've set money aside to maintain the infrastructure that we're building and the infrastructure that was built a number of years ago. Yes, it's good to have savings – we have about \$30 billion in savings today – but it's also good to set some money aside so the next generation doesn't reach deeper in their pockets to pay for all the maintenance of the infrastructure we're building.

Mr. R. Miller: Well, Mr. Speaker, if he won't listen to us, perhaps he'll take the advice of his own ministers. "My platform has put forward a plan to save 50% of our non-renewable resource revenue in the Heritage Fund," said the minister of health just over a year ago. Or how about this one: "I will commit to saving at least 30 per cent of resource revenues collected each year to reinvest in the Heritage Savings and Trust Fund," said the Minister of Sustainable Resource Development just over a year ago. When will the Premier start taking the advice of his own ministers?

Mr. Stelmach: Mr. Speaker, I guess what the hon. member fails to mention is, I suspect, that those statements were made while all of us were on the campaign trail and had resigned from cabinet. So get the facts straight.

With respect to savings what we have done is appointed a commission to review Alberta's fiscal policy. Now that we've eliminated the deficit and paid off the debt, we have to look to further advice to see how we can secure the long-term future prosperity of the province. The Minister of Finance is awaiting the report. November 30 is when the report will arrive, and we'll be able to share that with the public.

Mr. R. Miller: Well, I'm glad that he mentioned the Minister of Finance, Mr. Speaker, because of course I have more examples. Let's look at this gem. "I have recommended in my platform that a minimum of 20% per year be placed into the Heritage Savings Trust Fund." That from the Minister of Finance a year ago. The Premier says he won't adopt the Alberta Liberals' plan. He won't do as his ministers say. My question, once again, for the Premier: how much longer is this Premier going to continue to ignore the advice of his very own Minister of Finance?

Mr. Stelmach: Mr. Speaker, I can tell you one piece of advice coming from the Liberal party that we will definitely not implement, and that is building an upgrader in Manitoba. That's guaranteed.

The Deputy Speaker: First main question of the third party opposition. The hon. leader of the ND opposition.

Homeless Children

Mr. Mason: Thanks very much, Mr. Speaker. The Tories' neglect of homeless children is unforgivable. The lack of emergency shelter space for kids is so acute that they are exchanging sex for shelter just to stay out of the cold. A worker at the Old Strathcona Youth Co-op says, and I quote: it's so common it breaks my heart; they're not prostitutes, they're not addicted to drugs or doing it for money; they're doing it because it's cold outside and they need somewhere to sleep. To the Premier. These kids don't have time to wait for your 10-year plan to end homelessness in Alberta. What are you going to do to protect them tonight?

Mr. Stelmach: Mr. Speaker, that question was raised in the House the other day by the other party. We have a very good, solid plan to eradicate homelessness in 10 years. It's following up on a number of proposals that are coming forward from the city of Calgary, the city of Edmonton, and other communities. We just helped in partnership with the city of Red Deer to add another 40 units. We're increasing the number of units available in different communities across Alberta. This is something that, of course, we cannot deal with overnight, but we are making the necessary investment because I do agree with the hon. member that every family deserves a home.

The Deputy Speaker: The hon. leader.

Mr. Mason: Thank you very much, Mr. Speaker. Well, again, the Premier talks about a 10-year plan to end homelessness, but the government has known about this for some time. Boyle Street Community Services identified this problem last year. In the city of Edmonton there are only 36 beds devoted to kids that are 19 years old or younger, but there are up to 360 children under 17 years of age living on the street in Edmonton alone. Around half of those have fled an unsafe situation at home. There's one person who can do something about this right now, and that's the Premier. My question is to him. Mr. Premier, will you act to get vulnerable young people off the street today?

Mr. Stelmach: Mr. Speaker, we actually, not today, started a number of months ago with a very comprehensive housing program for the province of Alberta. We're continuing in that direction. We see some very positive signs. In fact, more housing units are available. There are more rental spaces available if you're looking at some of the statistics that are coming both from real estate and also from the cities of Edmonton and Calgary. So we're moving in a positive direction. Of course, we were criticized yesterday by the opposition for spending as much money as we did in the eviction fund protecting families so that they're not evicted and out on the street. That's the kind of compassion that this government shows towards families.

Mr. Mason: Mr. Speaker, no government has done more to create homelessness in this province than this government. Instead of spending the money necessary to fix the shelter problem, the Liberals and Conservatives voted for a \$265 million corporate tax cut. That money could have solved the shelter problem immediately and made a huge dent in homelessness today, not 10 years from now. My question is to the Premier. Will you do the right thing today and commit to spending the money needed to give every homeless child a safe place to sleep today?

Mr. Stelmach: Mr. Speaker, we've already committed the funds. We have already committed the funds. But this, again, is a difference in ideology from the third party. What they want to do is to tax as much as possible and then share that money out. One of the proven examples in this province is that by working together with the private sector and finding the right model to encourage continued investment in housing, we see more housing units available, we see more rental units available, and in fact we have made tremendous progress in this area in the last eight months. If we would have followed their advice, we would have had less – less – rental units and zero increase in the number of housing available.

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

Affordable Housing for Students

Ms Calahasen: Thank you very much, Mr. Speaker. My constituency has experienced incredible growth. Rent increases have skyrocketed, and to find affordable rental accommodation is like finding hen's teeth. Students attending Northern Lakes College in Slave Lake are especially finding it difficult to get housing on their limited funding. My question is to the Minister of Municipal Affairs and Housing. What is it that you're doing to address the affordable housing needs of students in this province?

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

Mr. Danyluk: Well, thank you very much, Mr. Speaker. Firstly, I want to say to the hon. member that our programs are designated to

address the people that are most in need, as identified by the local municipalities. This morning we were able to make an announcement for affordable housing in rural Alberta. In addition, on affordable housing and how it benefits communities, students are also able to qualify for funding under the rent supplement program, which amounts to approximately \$14.3 million more to assist 6,700 households.

1:50

Ms Calahasen: Mr. Speaker, I thank the minister for the announcement this morning. However, how does that, then, fit into what my needs are in Slave Lake and for the students of that community, who are experiencing such incredible difficulty in trying to find affordable accommodation?

Mr. Danyluk: Well, Mr. Speaker, Slave Lake is a community with a college, and with the growth pressures that that community has in housing, the community of Slave Lake brought forward a proposal for housing for students. Students come into Slave Lake for trade schooling. It could be anywhere from seven to eight weeks to six months. There is no such facility to be able to address those needs. This morning we approved an application for over \$3 million for the community of Slave Lake to assist that community with student housing.

Ms Calahasen: I really thank the minister for that, Mr. Speaker. However, there are partnerships that have occurred in the past within my constituency with various groups. My question, then, is to the minister again. Is it partnerships that drive this kind of idea in order for us to be able to get more money for those areas or those communities that need affordable housing?

Mr. Danyluk: Well, Mr. Speaker, in the criteria for the attainable or affordable housing, one of the criteria, of course, is contribution from other sources, co-operation. It's not necessarily necessary, but it adds to part of the project. I do want to say that it is critical that the communities, the municipalities get together with the schools, with not-for-profit agencies because in actuality communities are working together to one goal, and that is to make that community better. Yes, it is very advantageous to work together.

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

Energy and Utilities Board

Mr. MacDonald: Thank you, Mr. Speaker. When it was revealed that a government agency hired private eyes to spy on innocent landowners at EUB hearings, Albertans felt betrayed, violated, disgusted, and repulsed. Not the Premier, though. He initially defended the use of spies by his government. My first question is to the Minister of Energy. Given that the government was provided all the details last May in advance of the illegal undercover spying operation in Rimbey, why didn't they do anything to stop it?

Mr. Knight: Mr. Speaker, you know, the situation around the EUB is certainly deplorable, I would suggest, to say the very least. None of us — none of us — on this side of the House and not very many, I think, on the other side of the House would agree that hiring any kind of private service to look into the private affairs of Albertans is something that we would tolerate. I haven't tolerated it, and the fact of the matter is that that has been dealt with very severely.

The Deputy Speaker: The hon. member.

Mr. MacDonald: Thank you, Mr. Speaker. Again to the Minister

of Energy: why, then, are you tolerating the attending board members of the EUB by allowing them to still sit and serve? John Nichol, Ian Douglas, and Graham Lock were aware of the covert spy operation in Rimbey. You hired them. Why don't you now fire them?

Mr. Knight: Mr. Speaker, what I should probably suggest that the member do now is that perhaps tomorrow morning he may want to check with the EUB to see who actually is sitting on the board of the EUB.

Mr. MacDonald: Again to the same minister. Now, when the information was provided to the Legislative Assembly security that this covert spy operation was going to occur, why did this government not do anything and stop it, stop it right there before it occurred? It was illegal; it was wrong; it was intolerable. Why didn't you do anything?

Mr. Knight: Mr. Speaker, again, what I can tell you and all Albertans is that I have done exactly that.

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

Affordable Housing for Smaller Communities

Mr. Rogers: Thank you, Mr. Speaker. Alberta continues to be a beacon of hope for Canadians looking for a province that provides them with opportunities. The rest of the country and indeed the world is beating a path to our door, a place to call home. November 22 is generally recognized as National Housing Day in Canada, and it serves to highlight the importance of having a safe and affordable place to call home. My first question is for the Minister of Municipal Affairs and Housing. Can the minister advise this House about what specific actions he is taking to help smaller urban and rural municipalities to address their affordable housing needs?

The Deputy Speaker: The hon. minister.

Mr. Danyluk: Well, thank you very much, Mr. Speaker. I do want to acknowledge what the hon. member has presented in his question, and that is that rural municipalities or smaller municipalities are experiencing those growth pressures. This morning we did make an announcement. The program offered \$60 million, which individual municipalities were able to apply for. This morning we made that announcement, and there were 15 municipalities with 16 projects that were approved. We will get over 500 units that will be developed from that funding.

The Deputy Speaker: The hon. member.

Mr. Rogers: Thank you, Mr. Speaker. My first supplemental is to the same minister. Can the minister tell the House more about the projects and what this funding will mean? What does it mean on the ground, Mr. Minister?

Mr. Danyluk: Well, Mr. Speaker, what's on the ground are 500 units, units that are throughout Alberta in small communities where there is a need. Those projects are projects for education, attainable affordable housing for special needs. They are projects that are needed in those communities. I again suggest to you: over 500 units being built in Alberta.

The Deputy Speaker: The hon. member.

Mr. Rogers: Thank you, Mr. Speaker. My final supplemental is to the same minister. Mr. Minister, we all know that partnerships can make a huge difference. You get a bigger bang for the buck. Can you give us any examples of partnerships on these projects?

The Deputy Speaker: The hon. minister.

Mr. Danyluk: Well, thank you very much, Mr. Speaker. I want to say that one of the best partnership programs or applications that came forward was exactly the partnership from Leduc/Beaumont/Devon. Their project was the three municipalities getting together and working together on a three-year project. In fact, that organization got \$7 million for 56 units to be built in their communities. So it does show how communities can work together for a positive, united goal.

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

Water Licence Transfer

Dr. Swann: Thank you, Mr. Speaker. Albertans expect their government to take their concerns seriously, to listen to them when they have concerns about actions and approvals, especially in relation to water in southern Alberta. Albertans are increasingly distrustful of this government, including issues around Bill 46, coal-bed methane drilling without groundwater testing, and the Balzac situation, and the list goes on. Now, in relation to Balzac the Springbank water provider Westridge Utilities and the Tsuu T'ina First Nation appealed Alberta Environment's decision to approve the water licence transfer from the western irrigation district to the megamall in Balzac and never heard back from Alberta Environment. To the minister: why did the minister ignore the statements of concern from Westridge Utilities?

Mr. Renner: Well, Mr. Speaker, the hon. member knows very well that decisions with respect to licence applications, water applications are dealt with by a director within my department. If affected parties are dissatisfied with that decision, they have the right to appeal that decision to the Environmental Appeal Board. Then and only then, after the Environmental Appeal Board has dealt with an issue, is the minister entitled to be or in fact legally allowed to be part of that decision-making process.

2:00

The Deputy Speaker: The hon. member.

Dr. Swann: Well, thank you, Mr. Speaker. With a moratorium on all new allocations from the Bow River can the minister outline what principles he followed in determining the priority that Balzac had for this replacement water?

Mr. Renner: Well, Mr. Speaker, to the best of my knowledge this particular issue is before the appeal board as we speak, and I think it would be inappropriate for me to comment one way or the other until the board has dealt with the issue.

The Deputy Speaker: The hon. member.

Dr. Swann: Thanks, Mr. Speaker. The fact that the government ignored other water users' concerns and made sure the developers of the megamall got their water raises more questions of public trust and the involvement of this government in the Balzac megamall. This government also gave millions of taxpayer dollars to develop the water system there. They appear to have bent the rules to allow

them to access the money. They approved a water licence in the blink of an eye. Did the minister bury the statement of concern because of government promises to the developers in the MD, because this government was involved in the megamall from the beginning?

Mr. Renner: Mr. Speaker, I'm not going to comment on this particular licence application, but let me talk about the general issue of dealing with licence and water allocations on the South Saskatchewan River basin. As the member has already pointed out, there are no additional licences that are to be issued in that system. That, then, necessitates the transfer of existing licences. It's not the government that initiates those transfers; it's the licence holders that initiate those transfers. The responsibility of the government is to ensure that in the process of transferring licences, we don't put any risk or additional risk or harm to the ecosystem. That is the overriding policy.

The Deputy Speaker: The hon. Member for West Yellowhead.

Affordable Housing in West Yellowhead

Mr. Strang: Thank you, Mr. Speaker. Later this week affordable housing day is being recognized throughout the province. Can the minister of municipal affairs please advise the Legislature what government is doing to help with the affordable housing issue for all Albertans that are in need?

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

Mr. Danyluk: Well, thank you very much, Mr. Speaker. I need to let this Assembly know that housing is a priority for this government: in fact, 11,000 units planned over five years – 11,000 – \$285 million this year allocated to housing and programs, new money, and also \$143 million of that going to the high-growth communities; \$35 million for homeless support to provide, an earlier question, 3,100 spaces; \$7.5 million for the winter contingency funding for 940 extra spaces.

The Deputy Speaker: The hon. member.

Mr. Strang: Thank you, Mr. Speaker. My first supplementary question is to the same minister. What are you doing to answer the affordable housing issue in West Yellowhead?

The Deputy Speaker: The hon. minister.

Mr. Danyluk: Thank you very much, Mr. Speaker. In this morning's announcement of \$60 million there was a program for \$4.9 million going to the Happy Creek Estates project in Hinton. This project provides 58 units of low-cost, affordable housing, including 30 units that are accessible to assist Albertans with special needs.

The Deputy Speaker: The hon. member.

Mr. Strang: Thank you, Mr. Speaker. My second supplementary question is to the same minister. With affordable housing being an issue in West Yellowhead, what are you doing to help those other communities that didn't receive the grants process?

Mr. Danyluk: Well, Mr. Speaker, in particular in the constituency of the member \$550,000 for 23 community housing units, 85 rent supplements, \$4.4 million for 69 units in the Alberta affordable

housing program, \$2.3 million for off-reserve aboriginal housing for 35 units, more than \$900,000 under the municipal sustainability and capital enhancement program. This is just one example in one constituency of what this government is doing to assist in housing and services in this province.

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

Continuing Care Needs in Fort McMurray

Ms Pastoor: Thank you, Mr. Speaker. There's a shortage of continuing care beds in Fort McMurray, and the few beds that do exist are located within the hospital. A hospital's ability to take new patients into an emergency room or for surgery depends on having the ability to discharge patients into a continuing care facility. To the minister of health. The health region has been asking for and has needed a continuing care facility for five years. When will they get one?

Mr. Hancock: Well, I guess, Mr. Speaker, the short answer is: as soon as I get the money for it. But I can tell the hon. member that, indeed, the health region has a plan in place and has requested as part of their capital request for this year – and we've approved money to buy land for it – to build a facility so that the continuing care facility can be moved out of the hospital, supplemented in terms of the numbers, and that we can reclaim the hospital beds for active hospital acute care.

The Deputy Speaker: The hon. member.

Ms Pastoor: Thank you, Mr. Speaker. To the minister of health again. I'd be more than willing to write letters to your colleagues when it's budget time to see if we can get you that money.

The region is under great strain not only because of not having the long-term care beds. They are very afraid of a major industrial accident or even a widespread pandemic and being able to go into all of those beds. You have indicated that it might be dependent on the budget. Could I have, perhaps, a little tighter time frame on that?

Mr. Hancock: Well, Mr. Speaker, the hon. member has offered to lobby my colleagues, I think – that's not the term she used – with respect to the budget process when it becomes time. She ought to be aware, of course, that the budget process for this government starts very early in the process, so it's well past the point where lobbying might be effective.

I can say this: it's a very important part of our capital projects. We put forward the requests, and obviously the result will depend on the number of priorities that have to be funded in terms of the capital that's available. But I'm very acutely aware of the need for a long-term care and continuing care facility in Fort McMurray and the need to reclaim the hospital beds that are currently occupied.

Ms Pastoor: Well, I'm disappointed to hear that I can't do some good, solid lobbying. I'm pleased to hear that this is where the minister is going because continuing care beds in the long run really are less expensive. But my question would be: at this point in time are people who are in considered long-term care beds being charged as long-term care beds, or are they getting them at hospital rates?

Mr. Hancock: Well, Mr. Speaker, I couldn't answer that off the top of my head as to what charges might be levied. In terms of long-term care patients, normally long-term care patients are treated differently than lodge or continuing care in terms of whether they're charged for their housing. I wouldn't believe that anyone is being

charged for housing because I believe that's treated as a long-term care facility, but I would have to check into that and get back to the hon. member.

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

Condominium Conversions

Mr. Martin: Thank you, Mr. Speaker. This government's housing policy stumbles and bumbles from one disaster to another. In the first 10 months of this year the city of Edmonton has experienced 6,915 condo conversions. Before this year the largest number was 4,776, in 2004. To the President of the Treasury Board. You brought us Bill 34. Wasn't the purpose of this bill to give renters a year of relief and peace of mind that they'd at least be able to stay in their homes for at least a year, or was the point of Bill 34 just to make the government look like they were doing something for renters?

2:10

Mr. Snelgrove: Mr. Speaker, there is a balance in governing, where you need to respect the property rights of people, and you need to balance that in some cases against the greater need of others. What we did with our landlord/tenant act was to ensure that people would have time to plan should circumstances change with regard to ownership of buildings or property and, if there were to be conversions or sales, that they would have the opportunity to look for other places to live at that time. It has never been this government's position to arbitrarily assume control or ownership of private property.

Mr. Martin: Mr. Speaker, what was the point of having Bill 34, then? We spent all night here debating it, and I thought the purpose was so that they would have that year. Now the minister is saying that they don't. The legislation is so full of loopholes that you could drive a truck through it. It's virtually useless. Service Alberta tells us to take the landlords to court. That's the advice we get when we call. Again to the President of the Treasury Board. Forget about the balance and worrying about the landlords all the time. When will you acknowledge that this isn't working and implement something that keeps people in their homes, like a temporary moratorium, till this has settled down a little?

Mr. Snelgrove: You know, Mr. Speaker, what keeps people in their homes are jobs and work. When we can support the people that need help, when we can put in programs that will allow people who for a short period of time need some assistance, we're very happy and able to do that. The only solution to a lack of housing, whether it be expensive or very affordable, is the number of units. If the hon. people would read any literature or just listen to anyone, they would understand that the solution lies in developing more units.

Mr. Martin: We're getting a lecture from Milton Friedman over there in supply-side economics, Mr. Speaker.

Let's put it in perspective. The minister over there is bragging about creating 11,000 units over five years. In Edmonton alone we're losing 7,000 units of affordable housing. That's just in Edmonton. Never mind Calgary and the rest of the province. How can you possibly justify this with this going on?

Mr. Snelgrove: His time, Mr. Speaker, would probably be better spent out looking where they're going to. They're not going anywhere, hon. member. They are housing people in Edmonton and

all of the communities around here. Under your plan people quit building, quit providing anything, and they leave. This allows an opportunity for people to transition to whatever kind of housing they choose. Rather than everyone moving in with your grandiose opportunity for Alberta, where we can all live in a cardboard box, we strive to let people go to the top.

The Deputy Speaker: The hon. Member for Whitecourt-Ste. Anne.

Agricultural Income Stabilization Program

Mr. VanderBurg: Thank you, Mr. Speaker. As we all know, Alberta's livestock producers are facing many challenges due to the strong Canadian dollar and the skyrocketing cost of fuel, feed, and fertilizer. My question is to the Minister of Agriculture and Food. While my constituents appreciate the assistance being provided under the recently announced Alberta farm recovery plan, some are wondering why this plan is based on the CAIS program and not on a per-head/per-acre basis. Can the minister explain why.

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

Mr. Groeneveld: Well, thank you, Mr. Speaker. Unfortunately, a per-head or a per-acre program does not reflect producer need, nor is it trade neutral. For the AFRP we wanted a quick response but not through an ad hoc or a shotgun, scattergun approach. CAIS, obviously, offers the best available data that we have to be able to target producers who require assistance.

Mr. VanderBurg: Mr. Speaker, you know that in your constituency CAIS doesn't work for your producers. Minister, you know it doesn't work for your producers. My producers spread manure every day, but they can't spread it as high as the CAIS program. Mr. Minister, tell us: when will you fix this program? When will you get together with the feds and get this right?

The Deputy Speaker: The hon. minister.

Mr. Groeneveld: Thank you, Mr. Speaker. I've made no secret all along that CAIS has never been my favourite program. However, we are in this with the federal government on a 60-40 deal. We are endeavouring to make some changes to the CAIS program. In fact, I've charged the people at AFSC to come up with a new program. They have done so, and we've presented it to western Canada. It's been fairly well received. We presented it to the federal government last Saturday. It's been fairly well received there. We're now doing a comprehensive report to the eastern Canadian people, so hopefully down the road we're going to get this fixed.

Mr. VanderBurg: Mr. Speaker, okay. I give. I'll give in on this point. Can the minister tell us: when will my producers get the cheques from this program?

Mr. Groeneveld: Mr. Speaker, cheques have started coming out on the current program. So far we've sent out \$14 million, with an average payment of \$72,000. Hog producers will be the first to receive this program, and the cattle producers will follow very shortly. In total \$165 million will be distributed to all eligible producers by March 2008.

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

Drug Treatment Courts

Mr. Cheffins: Thank you, Mr. Speaker. In the recent report of the

Crime Reduction and Safe Communities Task Force one of the simpler recommendations was the expansion of drug treatment courts to meet the needs of Albertans struggling with addictions. Will the Minister of Justice provide a target cost for establishing these institutions outside of Alberta's two largest municipalities?

Mr. Stevens: Mr. Speaker, it is true that one of the recommendations of the task force was to expand specialty courts. At this point in time we have a very successful domestic violence court program, some eight domestic violence courts throughout the province. That is the template that we use when we talk about this type of court. We've been able to expand that one court at a time as a result of ultimately building the capacity within communities to deal with these matters, and as we go forward with respect to either drug courts or mental health courts, which are the other recommendations, that will be our approach.

The Deputy Speaker: The hon. member.

Mr. Cheffins: Thank you, Mr. Speaker. The task force report points out that drug treatment courts will only work if offenders receive immediate help getting into treatment. How will the Minister of Justice address the shortage of treatment spaces that currently exists, for example, in Fort McMurray?

Mr. Stevens: The drug court that we have in the province at this particular point in time, Mr. Speaker, is located here in Edmonton. It came about as a result of a federal government initiative. The city of Edmonton and other concerned individuals put forward a proposal to the federal government, so we've now had a drug court here for, I believe, in excess of one year. The involvement of Alberta Justice with respect to the drug court – we do not do the prosecutions because prosecutions are done principally by the federal government; they prosecute adult drug offenders – is the participation of the court staff, and at this point in time the cost is being linked to . . .

The Deputy Speaker: The hon. member.

Mr. Cheffins: Thank you, Mr. Speaker. A related question. The task force also recommends, based on the earlier work of the Premier's Task Force on Crystal Meth's report, that a minimum of 200 treatment beds are required across this province. How can addictions treatment be expanded in this province given the struggle that service providers face in providing service to those currently involved in treatment programs?

Mr. Stevens: There's absolutely no doubt that treatment goes along with courts like the drug court. But, Mr. Speaker, the issue with respect to treatment beds is not a Justice issue; it's ultimately a Ministry of Health and Wellness issue. Perhaps another day he'll be able to comment on this.

The Deputy Speaker: The hon. Member for Calgary-Nose Hill.

High-Security Drivers' Licences

Dr. Brown: Thank you, Mr. Speaker. Officials from the United States recently announced that they plan to accept high-tech drivers' licences instead of passports to allow Canadians to cross the border. Such drivers' licences would have embedded personal information, including citizenship, and would be harder to counterfeit or steal. My question is to the hon. President of the Treasury Board and Minister of Service Alberta. What is his department doing to bring on the proper technology in Alberta to allow Albertans to cross the border without passports?

2:20

Mr. Snelgrove: That's a good question. I'm not exactly sure that the premise is correct, Mr. Speaker. There is a group that is working with our American counterparts to understand if there is a possibility to develop a secure document that may take the place of a passport. If that document were able to be included in a driver's licence in some way or another, then that would be good.

The Alberta driver's licence itself is one of the most secure documents in North America, but at this time it is only a document that entitles you to drive a motor vehicle. That's all it signifies.

Dr. Brown: To the same minister: what does the minister anticipate in terms of timing in bringing on this technology to allow us to cross the border without passports?

Mr. Snelgrove: To be clear, Mr. Speaker, the standing right now for Albertans to cross into the United States on land without passports is likely going to be this next fall. If you travel by air now, you have to have it. Is the Alberta government going to be ready to produce a driver's licence that would enable them to cross into the United States within a year? I don't think so because the information that would be needed to do that in a driver's licence would very much resemble the information you need to collect to have a passport.

The Deputy Speaker: The hon. member?

Hon members, that was 83 questions and answers today. We will now resume with the Routine.

head: **Tabling Returns and Reports**
(continued)

The Deputy Speaker: The hon. Member for Edmonton-Rutherford.

Mr. R. Miller: Thank you very much, Mr. Speaker. I have four tablings today, the first being a letter from Derek Wynnyk, a resident of south Edmonton, who is writing to express his concern about the homelessness situation and encourages governments to commit 1 per cent of their budgets to housing programs.

The second letter is from another south Edmonton resident, Bruce Horsman, with concerns about AISH. He wants to let the government know how difficult it is for people who live on AISH, and he says, "The streets are no place to live in a land so rich."

Mr. Hancock: A point of order.

Mr. R. Miller: A letter from Neil Evans, a resident of Edmonton-Mill Woods, who is writing with concerns about Alberta's parks. He says that every time that he stays in a campground in a B.C. provincial park, a Washington or Oregon state park, or a Canadian or U.S. national park, he wonders why we don't have the same high-quality parks and campgrounds here in Alberta.

The last one, Mr. Speaker, is from Joyce Peeke, a resident of south Edmonton, expressing her concern about unfair bargaining that she has experienced for local 003, chapter 008. She's a 24-year employee of the Alberta government.

Thank you.

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

Mr. MacDonald: Thank you very much, Mr. Speaker. I appreciate it. I have four tablings today. The first is on behalf of a constituent, Mr. Malcolm Ball, who is writing regarding prospective changes to labour law . . . [interjection]

The Deputy Speaker: We have a point of order. We'll deal with it afterwards.

Mr. MacDonald: Sorry, Mr. Speaker.

Mr. Hancock: You don't interrupt question period for points of order, but it's appropriate at other times.

The Deputy Speaker: Okay. What's your point of order?

Mr. Hancock: Well, Tablings to the Clerk were called and the Routine was finished.

The Deputy Speaker: We had some left over.

Mr. Hancock: But the Clerk called Tablings to the Clerk.

The Deputy Speaker: I believe it was premature on his part because I still had some on the list. It was a lack of communication, hon. minister, so we're continuing on with this program.

Mr. MacDonald: Thank you very much, Mr. Speaker. After that interruption I will start over.

The Deputy Speaker: Continue from where you left, please.

Mr. MacDonald: Thank you. On behalf of Mr. Malcolm Ball, a constituent of Edmonton-Gold Bar, I would like to table the following letter, which is indicating that we must change Alberta's labour laws in five significant ways.

The second tabling I have is a letter dated September 6, 2007, to the hon. Minister of Energy. This is in regard to the government's slow elimination of the regulated rate option and forcing up power bills.

My third tabling is on behalf of a constituent, Olga Sandberg, who also is very concerned about Alberta's labour laws and is suggesting in this letter that there be five significant changes.

My last tabling, Mr. Speaker, is from a constituent from Edmonton-Gold Bar by the name of Mr. Justin Fex. Mr. Justin Fex is also writing requesting that there be five significant changes to Alberta's labour laws.

Thank you very much for your patience. I appreciate it.

head: **Orders of the Day**

head: **Transmittal of Estimates**

The Deputy Speaker: The hon. President of the Treasury Board.

Mr. Snelgrove: Mr. Speaker, I have received a certain message from His Honour the Honourable the Lieutenant Governor, which I now transmit to you.

The Sergeant-at-Arms: Order!

The Deputy Speaker: The Lieutenant Governor transmits supplementary supply estimates of certain sums required for the service of the province for the fiscal year ending March 31, 2008, and recommends the same to the Legislative Assembly.

You may be seated.

The hon. Minister of Finance.

Dr. Oberg: Thanks very much, Mr. Speaker. When a second or subsequent set of estimates is to be tabled, section 8 of the Government Accountability Act requires that an amended fiscal plan also be

tabled. Accordingly, I wish to table the 2007-2008 quarterly budget report for the second quarter, which serves as the amended fiscal plan. This quarterly report was provided to all MLAs on November 20. I also made this report public as required by section 9 of the Government Accountability Act.

The Deputy Speaker: The hon. President of the Treasury Board.

Mr. Snelgrove: Thank you, Mr. Speaker. The quarterly report tabled by the Minister of Finance provides the framework for additional spending authority for 16 departments of the government. I now wish to table the 2007-08 supplementary supply estimates. These will provide additional spending authority to 16 departments of the government.

When passed, the estimates will authorize approximate increases of about \$1.5 billion in voted expense and equipment purchases. The majority of these estimates are for the savings, with \$825 million going to the heritage fund and \$408 million for capital projects, including capital maintenance and renewal and affordable housing. This is available from higher than anticipated fourth quarter results from last fiscal year and this year to date. The remainder of the estimates are for \$197 million in disaster emergency assistance, and \$68 million for public service and salary settlements, contracted agency recruitment and retention initiatives, and the Fort McMurray allowance. Also, an additional requirement of \$15 million in statutory nonbudgetary disbursements is disclosed in these estimates. Disaster emergency assistance is funded through the sustainability fund, and other changes are addressed through dedicated revenue, expense changes, or the contingency allowance announced at budget.

Mr. Speaker, as was reported yesterday at second quarter, it is important to note that due to lapses operating expenses remain lower than forecast at budget.

head: **Government Motions**

32. Mr. Snelgrove moved:

Be it resolved that the message of His Honour the Honourable the Lieutenant Governor, the 2007-08 supplementary supply estimates for the general revenue fund, and all matters connected therewith be referred to Committee of Supply.

The Deputy Speaker: Hon. members, this is a debatable motion. Does anyone wish to?

The hon. President of the Treasury Board to close debate?

[Government Motion 32 carried]

33. Mr. Snelgrove moved:

Be it resolved that pursuant to Standing Order 61(9) the number of days that Committee of Supply will be called to consider the 2007-08 supplementary supply estimates for the general revenue fund shall be one day.

[Government Motion 33 carried]

head: 2:30 **Government Bills and Orders**
Second Reading

Bill 41

Health Professions Statutes Amendment Act, 2007

[Adjourned debate November 14: Mr. Oberle]

The Deputy Speaker: The hon. Member for Peace River? Are there any others? The hon. Member for Calgary-Mountain View.

Dr. Swann: Thank you very much, Mr. Speaker. It's an honour to stand and speak to the issues of Bill 41, the Health Professions Statutes Amendment Act, 2007. Let me say that this is a bill that raises significant concerns for many of the professions, not only the health professionals. It amends the Health Professions Act to require immediate notification of the medical officer of health, and it amends the Health Professions Act and the Medical Profession Act to give the minister the power to replace the functions of the College of Physicians and Surgeons or to direct the college to adopt bylaws, regulations, and standards.

Clearly, Mr. Speaker, this raises some significant concerns for the medical profession in particular but all health professionals as it empowers the minister to make orders directing the college to adopt a code of ethics for standards of practice, to appoint an administrator to carry out powers and duties of the college if in the opinion of the minister it would be in the public interest. He could make any regulation, bylaw, code of ethics, or standard of practice that a council may make, and those decisions override any made by the college. This is both a heavy-handed and an unnecessary intervention by the minister, and it violates the principle of self-regulation that this government has said it was committed to over several decades. It raises a number of questions, most fundamental of which is: what problem is being addressed by this, and what is the best way to solve it?

Infection control practices, which appear to have been a stimulus for this new amendment, identify roles and responsibilities for infection control that include the Alberta Department of Health and Wellness itself. It's not clear where the responsibility for some of these breakdowns lies, but quite apart from that there are gross underfunding problems in the Alberta health ministry, low morale is well known, and it may prove just as constructive to look within the department to look at ways that we can improve the supervision and management of infection control in the province.

Another question in relation to this is the question that this amendment may prohibit or discourage doctors from criticizing government and health authorities from pointing out other shortfalls to the system. It's clearly not in the best interests of improving quality of health and improving relations with the medical profession to intervene in such a heavy-handed way.

A further question would be: how does the minister determine the public interest? Again, it's very unclear that politicians would have a better sense of what represents the public interest than those individuals who have spent their lives studying and committed to improving the public health.

Yet another question is: why is the minister undermining the self-governance process that this Legislative Assembly empowered them to have? Would the minister feel equally strongly about other professions, including the legal profession, if this is an important oversight that all professions may need by this government?

A further question relates to that of the cabinet role. Would the cabinet be in a better position to set standards of practice for medical professionals than these professionals themselves? Should politics be in a position to trump professional ethical bodies and their codes?

Yet another question that the minister may wish to answer is why he's focusing this draconian change on the health professions. Surely we have equal and serious concerns with all professions in Alberta.

Finally, will the health minister accept the liability associated with making decisions that affect the practice of medicine in this province, especially if it involves changing the roles and responsibilities of one profession in relation to others? If there are concerns or a failure of communication, as may have occurred in the infection control problems in Alberta East Central, surely the most appropriate

and constructive response would be to identify those concerns and participate in solving them.

It's unfortunate that the ministry of health has chosen to use a significant breakdown in infection control practice as an excuse to violate decades-old trust given to a deeply revered profession in the province. This does not bode well in a province struggling to meet minimum health professional numbers and practices.

So it's difficult for this particular member to support this health professions statutes amendment, and I think it would not be in the best interests of the public health and all Albertans to support this. Thank you, Mr. Speaker.

The Deputy Speaker: Hon. members, Standing Order 29(2)(a) is available for any questions or comments.

Seeing none, the hon. Member for Edmonton-Glenora.

Dr. B. Miller: Thank you, Mr. Speaker. I stand to speak about Bill 41 in second reading, Health Professions Statutes Amendment Act, 2007. Along with my hon. colleague from Calgary-Mountain View I am also concerned about the kind of powers that are allocated to the Minister of Health and Wellness under this act. It seems to me that the effect of Bill 41 will give the Minister of Health and Wellness power to dictate codes of conduct, namely ethical and practice standards, of the various occupational groups that are covered by the Health Professions Act. It gives the minister power to dictate bylaws; that is, internal constitution and rules. It gives the minister power to order a council to do anything the council can do. It gives the minister power to take over the operation of any of the health profession self-regulatory bodies.

In part 8.1, 135.1, which indicates the minister's direction and the powers of the minister in respect to health care, if you ask the question "What is the safeguard against the misuse of such powers?" the only safeguard really mentioned here is the notion of the minister's opinion whether it is in the public interest or not if the minister interferes or participates and directs the council to do anything. That gives a tremendous amount of leeway, I think, or latitude for the minister because it's open to a tremendous amount of interpretation. What is in the public interest?

I think that's too broad. I don't think that's really in the interest of the regulation of the professions. I mean, Mr. Speaker, this bill seems to actually lead to the negation of the principle of self-regulation because it's suggesting that it's not sufficient for physicians under the college of physicians to regulate themselves. There's going to be some sort of oversight and interference in their ability to self-regulate. I mean, what are such statutes for when it comes to the professions if not to establish the right of professions to regulate themselves? Surely that's what we have in place when we look at various other professions. I might refer to Law Society in this respect. When we have these kinds of acts, they establish the parameters upon which the profession is going to regulate itself. To have this kind of statement in this bill seems to undermine the very authority of a profession to regulate itself.

Now, in the minister of health's explanation in second reading of this kind of change and this amendment in this bill the minister explained. He said, "I want to be very clear that it's not my intention as minister and it's not government's intention, nor would it be appropriate, for us to step in and do things with respect to the standards of practice or the codes of conduct." Well, Mr. Speaker, if that's the case, why have legislative powers to be able to step in if it's not their intention to step in? It seems to me to be inappropriate to have this kind of component in the bill. If the intention is not really to interfere with the ability of the profession to establish its own code of conduct and ethics, then why have legislation like this, which outlines the possibility of being able to interfere?

2:40

Now, I agree with the hon. Member for Calgary-Mountain View that if we look at the problem – the minister, when he looked at the issue of the problem that it's trying to address, named the complexity of the health care system, the multidisciplinary team approach, questions of collaboration between different professions. He mentioned, you know, the need for a synergizing of standards. Those are the words he used: standards "are synergized." But it seems to me that the solution to that is not through some sort of legislative authority that's laid on the professions. It seems to me that the professions, in dialogue with people in government and, namely, the Department of Health and Wellness, can certainly move forward in a collaborative way to share their expertise and to develop ways of dealing with the complexities of the health care system today.

I have a real problem once you pass legislation like this. Then the onus is on the department to provide some sort of expertise to be able to make decisions about these kinds of things when it's the people in the profession that have the expertise. I've done a lot of reading about bioethics in the past, and it seems to me that of all the professions that we have in our society, it's physicians and nurses, the health care practitioners, who have made the greatest advances in ethics and have developed codes of ethics that apply to their team approach in making decisions within a hospital setting and so on. I don't see the necessity of this kind of imposition through the role of the ministry.

In fact, Mr. Speaker, what we are doing with Bill 1 and Bill 2 in this Legislature is improving on our own codes of ethics for ourselves, so we as members of this Legislature are determining what is the code of ethics that applies to us. No one outside of the Legislature is imposing a code of ethics on us although it is true that we are responsible to the general public. But we are articulating and we are passing legislation outlining a code of ethics for ourselves, and surely that's what all professions are doing, and the physicians and the nurses have done it very well.

Mr. Speaker, I really take objection to this kind of imposition of authority from government upon a profession like the physicians and health care practitioners. My only question is: what profession is next? The legal profession: is that the profession that's next? And so we continue along a path of authoritarianism, which to me is not in the interests of professional development and the freedoms that professionals have to do their work and to get together and determine what are best practices and what is the kind of ethics that they're supposed to follow.

Those are the remarks that I have, Mr. Speaker.

The Deputy Speaker: Again, hon. members, Standing Order 29(2)(a) is available.

Seeing none, the hon. Member for Lethbridge-East.

Ms Pastoor: Thank you, Mr. Speaker. As an RN I stand here today very, very troubled with what I see on the pages before me. I returned to school as a mature student. I think that probably might be up for discussion about the definition of mature. However, I felt I was mature, and I worked very, very hard to get my RN. I also believe that once I graduated, I delivered very good care as a geriatric specialist. I loved my job, and I did it well. But now this is making me feel like I'm a widget in some system. I was very proud of the decisions that I could make as a professional because I had to make them often on the fly, but I could stand up and defend the decisions that I'd made because I was that professional. As I mentioned before, I think I feel now like a widget in the system.

An Hon. Member: Bridget the widget.

Ms Pastoor: A Bridget widget. You betcha. I want to feel like Bridget the nurse, not a widget.

Section 8 amends section 36, and it talks about adding criteria that fees have to be paid in order to become a regulated member. That also troubles me. In the old days, prior to this bill – which I hope will be defeated, but never mind – I really believe that the RN association, which was the AARN, which is now CARNA, actually had a very, very strong fiscal policy and were very responsible with the fees that we gave them, the registration fees. They had a very small staff, and they did huge jobs with the staff that they had. My fear with this one is that the increase could go in fees to pay for a huge bureaucratic administration that would be required in looking after these fees. They should not leave the profession.

One of the things that I think may have triggered this although it looks like it may have been in the works for a while is the infection control episode which occurred in one of our health regions. The minister stepped in – rightly so, certainly, at that point – and took over that particular problem and got it solved. However, it's at that point that he should have also stepped back because infection control really boils down to cleanliness. The dollars were cut in the middle '90s, and by cutting those dollars, we also cut the cleaning staff. I believe that that's where part of that infection control is. Even today we can go through hospitals that are public hospitals that really aren't clean, never mind sterile. Let's just go for clean.

The other thing that I have noticed with that particular episode is that there were dollars put towards the solution of that problem. I'm not sure where those dollars have gone, and what has really happened in the real world is that the cleaning component has now been downloaded onto PCAs and to some extent even the LPNs. So now we've got PCAs running around doing what actually should be cleaning staff duties, and now the residents have got even less of the PCA's time.

I'm getting a lot of letters and e-mails to that effect, that PCAs are feeling downloaded upon because of this infection control, and I'm not sure where those dollars went. They may have gone to, God forbid, another study. However, all they have to do is send the money down to the front lines, and the jobs will get done.

The RNs have been a self-governing profession in Alberta since 1916. Three weeks ago in this House we talked about real estate, and we actually gave them the ability to self-regulate. Surely, if real estate agents are capable of self-regulating, RNs, that have been doing it since 1916, certainly should be able to do it. Registered nurses have worked very hard to earn the privilege of self-governance, and the current level of public trust in our profession is very, very high. In fact, might I suggest that the public trust in an RN is a whole pile higher than the public trust in a politician despite the fact that I'm both.

Wellness is the ultimate responsibility for public safety. It does fall under the minister of health. However, I do believe that self-regulation should not come under a minister's jurisdiction. CARNA doesn't have the jurisdiction to review the policies and processes of health authorities, but what they did have and how they did address the infection control episode was that they had specific directions and guidelines for their members, particularly in the self-employed practice, who often then made sure that those guidelines were passed down to the actual front-line workers, the RNs who were really delivering that care.

2:50

CARNA also recognizes that infection prevention and control is a science, and it requires a considerable depth of expertise available at that service level. The expertise must be accessible to all health providers, and to be able to get it to those health providers, I believe that RNs are probably the ones that are best qualified for that.

CARNA is also concerned about sections 135.1, 135.2, 135.4 of this bill because it provides sweeping powers to the minister of health or to the Lieutenant Governor to direct that a council of a college adopt a code of ethics, adopt a standard of practice, adopt regulations, and carry out any power or duty of a council under the Health Professions Act in the absence of parameters clarifying prudent use. The proposed amendments can erode self-governance and were developed without the benefit of consultation with the health professionals affected by them.

Again, I see this government not talking to the people on the front lines. It's important to recognize that the foundation of public trust must be very, very clear, that the public totally trusts the people that are delivering their health care. You are at your most vulnerable when you're sick or in an accident and you need the care of an RN or another health care professional, i.e. a doctor or a pharmacist. You want to be able to close your eyes and know that you're going to be looked after.

Damaging the credibility of a profession is not in the public interest, and it's another reason that CARNA recommends clarifying the purpose of giving the minister such sweeping powers. What is the purpose? Why would he want those powers when it's worked well for so long? The precedent has been for government to take a collaborative approach to the college to resolve an identified issue. CARNA certainly supports this approach rather than enacting very broad legislation, which, again, could erode self-governance for all colleges. I believe that in the past this collaborative process has worked very well and served the people of Alberta in terms of being able to trust their public health care.

Section 135.2 allows the minister to appoint an administrator to take over the running of a college. There must be a clarification of the type of situation which would justify allowing the self-governing role of a college to be revoked using a ministerial order. This is very, very troublesome. I think this has to be clarified. If it has to be clarified to such a narrow degree, then why bother with it in the first place? If the intent of this is to provide support for small colleges, there really are other ways. Very small colleges could be partnered with larger ones which have the infrastructure to support them. I'm thinking, perhaps, that under the umbrella of CARNA we could have LPNs, that we could have psych nurses and also PCAs. At this point in time we are hiring people with less than two weeks of experience to work in an industry where vulnerable people are counting on them. We really, simply must have PCA training that could then give them that designation of a PCA professional that could be well looked after and come under CARNA.

The fees in this section 1(7), which amends 28(1)(b), is going to now refer to fees as an application fee. My questions would be: who is this going to become payable to? Would it go to CARNA, or will it fall into that black hole called the general revenue? If it does, then CARNA may be very, very strapped in terms of running its own organization, which really, really, really isn't fair. Should this bill go through, these dollars simply must stay in CARNA so that they can run the organization that they've been running since 1916.

The complaint resolution also troubles me as an RN. As an RN I want a fellow peer to be able to review my behaviour if someone has made a complaint. I want to be sure that all the information is there and that it is totally understood by someone. I could probably agree to an appeal panel that would be outside, perhaps, of CARNA or a professional complaint process. If someone feels that they haven't been fairly dealt with within their own profession, an outside appeal I could support. However, to actually take it out right off the top as a nurse I find really offensive.

I think that nurses have had, certainly, a proud hundred-year history of working collaboratively with the government, but I also think that if nurses hadn't had this self-regulation, we wouldn't have

the profession that it has grown into today. We have PhDs in nursing. I doubt very much if this would have happened, if it would have had the opportunity to grow if it was under a government ministry that probably could well be peopled by people who have never even been near a hospital or physically cared for someone or physically stood beside a bed and realized that that vulnerable person only had you.

Sections 135.1, 135.2, and 135.4 should be deferred and should certainly be reassessed to enhance provisions for transparency and accountability. All of this should be very, very open. I feel that if it disappears into a ministry, it will go, again, onto some shelf, into some hole, and it'll take forever. It may well take FOIP to get it out, and as we all know, FOIP comes back with lots of black marks on the pages, so you're really back where you started from.

I would leave you with one thought. Good governance starts in the Legislature, but if you don't listen to the people who work in the system – and that would certainly be the nurses, the doctors, and the pharmacists – then it is doomed to fail. For the many reasons that I have just reiterated, I simply cannot support this bill.

The Deputy Speaker: Standing Order 29(2)(a) is available.

Seeing none, are there others that wish to participate in the debate?

Does the hon. Minister of Health and Wellness wish to close debate?

Mr. Hancock: Yes. Thank you, Mr. Speaker. I appreciate the comments that have been brought forward today with respect to Bill 41. I can let members of the House know that I have been having discussions with members of the professions, in particular the College of Physicians and Surgeons, CARNA, and the College of Pharmacists, with respect to certain sections of the act. I do anticipate that in Committee of the Whole we will be bringing forward some amendments to help deal with some of the issues or concerns that they have.

We won't be going all the way with respect to those amendments, and we won't be going all the way for a very simple reason. When the public is concerned about an issue, where they look for assurance is to their government, not to the colleges. While I'm a very strong supporter of self-regulation for professions – it's an absolutely important concept – it's not an absolute concept. Self-regulation is delegated to professions by act of the Legislature. When there are issues with respect to health – if there's a SARS pandemic, if there's an issue with respect to water quality – it's not the health professionals from whom the public requires accountability. It is the government, and it's the minister of health. The amendments that are being proposed in Bill 41 are not in fact intended to be derogation of the self-governance of the profession but, rather, to ensure that government has the ability, the role, and authority to carry out its duty of assurance to the public. That is the long and the short of it.

Now, I've indicated, I believe, in opening comments that with respect to sections 135.1, 135.2, 135.3, obviously, when you use language like "if in the opinion of the Minister," that is interpreted at law as acting reasonably. It's not a question of waving a magic wand or showing up one day in the office and saying: oh, it's my opinion that this should be changed. There is a course of construct with respect to statutes that requires an act being reasonably processed.

3:00

So it's not a question of the minister or the government interfering with professions just because it wants to, but it is a question, Mr. Speaker, of being able to play that role of assurance, which is so important in a public health system. Particularly in an environment

where we're seeing an increase in complexity in the system, where we're encouraging health care professions to work together collaboratively, that all health care professionals ought to be allowed to act to the full extent of their capability, training, and expertise, there needs to be standards of practice, codes of conduct, et cetera, that work synergistically together, that work collaboratively and, as well, when health care professionals are employed or work in the context of a health facility, that the standards of practice and the way in which they operate works in concert with the standards which are expected of the health facility.

Yes, there is a role for the minister of health and for government in making sure that those things happen, not in telling the health professions what to do – they obviously are the experts in the area – but in making sure that when essential issues are necessarily discussed, there's a process in place and an ability for the minister to play a role in bringing the health care professions to make sure that those concerns are addressed and, then, if that in the last resort doesn't work, to be able to direct the profession to do it.

Now, one of the questions that was raised was with respect to it being done by the Lieutenant Governor in Council rather than by the minister. Well, if you read the construct of the bill and the act, the minister can in fact order under the provisions of this act. But if that order is not complied with – in other words, if a college doesn't follow that order – then if you want to change the bylaw or the code, you have to come back and do it by Lieutenant Governor in Council. So in fact that provision is already implicit – well, actually explicit – in the way that both the bill and the act are drafted.

A number of the concerns that are being raised I believe have been addressed. Some of the other concerns will be addressed when we bring forward amendments in committee. So I would ask the members to vote in favour of this bill at second reading because it's essential, in my view, that government have the ability to respond. Quite frankly, I'm surprised that the opposition doesn't believe it necessary for there to be a comprehensive health system and accountability at the apex of that health system, in the minister and in the government, to make sure that the public of Alberta are protected.

[Motion carried; Bill 41 read a second time]

head: 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 40 Personal Directives Amendment Act, 2007

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

Mrs. Jablonski: Thank you, Mr. Chairman. I'm pleased to rise today in Committee of the Whole to present Bill 40, the Personal Directives Amendment Act. I appreciate the support this legislation received in second reading. It is indeed progressive legislation that helps Albertans plan for a time when they may not be able to make their own personal decisions.

Before I respond to the questions that were raised in second reading, I would like to give a brief recap of the elements included in the Personal Directives Amendment Act. Bill 40 will amend the

Personal Directives Act, the legislation that allows Albertans to write down their wishes about personal matters in case they are ever unable to speak for themselves. This legislation allows Albertans to lay out instructions for personal decisions like health care and where they want to live. It also lets them choose someone to act on their behalf and make decisions according to their specified wishes.

The Personal Directives Amendment Act will update this important legislation through providing a voluntary form and a voluntary registry, allowing parents to include in their personal directive provisions for minor children, recognizing planning tools from outside the province, adding a new method for reassessing capacity should the maker of a personal directive regain their decision-making ability, clarifying the roles and responsibilities of the substitute decision-maker, the agent, allowing the office of the public guardian to investigate complaints about the actions of an agent, and, finally, allowing the office of the public guardian to act as the guardian of last resort should an Albertan be without a family member or friend who could act as an agent. Mr. Chairman, all of these amendments will strengthen the Personal Directives Act and ensure that it continues to meet the needs of Albertans now and in the future.

I would like to now address some of the questions that arose during second reading of Bill 40. One of the defining characteristics of this legislation is that it's voluntary. Albertans have the freedom to write a personal directive if they want and when they want, and now they will have the freedom to either fill in a voluntary standard form or use the form as a guide. This is a very personal document, and we don't want to prescribe to Albertans how they should write it. A voluntary standard form will make it easier for Albertans to write a personal directive but will also allow them to have the kitchen table approach, which gives them the freedom to write a personal directive when and how they feel compelled. As well, many lawyers can use their own forms with clients.

There was strong support for a standard form during the legislative review consultations, but Albertans did not want it to be mandatory; they wanted a choice. We also feel that choice is important for the creation of a personal directive in the first place. We agree that young people should plan for their futures and that more public education to reach this audience should be a priority. The suggestion to reach high school students through the career and life management program will be followed up through consultation with Alberta Education.

One hon. member brought up possible confusion around planning documents from outside the province. Bill 40 requires that directives made outside Alberta must meet the requirements of personal directives under our act. These requirements include that a document is written, dated, signed, and witnessed and is about personal matters. This is expected to be a simple process for health care providers. Once again, it's written, dated, signed, and witnessed. If there are any questions, they can contact the office of the public guardian. Translation services would normally be available if the problem is that a person does not speak English well or that the personal directive is not written in English.

During second reading a few hon. members asked about the role of the office of the public guardian as investigator. The investigation process is clearly outlined in Bill 40 and will be further detailed in the regulations. If the maker is concerned about an agent's decision, they will be able to submit a written complaint to the office of the public guardian. If the complaint meets the criteria in the act in section 24.2(2), then the decision of the agent would be investigated. All complaints will be reviewed, and all complainants will be informed if an investigation will proceed or not.

To resolve a complaint, the public guardian could take the matter to court following an investigation or use alternative dispute

resolution mechanisms or the complainant could take the matter to court. There is no administrative appeal process set out in the act, but the court can review the decisions of an agent. In the case where the public guardian is acting as agent and there is a complaint, the public guardian has the ability to delegate the authority to investigate to a neutral third party to avoid a conflict-of-interest situation. The third party would have all the same responsibilities to investigate the actions of the public guardian as agent.

3:10

The question of regained capacity seemed to be the issue most raised during second reading. Capacity is defined in section 1(b) of the Personal Directives Act, not in this bill. We are not changing that definition. "Capacity" means the ability to understand the information that is relevant to the making of a personal decision and the ability to appreciate the reasonably foreseeable consequences of the decision."

Bill 40 outlines the required process for determining whether a maker has regained the capacity to make a decision about a personal matter. The agent is required to initiate an assessment if they believe that the maker has had a significant change in their condition, change meaning an observable and sustained improvement that does not appear to be temporary. The assessment includes consultation with a service provider who is providing health care services to the maker and may include interviewing the maker, reviewing health care records, and discussing the matter with others who may have contact with the maker.

If both the agent and service provider agree that there has been a significant change, then they complete the determination of regained capacity form and the personal directive is deactivated and the maker regains their decision-making powers in that personal area. Once a determination of regained capacity has been completed with respect to an area of authority – for example, health care treatment or all areas of personal authority – the adult is considered to have the capacity to decide on their treatment and be legally competent in this decision-making area.

A health care provider can also initiate an assessment of regained capacity if they notice a significant change. They consult with the agent and follow a similar process as the one that I just talked about. If there is a disagreement between the agent and the health care provider on whether the maker has regained capacity, a full neutral assessment needs to be completed by service providers, one of whom must be a doctor or a psychologist.

The maker also has many choices to trigger a reassessment if they feel they have regained their capacity. They can ask the agent or any health care provider who provides a health care service to them to do an assessment of regained capacity or ask the office of the public guardian or an interested person to consult with their agent on their behalf. They may also take the matter to court and ask the court to make a determination of capacity.

All of these options will ensure that if the maker of a personal directive does regain their ability to make decisions, their personal directive can be deactivated, and they regain control of their own decision-making. Personal directives speak for Albertans who cannot speak for themselves. These amendments ensure that Albertans have choices, freedom, and that safeguards are in place to ensure that agents are acting in their best interests.

I am encouraged by the support this legislation received in second reading. I hope that I have addressed all of the hon. members' concerns. I urge all members to support Bill 40, the Personal Directives Amendment Act, important legislation that helps Albertans plan for their futures.

Thank you.

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

Ms Pastoor: Thank you, Mr. Chair. Certainly, I commend my fellow colleague from across the way. This is an excellent bill. It is so needed. I will speak further to the bill after I raise my amendment. I believe that it is being passed.

The Deputy Chair: Hon. members, there is an amendment being circulated, and the hon. Member for Lethbridge-East will be moving that amendment momentarily. We shall refer to this as amendment A1.

You may proceed.

Ms Pastoor: Thank you, Mr. Chair. The proposed amendment to this amendment of the original bill reads as so: "The Public Guardian must conduct an investigation where there are reasonable grounds to believe that the complainant has been, or will be harmed mentally or physically."

One of the reasons that I bring this forward – it's a small tweaking, if you will – is that I really believe it strengthens the authority of the public guardian by having very clear guidelines in the act rather than in the regulations. Often persons with discretionary powers, particularly when someone is dealing with someone's life or their personal safety or, in fact, just their personal care may feel more comfortable because it is quite a bit different than making a decision about increasing the number of widgets that a factory may turn out.

Bill 40 in section 24.3, the new provision for the investigation of complaints by the public guardian of situations involving the failure of an agent to comply with the personal directive or the duties of an agent, currently says that "the Public Guardian must review a complaint to decide whether an investigation of the complaint is necessary and must notify the complainant of the decision."

I believe that what I'm bringing forward strengthens that by saying that they must review the complaints. It's important as it explicitly states that an investigation by the public guardian is mandatory if there's a reason to believe that physical and/or mental harm to the maker has or is likely to occur. Making an investigation mandatory when harm is evident adds further protection to the maker of a personal directive. When makers write down their wishes, they want that total peace of mind that they know that there will be somebody out there to fight for what has been their wishes, certainly for their end of life and even when they're younger.

There are stories that cross my desk about people who are afraid to come forward. I think that if people knew that that public guardian would go ahead and investigate complaints, they wouldn't have the fear that they have today to come forward. It would give them the comfort to know that they wouldn't be ostracized and, in terms of staff, lose their jobs if they would come forward to make complaints. The other thing that sometimes happen is that families could be complaining about the care or the agent could be complaining about the care that the person they're in charge of would be receiving, and sometimes institutions' attitude to that is: well, if you don't like them, take your loved one home. That's not good enough.

I believe that this is where the public guardian could step in and protect people who have the courage to come forward. It establishes a mandatory duty for the public guardian to review complaints about an agent, but the duty of the public guardian to investigate these complaints is discretionary. Discretionary authority is not problematic on its own; however, there are no explicit criteria for determining when an investigation would be conducted by the public guardian.

In order to promote transparency and accountability, section 24.3

should specify the test to be applied by the public guardian in the course of deciding whether or not to conduct an investigation. If the test is met, a mandatory duty should be to investigate, and it should be triggered at that point. This same threshold is applied in the context of investigations of child abuse and neglect under the Child, Youth and Family Enhancement Act.

A similar recommendation was also made by the western Canada law review agencies in its report in relation to investigation of complaints about attorneys under the EPA. That report recommends that investigation should be mandatory where the public official has reasonable grounds to believe that the donor of the EPA has been declared incapable and that the attorney has breached one or more of the attorney duties listed in the EPA. I believe that the comfort zone that this would create would be appreciated by all people who have these discretionary powers.

I would ask the House for support for this amendment for what I believe would strengthen what is already a very good bill.

The Deputy Chair: The hon. Member for Red Deer-North.

Mrs. Jablonski: Thank you, Mr. Chairman. I would like to thank the hon. Member for Lethbridge-East for her proposal; however, the current wording of the proposed section 24.3(1) states that "the Public Guardian must review a complaint to decide whether an investigation of the complaint is necessary and must notify the complainant of the decision." The criteria for determining whether a complaint must be investigated are already set out in section 24.2(1) of Bill 40. We should retain the dual criteria of the complainant having reason to believe that

- (a) an agent of the maker is failing to comply with the personal directive or the duties of an agent, and
- (b) the failure is likely to cause harm to the physical or mental health of the maker.

The public guardian should have the authority to screen out complaints that don't meet both criteria before an investigation is commenced.

3:20

The existing language also recognizes that there are many agencies responsible for adult protection, and there will be cases where it is appropriate for others to investigate a situation. Examples would be the police or investigators with the protection for persons in care program. We didn't want to create a situation in which the public guardian would be compelled to do an investigation while someone else was already investigating.

For these reasons I respectfully recommend that we do not support this amendment.

The Deputy Chair: Would anyone wish to participate on the amendment? The hon. Member for Edmonton-Glenora.

Dr. B. Miller: Thank you, Mr. Chairman. I support this amendment. This is a very, very difficult situation that we're looking at and considering, and I think the amendment strengthens what's here by specifically pointing to the issue of "where there are reasonable grounds to believe the complainant has been, or will be harmed mentally or physically."

There is a case that I had to deal with where a husband came to see me. His wife had a seizure and was debilitated and ended up under care and actually ended up under the care of the public guardian. Even though he was married to her, he was not allowed to be the agent or to have any guardianship whatsoever. He was concerned about the actual care of his wife and complained about the

care that she was receiving, but his loud complaints did not meet with any kind of positive response on the part of the public guardian's office. In fact, he was actually excluded from ever seeing her.

I think that having some sort of clause here that ensures that the public guardian must conduct an investigation, especially when there is indication that a patient under care is being harmed mentally or physically – I realize that this has to do with personal directives. In the case that I was referring to, there were no personal directives involved, so maybe that's outside of the parameters of what this bill would cover, but it does still point out the need for vigilance here to make sure that we are actually covering all the cases that we need to cover.

I think this amendment does add a dimension that's not present in the bill, so I would support it, Mr. Chairman.

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

Ms Blakeman: Thank you, Mr. Chairman. I'm also rising in support of my colleague from Lethbridge-East's amendment on Bill 40, the Personal Directives Amendment Act, 2007. I've had a similar experience, actually, in my office just recently to what was just described by Edmonton-Glenora. We're talking a personal directive, which ideally is done while someone is of full faculty and then is possibly implemented when they're not or when they're quite ill; that is, it's ranking along the same level as the trusteeship and the guardianship laws that we have in place. What I'm seeing in my office is that increasingly there are more shades of grey. Either we understand declining mental faculties and acuity more than we used to and see those many gradated shades of grey or perhaps there actually are more levels of that. I'm not the expert to be making a definitive statement on that, but I certainly see the effect of that.

I'm frustrated in some of the other areas I'm dealing with, like trusteeship and guardianship but also personal directives, in how you question these once they're in place. The Member for Lethbridge-East is clearly trying to capture that in saying that there has to be an investigation that takes place "where there are reasonable grounds" – we're not going to, you know, just go charging off on this one – "to believe that a complainant has been, or will be harmed mentally or physically." I think it's important to have those double checks in place there. We can start on this one, and I think we need to move on and look at the trustee arrangements and the guardianship arrangements in Alberta as well.

The other reason that I want to bring this up is that, to me, the personal directives is closely tied to another bill before the House at this time, which is Bill 31. That is a bill that is amending the Mental Health Act to implement or institute community treatment orders. When I spoke about that bill in second reading, I had recommended that personal directives should be used for people that are finding themselves in that situation – that is, they have a mental illness, they're diagnosed schizophrenic or bipolar, I suppose, some other kind of psychosis; not that bipolar is a psychosis – when they are in better health, in clear thinking to be able to make the choices about the kind of health care they're going to receive by issuing a personal directive. When/if their situation deteriorated, they stop taking the drugs, something happened to them, they get ill, whatever, the personal directive could then be brought into play to determine how they would get medical treatment.

I think it's increasingly important as we move forward that people are able to choose or even refuse medical treatment. I think this amendment would also be useful when we look at that idea of someone who may be subject to a community treatment order or perhaps is likely to be subject to a community treatment order. We need to be able to safeguard that there isn't a mental or a physical

harm or threat – and I think threat is equally valid – in the way that they're being treated.

We're uncomfortable around people that have mental illness. We're very quick to go, "Oh, they've got a mental illness. That scares me. I'm not going to deal with them," and we back away. We tend not to ever go back to them, so if somebody had a bad day – why is it that all of us are allowed to have a bad day except for people with mental illness? When they have a bad day, that's it. They're tarnished with that forevermore, and people won't deal with them. They won't go back to them and go: "Okay. Was that really true? Was that really happening to you? Are you feeling better today? Is that person still bothering you?" We don't go back and check. From then on anything the person says, it's – cue the scary music, you know – "They're dangerous. They're crazy. We're not going to deal with this anymore." I think we need to be particularly careful as a result of that.

I'm reminded of a small episode that I had with someone that I was visiting in long-term care. You know, they started talking about something, and to me it did not connect with anything that we'd been talking about. I thought: "Oh, oh" – cue the scary music – "this is it. They've lost it. They've lost their faculties. They've gone into dementia-land. They're never coming back." There was somebody else in the room with me who actually said: "Just a minute. They were watching television while you were doing something else. What they're talking about was actually on the TV a few minutes ago."

What it was was an older person talking about those games, Xbox, and those animated, computer-generated games. In my head, an older person, a geriatric person, talking about these young people's games: I thought they didn't know what they were talking about. Where on earth could this have come from? Well, it turned out they were watching TV. It was perfectly legitimate. But I'd already put it in my head that this was not expected or not legitimate. I think that as we move forward with people living longer lives, more likely to have multiple injuries or diseases that they are moving through life with – and we're going to live longer now. Probably the generation that we have in our pages here will live to be 100 and more. Yeah, they're going to be 90. They're going to have diabetes and a new hip and probably a new ankle. They probably will have had laser surgery on their eyes. You know, we're living longer, but the parts are wearing out, and we're replacing them.

3:30

We have to be particularly careful that we don't make those kinds of decisions for people without there being a double-check clause, which is what the Member for Lethbridge-East is trying to accomplish with this amendment. I encourage people to give it another look. I think we have to be very careful.

I really like the idea of personal directives. I think that would be a solution for many people, to be able to leave a clear indication of how they want health and other matters dealt with if they're not conscious and/or available to direct those actions around them, but we have to make sure that we don't put them in a position where assumptions have been made and then not let them be able to reverse that.

Thank you for the opportunity to speak in favour of this amendment.

The Deputy Chair: Anybody else wish to participate on the amendment as proposed by the hon. Member for Lethbridge-East? Edmonton-McClung.

Mr. Elsalhy: Thank you very much, Mr. Chairman. Very briefly,

I stand in support of my hon. colleague from Lethbridge-East, who brought the amendment to the floor. I don't think that this amendment is offensive, shouldn't be looked at as offensive to anyone in this House. What she's doing is basically something that really makes sense. You know, a review is one thing; mandating an investigation is another thing. What she's trying to say here is that the public guardian must review a complaint to decide whether an investigation of the complaint is necessary and must notify the complainant of the decision.

I don't think this should be looked at as anything that is aggressive to the sponsor of the bill. It is something that offers clarity. It is something that offers direction. It's a question of a review that is discretionary versus an investigation that is mandatory. I honestly don't think that there is any valid reason for the government side to reject this amendment. Nothing in it, you know, contradicts the bill. Nothing in it actually changes the intent of the bill or the content. It basically sheds more light. It offers the clarity that whenever something is worthy of an investigation, it should be investigated, and the results of that investigation or that decision should be communicated to the complainant.

Her amendment reads: "The Public Guardian must conduct an investigation where there are reasonable grounds to believe that the complainant has been, [in the past] or will be [in the future] harmed mentally or physically." Again, I emphasize that this is actually sort of a friendly amendment to the bill before us. I urge all members from the government as well as my colleagues in the opposition to support it. I certainly do.

Thank you.

The Deputy Chair: The hon. Member for Red Deer-North.

Mrs. Jablonski: Thank you, Mr. Chairman. I'm going to be very short, but I'd like to point out two things. I believe that for two reasons this amendment is not necessary. The intention of the amendment is already covered in the existing legislation. The public guardian uses two criteria to determine whether a complaint should go to a full-blown investigation.

But I would also like to point out that the language of the amendment does not appear to me to be accurate, and that is because it says: "where there are reasonable grounds to believe that the complainant has been, or will be harmed mentally or physically." The complainant is not normally the person that will be harmed. The complainant is an agent or somebody representing the maker. It's the maker that we're worried about, the person who cannot make their own decisions. We're worried about them. So the language in the amendment is questionable as well.

I would like to go ahead and recommend that we do not support this amendment.

The Deputy Chair: Are you ready for the question?

Hon. Members: Question.

[Motion on amendment A1 lost]

The Deputy Chair: On the bill as it is, the hon. Member for Edmonton-Beverly-Clareview.

Mr. Martin: Well, thank you very much, Mr. Chairman. I'd just like to make a couple of comments and just lay out the problems I see developing, that we probably can't do much with the bill. I think it's certainly a good thing that we're trying to make a standard form

because often this gets very confusing for people. That's an excellent, excellent suggestion.

Basically, I'm going to support the bill, but there's one thing that I just want to talk about briefly because I do think it's a problem that we're hearing about and we may hear more about. Section 10.1(4) describes what should happen when a person regains capacity to make their own decisions. I know the member said that they looked at the terms for capacity in the previous bill, if I understood it right, and they think that it's adequate. That may well be; I don't know. But I also know that for a lot of elder advocates this has become a major issue. They believe that this capacity is being abused often. They've had news conferences about it. The member is probably aware of that. I'm not sure in legislation how you do that. I don't have a great suggestion to make about how you would lay out that capacity, but I think that we have to be cognizant that this is a growing issue. As I say, I know that elder advocates are certainly making it a political issue that people have their rights being taken away and they believe the capacity is there, and they don't have any way to fight back.

As I said, I'm just throwing out the problem. I'm not sure if in legislation you can do that or not. But as we have an aging population, I think this is going to become more and more of an issue. Once again, I'm going to certainly support the bill, but maybe we should take a look at that whole area because, as I say, politically it's going to be, I think, a growing issue. So just a caution in the future.

Thank you, Mr. Chairman.

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

Ms Pastoor: Yes. Thank you, Mr. Chair. Despite having my amendment defeated, I certainly stand to support this bill. I support it as a health care worker because if I have to make instant decisions – and I really am more, I think, projecting myself into an emergency room – I really want to know what those people need me to do.

I think another place where this comes in, certainly as a health care worker, is when decisions are made to insert feeding tubes. If someone wants that feeding tube, then you insert it, but if they've said no, then it's really up to that maker's designated agent to make sure that it isn't, because when you insert a feeding tube, that person can well be kept alive for many, many years. Then the actual decision has to be made at some point to pull that feeding tube, on which, in fact, death follows fairly shortly. That's one of the reasons that clear directives should be made, and as a health care professional I'm delighted to have this go forward.

Also, I like the idea of having public guardians becoming designated agents because certainly in my experience we did sometimes have people that were homeless and were actually admitted to our care facility because it was the only care facility in town at the time. These people really had no one, and it's not fair that somebody has no one. Public guardians actually did a fairly good job in trying to ascertain what these people needed. More often than not it would be alcohol-induced Alzheimer's or dementia, and they're very, very difficult to deal with. That's where the public guardian really assumes the total responsibility for this human being in their care.

The makers themselves would feel very, very comfortable with this bill, knowing that when they have written down what they want, the person that they've designated as their agent understands it, and they trust that they will fight for them should anything happen to their mental capacities. We in the past have thought about creating these directives, and we've thought about it – certainly, I did probably 20 years ago – in terms of long-term care, and that's really

wrong. I think we have to start thinking about personal directives the minute we become adults. The minute someone is 18, they must consider a personal directive.

3:40

We have a tremendous amount of young people who are injured in car accidents and, certainly, a number of brain-injured young people as a result of these car accidents. We also have young people who have had strokes. We've had young people with neuromuscular diseases that, again, affect their mental capacities to make decisions. I think that the biggest fear of all of us who have been exposed to this and understand is that we would at some point have Alzheimer's. It is probably one of the worst diseases and one of the worst scenarios that can happen to a family.

When a person gets Alzheimer's and they have passed into that particular phase where they really don't know anyone, when they're cared for and loved and looked after, they really are quite easy to care for. For the caregivers, if they're fortunate enough to work with them on a regular basis, it becomes family, and they learn to love that person very much. But it is absolutely devastating on a family that faithfully comes to visit someone who doesn't even know who they are. Every day you come you just think there might be one little kernel of recognition, that your mom actually might know your name. It's very, very sad.

But to know that you've written it down and to know that when you get to that stage, your family doesn't have to make those decisions, that your family can know that they're doing what your wishes are – it's probably one of the most powerful things that we're doing here today, to allow people to age and die with great dignity.

Ms Blakeman: And by choice. It's a decision-making process.

Ms Pastoor: And by choice. Yes, you're right. My colleague is right. It's a decision-making process that they have full control of.

My hon. colleague from Red Deer-North mentioned about the education component of this and having it put into the CALM program, which I think is absolutely excellent because this is just prior to young people turning 18, and it will certainly help them think about what could possibly happen to them. It certainly may never, but there's always that possibility out there.

It's been happening in the past where people will go to make wills or they look at their estates, but lawyers today are really much more aware of being able to sit down with their clients and talk about these personal directives. The obligation of this – it's not mandatory. I think that over the last number of years many, many people – I think that there are hundreds and thousands of personal directives out there, so it probably won't be necessary to have it mandatory. I think that as education comes along, people will realize that this truly is their personal choice, and it's one of the best things that they can do for their family, that may ultimately have to look after them, whether it's an 18-year-old in a car accident and they've got devastated parents dealing with this or whether it's actually looking after your mother that's 95.

One other thing that I think might be at some point, maybe, even put into the educational component or perhaps discussed with lawyers is that we review our estate planning and we review our mutual funds or we review our retirement plans, certainly on a yearly basis. I know some people might even well do it at six months, and for those of us that don't have money, we look at it daily. I think that reviewing your personal directives: as you mature, your life changes, and as you mature, you change what you really want. An 18-year-old with a brain injury may well, perhaps, not want huge, heroic measures done, but as you get older, people aren't

quite as willing to want to move on quicker than their allotted time. So it's very important that it be reviewed and reviewed with that in mind. As you mature, what you perhaps wanted at 18 is not what you would want at 85 or even vice versa.

With that, I again thank the member. I think this is very good, and there'll be many, many people who benefit from this bill. I again applaud the Member for Red Deer-North.

The Deputy Chair: Anybody else on the bill?
Are you ready for the question?

Hon. Members: Question.

[The clauses of Bill 40 agreed to]

[Title and preamble agreed to]

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

Hon. Members: Agreed.

The Deputy Chair: Opposed? Carried.

Bill 1 Lobbyists Act

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

Hon. members, just as a reminder, the last time we adjourned, we were dealing with amendment A1, and we had completed section F. We are now dealing with section G of amendment A1. The hon. Member for Edmonton-McClung.

Mr. Elsalhy: Thank you very much, Mr. Chairman for this opportunity, and thank you to my hon. colleagues for the warm reception. Now, as you know, I participated in the Standing Committee on Government Services, which was one of four committees established to act as all-party forums, all-party think tanks. Some of us were tasked with reviewing legislation; some were not and had to figure out what their *raison d'être* was. We were really pleased that in our committee, of which I was the deputy chair, both Bill 1 and Bill 2 were referred to us. They were fairly important bills, bills that talk about democratic renewal. In particular, Bill 1, that we're talking about now, was something that the Leader of the Official Opposition and, indeed, all members of our caucus campaigned extensively on and support very strongly.

Through at least nine or 10 meetings, if I remember correctly, the committee held meetings, received submissions, invited face-to-face dialogue and feedback, and then had to come up with a report because the Assembly was expecting us to. The Assembly was awaiting a report from the committee to offer suggestions, offer a set of recommendations to all 83 hon. members in this Assembly as to how to proceed. We did that. We worked, and we had excellent support in our committee. The end product, the final result, was a group of recommendations, 11 of them, and we numbered them A, B, C, D, and so on. We covered six of them before, Mr. Chairman, and today, hopefully, we will cover the other five.

Now, part G of amendment A1 talks about the offence of lobbying without filing a return, and it reduces the proposed fines in half. It cuts them in half. Now, the committee was criticized by some that in so doing, we seem to be weakening the bill, that we seem to be sending the wrong message, that, you know, fines are being reduced,

and maybe we're not too serious about it. But I actually beg to differ. The committee felt that at least initially – at least initially – we wanted to be in line with other Canadian jurisdictions, to see what they're doing and to be, you know, in that ballpark, especially as was more than once explained and expressed to the committee, that the penalty or the fine attaches to the individual, not the organization they belong to or lobby on behalf of or represent. We felt that \$200,000 can really put somebody not only out of work, but it can ruin their life indefinitely. We didn't want to discourage people from continuing to volunteer, for example.

3:50

Now, one of the things which happened last week, Mr. Chairman, was a comment from some members from the government, saying: "You know, why are you guys speaking so much on this amendment? If you participated on the committee and you liked the outcome and you were active in the drafting of this report, why are you spending time here?" As I explained before, this is what we were elected to do. We were elected to debate and discuss and scrutinize ideas. Honestly, I felt it was important for me, as somebody who really approached that committee with an open mind and really liked to be on it and to participate and to be involved in the true sense of that word, that somebody needed to enlighten the Assembly and to tell all of the other members what we're doing here.

I'll bet you, Mr. Chairman, that not everyone read the report from the committee, but I urge all hon. members – I know some actually raised their hands, very few and mostly on this side of the House. We need to highlight the fact that this is the first time that this has happened. This is the first time in recorded history in this province that we have all-party policy field committees. Let's benefit from this. Let's learn from it.

The report is not terribly exhaustive or thick. It's only about 13 pages. Of note, if members don't have the time to maybe go through all 13 pages, is page 13, the very last page of this report, called Appendix C: Are You a Lobbyist? It offers a chart. It offers a step-by-step navigational tool, if you will, that basically people can refer to, and it tells them where they fit within the act. Are you a lobbyist? Are you a lobbyist that gets paid? Then you go a certain way, and it gives you certain answers. Are you a lobbyist that is mostly a volunteer? Then you go a certain way, and it gives you answers. Are you a volunteer that gets paid? Then you go this way, and then you find your answers. Are you a volunteer that doesn't get paid? Here are the answers for your questions. This is very useful. If hon. members and hon. colleagues don't have the time to go through all 13 pages of the report, I think this one would be the most useful.

We cut the penalties in half because we felt that, at least initially, people had to learn what the act was all about, and they had to learn how to sort of behave within its parameters and within its provisions. When I say learn, Mr. Chairman, I am also referring to a discussion that was initiated by myself and my hon. colleague from Lethbridge-East, who sat on the committee as well, that it was an education campaign that we were after. People had to understand what's involved, and they had to be taken by the hand and walked through the provisions of this act. This is the first time we do it, it's a new piece of legislation that affects many, many people, and we highlighted it to be an educational campaign.

Somebody commented that we already do this and we don't need any more, you know, propaganda. We said: "No, this is different. It is not just a press release or a news bulletin on some website." This has to be exhaustive. We have to have workshops. We have to have, you know, tutorial seminars where people get taken by the

hand and walked through the closets. This chart would be the first place to start: Are You a Lobbyist?

So section G talks about the offences. It talks about if you lobby without filing a return and what's involved, and it also talks about how much you pay in penalties for the first offence and then for repeated ones, subsequent ones. I think, you know, having served on the committee, that I'm definitely in support of section G, and I urge all members as well to do the same.

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

Mr. Martin: Thank you very much, Mr. Chairman. You know, looking at section G, I think if we want to go back, it was quite a shift for this government to believe in a lobbyist registry. I remember the debates here for many, many years, in fact, with the previous Premier saying that he didn't know what a lobbyist was and the rest of it. I want to give some credit where credit is due even before the policy field committee. I believe the Member for Edmonton-McClung was there part time on the select committee that originally brought this forward.

Mr. Elsalhy: Yes, I was.

Mr. Martin: Yes, the select committee under the chairmanship of the Member for Calgary-Nose Hill. I think that's where we first made it possible, in that select committee. In fact, I believe the Member for Edmonton-Glenora was there, too, at that time. [A telephone rang]

Mr. MacDonald: It's the government whip. He wants to talk to you.

Mr. Martin: Oh, does he? Tell him I'll do it after.

I wanted to say that that's where I think that this came from, because some government members at the time on the select committee actually sat down and listened. There was a great deal of cynicism to begin with about a lobbyist registry, you may recall. Because of the way that committee worked, eventually – not everybody was onside on the government side, but most of them were – we came up with that select committee. I think that made it easier for the new Premier to bring it forward. So I think some credit should go to that select committee. If that hadn't happened, I doubt, Mr. Chairman, that we'd be looking at Bill 1 and the lobbyist registry. I think members on that committee should take some credit for that.

I want to say, Mr. Chairman, that I like the way the policy field committees work. I think that in that particular committee that's probably the way it should work, all parties working together for the common good. We're going to disagree from time to time. That's the nature of the beast. But that's what the purpose of them was.

Now, Mr. Chairman, just to come to G. I don't think it really matters much what the fines are, and I certainly have no great objection to the amount. I do want to say, though, first of all, that I still think there are some major loopholes – we discussed one here, and we'll probably discuss that more in third reading – that I think still make this bill a little problematic.

If there's a lobbyist registry, especially the big lobbyists from business and that, these fines aren't going to deter them; that's not what's going to deter them. It's the fact that they're front and centre and, if they weren't doing it properly, the embarrassment that would come from it. It's not the fines that really matter, in my opinion. I think you have to have some there. That's not the important thing

for the people that I'd call the big-time lobbyists. That's not what's going to deter them. A hundred thousand dollars for some multibillion-dollar companies is a drop in the bucket, but the embarrassment, you know, on their business plan, if it comes out that they've done it wrong, is what would deter them.

I certainly have no objections to supporting the recommendations here worked through by the policy field committee. Thank you.

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

Ms Blakeman: Thank you very much, Mr. Chairman. Happy to have the opportunity to comment on amendment G. For those of you following along at home, that would be amending section 19, starting on page 18 of the actual bill.

A couple of observations on this. I've been talking to some people who would be classified as consultant lobbyists because, basically, they contract with organizations, admittedly mostly in the not-for-profit sector but, nonetheless, they do, and I think they would still be classified as consultant lobbyists under this legislation. One individual said that, actually, it was the right time for them but that this act was part of their considerations in deciding to take a different direction with their career. They're an individual, and they'd don't get very large contracts – enough to make an okay living, pay a mortgage, but nothing fancy – and these fines would be significant.

4:00

It was appropriate that the level was reduced because I think there wasn't an intention that someone be sort of broken but that it act as a deterrent. But what's going to happen is that it will affect the business insurance that consultants carry to be able to cover the cost of this kind of punishment or deterrent should it come into effect. We probably will see some people reconfigure their careers and move away from being contract consultants to organizations because of the choices that are made here.

I think it's still important that we have people file. The point of a lobbyist act is that we know who is lobbying whom on what subject. I have no problem with lobbying, but I think it's important that it's transparent and accountable and that we can see in the registry what's going on. I mean, legislation is always a plan – this is what we want to have happen – and there are always punishment sections in there to say: if you don't do it, here's what will happen to you. So it's appropriate that there is a deterrent or punishment section. I think the amount that's been arrived at is fine – that was some of the good work that the committee did – and that it has clarified that the individual who lobbies without a return being filed as required is guilty of an offence, which is, I think, a clarification in addition to the existing legislation.

Section (c) is basically housekeeping, in which "Ethics Commissioner" is substituted for the wording "Registrar."

This act is going to be very interesting as it moves along and becomes implemented in what we will see happen as a result of it. I don't have any problems with this section that's in front of us.

The Deputy Chair: Are you ready for the question?

The hon. Member for Edmonton-Glenora.

Dr. B. Miller: Thank you, Mr. Chairman. I appreciate the remarks about the select committee on conflict of interest, which raised this issue of a lobbyist registry and did some work. I appreciate the change that this amendment is bringing in terms of the amounts of the fines, \$25,000 for a first offence and \$100,000 for a second and

each subsequent offence. That actually was recommended by the Select Special Conflicts of Interest Act Review Committee. In fact, when we talked about the lobbyists registry, we suggested:

Each statute contains offence provisions, and if convicted, a person or organization may be subject to a fine of up to \$25,000. In addition, some jurisdictions increase the maximum fine to a maximum of \$100,000 for second or subsequent offences.

We were quite mindful of the fact that those amounts are bringing this lobbyists registry – the offences, the fines – in line with other jurisdictions. So the field committee, perhaps, got carried away. I don't know, Mr. Chairman, what the reasons were for increasing it so much, but the amendment bringing it back to \$25,000 and \$100,000 is actually what we recommended in the first place.

The only other point I want to raise is in reference to the amendment here. Section 19 is amended (a) by adding the following after subsection (1):

(1.1) A person who lobbies without a return being filed as required by this Act is guilty of an offence.

Now, I really puzzled for a long time trying to figure out why that should be added when what we have here in the bill is a reference to the registration and the penalties that are to be followed if a person is in breach of this lobbyist registry act.

I am informed, Mr. Chairman, that the problem is that a person can register as a lobbyist but then fail to report his or her activities throughout the year as that person engages in lobbyist activity. It's not enough just to register. If you don't register and you carry out your lobbyist activity, then you're in breach of the act, but if you register and you don't submit a return stating what kind of lobbyist activity you're engaged in, then you can be in breach of this act. So now I understand why this amendment is suggested by the committee.

Mr. Elsalhy: There's a fine every time. It's not just once a year.

Dr. B. Miller: There's a fine every time. It's not just once a year. Right?

I think that clarifies it for me. So I am in support of section 19 being amended by these two changes.

The third change, of course, is to change the word "Registrar" to "Ethics Commissioner," which makes great sense because the Ethics Commissioner is the one that's in charge of the whole process.

Thank you, Mr. Chairman.

[Motion on amendment A1G carried]

The Deputy Chair: Hon. members, we shall now deal with part H. The hon. Member for Edmonton-McClung.

Mr. Elsalhy: Thank you, Mr. Chairman. I really think that you have psychic powers. Somehow you sensed that I was going to stand up and address the Assembly again.

Anyway, I'm not going to talk much about this one in particular because section H is basically talking about the discussion we had in the committee about the definition of communication. Let me tell you, Mr. Chairman, we actually went to great lengths in determining the words "to communicate with a public office holder" and what that entailed and what it really meant.

I'm not going to belabour this topic, but I refer everybody in the Assembly to our own Assembly website. If you go there, there is actually a poster that refers you to committee websites, and if you go into there, you'll see that all the committees of the Assembly are listed, and one of them is the standing policy field Committee on Government Services. If hon. members are really interested, you

can actually click on that link and then read the transcripts word for word of what we said in the committee. It was really felt that lobbying had to be defined as, you know, an attempt to communicate with a public office holder.

We have a great resource in this Assembly, Mr. Chairman, in the Member for Calgary-Nose Hill, who understands this stuff and who was also the chairman of that earlier committee, the select standing committee on the Conflicts of Interest Act. He can tell you in extreme detail what the reasons behind this amendment are. I know that once you ask him that question, you'll be confident that this amendment is really offering the clarity that is necessary.

Part of that discussion, as in (e.1), as is suggested here in part H, talks about the time spent. We had extensive discussions as to: is lobbying only the act of lobbying, like during that conversation, during that meeting, or is it maybe the time that you spent assembling a list of MLAs or a list of ministers or the time spent researching an issue, and so on? Section (e.1) actually addresses that.

Overall, I think this is a worthy point of clarification, and I think it shouldn't come as anything that the government side or members of the opposition should be worried about. I'm encouraging everybody to support this one as well.

The Deputy Chair: Are you ready for the question?

Hon. Members: Question.

[Motion on amendment A1H carried]

4:10

The Deputy Chair: Hon. members, maybe I should seek some direction here. We have three more sections: I, J, and K. Unless we have amendments coming forth, would you like to have a general discussion and then a vote on each one separately?

Mr. Elsalhy: No. One by one.

The Deputy Chair: Okay. Well, we'll deal with section I, then. The hon. Member for Edmonton-McClung.

Mr. Elsalhy: Thank you very much, Mr. Chairman. Again, just to offer an explanation to my hon. colleagues. As the bill was written, we initially anticipated that the first review of the act, once it becomes an act, was going to happen five years after. Because of the impact of this act, if passed, on almost everybody that has the ear of government, be it nonprofits, be it a professional organization, be it a union, be it, you know, a management group, whatever – the impact is so huge, and we haven't done this before. This is basically navigating in uncharted waters. So we felt that at least the first time when this act comes up for review again, we would do it in 24 months instead of the typical 60 months.

I think it makes sense. I think it was the right thing to do, to allow people who are potentially unhappy with the act or unhappy with having to adhere to its requirements, its provisions, to maybe come back within two years and talk to us again about what they felt, what their findings were.

It also allows us in the Assembly the opportunity to go over it to determine how effective it was. We've heard the criticism so many times that other jurisdictions, including the federal government, who have similar acts, similar lobbyist registries, you know, are having difficulty enforcing the provisions. They're not meeting with success in terms of catching everybody that should be caught. We definitely anticipate that some issues will arise, and we need to find

out about them by not having to wait five years. Let's do it quickly. Let's do it within two years.

Now, I was also pleased with my colleague from Edmonton-Glenora, who challenged me on this. He said, "Well, you know, why do it after two years only? Why not allow five years so we can gather better information, so we can gather fuller information, more comprehensive information?" We have done this before in this Assembly, Mr. Chairman, actually, with other bills, which I can't remember offhand. But I was told that we've done this in other situations. I think PIPA was one of them, where the first time it was after only two years and then after that it became every five years. Also the Health Information Act. So we have done it before. This is not new, and we're not deviating from our norm.

This is something that is probably warranted, and as such I think it's a good amendment. I urge all members to support it as well.

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

Ms Pastoor: Thank you, Mr. Chair. I, too, would like to support this particular amendment probably because I was the one that actually made the motion within the field committee.

While I'm on my feet I will say a few words about the field committee. I think we will see how this plays out right through to the end. I believe that the Minister of Health and Wellness is going to bring forward an amendment which we would probably refer to as the Quebec amendment. Part of the reason, I think, that it had to come forward outside of the committee was that we did, I feel, tremendously good work inside that committee, but we could have probably used a bit more time to go into a bit more depth, which is why I felt that it was very important that we have the two-year review. If something is going wrong, you're going to be able to identify it within two years. So why would you perpetrate a mistake over a five-year period?

Mr. Rodney: Perpetuate a mistake.

Ms Pastoor: Perpetuate. I have just been corrected. Thank you. That would be perpetuate.

Mr. Rodney: You're welcome.

Ms Pastoor: A lot of harm can be done if a mistake – and it could be a very small item that would go on and perhaps affect many, many of the organizations that are going to be considered lobbyists and may well put them to a lot of extra work when, in fact, it could be, so to speak, nipped in the bud. So I'm pleased to support this and certainly support the work of the committee.

The Deputy Chair: Are you ready for the question?

Hon. Members: Question.

[Motion on amendment A1I carried]

The Deputy Chair: We shall proceed with section J. Are you ready for the question?

Hon. Members: Question.

[Motion on amendment A1J carried]

The Deputy Chair: Section K. Are you ready for the question?

Hon. Members: Question.

[Motion on amendment A1K carried]

The Deputy Chair: The hon. Government House Leader.

Mr. Hancock: Thank you, Mr. Chairman. I would like to move an amendment to Bill 1. You have the amendment at the table for distribution, and I'd ask if it could be distributed now. The effect of the amendment is to make two changes to Bill 1. I'll give the pages a brief time to circulate it.

The first change is a very minor change, and I can just draw members' attention to it. It's with respect to section 1(1)(f)(iv). It's simply amended by striking out "charitable." The effect of that is to say that an organization includes any of the following, whether incorporated, unincorporated, a partnership, or a sole proprietorship, and (iv) would then read: a nonprofit organization, association, society, coalition, or interest group. So "charitable" is redundant and unnecessary. It's basically all nonprofit organizations.

But the most important part of the amendment is titled B. It amends section 3(1) of the bill. Section 3(1) is on page 7, but we're dealing with inserting something just after clause (h). Basically, section 3(1) is the restrictions on the application of the act, or, essentially, exemptions to the act. The purport of clause 3(1) is to say that the act does not apply to any of the following when acting in their official capacity and then outlines the groups of people to whom it does not apply. We've, I think, amended this already to include, for example in (i.1) and (i.2), members of the boards of trustees under the School Act, persons acting as a volunteer without payment.

The purport of this section is what I referred to in speaking to this earlier on as the public-good exemption. Essentially, what it would do is it would exempt from the operation of the act

directors, officers or employees of an organization referred to in section 1(1)(f)(iv) not constituted to serve management, union or professional interests nor having a majority of members that are profit-seeking enterprises or representatives of profit-seeking enterprises.

In essence, Mr. Chairman, the voluntary sector in this province does a lot of work, does a lot of good things in our community and sometimes – and, I think, quite accurately – are concerned that with all of the accountabilities that are built into the governance process, we make them spend about a third of their time applying for money and a third of their time accounting for it, and if we have a registry act with which they have to comply, they would spend the other third of their time complying with the registry act.

4:20

Now, that might be an overexaggeration on my part, but I think it's very important that we not overencumber voluntary organizations with unnecessary accountabilities. The purpose of this section is to ensure that for voluntary organizations which are acting, essentially, in the public good – in other words, they're not acting out of self-interest or out of interest for their membership from the perspective that their membership are profit-seeking organizations or unions or management of those sorts of organizations but organizations that are operating in the community interest – we expect that those people will be talking to their MLAs. We want them to be talking to their government. We want them to be adding to the public discourse and public debate, and we don't necessarily need them to be around counting their hours or worrying about whether two members of the same organization have each exceeded 50 hours or those sorts of things.

I believe the committee did some very good work on this bill, but

I think I would have hoped that they would have gone just this little step further and recognized the representations that were being made with respect to this area and understand that while it's very important for Albertans to be able to know who's talking to their government and who's talking to their MLAs about what issues, which perhaps are of a business interest or have a self-interest aspect to it, when we're talking about the public good, we do want to encourage the public debate. We certainly do want to encourage Albertans to engage in voluntary organizations, to be unleashed to give their capacity back to their community, and we don't want to restrict them in any undue way.

This amendment will have the effect, in my view, of relieving voluntary organizations of, even if it's just a perceived burden, having to comply with the act, of being in a place where they have to worry about counting their hours or counting their hours in conjunction with other members of the organization. I would ask the House to consider adopting this amendment, which I believe will go a long way to make sure that voluntary organizations know how well received they are by this government, this Legislature, what important work we think they do, and to relieve them of any burden of having to comply with the provisions of the act.

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

Ms Blakeman: Thank you very much, Mr. Chairman. To the government, thank you for this amendment. Frankly, if the hon. minister opposite hadn't brought forward this amendment, I had already prepared almost exactly the same amendment to bring forward because I think it is about understanding and valuing the contribution that that charitable/not-for-profit/volunteer sector brings to our community. My fear was that members of the government just didn't get it. They're so corporate focused that they didn't get how important this sector is.

Over the last year and a half I've been discussing in a number of debates and in private members' statements: just imagine what our society would look like if we took away some of these organizations. Frankly, capacity is an issue in those organizations right now. Many of them have been operational for a number of years. They've taken on more and more programming that, frankly, used to be paid for by government or run by government. Now they're being expected to do RFPs in order to get contracts when they're the sole possible contractor out there. That one always strikes me as a bit weird. But, essentially, that sector was really stressed, and I have been trying to raise that issue in this Assembly for some time. My fear, when I saw the work both of this bill and of the committee, was that the government hadn't gotten it, and clearly the government did get it, or at least some people got it because we've got a government amendment in front of us for this bill.

I also want to acknowledge the importance of that sector and their advocacy on their own behalf because this is a helping sector. This is filled with organizations that often exist to do good work for others, and they tend to be self-effacing. They tend to be vigorous in defending the interests of their client base but not so aggressive in promoting their own well-being. I had concerns that they were not going to be able to catch the ear and get the understanding of the government members, and, boy, did that community pull together.

Now, there are clearly some individuals who were introduced in this Assembly when we started into the debate on Bill 1. I'm thinking of Bob Wyatt from the Muttart philanthropic foundation, the centres in Edmonton and Calgary for the volunteer organizations. There were a number of key individuals who really worked hard and poured heart and soul into helping government understand how important this was, and I thank them for that effort. It was a lot of work. It probably cost them money that they didn't have to spend.

I think individuals probably paid for some things, mileage and things, out of their own pocket in order to get to Edmonton or get access to MLAs and help them to understand how important this was. I'm very happy to see it.

I can't underline enough the capacity issue. I hope that when this bill has passed, the government will remember this and go back and look at some of its funding formulas and come to understand better what has happened. I remember years ago hearing one of the government backbenchers talking about how great this sector was because everything was free and what else the government could get this sector to do because it was free. I cringed because I knew it wasn't free. Even for volunteer organizations there is a cost to them. There's a cost to the auditing. There's a cost to volunteer appreciation. There's a cost to volunteer recruitment and training. That stuff is not free. But the government has tended to approach this voluntary/charitable/not-for-profit sector with the idea that they are free because they have a lot of volunteers working for them.

As a result we've tended to have line-item funding for these organizations, so if they're, you know, contracted or they're given the responsibility of providing a certain program or service, all the government funds them for is just exactly that line item of that program and service. But when the government was doing it, they were covering the cost of the phone line that the person used and the benefits for the staff person and the desk that they used and the chair that they used and even the extra square footage in the office because you had an additional person running that program. It goes to the not-for-profit sector, and all of that ancillary money doesn't go with it, just the line item to deliver the program.

We have this situation where the not-for-profit/charitable/volunteer sector is actually fundraising the money to pay for that phone line, that phone, that desk, that extra square footage in their leased space to provide the programs. It has come at a cost. Now, those organizations have been happy to provide that and believe strongly in providing those services, but I still will push the government to examine the way they fund these groups.

I won't go into it now, but the other thing that has to be looked at is this ridiculousness of requiring some sort of request for proposal situation when in most cases you have sole providers existing in the community. Who else is going to give you mental health services but the Canadian Mental Health Association? I mean, come on. Nobody else offers those services, but you're making them go through this. It's ridiculous. Anyway, don't get me started on that tangent.

The minister had also referred to accountability in that sector. I can attest to that. I know that there are some, particularly smaller organizations, that to an outsider's eye may appear to be less accountable than you might find, for example, in a small business with a couple of employees, and you've got a charity or a volunteer-based organization with a couple of volunteers. That's true sometimes. People don't know what they're doing, and they make mistakes, and they don't file the correct paperwork or keep up with things. Yeah, that's true. But for the most part this sector is the most accountable sector out of anything you can come up with, including government, because every time they apply to do something, they have to be totally transparent and accountable. They account over and over and over again for their funding, and often they account three ways for the same dang funding because they've applied to the city, to the province, and to the feds. We still haven't managed to mesh our reporting structures so that they can do one report back and it's accepted by all three levels of government. Oh, no. We're going to make them do a different accounting report back to the city, a different one to the province, and a different one to the feds.

So the Minister of Health and Wellness is exactly right. They spend a third of their time trying to raise the money to deliver the programs and a third of the time accounting, and now they're only delivering a third of the programs because that's all the time they've got left. So we have created a number of requirements about accountability, and for the most part they meet them.

4:30

I also want to talk about lobbying from that sector. I would argue that that is the sector that we as legislators need to hear from. They are delivering those programs and services on the front line. They have an expertise that we need, so we should be asking for it, but they should also feel free to come to us and give us that information because in many cases that's where we get it. Who was it that first flagged for us the issue of children going to school hungry? It was that volunteer, charitable, not-for-profit sector. Who started to talk 10, 15 years ago or more about the increasing number of people who were homeless? That same sector. They're on the front lines. They're seeing it happen. They were the experts, and we need them to come and talk to us.

[Mr. Marz in the chair]

I would also argue, Mr. Chairman, that when they are lobbying or advocating to the government, they are not advocating for their shareholders. They're not advocating for somebody to make more money out of this. These groups are always coming forward advocating for their residents, for their clients, for the individuals that they are assisting. Whether they're talking about youth sports or seniors or Meals on Wheels or feeding programs or an arts and culture group, they're not there to improve their own lives even if we're talking about the administrator. They are there talking about how their audience or client or resident base is being affected, and that's information that as legislators we need to have. They need to be talking to us. We need to be listening to them. The idea of the requirements that we were going to subject them to of registering as a lobbyist and all of that other accountability I think would have really stood in the way of service provision.

What this amendment will do in the end is excuse or remove from the requirements of the legislation those groups that I tend to think of as the not-for-profit, volunteer, charitable sector. Essentially, this is the social service agencies, the faith-based agencies, people working in poverty issues, housing and homelessness issues, arts and culture, multiculturalism, youth, youth at risk, youth recreational programming, health and wellness for youth, seniors, the people in the disabled community, services for them, recreational opportunities. We keep saying that we need a healthier population, that we need to reduce obesity. This is how we do it: through those recreational opportunities. Eat less, exercise more. These are the groups that help provide that exercise incentive.

Of course, the health-based agencies like diabetes, heart and stroke, asthma, and a number of other agencies like that: those agencies are operating on behalf of the people they help. They're not there as profit-making ventures. The very definition of a not-for-profit doesn't mean that they're bad businesspeople. They're actually for the most part excellent businesspeople, considering that they can manage to squeeze change out of a penny over and over and over again.

I want to support this amendment. I think it's a good idea. It has addressed a huge problem with this bill. I wanted this lobbyists bill to come in. I've been campaigning for it for years. I would have been really in a position of struggling to support this bill if we had not had this amendment come forward, so I am very pleased to see

it. I am very supportive of it. I really encourage the rest of the members of the Assembly to support this amendment, and we will get on with the rest of the bill.

Thank you.

The Chair: The hon. Member for Whitecourt-St. Anne, followed by the hon. Member for Edmonton-Glenora.

Mr. VanderBurg: Thank you, Mr. Chairman. You know, I had some questions regarding the amendment. One came from the Chambers of Commerce wondering: in this amendment why are groups like the Chambers of Commerce excluded? Is it because the minister just feels: "Go online. It's free. Fifteen minutes later you're done. You're registered. End of story"? But in the preamble from the mover of this amendment there wasn't much said about fine groups like our Alberta Chambers of Commerce or our local chambers of commerce. What are they to think? You know, they're basically nonprofit organizations that do fine work like many other for-good operations. I just needed some clarification before I put my hand up on this.

Thank you.

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

Dr. B. Miller: Thank you, Mr. Chairman. The hon. member does raise a good point. I guess it depends on the size of the chamber of commerce. There's a huge, big difference between the Edmonton Chamber of Commerce and smaller communities, right?

Again, the focus here, which I appreciate, is the focus on economics. You know, the conflict-of-interest legislation that applies to us focuses in general on issues of personal economic interest. Modern society accepts that as citizens we should be free to pursue our own economic interests, but those of us in positions of public trust who are elected to this Legislature must not act in a manner that furthers our own personal economic interest. That's what we have adopted as our conflict-of-interest legislation.

When we look at a lobbyist registry, we're looking at people who are coming to influence the decisions of people in government and in the Legislature. Again, I think the focus should be on economic interests. If a company has lobbyists and they come and try to influence government, then of course they have an economic interest. That's why there should be a lobbyist registry, so that they register and declare how they are influencing government.

I appreciate the amendment because it takes out of the equation charitable organizations, so the word "charitable" is taken out of section 1(1)(f)(iv). I think that's good because charitable organizations, like religious institutions, do not have an economic interest in terms of economic interest for themselves to further when they are seeking to influence government decisions. I think that's really important.

I, of course, over the years in my former occupation as a minister in a church was very much involved in trying to influence government action. I did actually form a lobby group back in 1993 called Alberta Quality of Life Commission. We would be exempt from this lobbyist registry because as a matter of fact we were all volunteers, and none of us were paid for this activity that we were engaged in, and we had no money. We had no budget. We weren't even an organized society under the Societies Act. But we had great lobbyists because Lois Hole was one of our members and also Douglas Roche and Don Mayne and Kay Feehan, some great, active people in the community. I think we did our best to write good reports and bring them to the government. In fact, the Member for Athabasca-Redwater was the minister of social services at the time when we submitted our report Listen to Me, about poverty in

Alberta. Members of the cabinet did listen to us. They didn't follow our advice or our recommendations.

An Hon. Member: They cut funding.

4:40

Dr. B. Miller: Oh, yeah. They cut funding. Those were the days of cutting funding to everything. We actually haven't caught up to all those cuts.

Now, that kind of lobbying, I'm happy to recognize, is exempt from this legislation because there's absolutely no interest in furthering private economic interest, and actually there's no element of being paid to lobby.

I'll give another example. Religious leaders in this province have on occasion tried to influence or enter into dialogue with government ministers and even the Premier to express their views. For example, from 1978 to 1985 there was something called the Alberta church consultation. Actually, this church consultation, which included at that time mostly leaders from various Christian denominations, was brought together at the request of Premier Peter Lougheed. I think it was really quite good of him to put that into being because he was sensitive to the fact that people in the churches, especially church leaders, have a lot to say in terms of their value perspectives and addressing various social issues that the province faces.

Now, it's interesting that the Alberta church consultation was not continued with Premier Getty. Although in 1995 Premier Klein did meet with something called the interfaith coalition, which had as one of its members Larry Shaben from the Muslim community and someone named Ron Stevens from the Jewish community, Virindra Lamba from the Sikh community, and Reverend Rob Hankinson from the Christian community. They met only twice. Premier Klein wasn't interested in continuing it.

The reason I mention this is that currently the Edmonton and District Council of Churches actually wants to renew this tradition of meeting with government, cabinet ministers and the Premier, government leaders, to express their views. Now, this is a form of lobbying. Among those people that might meet with the Premier and cabinet ministers would be people who have high positions in religious communities: imams or bishops and so on. So they are paid personnel for their various denominations.

But what we're talking about in these cases is, obviously, charities. It's not just a nonprofit organization, but it is a charitable organization. With this amendment, then, those churches and mosques and synagogues and the leaders that represent them would not be included and come under this lobbyist registry. I think that is extremely important. You know, I was very upset initially when I looked at this legislation because I thought that it was blocking the ability of people who come from various religious backgrounds to express their views to political leaders, and we don't want that to happen. As an MLA I'm open to what people in the religious communities are saying and their concerns, and I think we ought to be responding to them and encouraging them to enter into dialogue with us.

I'm also pleased, Mr. Chairman, that nonprofit organizations are still left in this section. "Charitable" is taken out, but "non-profit organization" is still there. Yet the amendment in B, which amends section 3(1), adds that this act does not apply to any of the following. By identifying the "directors, officers or employees of an organization [who are] not constituted to serve management, union or professional interests nor having a majority of members that are profit-seeking enterprises," I think that makes it a little clearer though the language is quite dense. I'm not sure who the onus is on

to prove, you know, that your board only consists of a few people that might be engaged in profit-seeking enterprises but that the majority of the board is not.

I don't know about this language. I mean, nonprofit organizations are nonprofit organizations. They have boards. Mostly their boards are volunteers, and they're engaged in promoting their own organizations. For some of the inner-city agencies a social agency has a board, and their focus is not in furthering their own private interest, their own private economic interest, but certainly trying to influence government on the issues of poverty and so on. So I'm really quite pleased that such nonprofit organizations and faith-based agencies are not included in this lobbyist registry.

You know, all of this is part of an evolution of concern about ethics, and I'm really happy that now, finally, in Alberta, in terms of the evolution of ethics, we've come to this point where we're going to adopt a lobbyist registry. The time has come. We have to do it. I think it's really important to have these exceptions and to recognize the value of nonprofit organizations and charitable organizations in this province and all the things that they do for Alberta.

Thank you, Mr. Chairman. That's all I have to say about this.

[Mr. Shariff in the chair]

The Deputy Chair: The hon. Minister of Health and Wellness.

Mr. Hancock: Thank you, Mr. Chairman. I just want to respond briefly to the Member for Whitecourt-Lac Ste. Anne with respect to the questions he raised about how this amendment would impact the Chambers of Commerce. I think the short answer is that it does not. I know that there is some concern among the chambers about where they would fit under the Lobbyists Act. This amendment is specifically related to the many small and not so small, for that matter, volunteer organizations around the province that are dealing with issues in our community.

I know and I appreciate, having grown up in a small town myself and my father having been involved in the local board of trade, as it was called then, that the chamber is a voluntary organization and that there are lots of voluntary interests expressed and that they do excellent work for us in our communities. For us. When I say "us," not government, but for Albertans and for Albertans' communities and Albertans' communities' growth. But this particular amendment does not in my view exempt them from the application of the Lobbyists Act.

That being said, I think the Chambers of Commerce as an organization across the province is perhaps not in the same position as the volunteer organizations that we're dealing with in terms of: they have more structure, they usually have paid staff, they usually are in a better position to comply with the provisions.

Again, the reason I wanted to reply, other than the courtesy of giving a reply, is to indicate that I didn't want to in my earlier comments suggest that the rest of the people who do have to comply under this act should be facing an onerous burden. The act should be implemented in a way which it makes it easier for persons who do have to comply with the act to register, to register online, to make sure that their lobby activities are disclosed in an appropriate way. That should not be an onerous burden for anyone, and certainly not for the Chambers of Commerce. That being said, Mr. Chairman, I think it's still prudent to pass this amendment and make sure that the volunteer organizations that it's intended to deal with are exempted from the act.

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

Mr. Eggen: Thanks, Mr. Chair. I just had a couple of comments to make in regard to this amendment. Really, I'm asking, I guess, from the experience that I had just in being at one of the meetings that precipitated this Lobbyists Act. My understanding – and I can perhaps get clarification on this from the minister who brought forward this amendment – is that there was an exemption of 100 hours for the act to take place, and in my view, 100 hours seems like a long time to not have to worry about registering and whatnot.

Certainly, I can appreciate everybody's comments about excluding the voluntary sector and not placing undue difficulties on what is already an overtaxed system. We've been using the voluntary sector to cover a whole range of essential services that, in my mind, have been dropped by the wayside from responsible governance in this province over the last 20 years.

4:50

You know, that being said, when you're creating something like a lobbyists registry or the Lobbyists Act, simplicity I think is the key. Universality is important as well. If the minister who brought this amendment forward could perhaps comment on this because I see the 100-hour exemption working to serve a very similar function to what this amendment is. Certainly, I don't think I'm going to vote against this, but I just want to know if there's a specific purpose that I'm missing here somehow.

I know that the minister has lots of contact and experience with the voluntary sector. In fact, I see his smiling face on the back of buses on a regular basis, which is wonderful although it has almost caused an accident more than once when I was shocked to look up and see him staring at me there. Anyway, all joking aside, as I said before, if I could see clarification of how this is deemed to be necessary, regardless of the fact that we put a 100-hour exemption into this bill.

Thank you.

Ms Blakeman: I think part of the issue, not that I would ever dare to speak on behalf of the Minister of Health and Wellness, is that you're still going to have to count that 100 hours because as you start to get close to it, you'd better know where you are because at the point where you hit that, you're going to have to register. So basically the burden is still on that whole charitable sector to keep track of it in the same way as that \$30,000 mark for GST registration. For most people, unless they know that they're really low, like \$5,000, if you have a really good year and it starts to creep a little higher, you're going to have to go back and make sure that you've got all of that in place. The point was that this was an onerous burden on that charitable sector, and the reason for the Lobbyists Act is not specifically aimed at them. It was aimed at others who were trying to influence public policy for their own purposes, and the charitable sector is trying to influence public policy on behalf of members of the public. Not that I would presume to speak for the minister, of course, but that's my reasoning for it and why I supported this particular amendment.

If I might just very briefly, Mr. Chairman, I lost my train of thought earlier and I've now remembered it. The point I was trying to make there is that the not-for-profit sector is not in business to make a profit or to benefit any one of its individual directors. The whole purpose of a board of directors is to represent the public and to oversee the operations of the organization in a policy-setting way to ensure that the organization serves all Albertans or all Canadians and not to benefit an individual. It's considered a huge no-no in that sector if somebody is benefiting financially in a major way beyond a reasonable salary from the activities of the volunteer/charitable/not-for-profit sector. I always put slashes between all those words.

It's not to say that not-for-profits always lose money. They don't. They're very good businesspeople, I would argue. In many cases there are fewer not-for-profits that fail from bankruptcy than there are small businesses, so in fact they're very good financial managers. Any surplus they have at the end of the year is reinvested into the programming, so no one individual benefits from that. They don't get to go to Hawaii. They don't get to give themselves a bonus. That money is reinvested in the product or the service that they provide on behalf of the public.

Again, that's another major difference between that and the corporate sector. That's not to say – please don't misunderstand me, I'm not saying that the corporate sector is some big, bad bogeyman. They're not. They do wonderful things for Alberta and create a lot of opportunities and a lot of jobs for people and generate a lot of money. That's a good thing. Why would I say that was bad? I'm not. But the not-for-profit sector is there for very different reasons, and they are guided and set up completely differently in order, basically, to guard against any one individual or group of individuals benefiting as a result of an activity of the not-for-profit and benefiting in, you know, a major, pay themselves kind of way, is what I'm trying to articulate.

Thank you for the opportunity to clarify that. Again, I urge everyone to support this amendment.

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

Mr. Elsalhy: Yes. Very briefly, Mr. Chairman. I just wanted to also make the distinction that we have different layers when we're talking about the Chambers of Commerce, as suggested by my hon. colleague from Whitecourt-St. Anne. We have the Alberta Chambers of Commerce, which is really sort of the umbrella organization, the mother organization, but then you also have individual chambers of commerce in Edmonton and Calgary and then you have the smaller centres, too, you know, Rimbey, Tofield, and so on. The question here is: do you extend an exemption or do you make allowances or do you provide assistance to the bigger organization? Or do you require the bigger organization to register and report but not the medium-sized ones? Or do you go: the big one, the medium-sized ones but exempt the smaller ones?

We're not in any way saying that their work is not crucial and important, that it is not valued and appreciated. They definitely have a role to play, and it is a positive role in the province of Alberta. But the volunteer and nonprofit sector in terms of service provision are different, and that distinction has to be made because a chamber of commerce advances interests that are business related or business minded. The food bank is a different story; the Mustard Seed is a different story, the women's shelters, the Youth Emergency Shelter, Kids Kottage. These agencies are in a group unto their own. They're not the same. They shouldn't be caught in the same category as a chamber of commerce.

Now, Mr. Chairman, as was explained before, if a particular chamber of commerce has a volunteer on board that basically does that without getting paid, that particular volunteer and that particular organization by extension doesn't have to register and report. They don't have to file a return. If they have somebody on staff that gets paid, then they have 100 hours to accumulate before they are required to register and report.

I think that, yes, we're making a concession here to look after the volunteer sector, the nonprofit sector, but I argue that they're two different creatures; they're two different entities, two different descriptions, and that was the concern which we heard. You know, do you do it at the big level, the macro level? Do you do it at the intermediate level? Do you do it even on the minute level, the small level, and target everybody in every town or every city because each

of them has their own chamber of commerce? Edmonton, for example: we not only have a chamber of commerce, we also have regional business associations. I come from the west end, and we have something called the West End Business Association. They would argue that if the Edmonton Chamber of Commerce got exempted, maybe they should be as well.

I hear these cries, and I hear these concerns, but we definitely had to draw the line somewhere. In two years if they're still not happy, they can come back as we're reviewing this act and say: "You know what? You've done it for this sector, maybe we should be as well." But if you start exempting everybody, the question will be raised, Mr. Chairman: "Well, who's left; who's caught? If everybody is exempted, then who's left?" Who are we after? We don't want to be weakening it or watering it down. We need to be looking to the future. This is an act that I'm willing to bet on. This is an act that I'm hoping will be enforced, and I am actually looking forward to the first report from the Ethics Commissioner and the registrar as to how many registrations and submissions they received, how many entries were logged on the registry, and how many fines were issued or assessed.

I hear the concerns from the Member for Whitecourt-St. Anne, but that's something that we need to discuss. We need to draw the line somewhere, and this is a good line I think, and this is a good position.

Thank you.

The Deputy Chair: Any others? The hon. Member for Calgary-Elbow.

Mr. Cheffins: Thank you, Mr. Chairman. I rise today in representing the good people of Calgary-Elbow, who have expressed concerns about Bill 1 in its original form. Therefore, I'm pleased to speak to the amendment and the issue before us, section 1(1)(f)(iv). I spoke with constituents often during the by-election, and these and other issues are of concern to my constituents.

5:00

The hon. Member for Edmonton-Glenora mentioned my predecessor, Mr. Klein. I know that he and his wife had interests in the not-for-profit sector, and I recognize that he and his wife did a lot of good work throughout Calgary. Certainly Mr. Klein as my predecessor and as the former Premier deserves the thanks of Albertans and particularly the constituents of Calgary-Elbow for his service and representation to the constituency. Of course, I'll do my utmost to continue that representation.

I am interested in the local perspective from Calgary-Elbow. I do feel I'm in a good position to represent the communities in Calgary-Elbow. I've been active in the not-for-profit sector myself for some time as well. I view my commitment to public service as an extension of my community work, having been a director, vice-president, and president of two community associations for many years in West Hillhurst and immediately thereafter for many more years in Lakeview. Also, I've done a considerable amount of work in the not-for-profit sector.

My community work has also brought me into contact with many of my constituents as a soccer dad, as a Little League coach, as a referee, and of course having the most important job in and around the local outdoor rinks, that of a rink shoveller, particularly with the children's Grassroots Hockey League, but also in Lakeview. Over this period of time these activities have brought me into contact with and I've been listening to many constituents.

I've been listening to and talking with people for a long time. I've learned from them what matters most to people: it's the issues that affect them close to home. Many of those issues are also addressed

within the not-for-profit sector. So I think this is an important bill and it's an important amendment, and I commend the hon. minister for bringing this amendment forward. I think it is something that makes it easier for many of us to support this bill knowing that this amendment will be coming forward as part of the package for us to be able to consider.

As I mentioned, I've worked in the not-for-profit sector going back some time, actually back to my days in Fredericton high school. Just after graduating from Fredericton high school, I was involved with an organization. I can't remember exactly if it was a not-for-profit organization, but we did have a group of us that were working together with young people, students in particular, who were grappling with being able to maintain their level of commitment to education and to reading over the course of the summer. A group of us as students and graduating students took that on. After that, actually, I took a job with the not-for-profit sector at Hull home going back to 1975. That was some time ago. I was actually not long out of high school, with not much more than a high school diploma. They were good enough to hire me, and I began to be able to understand and appreciate the not-for-profit sector and recognize that the not-for-profit sector is quite unique.

Now, I've also been politically active for some period of time. That's brought me into contact with other people who've been active in the not-for-profit sector and with issues that are often addressed in the not-for-profit sector. I worked on Sheldon Chumir's campaigns, who was a Member of this Legislative Assembly for some period of time. While Sheldon Chumir was involved, one of the things that was important for him was, say, public education. Again, I need some clarification, perhaps, on some of these organizations to know whether or not they would be exempted under this legislation. Of course, Sheldon has gone on, and his legacy is now represented by the Sheldon Chumir foundation. That organization is involved in human rights. We'd also need to know whether or not those organizations will be exempted as well. So there are still questions with regard to this bill, and I look forward to future debate on it. Again, I do think that this amendment is a step in the right direction.

Continuing on with regard to what I've heard from community members, I have continued to knock on doors and also hear from people at annual general meetings. The concerns I hear about there are often with regard to the environment. This is an issue that is of concern to people in my constituency, particularly local issues as well, such as the preservation of the Weaselhead natural area. I've been honoured to be a member of the board of directors of the Weaselhead Glenmore Park Preservation Society. The Weaselhead is a tremendous asset in Calgary. It encompasses 620 acres, making it perhaps the largest protected natural area in Calgary and I hear also within Alberta, Canada, and perhaps even North America as far as protected areas, particularly within a large-scale urban environment.

That area was purchased by the city of Calgary in 1931 in order to protect the source of south Calgary's drinking water. Today the Weaselhead area is instrumental in providing drinking water for nearly one-half of all Calgarians, nearly one-sixth of all Albertans. Over the years there have been many different plans for commercial development of that land, but Calgarians have always chosen clean water as their top priority. It's imperative that this area remain protected. In fact, organizations that are dedicated to that type of endeavour, if they're not-for-profit organizations, need to know how this bill will be affecting them.

Again, I look forward to further discussion on this bill, but also I do want to commend the minister for bringing this amendment forward. Certainly, that might go some way to being able to help address some of those concerns, to make sure that the not-for-profit sector is in fact protected.

Other social areas of concern arise in my constituency. I'm privileged to have Mount Royal College involved as a part of my constituency. I've also worked at Mount Royal College and appreciate the importance of this fine institution to Calgarians, and I particularly feel good about representing them. I've had the opportunity to have lunch with the president of Mount Royal College, and I know that the institution itself is also interested in social issues in and around the area and makes an effort each year to reach out into the community. I've also had the opportunity meet with the students' association of Mount Royal College, who have indicated concerns with regard to housing, for example. The housing issue is another social issue in which we know that many not-for-profit organizations work to help to relieve the problems, the issues, the crisis, indeed, with regard to getting housing in Calgary. We need to know how those organizations will be affected by Bill 1.

Again, we're pleased to see that the amendment has been brought forward, and perhaps that may help to alleviate some of the concerns that we have around protecting the not-for-profit sector because it is quite important.

This bill that has been brought forward will be improved. I know there have been comments made in the press with regard to this bill, the lobbyists registry act, and the effect it would have on the whole volunteer sector. In fact, this bill really has got the whole volunteer sector up in arms. I've had people from the Developmental Disabilities Resource Centre into my office as well. That's an organization that I also worked on behalf of, and it happens to be within my constituency. That organization does terrific work on behalf of people with developmental disabilities. Their concerns were with regard to the amount of time that goes into filling out forms. They were concerned that with resources that are already stretched thin, this was going to be an onerous bill because we know that the human resources component, in particular in the not-for-profit sector, is really feeling the pinch these days.

I believe this bill started out with the idea of trying to curb, you know, insider influence, but somehow it seems to have gone in the opposite direction. I know that the press has picked up on this as well and had to bring it to the attention of this government. We're glad to see that the government, perhaps, may be listening. Bringing forward this amendment might be a step in the right direction on that front.

There were concerns that perhaps have also been addressed with regard to how the bill would affect people who are connected to individuals who work in the not-for-profit sector and whether it would affect their ability to seek a livelihood as well. However, it does appear that some of those issues have also been addressed.

5:10

This is an important bill, and as it moves forward, we look for opportunities to improve it. I think that this amendment that's been brought forward may be a very significant step, so I will be supporting this amendment. I look forward to more discussion and hearing more from my colleagues on that front because, again, these are concerns for the not-for-profit sector in terms of the number of forms that they need to fill in. It is really quite onerous, I think, for grassroots organizations.

Again on that front, just in terms of a grassroots organization, I think it's important to recognize that there are three sectors in our society and that, in fact, we need to be able to have all three sectors be strong. We know that the private sector is the engine for our economy, and it's important. I know that myself and my colleagues in the Liberal Party are a free-enterprise party. We recognize the value of that sector, particularly the smaller and mid-sized busi-

nesses, that are really the organizations, the corporations that hire Albertans on a wide-scale basis. It's important, that sector, but the not-for-profit sector is important as well, as is the public sector.

An influential book for me was a book called *Reinventing Government*, a book that I understand was influential on at least one president in recent years. I had the opportunity to do a book review on that book for a graduate studies class. That book talked about the importance of all three sectors. I believe the first chapter in the book is actually called *Steering Rather Than Rowing*. It pointed out that sometimes it's important for the government to recognize that they don't always need to be rowing; sometimes they can be steering. One of the ways that they can go about that is to be able to utilize the not-for-profit sector to do some of the rowing, to do some of the work. And the not-for-profit sector is close to home. It's close to the community. It is generally a grassroots organization.

As my colleague from Edmonton-Centre mentioned, there is a genuine connection between the not-for-profit sector and the community. We have to recognize that while accountability is very important and crucial, in fact, to this particular Assembly and through the government – we need to have accountability; there's no doubt about it – to the citizens of Alberta, there are other ways, other methods, and other means for that accountability to come through. That's through the not-for-profit-sector boards, many of which I've been involved with, sometimes serving, sometimes reporting to. But again, the not-for-profit sector and the boards there are that connection. I think it's important that we're taking a look at this, at how it is that they're affected by this bill, because I'm not sure that the original intention of the bill was to make things more onerous. So I'm pleased to see that this amendment has come forward.

The not-for-profit sector, as I say, is accountable. I squared off with some federal officials at one point in time. We tried to compare some of the work in the not-for-profit sector and concerns that might arise, the concerns that arose through Radwanski and that whole issue, which was absolutely stunning to me. I very pointedly had to set him straight and talk about how the not-for-profit sector is the opposite of that. The not-for-profit sector is a way for there to be accountability because, again, the not-for-profit sector generally does a very good job of reporting back to the community, to whom they report. Again, they're often elected, and there is a process that's in place for the not-for-profit sector.

So there are three sectors. I think it's important to recognize the not-for-profit sector and the accountability that comes forward. In general I'm hearing from Albertans that the not-for-profit sector is already hurting these days – and, really, we don't want to make things any more onerous for them – that the not-for-profit sector is probably, I think it's safe to say, underutilized, underappreciated, and undersupported. In that respect I think we can go a long way to try to make sure that they're not feeling less supported by making things more onerous for them, that they are in fact appreciated. I hope that this amendment goes some way to being able to bring that element into the considerations of this bill.

I think I may have more to say on this in general, but at this point in time I think that's about all it is that we can do to address this particular amendment. Again I commend the minister for bringing it forward. I know that members on this side of the House were looking at similar amendments in order to improve this legislation. I recognize that one of the important roles for the opposition is to improve legislation, so we are looking for improvements in this legislation. I do think that this amendment may take steps in that direction.

Thank you, Mr. Chair.

The Deputy Chair: Any others? The hon. Member for Lethbridge-East.

Ms Pastoor: Yes. Thank you, Mr. Chair. I'm delighted to be able to rise and speak to this amendment that has come forward from the Minister of Health and Wellness. I was a part of that committee, the field committee, that was one of the history-making committees, actually, in this House and for this province. It was, I think, probably an eye-opener for many of us. Although there have been, certainly, within the last 10 to 11 years very few what we would call true all-party committees, I believe this was a good example of how we all sat down and realized that we had a job to do and worked well together.

There was a lot of hard work put into this committee, and there were certainly many, many long hours. We were lucky enough to have excellent staff both from the legal side and from the actual writing of the bill side. For someone like myself who perhaps had never really worked with a bill in its complexities, it was very much appreciated. Anyone on that committee could have asked for a clarification either for a definition or intent or, in fact, the concept of what they wanted to talk about, and they were certainly forthright in helping us interpret it and to make sure that at the end of the day we actually were all speaking on the same page and that we had agreed upon what our definitions really, really meant.

There were huge amounts of information that we had to digest, as I mentioned before, and then be able to put them on an overlay over a complex legal document.

One of the most important things, I think, that happened with this committee was that although we didn't go through the province as perhaps a task force might have, we had the opportunity to have the public come and present to us. Because the nonprofit area was particularly troubled and, in fact, quite fearful of this bill going through as it had been originally thought about, they put together some very, very thoughtful and, certainly, worthy of discussion documents. Their presentations were in depth. They had done their homework, and I think what was very important was that they not only had done their homework locally, but they also had done their homework in terms of what other jurisdictions were doing with this exact concept of lobbyist bill.

The lobbyist bill certainly had been something that the Liberals had talked about for many, many years. Finally it was going to come forward, but the groups that were so concerned, the nonprofits, as I mentioned, had actually gone across Canada to see what other jurisdictions had done. One of the reasons this amendment has come forward is the fact that it was based on how Quebec handles it in terms of what they consider nonprofits.

It was divided into special-interest groups versus special-service groups, those that actually service the community and provide a service in very many ways as opposed to special interests. Perhaps I could say that a special interest might be the Canadian Association of Petroleum Producers, whereas, in fact, the service industries – and I'd like to mention some that certainly had approached me from Lethbridge. This is a short list, certainly not all: the Kidney Foundation, with the Lethbridge branch.

5:20

Our Galt museum, a wonderful museum that has had renovations within the last three to four years. We have a new curator, and some very exciting things have taken place at that museum, and certainly there are wonderful plans afoot to go forward. That was another one that was concerned that they were going to spend more of their time worrying about paperwork than actually getting on with the job and being able to produce the wonderful museum and exhibits that are

available for the world to see but certainly southern Alberta. The school trips that come from various schools outside of Lethbridge are numerous, and to a school these children have all said how much they've really enjoyed it, in particular the standing, static artifacts that they have in terms of the history of Lethbridge itself. The kids seem to really enjoy that.

The other ones, of course, were Volunteer Lethbridge, that co-ordinates many, many volunteer organizations; the YWCA, who run our women's shelter; Boys and Girls Club; Big Brothers and Big Sisters; Heart and Stroke Foundation; and also something that we have in Lethbridge called VoicePrint.

Mr. Rodney: It's fabulous.

Ms Pastoor: Thank you. My colleague from Calgary-Lougheed has expressed his full support of the organization called VoicePrint.

What VoicePrint really does is have volunteers from the community read the newspaper so people who are visually impaired can hear it through the computer, and for some they actually can get very, very large print and follow along. Newspapers are read to them. Certainly, they can hear the *Lethbridge Herald* or the *Taber Times*. The scope of this is really quite amazing. Already I've had great comments back from the community, and it's only just been up and started probably within the last couple of months. It's these kinds of organizations that were so concerned that they were going to end up spending all their time on paperwork instead of actually, as I've said, getting on with the job.

I think another thing that's very interesting has happened since we've been on this committee and since the chair has put the report forward to the House. What is different with Alberta is that in other jurisdictions when they have what they would call policy committees, which is a little different than what we've done as a field committee, usually that policy committee is all-party, it goes forward, and as a rule it isn't discussed further in the House. What we've done here is brought this forward. There has been a lot of work put into it, and I think that all members in the House can appreciate that, but what it has done is actually open up further debate from outside of the committee, and I think that's a very healthy, democratic thing to do.

One of the activities that has happened – and I'd like to point out that we certainly were time constrained; we did a lot of work in a very short period of time – is that the report went through, and it didn't have a protection for the nonprofits, or they didn't see it that way. They didn't see that they were exempt, and all they could see was mountains of paperwork. What they did was exactly what this lobby was about. They put together an exceedingly hard-working, very comprehensive lobby. I believe there wasn't an MLA in this House that did not get letters from their local volunteer organizations. Certainly, the umbrella groups within Alberta sent letters, and we were phoned, just saying how upset they really were with this.

To me, I think it's the way it was supposed to be. It was a very open process. We all knew who was being lobbied, so to speak. As a result of that, because of the way the process works here in the House, the committee recommendations would have gone forward, the government were next, and then the opposition would come in after that. So we were certainly ready to go forward with very much the same amendment that the Minister of Health and Wellness has brought forward. Now we're talking about it again in a very open manner.

So lobbying does work, but I really believe that lobbying works best when it's out in the open and everyone knows who's involved. I also think that from the other side it does present an opportunity for

people to come together, and certainly in this instance the nonprofits definitely came together.

There was a great deal of depth to their information, and I think those of us on the committee were pleased to be exposed to that depth of knowledge because I'm not sure that the majority of us that sat on it have really understood the depth to which volunteer organizations are in our communities. I believe there are 19,956 – don't quote me on that number exactly – nonprofit organizations in Alberta. How many hours does that represent, certainly, in terms of the volunteers that work for these organizations? My question would be: if these volunteer organizations cease to exist, I would venture to say that our society as we know it would fall apart.

We rely so much on volunteers, and to be able to free them up to do the job that they're really meant to do is the right thing to do. But it was the right thing to do, as I've mentioned, because that lobbying effort was so open, so transparent, and there was an accountability factor in here that I think was very strong. We were accountable as a committee. We're now accountable as the Legislature. Certainly, the volunteer organizations and the people that made these presentations were accountable to the people that they were representing and the people that were behind them, the front-line people, saying: you guys have got to get us freed out of this mountain of paperwork.

It was frightening. I think it frightened a lot of people. A lot of our volunteer organizations do have seniors because seniors are retired. If you've been a senior in the workforce probably within the last five years – I'm going to label a senior at this point in time as anybody probably over 55, 60 – you have been exposed to computers, but anybody older than that has not been. A lot of volunteer organizations depend on seniors to do a lot of the small work that can actually be done on a piece of paper. So the fact that some of these seniors were thinking they were going to have to submit things, despite how easy it is, through computers and have to learn a whole pile of new skills – it was very, very frightening to them.

I also believe that the nonprofits didn't think of themselves as special. I think they just thought they wanted to get on with their job and be left alone to do what they had to do. But where they did think that they were special was that they were special in the same way as everyone else was in other jurisdictions, which is why they continually came back to the committee and have continually lobbied that we would then consider what we call the Quebec exemption. They will be, should this pass, exempted under a section where we can divide nonprofits into service, providing a service to society, as opposed to special interests. I did mention the Canadian Association of Petroleum Producers and even environmental groups. Although you could argue over what is delivering a service to the community, I think that if it's a special interest behind it, it's quite clear on who would be exempted and who would not be exempted.

I believe another exemption that came through – and it actually came through on the committee and, again, as a result of lobbying, that, again, was out in the open because it was quite clear when we discussed in committee, which was Hansarded. The school boards were most upset that they weren't going to be exempted. I, too, absolutely concurred. I believe that if you are an elected person – and I don't care if you're elected to be a dog catcher, a school trustee, an MLA, an MP, or whatever – you represent the people, and you should be allowed to speak to anyone you want, but more importantly anybody that wants should be able to speak to you. You're representing them, not the other way around.

5:30

I believe that the proportions of one-third/one-third/one-third were mentioned.

I believe that another thing that's happening to our nonprofits is

that the pressure to deliver services within our society has just increased immeasurably – I'm sure it's been squared by whatever – because of the distinct pressures that are in our province at this point in time because of the rapid growth and, certainly, the rapid economics. We have a whole huge segment of society that relies on services. We have young kids that need to be looked after. We have seniors that need to be looked after. We have young families that need to be looked after. We really have to be able to let these people get on with what they're doing. Already we're starting to hear from these nonprofits just how much extra work they are doing. Some of them are saying: you know, we're getting to the point where we really can't deliver the service to as many people as we would like to. That's sad. It is certainly a reflection on our times.

I think the other portion of society that is represented through volunteer organizations are the moms. We've got soccer moms. We've got hockey moms. We've got ballet moms. We've got art moms. These moms devote numerous hours over and above. A lot of these are working moms. Some are stay-at-home moms. But it's a tremendous amount of time driving the kids around. Often the soccer moms are driving the bigger vans. They're taking the kids whose mom can't take them.

I'm not excluding the dads. Often we'll find the dads coaching. Certainly, there are lots of dads that fight – actually fight – to be the coach for their daughter's hockey team. They often have sons that play as well, but the dads want to coach those girls because the girls hockey teams, I think, have a different kind of spirit. Perhaps they don't have the NHL hanging over their head, and they don't have agents looking at them when they're 10 years old. They can just get out and have a good time and play hockey.

It's not cheap to rent rinks. It's not cheap to play on soccer fields, and it's not cheap to have the proper floors to actually do ballet on. Children can be hurt at an early age if they start too early on pointes, and they have to have good floors to be able to do it. The art moms. It costs to have good art teachers. This is all outside and over and above, of course, what they do in school, so funds have to be raised. Huge, huge, huge amounts of volunteer time go toward the raising of dollars for these organizations.

One of the things that I did within this committee – and I am proud that it was I that brought it up and that it got passed – was that we review this in two years instead of five years. This is a pilot project, so to speak, and I think that it's very important that we keep our eye on these things. Sometimes if it goes for five years, it gets lost. Mistakes can keep falling all over themselves, and we could create a really huge problem that might turn off our nonprofits. I think that it would be an absolute shame if we lost even one hour of nonprofit volunteers at this point in time.

One of the things that came up that was quite interesting within this committee was a really different idea, and it was called a reverse onus. The whole concept of reverse onus was: should it really be on the people who are lobbying, or should it be on the people who are being lobbied? I tend to lean towards the people who are being lobbied. We all have Day-timers. We all have BlackBerrys. We all know exactly where we are at any given time of the day and night. Unfortunately, it probably makes our lives a little bit more difficult, but it's the way it is.

For instance, if I was being lobbied, all I would have to do is look at my BlackBerry and say that I talked to Joe on the golf course, and this is what we talked about. I don't have to go in depth. All I have to know is that I talked to Joe, who represented such and such an organization, and this is where we spoke. [Ms Pastoor's speaking time expired] Oh, that went very quickly. I have so much more to say, so I'm sure that we'll be able to go further.

Thank you.

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

Mr. Elsalhy: Thank you very much, Mr. Chairman. I was really enjoying my colleague from Lethbridge-East's remarks. I just wanted to emphasize again as a member of the standing policy field committee and also as an MLA in the larger context that we have heard those cries, those plights, those concerns time and time again. We have reacted, and I think we have reacted favourably. I'm actually standing to support the amendment as suggested by the Government House Leader.

Now, I know that there was a bit of criticism initially. It was sort of a knee-jerk reaction by somebody in the volunteer community who indicated under a website, I think, or through an e-mail that they weren't pleased enough, weren't impressed enough with the concessions that the committee made, the changes that the committee suggested in the report to the Assembly because they wanted the full-meal deal. They wanted the full exemption. So I'm hoping that today the Assembly has demonstrated our being reasonable, our willingness to listen.

I want to mention a few organizations which I'm hoping would be pleased with this turn of events, with this direction that we're taking. First off, I would like to mention Volunteer Alberta. I was absolutely impressed with the campaign that they launched and the way they and the Muttart Foundation got together to mobilize everybody in that sector to talk to us both in the committee and outside to really listen to their concern, to pay attention to their plight. I think they were very successful in mobilizing. I think they were very successful in their attempt to talk to us, approach us to deliver that message loud and clear and repeatedly.

One has to really commend them on, first of all, the attention that they paid to Bill 1 and to the committee work. If you go under the Volunteer Alberta website, for example, it is quite impressive the way they kept track, the way they actually stayed with the different steps and the different hurdles that Bill 1 went through. I think the website is really well done and well designed, the way they actually kept that up. Every meeting *Hansard* was excerpted. Every meeting the transcript was copied to their website. They would then, you know, ask questions further to the meeting and what things were discussed, and they would ask their members to start formulating these questions and so on. I was really pleased with this.

I know that the executive director of Volunteer Alberta, Ms Karen Lynch, Mr. Chairman, is actually a constituent of mine.

Ms Blakeman: She's not. She's my constituent. You can't say that.

Mr. Elsalhy: Okay. Well, maybe her parents are, then. I know her parents. Yes, she's a constituent of Edmonton-Centre, Mr. Chairman. I stand corrected. Her parents are constituents in Edmonton-McClung.

At one point we had a very brief discussion where she indicated that it really annoys them that they will not have the ear of government. Be it for mischief or be it for fairness, I argued that, you know, it shouldn't just be the ear of government, that it should be the ear of the Assembly, and members of the opposition are equal to members of the government. Ms Lynch actually indicated that while she doesn't really dispute that outright, she felt that members of the government, because they make funding decisions, are maybe worth more or maybe deserve more attention from the volunteer community.

5:40

So I stand here today to say that while they make funding decisions, the Assembly helps them make those decisions, and the

Assembly actually gives direction and offers insight and scrutiny to these funding decisions. I don't think her being a card-carrying member of the ruling party has anything to do with it. I think there might be a sentiment out there that people think the government is where it all begins and ends. I need everybody in this Assembly to know that that's not true. The government is one arm, but the Assembly is the other arm, equally important if not more important.

The other organization I need to reference – and I'm hoping that they, too, would be pleased with the progress that is being made here – is the Calgary Chamber of Volunteer Organizations. Now, people might say: why are you not referencing the Edmonton Chamber of Volunteer Organizations? You come from Edmonton. Well, I met with the people from Calgary based on a request that they submitted to our southern Alberta caucus office. They intentionally wanted to meet with me because they knew that I was the deputy chair of the committee. So I went down and spoke to them. I remember meeting with Katherine van Kooy, Robert Pynn, and Heather MacDonald. I know that they, too, follow *Hansard*, and that they, too, read the transcripts. They, too, update their website, and I'm really pleased with their keen interest in this. I'm hoping today that they would be pleased.

These people, I'm hoping, are now used to accessing the Assembly and are now used to visiting the website of the Assembly, listening to the audio, watching the video, that they would keep that interest, that it wasn't just a one-time thing, that it wasn't just their own campaign that they were interested in. I am hoping that that interest would continue because we do discuss many important issues in this Assembly. I am hoping that this attention is maintained and expanded. I am hoping that they will now stay tuned to what goes on under the dome. We do have our moments of disagreement in this Assembly, but we also have moments where we actually agree, like today.

The other person who I am hoping is either listening or at least will be made aware of this progress is Carol Aubée-Girard. Ms Aubée-Girard is actually a member of ECALA, or the Edmonton Community Adult Learning Association. She approached myself and the Member for Edmonton-Centre because her association was very, very concerned. I'm hoping that today she would get some comfort that we heard her plight, we heard her organization's plight, and that the Assembly in total, as an entity, in general has reacted and reacted favourably.

Furthermore, two more people who actually met with me and that I am hoping to again give that comfort and reassurance to were Brenda Wentzell and Shabnam Sukhdev. These two ladies actually met with me as representatives of the Edmonton region of the Canadian Mental Health Association. They were board members in Edmonton.

I actually asked the hon. Government House Leader if his exemption, the Quebec exemption, is going to include an organization like the Canadian Mental Health Association. The reason I asked him this is because while the Canadian Mental Health Association itself is a volunteer organization that is a service provider in the bigger definition, members who actually sit on that board may hold a psychiatry degree, may be practising psychiatrists, for example. So in their outside life, the other hat that they wear, they're profit seeking just because they have a visit fee. You know, like, when you visit a psychiatric clinic, well, health care pays. So we are calling them profit seeking in that department. As the mover of the amendment and also given his legal expertise from his previous life, he indicated that in his interpretation he doesn't think that's the case. He's reassuring me that to the best of his knowledge this exemption extends to an agency like the Canadian Mental Health Association.

I am hoping that we have demonstrated flexibility, that we have demonstrated reason and that politicians are not necessarily opposed to good ideas. Here is one that both sides of the House are agreeing on. I'm hoping that that interest, as I mentioned, continues and grows. People have to pay attention. People have to stop tuning out, to stop ignoring the political scene in Alberta. Some think it's the minor league and that, you know, Ottawa is where the fun is. No, this is not the minor league. This is equally important. As a matter of fact, I think that the decisions we make in this Assembly are more important sometimes than the ones made in Parliament.

With that, Mr. Chairman, these were just some remarks. I'm hoping these people are tuned in and listening and, you know, maybe looking forward to more opportunities of co-operation in the future. Maybe this is the beginning of a very close relationship with members of the volunteer community, where we can maybe advance their cause, help them as they go through their projects and funding decisions. It is not just the government; it is everybody in this Assembly. We're all worthy of receiving that lobbying and receiving that communication from members out there.

Thank you very much.

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

Mr. R. Miller: Well, thank you, Mr. Chairman. Some of my colleagues are asking me to keep my comments brief, so I guess I will try to do that. But not having had a chance to speak to this amendment yet and, in fact, not having had a chance to speak to any of the amendments yet on Bill 1, the Lobbyists Act, in the committee stage, I think it's important that I have an opportunity to put my comments on the record as well. Although I will try to be brief, I do have a couple of things that I would like to say.

As we know, this particular amendment is modelled after the Quebec model. The idea is to exempt charitable organizations from Bill 1. As many speakers have already said today, Mr. Chairman, we've all heard a lot of concern expressed to us, particularly from NGOs, charitable organizations, nonprofit groups, and so forth. I think it's fair to say that most of the members of this House come from that sector in one fashion or another. I'm going to guess – oh, now I'm getting a questioning look from one of my colleagues which, I believe, is suggesting that perhaps some of the members on the other side of the House may not have the same level of experience volunteering that those of us on this side of the House do. I don't know if that's a fair comment or not, quite frankly. I'm going to guess that most MLAs in this Assembly have a fairly extensive history of volunteerism, and in large measure that's probably how we get to be where we are today.

I know most of us have been lobbied over the last several months, over the summer, by any number of charitable organizations, but I think that even without that, there would have been a general understanding on our parts – and I say “our” collectively, meaning the 83 members in this Assembly – that this legislation as it was presented cast far too wide a net, Mr. Chairman. I suppose the first question that has to be asked is: how did that happen? How did we get to a point where legislation that was contemplated to deal with the Rod Loves of the world, with the Kelley Charlebois of the world, with the Bob Maskells of the world, a situation that was contemplated to deal with those sorts of situations, which are well documented in this House and have certainly raised a lot of questions about lobbyists and those well connected to the governing party, to a piece of legislation that cast its net so wide that we were including not only chambers of commerce, as was mentioned earlier today, but every little organization in every small community and big city in this province that is trying to do some good work for the people that live in their community?

I think there's a very serious question to be asked there, Mr. Chairman, in terms of how this bill was drafted: how did that get missed? How did we go from wanting to capture paid lobbyists – almost every person in this province, I'm sure, would agree there's a need to have those people registered and a need for the people of this province to be able to be made aware of who's lobbying the government as a paid lobbyist for what. How did we get from that to somebody who's doing a hotdog lunch to raise money for a school council in a small community in Alberta who suddenly has to register as a lobbyist because they managed to bump into their MLA at the grocery store?

5:50

I mean, I don't know what happened there, but clearly there was a major, major misunderstanding – I'm going to hope that's all it was – in terms of what was contemplated when the Premier made his commitment to bring in the Lobbyists Act to the drafting table, when this was all put together, and somehow we cast this wide net that captures everybody. I don't know how that happened to take place. I didn't sit on the policy field committee that looked at this over the summer, and I'll confess to not having read the transcripts of all of their meetings. Maybe that's been explored, and maybe there is an explanation for how we got from what was clearly the Premier's intention and what, I think, was the intention of all members of this House to a piece of legislation that is so terribly flawed that it has a handful of amendments, several amendments coming from the committee, which have now been dealt with. It has amendments coming from the government side and, we know for sure, amendments coming from the opposition parties.

So great, great concern about this piece of legislation. As I say, I really think it needs to be asked: just where did things go off the rails so badly that this became a piece of legislation that really should never have been controversial? There was some great work done by an all-party committee two years ago. I know there were members from my caucus that sat on that. Edmonton-McClung and Edmonton-Glenora sat on that committee that looked at conflicts of interest. I believe it was chaired by the Member for Calgary-Nose Hill, if I remember right, and he did wonderful work chairing that committee. I remember, quite frankly, Mr. Chairman, seeing some comments from the Member for Calgary-Nose Hill, the chair of that committee, at the conclusion of its work, and I was pleasantly surprised at how progressive his comments were and how progressive his thinking was in terms of the changes that should be made to conflict-of-interest legislation in this province.

Clearly, there were good intentions on both sides of this Legislature to do the right thing, and I'll give credit where credit is due. The Premier lived up to his promise during the leadership campaign, came forward with a lobbyist act, which is great and, I would argue, is meriting its status as a flagship bill. That's all good. But something went horribly wrong, Mr. Chairman, and just where that happened and why it happened, I'm not clear as to how that took place, but it causes me great concern.

Now, it's been pointed out that this particular amendment is going to accomplish, I think, the addressing of the concerns that many of

those NGOs and charitable groups have raised over the summer with myself and with my colleagues, and that's good. In fact, I believe it was mentioned that the Official Opposition caucus had precisely the same amendment ready to go. I believe it had been submitted to Parliamentary Counsel and was queued up to be introduced by the Official Opposition. Of course, the Government House Leader and minister of health takes some precedence, I suppose, in this Assembly and was able to introduce the amendment before we were, and that's fair enough. I congratulate him for doing the right thing, and we're pleased that this is happening. [interjection] I'm getting that signal again. You want me to wrap this up. Okay.

I will conclude my comments there, then, I suppose, Mr. Chairman, so that we can conclude the business of the day. I do look forward to having further opportunity to speak to this bill.

The Deputy Chair: Are you ready for the question?

Hon. Members: Question.

[Motion on amendment A2 carried]

The Deputy Chair: Hon. Government House Leader, I'd request you to move a motion that the committee now rise and report.

Mr. Hancock: As you request. Thank you, Mr. Chair. I would move that the committee rise and report progress on Bill 1.

[Motion carried]

[Mr. Shariff in the chair]

The Acting Speaker: The hon. Member for Airdrie-Chestermere.

Ms Haley: Thank you, Mr. Speaker. The Committee of the Whole has had under consideration certain bills. The committee reports the following bill: Bill 40. The committee reports progress on the following bill: Bill 1. I wish to table copies of all amendments considered by the Committee of the Whole on this date for the official records of the Assembly.

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

Hon. Members: Concur.

The Acting Speaker: Opposed? So ordered.

Mr. Hancock: Mr. Speaker, I am being cajoled, urged, compelled by members that the House do now adjourn until 1 p.m. tomorrow.

The Acting Speaker: The chair has no difficulty in entertaining that motion.

[Motion carried; at 5:57 p.m. the Assembly adjourned to Thursday at 1 p.m.]

