

Legislative Assembly of Alberta

Title: **Tuesday, November 27, 2007** **1:00 p.m.**
 Date: 07/11/27
 [The Speaker in the chair]

head: **Prayers**

The Speaker: Let us pray. From our forests and parkland to our prairies and mountains comes the call of our land. From our farmsteads, towns, and cities comes the call of our people that as legislators of this province we act with responsibility and sensitivity. Grant us the wisdom to meet such challenges. Amen.

Please be seated.

head: **Introduction of Guests**

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

Mr. Cardinal: Thank you very much, Mr. Speaker. On behalf of yourself I would like to introduce to you and through you to the members of the Assembly 19 grade 6 students from Neerlandia in your constituency. They are accompanied this afternoon by teacher Jim Bosma and parent helpers Jina Greilach and Jannie Slomp, Rudy Sybesma, Garry Wood, Evelyn Krikke, Patrick Fountain, and Krista Fountain. They are seated in the members' gallery. I'd like them to rise and receive the traditional warm welcome of the Assembly.

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

Mr. Elsalhy: Thank you very much, Mr. Speaker. It gives me great pleasure to introduce to you and through you to all members of this Assembly 29 bright and wonderful grade 6 students from one of my favourite schools in my constituency, and by that I mean Ormsby school. These 29 students are joined by Mrs. Liz Branco, Mr. George Diduck, and Mrs. Joanne Zuke on a tour of the Legislature. They're in the Assembly today to experience some of question period and to see what hon. members on both sides of the House do as we conduct ourselves in this Assembly and, you know, deliver democracy to the people of this province. I would ask them to please rise, and I encourage all my colleagues here to give them the traditional warm welcome.

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

Mr. R. Miller: Thank you, Mr. Speaker. I'm delighted today to have the opportunity to introduce through you and to all members of this Legislature 45 of Edmonton's brightest students from the constituency of Edmonton-Rutherford, in fact St. Augustine school. They are accompanied today by two teachers, Mrs. Nancy Darwish and Mr. David Masluk, as well as three parent helpers, Mrs. Valerie Mallon, Mrs. Laurie Simons, Mr. Ken Ferguson. As my colleague from Edmonton-McClung said, they're here today to watch the proceedings of the House and learn a little bit about our democracy. I would invite them all to rise and receive the traditional warm welcome of the Assembly.

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

Mr. Hancock: Thank you, Mr. Speaker. It's my honour and privilege today to introduce to you and through you to all members of the Assembly four distinguished members of the Alberta medical profession. These gentlemen along with nearly 50 other doctors and staff from the Alberta Medical Association are in the Legislature

today to connect with their respective MLAs, share their views and concerns with their elected representatives, and learn more about our system of parliamentary democracy and, quite frankly, how to influence us to the greater good. I would ask that our guests stand when called but that the Assembly hold its applause until all of our visitors have been recognized. I won't introduce all 50 by name, but I would like to personally introduce Dr. Darryl LaBuick, president of the Alberta Medical Association; Dr. John Huang, chair of the AMA's government affairs council; the hon. Dr. Grant Hill, former interim leader of the Official Opposition in the House of Commons and former Member of Parliament for Macleod; and Dr. Michael Auld, a constituent of mine from Edmonton-Whitemud. I'd ask all of the other members of the AMA group to stand and join them, and I'd ask the House to give them our warmest welcome.

The Speaker: The hon. Member for Edmonton-Castle Downs.

Mr. Lukaszuk: Thank you, Mr. Speaker. Sitting in your gallery today are two gentlemen. First will be Mr. Carlo Amodio, the president of the National Congress of Italian Canadians for the Edmonton district, and Mr. Leopoldo Sorgiovanni, producer of the Italian radio station here in Edmonton on World FM. Both of these individuals have been decorated with the cavaliere de la república designation by the Italian government. They're here to observe statements and tablings of petitions relevant to a possible closure of the Italian consulate in Alberta.

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

Mr. Eggen: Thank you, Mr. Speaker. I rise to introduce to you and through you two guests. My first guest immigrated to Canada from Ethiopia. His name is Ibsa Befakadu. He now lives in Edmonton and volunteers much of his time as a human rights and peace activist, volunteering with Amnesty International. My second guest is Mary Boloweza, who is visiting her friends Sylvia Krogh and Alan Boyle in Edmonton. Mary is from Blantyre, Malawi, Africa, and works as a tourist information and HIV/AIDS prevention person in her home country. On behalf of my constituents I would like to ask both of my guests now to rise and receive the warm traditional welcome of the Assembly.

Thank you.

head: **Members' Statements**

The Speaker: The hon. Member for Edmonton-Castle Downs.

Italian Consulate

Mr. Lukaszuk: Thank you again, Mr. Speaker. What makes Alberta a great province to live in, do business in, and raise our children in is due in part to the diverse ethnocultural makeup of our citizens. Our Italian community, now boasting some 67,000 Albertans, is definitely an important part of our social and economic fabric. Why do I make reference to our Italian community? Well, Mr. Speaker, it is because Alberta's Italian community is concerned with the Italian government's recent decision to close its Edmonton consulate. This is an occurrence for all of us to be concerned with.

Presently Italy is Alberta's eighth-largest export market, with annual exports averaging \$156 million. We also import some \$429 million worth of goods from Italy, which include some of their famous wines, olives, and tiles. Italy is also an important partner in academia, where the University of Alberta has created a Faculty of Arts in the town of Cortona in Tuscany and where the U of A is a signatory to an agreement of academic and scientific co-operation with the University of Siena.

Lastly, Mr. Speaker, Italy serves as the head office of the Food and Agriculture Organization of the United Nations; therefore, it is a hub for many multinational agriculture projects.

Mr. Speaker, Italy is important to Alberta, and as such I urge all members of this House to contact the Italian authorities and respectfully encourage the Italian government to reconsider their decision to close their consulate in Edmonton, Alberta. Thank you.

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

Jan Hudec

Mr. Webber: Thank you, Mr. Speaker. This past weekend at the World Cup downhill ski race in Lake Louise a friend and an Albertan made history. Calgary Jan Hudec crossed the finish line with the fastest time, which is the first time in the event's history that an Albertan, let alone a Canadian, has won at home.

It must have been an incredible feeling for the 25-year-old to stand on top of the podium in front of friends and family, singing *O Canada*, especially considering all the things that he has been through over his lifetime. He's battled through multiple knee surgeries, including one that left him off the hill for almost a year. Other athletes might have packed it in and moved on, but not Hudec. Adversity and following a dream runs in his family.

When Jan was a baby, his parents escaped communist Czechoslovakia, which included a harrowing trip in a leaky, homemade boat across the Adriatic Sea. They eventually came to our province, and Jan grew up on the world-class ski hills of the Alberta Rockies.

His victory is a sign of great things happening in sport in our country. The 2010 Vancouver Olympics are just over two years away. The excitement is building across the province for good reason. With our tremendous facilities and successful athletes the road to 2010 travels through Alberta, and it will also return here after the Olympics are done.

I ask that all members of the House join me in congratulating Jan, his teammates, and his family for this historic win. Thank you.

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

1:10 Alberta Utilities Commission Act

Mr. MacDonald: Thank you, Mr. Speaker. By introducing Bill 46, the Minister of Energy proved that this government has lost its credibility with Albertans and does not trust Albertans. Fuelled by a culture of entitlement and arrogance, this government doesn't want to hear what Albertans think, and now it's trying to silence them by implementing Bill 46.

After it was caught allowing a government body to hire private spies to spy on citizens, this government should have apologized to the very citizens it spied on. It should have fired those responsible, including the Minister of Energy, and made fundamental changes to how the EUB operates. Instead, the minister refused to accept responsibility, refused to hold anyone accountable, and introduced the Alberta Utilities Commission Act, Bill 46. Just when the public's confidence in the regulatory system was at its lowest, the Minister of Energy has delivered a knockout punch. Bill 46, if passed, will forever destroy Albertans' trust of this government and of the energy regulatory process.

After the spy scandal Albertans demanded more transparency and accountability. Bill 46 eliminates both. The government has been repeatedly defending this autocratic legislation, claiming that it has been misinterpreted, claiming that the concerns of Albertans are false. They point the finger at people who they see as troublemakers. These troublemakers are simply fearmongering. And who are

these troublemakers that the government has identified? They are rural landowners. They are people who do not believe a government should spy on its citizens. They want true consumer protection. They are the mayor of Calgary. They are the Environmental Law Centre. They are the Pembina Institute. They are members of industry. They are urban utility consumers.

Mr. Speaker, in conclusion, I remind all hon. members of this House that it was the government's own member, the Member for Lacombe-Ponoka, who on November 7, 2007, told a crowd of Albertans . . . [Mr. MacDonald's speaking time expired]

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

Ukrainian Famine/Genocide

Mr. Cao: Thank you, Mr. Speaker. With deep respect, I rise today to acknowledge the memorial tribute that took place last Sunday regarding the man-made famine that was forced on the Ukrainian people in their homeland in 1932-33. During this communist-imposed famine, millions of men, women, and children perished because of an ideologically driven communist Soviet government in Moscow. The purpose of the communist Soviet government was to break the spirit of the Ukraine and drive its people into submission to their totalitarian rule. Grains and other food were taken by the ruthless communist authority and kept away from the starving citizens.

Mr. Speaker, the Soviets later sent their advisers to China and to Vietnam and used the same method to implement the communist ideology. As a result, millions more people suffered and perished in those two countries. In 1954 my parents brought our family away from the communist regime, and my grandparents could not make the trip. I still remember the last goodbye to my grandmother. Part of our family suffered and perished in a similar famine created by the same communist policy.

Every year I have attended the Ukrainian famine memorial tribute in Calgary, and I share the deep feelings for the victims of the Ukrainian famine. I know that our Premier and the MLA for Edmonton-Mill Creek attended the same tribute in Edmonton last Sunday. Our thanks go to the Ukrainian Canadian Congress and their local organization for co-ordinating these important tributes. Our thanks also goes to organizers who helped to erect the first monument in Canada right here in Edmonton in tribute to the victims of this horrific man-made famine.

As we remember those who perished, let us honour those who survived to tell us about the inhumane policy driven by the communistic socialist ideology. *Vichnaia pamiat'*. Eternal memory.

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

Vocational and Rehabilitation Research Institute

Mr. Chase: Thank you, Mr. Speaker. The Vocational and Rehabilitation Research Institute, the VVRI, is an indispensable part of the social fabric of Calgary. Described as the gem in the northwest, located in Calgary-Varsity, the VVRI is a multi-use hub of activity that offers so much to the community. Providing excellent services to people with disabilities is what they are well known for. Are you aware that thousands of families avail themselves of its day camps, swimming lessons, birthday parties, preschool programs, and parent/child drop-in activities? The VVRI runs the only nonprofit bottle depot in Calgary, and they go to Calgary schools with messages about recycling and going green. The VVRI also operates Calgary airport's baggage retrieval service, serving 11 million passengers a year.

All of these socially responsible businesses operate with a fully integrated workforce, where people with disabilities work side by side with others to get the job done. With all the activity at the VRRRI let's not forget the primary reason for its existence: to be leaders in innovative services and research to support persons with disabilities to live as valued and contributing members of the community. They've been trailblazing and providing a wide array of research and services for 40 years, but the fact of the matter is that the VRRRI's 40-year-old building on five acres of land in the University Innovation Park is not sustainable for the disability services and community resources that it continues to provide. So the VRRRI has been doing their homework, planning and seeking the resources needed to build a world-class facility for the next 40 years and beyond.

They are working hard to find the very best ways to support people with disabilities in the community at large, and they are very deserving of the support of all of us here today. I urge all MLAs to throw their support behind this institute as it continues its progressive and proactive evolution to meet the needs of the growing and aging population of Albertans with all levels of ability.

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

Goodwill Industries of Alberta

Ms DeLong: Thank you very much, Mr. Speaker. I'm pleased to rise in this Assembly today in recognition of Goodwill Industries of Alberta. On November 9 I had the pleasure of attending their annual charity fundraiser. This event really brought home to us how important it is to support Albertans with disabilities. Disabilities can do more than simply impair a person physically. They can overwhelm individuals with feelings of helplessness and despair. That's why I believe it's incredibly important for us to take a moment to acknowledge the good work being done by Goodwill Industries of Alberta.

Goodwill is an international nonprofit agency that was founded in Boston in the late 19th century by Reverend Edgar Helms to offer a hand up, not a handout to impoverished members of the community. Today they still uphold this notion, valuing the independence, sustainability, and dignity given to an individual through the power of work.

Goodwill's mission is driven by donations. They operate thrift retail stores stocked with gently used household items from the community, both providing these goods at affordable prices and recycling items to help our environment. Every dollar earned counts towards enriching people's lives. When you support Goodwill, you're making a difference in the community by helping them provide employment and training services to individuals with disabilities and other barriers to employment. It's important for all Albertans to be proud of who they are and to continue to strive for a better quality of life for themselves, their loved ones, and their communities. This is what Goodwill Industries is all about.

Thank you very much, Mr. Speaker.

head: **Presenting Petitions**

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

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

We the undersigned residents of Alberta, petition the Legislative Assembly to urge the Government of Alberta to launch a full public inquiry under the authority of the Public Inquiries Act into spying

practices by the Alberta Energy and Utilities Board (AEUB) and the Minister of Energy's oversight role of the AEUB.

Thank you very much.

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

Mr. Elsalhy: Thank you very much, Mr. Speaker. This particular issue is not going away, so today I'm actually tabling 26 more signatures on the petition which reads:

Whereas the ongoing rent affordability crisis is contributing to Alberta's worsening homelessness situation, we, the undersigned residents . . . hereby petition the Legislative Assembly to urge the Government . . . to take immediate, meaningful measures to help low-income and fixed-income Albertans, Albertans with disabilities and those who are hard-to-house maintain their places of residence and cope with the escalating and frequent increases in their monthly rental costs.

Thank you.

The Speaker: Are there others? The hon. Member for Lethbridge-West.

1:20

Mr. Dunford: Thank you, Mr. Speaker. I would like to present a petition on behalf of several southern Albertans. It's regarding, of course, the passage of Bill 45, Smoke-free Places (Tobacco Reduction) Amendment Act, 2007, and asks us to "not dilute its contents so as to compromise the version approved at second reading."

The Speaker: The hon. Member for Edmonton-Castle Downs.

Mr. Lukaszuk: Thank you, Mr. Speaker. I'd like to table a petition with some three and a half thousand names on it, Italian Albertans expressing their dismay relevant to the closure of the consulate.

head: **Introduction of Bills**

The Speaker: The hon. Associate Minister for Capital Planning on behalf of the hon. President of the Treasury Board.

Bill 56 Appropriation (Supplementary Supply) Act, 2007 (No. 2)

Mr. Zwozdesky: Thank you very much, Mr. Speaker. On behalf of the President of the Treasury Board I beg leave to introduce Bill 56, the Appropriation (Supplementary Supply) Act, 2007 (No. 2). This bill will provide additional spending authority in the amount of \$1.5 billion to 16 departments of government for purposes of savings and for capital projects. Because it is a money bill, His Honour the Honourable the Lieutenant Governor, having been informed of the contents of this bill, recommends the same to this Assembly.

[Motion carried; Bill 56 read a first time]

head: **Tabling Returns and Reports**

The Speaker: The hon. Minister of Energy.

Mr. Knight: Well, thank you very much, Mr. Speaker. I'm pleased today to table the appropriate number of copies of amendments to Bill 46 as well as a background document explaining the amendments in more detail. Albertans have expressed their views about this bill, and we have responded to the concerns, particularly those about landowner participation at utility hearings and about continuing to allow third parties to apply for funding when they intervene.

I look forward to further discussions about this bill and in particular these amendments when it comes before this Legislature at a later date.

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

Mr. Backs: Thank you, Mr. Speaker. I have two tablings today. One is from the very successful open house of the North Edmonton Seniors Association that their more than 600 volunteers held there recently, a very successful day.

Then also one from the circle of safety family violence program from the Aboriginal Consulting Services Association of Alberta, a document outlining their services.

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

Mr. Martin: Thank you, Mr. Speaker. I'd like to table the appropriate number of copies of a letter from Dave Denholm concerning the cancellation of a program for outpatients at the Edmonton General hospital. The program provided valuable physical therapy for seniors with a variety of health problems.

Thank you.

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

Mrs. Mather: Thank you, Mr. Speaker. I have three tablings today. The first is from the Canadian Federation of Independent Business in reference to building quality child care together. They are writing on behalf of their private child care members in Alberta to raise their specific concerns about how the proposed regulations will impact their human and financial resources.

The second is from William Parker, a letter out of concern for the proposed child care licensing regulations.

The third is from Cathy Pasula-Jones about the proposed changes to child care licensing regulations.

The Speaker: The hon. Leader of the Official Opposition.

Dr. Taft: Thank you, Mr. Speaker. I'm tabling five copies of a letter to the Premier from the president of the Coalition of Seniors Advocates, Stan Nykiel. The letter is requesting that the province of Alberta "immediately re-instate the Seniors' program that existed in the 1990's, exempting all senior citizens from having to pay the education portion of their tax bill."

Thank you.

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

Mr. MacDonald: Thank you very much, Mr. Speaker. I, too, have tablings today. My first group of tablings are proposed amendments from the Official Opposition regarding Bill 46. The first one is an amendment to section 8(2). The second amendment is to section 8(5). The third amendment is also for section 8, striking out subsections (3) and (4), and the next two amendments are trying to clear up some of the confusion that has been caused by this government regarding section 9. These amendments were prepared with the able help of Mr. Joe Anglin.

Also, I have a constituent letter here from Mr. Garry Grykuliak. It is concerning changes to the Alberta labour code. I have another letter from a constituent, Mr. David Lunt, also concerned about Alberta's labour laws and how they can be improved. I have a third letter from Quinn Nichols. It is also concerning the Alberta labour code and how it should be improved. My last tabling is from Mr.

Roger Berger. It is a letter indicating that we need to make the labour code fair.

Thank you.

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

Mr. VanderBurg: Thank you, Mr. Speaker. I'd like to table the appropriate number of copies of the seniors' centres funding report presented by the Seniors Advisory Council for Alberta and the Alberta Council on Aging to the Minister of Seniors and Community Supports. I'd like to thank the more than 200 seniors' centres that helped with this report.

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

Mr. Elsalhy: Thank you very much, Mr. Speaker. I'm tabling copies of letters I received from seven of my constituents, all urging us to revamp Alberta's antiquated labour laws to ensure fairness for all working people in Alberta. One of their ideas, for example, is for full legal recognition of bargaining rights, including the right to strike. These letters are from Angel Rowsell, Michelle Rowsell, Lois Boyd, Vivian Crowell, Nancy Forget, Zodie Kebede, and Charmaine Smythe.

Thank you.

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

Mr. Chase: Thank you, Mr. Speaker. I rise today to table the appropriate number of copies of an e-mail from Wendy Nelson asking this government to not put in passing lanes but actually twin highway 3, on which her daughter Ashley was killed when rear-ended and pushed into oncoming traffic a little over three years ago.

With this e-mail I am also tabling the appropriate number of copies of Ashley Nelson's 2003 graduation photograph.

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

Mr. Agnihotri: Thank you, Mr. Speaker. I have five tablings. They have come from my constituents A. Meads, Glenda Tarnowski, Shernett Paes, Mary Kutschke, Eufemia Cabarrubias. They are all concerned about Alberta labour laws and strongly believe in major changes to encourage fairness to all working people in Alberta, strongly urging this government to implement and support changes to our province's antiquated and unfair labour laws and to bring Alberta labour laws into the 21st century.

Thank you.

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

Mr. Boutilier: Thank you very much, Mr. Speaker. I have five copies of a letter to His Excellency Gabriele Sardo, the Italian ambassador to Canada, encouraging him and his government to continue with the tremendous opportunities with the Italian consulate here in Edmonton as well as the over 70,000 Italians that are represented here in our great province of Alberta.

head:

Tablings to the Clerk

The Clerk: I wish to advise the House that the following document was deposited with the office of the Clerk on behalf of the hon. Mr. Melchin, Minister of Seniors and Community Supports: a report dated 2007 entitled Seniors' Centres Funding Recommendations,

presented by the Seniors Advisory Council for Alberta and the Alberta Council on Aging to the Minister of Seniors and Community Supports.

head:

Oral Question Period

Soccer Ban on Religious Headgear

Dr. Taft: Alberta and Canada are proud to welcome people from all corners of the world. Just the other day in Fort McMurray I was speaking with people who came to Alberta from the Middle East and are thrilled at the welcome they receive. They told me, and I quote: if God were ever to outsource running the world, he should give it to Canadians. But sometimes, Mr. Speaker, we slip up. A few days ago a 14-year-old Muslim girl in Calgary was ejected from a soccer game for wearing a hijab. She left the field in tears. My question is to the Premier. Does this government see this as an issue of religious and cultural freedom and of human rights or not?

Mr. Stelmach: Mr. Speaker, this is an issue relating to a sporting event. The minister responsible has been involved and working with the two organizations, and the minister responsible may wish to comment.

The Speaker: The hon. leader.

1:30

Dr. Taft: Thank you, Mr. Speaker. This incident is the latest in a long line of needless controversies that should be behind us, including the wearing of turbans, religious symbols, and the like. The Minister of Tourism, Parks, Recreation and Culture, who is also responsible for the Human Rights Commission, said yesterday that he has to support the referee's decision. My question is to the Premier. Why is this government allowing soccer rules to trump basic human rights?

Mr. Stelmach: Mr. Speaker, the minister is supporting, I believe, the referee who made the decision but has also advised that he will meet with the parties to make sure that this doesn't occur, to work out an arrangement. In this particular case the referee was only following, apparently, the rules and regulations that he's supposed to for safety reasons, according to the association. The minister has offered to intervene, meet with the two parties, and I know that we'll be able to resolve this situation.

Dr. Taft: We should not be allowing soccer rules to trump human rights in Alberta, Mr. Speaker. Safety was cited as a reason for disallowing Muslim girls from wearing hijabs during soccer games. I don't think this is about safety. After all, we live in a province where this government allows children to ride all-terrain vehicles without helmets, even though many Alberta children die in ATV accidents every year. Again to the Premier: will the Premier take steps now through Alberta's human rights legislation and commission to ensure that this sort of incident does not happen again in this province?

Mr. Stelmach: Mr. Speaker, with respect to ATVs, the minister responsible will be bringing forward regulations and/or legislation, if necessary, on public roads. Apparently, he wants to get involved with private land. I guess that's his business, but that's the Liberal way.

Anyone who believes that they have been discriminated against by any amateur sports organization because of religious beliefs can contact the Alberta Human Rights Commission. It's their responsi-

bility to hear the case, and they will listen to the individual and make the appropriate decision. That's their role. It's not the government's. It's the Alberta Human Rights Commission that's assigned this responsibility.

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

Treasury Branches Investments

Dr. Taft: Mr. Speaker, the Alberta Treasury Branches is a treasured institution in Alberta and plays an important role in Alberta's prosperity, particularly outside the major urban centres. The government has an important obligation to ensure that it fulfills its mandate to the people of Alberta, yet the ATB recently revealed an \$80 million loss due in part to exposure to the highly speculative U.S. subprime mortgage sector. Ultimately, the exposure could be far higher. This is more than just another bad day at the office for the Department of Finance. My question to the Minister of Finance: can the minister explain what happened? Why was the ATB in a position where it was exposed in this way to such risky ventures?

The Speaker: The hon. minister.

Dr. Oberg: Thank you very much, Mr. Speaker. The ATB's total exposure to asset-backed commercial paper, which, by the way, is not all subprime mortgages, is about \$1.2 billion. They've been reassessing this. They've been looking at this very carefully. They determined through several consultants as well that their exposure, their potential for loss, was around \$79 million. They certainly hope that this won't occur.

To put this in perspective, Mr. Speaker, that's about a 6 and a half per cent writedown which occurred. The National Bank of Canada, which is exposed considerably more, took a 25 per cent writedown. Would we sooner have had no writedown? Absolutely. But 6 and a half per cent is better than the rest.

The Speaker: The hon. leader.

Dr. Taft: Well, thank you. To put that in perspective, \$80 million would help an awful lot of seniors, would hire a lot of nurses, and would feed a lot of hungry schoolchildren.

The Minister of Finance claims that he has no legislative authority to control ATB investment policy, but the Alberta Treasury Branches Act actually provides clear authority for this government to set some rules about the ATB investment strategies. To the Minister of Finance: given that the taxpayer is ultimately on the hook, why does the minister allow the ATB to take on such risky investments, which any responsible financial adviser would recommend against?

Dr. Oberg: Actually, Mr. Speaker, I find that incredibly humorous, what he just said. This whole subprime mortgage issue, the asset-backed commercial paper, is an issue that has hit all financial institutions: the Royal Bank of Canada, Scotiabank, TD Bank, Canadian Imperial Bank of Commerce, and so on. As I stated before, the National Bank of Canada was exposed for 25 per cent. The ATB is conservatively estimating \$80 million, or roughly 6 and a half per cent of their financial exposure is what the writedown is. Ultimately, we hope none of that writedown will occur, and in fairness it may well be that none of that writedown occurs.

The Speaker: The hon. leader.

Dr. Taft: Thank you, Mr. Speaker. As I said, the ATB is a valued institution in this province. It's been there for people when other institutions have not. But under this government the ATB has gone way beyond its original mandate, into high-risk U.S. investments and large Bay Street corporate financing. Alberta taxpayers are on the hook for this added risk. To the Premier. It's one thing for this government to own a financial agency that supports rural Alberta; it's quite another to own what amounts to a quasi-bank that competes with the credit unions and chartered banks. Does this government have any interest in reining in the ATB, or does it plan to continue operating what amounts to a full-fledged bank?

Mr. Stelmach: Mr. Speaker, just listening to the member, he's made two statements that are totally wrong. First of all, he's talking about \$80 million. This is a writedown. It's not something that comes to the government that the government allocates to different programs. This is a writedown, and those securities that do not fail will go back into the revenue side. That's very clear. The other thing is that this government is a very, very strong supporter of the Alberta Treasury Branches. It has a very good board in place, which has increased the assets of the Alberta Treasury Branches. It will continue to not only serve rural Alberta but every Albertan. I see them in Edmonton and in Calgary and in any other major city in Alberta.

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

Sustainable Water Management

Dr. Swann: Thank you, Mr. Speaker. Sustainable water management in Alberta is a vital issue for all Albertans. The introduction of up to 15 upgraders in the Industrial Heartland will have serious consequences for our water supply, and this government is about to pass yet another bill for interbasin transfer from the Athabasca River to the North Saskatchewan. To the Premier: is the Premier going to set limits on regional water use, or will we continue this unsustainable practice of pulling water out of the north for the south?

Mr. Stelmach: Mr. Speaker, the interbasin transfer that the individual was talking about is with respect to treated water. In terms of the process and how hearings are held in terms of any transfer of water or allocation of water, I'll have the Minister of Environment answer because it is a very detailed public process.

The Speaker: The hon. member.

Dr. Swann: Thank you, Mr. Speaker. There is a guiding principle in making wise water decisions, and it relates to the need to know how much water we have and where it is. Unfortunately, the government continues to make decisions about water without the critical knowledge that we need. There is no complete mapping of aquifers in the Industrial Heartland, according to the department. We still don't know the relationship between surface and groundwater, and there's no independent assessment of cumulative impacts. To the Premier: will you continue to make decisions on massive upgraders without this key information?

Mr. Renner: Well, Mr. Speaker, the member knows perfectly well that the government recently talked about and implemented, in fact, for the Athabasca and is in the process of doing the same for the North Saskatchewan an in-stream flow need that recognizes the quantity of water that is required to maintain the ecological viability of any particular water stream. The cumulative effects regime that

is in place ensures that we do not exceed that minimum amount of in-stream flow need that is required to maintain the economic viability of any river in this province.

The Speaker: The hon. member.

Dr. Swann: Thank you, Mr. Speaker. As all of us know, Alberta is experiencing industrial development on a massive scale, particularly in this area, and the environmental consequences of unrestrained, unmanaged development are extremely serious. Already in the capital region there are water concerns, and this is before the extra upgraders. One of these concerns is that a major groundwater aquifer has been contaminated under the Industrial Heartland, the Beverly Channel. That aquifer has already had a significant degree of contamination. To the minister: does the minister have any scientific evidence to assure Albertans that this channel or others will not be further degraded by these 15 upgraders?

1:40

Mr. Renner: Mr. Speaker, this issue was discussed at the time that we talked about cumulative impact. We talked about the fact that there has been monitoring of this particular issue for some 30 years and that there has been no appreciable change and that the cumulative impact program that was put in place is designed to ensure just that: that there will be no significant impact on groundwater. That's why we talked about the need to manage the sulphur that will be stored as a result of the development in the area, to ensure that we maintain the viability of the groundwater in that particular part of the province.

The Speaker: The hon. leader of the third party, followed by the hon. Member for Cardston-Taber-Warner.

New Royalty Framework

Mr. Mason: Thank you very much, Mr. Speaker. While the Premier claims to be raising royalty rates, his Minister of Finance is setting the stage for a bait and switch of epic proportion. Usually governments wait until after an election to break their promises, but just yesterday the Minister of Finance told big oil executives that the new royalty structure might have to be dramatically changed to suit the suits. The royalty consultations are still on but only behind closed doors and only with big oil. Ordinary Albertans are being left out in the cold. To the Premier: having already caved in to big oil by keeping Alberta's royalties among the lowest in the world, what assurances do the people of Alberta have that you won't sell them out again and give away even more of our wealth to your corporate backers?

Mr. Stelmach: Mr. Speaker, once again, a number of allegations that are totally wrong.

An Hon. Member: You always say that.

Mr. Stelmach: They say that I always say that. Well, because they always make those wrong allegations. That's why I'm saying that.

Our Justice minister has very publicly tabled lists of all of the individuals that he met with while we're listening to all Albertans with respect to the positions they've taken on the royalty regime. To say that we're meeting behind closed doors is wrong, simply wrong. Unless the member has something else to offer, have him ask another question because I'm not going to answer something that allegedly is totally wrong.

Mr. Mason: So allegedly totally wrong.

Well, Mr. Premier, it's well known that both the Conservatives and the Liberals collect significant political donations from big oil. With the Liberals saying virtually nothing about royalties, the Conservatives are scrambling to keep the donations coming. Now the Finance minister has suggested that the royalty review was due to Tory leadership candidates jumping on a bandwagon. On the one hand we have a Premier trying to convince Albertans that he's delivered a fair share, and on the other hand we have a Finance minister saying something else to the people who really pull the strings of this Tory government. My question is to the Premier. Why is he telling Albertans that he got it right when his Finance minister is telling big oil that maybe he got it wrong?

Mr. Stelmach: Mr. Speaker, I'll have the Minister of Finance answer the latter part of that question.

This government is committed to the royalty framework. There is no part of it that's negotiable in terms of the 20 per cent. We are working with the oil industry. We're working with those that supply services. Once again, the implementation period is January 1, 2009, and for a very good reason: so that we have an opportunity to meet with all Albertans during this period of time to make sure that the implementation is done right.

The Speaker: The hon. leader.

Mr. Mason: Thanks very much, Mr. Speaker. Well, you know, the Finance minister is suggesting that there will be dramatic changes to the royalty regime. I understand that he claims he's been misquoted. I would like to challenge the Minister of Finance to table the speech that he gave to the oil sands executives down in Calgary so that we can see what he really said.

The Speaker: The hon. minister.

Dr. Oberg: Thank you very much, Mr. Speaker. I'd be more than happy to do that from a couple of points of view. First of all, the comments about change in the royalty review were in regard to a review of the royalties. It was put out that it was going to occur every five years. I suggested that the hon. Minister of Energy had been misquoted on that and that it is actually 10 years and beyond and that we hoped that this framework would last forever because there's price and volume sensitivity built into it.

Second point, Mr. Speaker. This was an oil sands conference that the media was at. This in no way was behind closed doors or anything at all like that, so I really don't know what the hon. member is talking about. Realistically, the hon. member should start attending some of these things as opposed to listening to CBC.

The Speaker: The hon. Member for Cardston-Taber-Warner, followed by the hon. Member for Edmonton-Ellerslie.

Ethics in Government

Mr. Hinman: Thank you, Mr. Speaker. The smoke and mirrors continue, and the deception is greater than ever. Our Premier says he's going to post an imaginary guard at his front door and make sure any Albertan registers before he comes in and speaks with him. All the while his campaign donors and his buddies go in the back door and go golfing to discuss important matters. My question is to the Premier. If he wants to be open and honest with Albertans, will he record and report who he meets with and make it public to all Albertans?

Mr. Stelmach: First of all, it's about minus 15, so I'm not going golfing today. I can assure you of that.

The other, Mr. Speaker, is that I made a commitment to all Albertans that we're going to pass two pieces of legislation, one very important, that's the lobbyists registration, and the conflicts of interest. Those bills are proceeding through the House. These are good bills, and I know that the House will support them and so will the hon. member.

Mr. Hinman: Well, Mr. Speaker, hopefully he's not going this evening on a flight south to do some golfing.

Mr. Speaker, the Lobbyists Act will be even less effective than the gun registry, and he might as well open up a volunteer gang registry. His own party members go out and solicit donations from school boards, counties, towns, and other things. Will the Premier send a strong message and stop having taxpayers fund party fundraisers?

Mr. Stelmach: Mr. Speaker, obviously, the hon. member is not aware of some of the clauses in the Municipal Government Act that do not allow municipal officials to use public funds to participate in any political function, to buy tickets. That not only includes the Progressive Conservative Party, the Liberals, and the NDs, but the Alberta Alliance, I believe, unless they play by different rules.

Mr. Hinman: Mr. Speaker, he knows that he's been getting donations in there and has to keep returning them, so he needs to tell his party members.

Mr. Speaker, will the Premier please explain to Albertans how the Lobbyists Act is going to protect Albertans and the taxpayers who spend an exorbitant amount of money with such things as the Milk River bypass, where the meeting was held but it was discontinued?

The Speaker: No. We're not going to accept that question. Within a matter of minutes from now this particular bill will be in committee. We've had second reading. We're in committee stage. That's not an appropriate use of question period for this.

The hon. Member for Edmonton-Ellerslie, followed by the hon. Member for Lacombe-Ponoka.

Land-use Development Framework

Mr. Agnihotri: Thank you, Mr. Speaker. Quality of life depends on our commitment to protecting our land. Unfortunately, our need for oil makes us forget this. To the Minister of Sustainable Resource Development: will you commit to a system for conservation offset to balance lands impacted by development?

Dr. Morton: Mr. Speaker, I'm very pleased to tell the House that very shortly I'll be bringing the land-use framework draft to the cabinet and to the Premier. Caucus will look at it over Christmas and January. We're bringing it forward. Those issues are addressed at length and quite specifically in the land-use framework.

The Speaker: The hon. member.

Mr. Agnihotri: Thank you, Mr. Speaker. Even with the small amount of land that is protected, there are no standards to ensure that the provincial land is managed with the same level of care. To the same minister: will you implement a mandatory provincial parks management program to ensure that Alberta's land is used and maintained properly?

1:50

Dr. Morton: Mr. Speaker, I'm very proud of this government's management of public lands. In the green zone and forest areas our

integrated land management is reducing the footprint, the impact, of forestry and oil and gas activities by significant amounts. The target for the integrated land management is in the 15 to 20 per cent reduction. Two of our pilot projects are achieving reductions of impact in the 40 to 50 per cent range. In Crown grazing leases in the white zone we have policies in place to protect native grasslands. So we have nothing to apologize for. I'm quite proud of our public land management.

The Speaker: The hon. member.

Mr. Agnihotri: Thank you, Mr. Speaker. Provincial parks and protected land improve the quality of life for Albertans. Unfortunately, other sectors within our economy such as oil and gas can impact the quality and sustainability of the protected land. To the same minister: when will we see a provincial land-use strategy?

Dr. Morton: Mr. Speaker, I've already answered that question. You'll see a land-use framework in January.

I want to make it very clear that the object of the land-use framework is not to stop growth; it's to manage growth. This party understands that good environmental policy costs money. The best environmental regimes in the world are in wealthy, prosperous countries. That's what we're going to do: we're going to have a strong economy and a strong environmental regime.

The Speaker: The hon. Member for Lacombe-Ponoka, followed by the hon. Member for Edmonton-Rutherford.

Alberta Utilities Commission Act Amendments

Mr. Prins: Thank you, Mr. Speaker. Before question period I noted that the Minister of Energy tabled amendments to Bill 46, which will be discussed once they come before the Legislature during the committee phase later this session. I know that many of my constituents, especially those in rural areas, have expressed concerns about this legislation. I am hopeful that these amendments will address many of the concerns I've heard, and I would like more information from the Minister of Energy. To the Minister of Energy: can you advise the members of this Assembly how the legislation will address concerns raised about third-party groups who wish to intervene during regulatory or rate hearings?

The Speaker: Well, the hon. member would have heard my comments to the hon. Member for Cardston-Taber-Warner before. This had better be policy questions and nothing specific; otherwise, we're moving on.

Mr. Knight: Well, thank you, Mr. Speaker. Most certainly, the government's policy with respect to the ongoing development of the infrastructure required for utilities in the province of Alberta is going to be very clearly laid out and debated as we go forward. As I'm sure you know, the amendments, of course, are imminent, and we will deal with them in due course.

The Speaker: The hon. member.

Mr. Prins: Thank you, Mr. Speaker. My second question for the same minister is: how will these amendments address landowners' concerns . . .

Dr. Taft: Point of order, Mr. Speaker.

Mr. Prins: . . . particularly those who feel that they won't be able to participate in hearings?

The Speaker: Okay. There's a point of order on it. I'm not going to rule the question in order unless there's another item, so no. If you have a third one, go with it.

Mr. Prins: No. That's it.

The Speaker: Do you still have a point of order?

Dr. Taft: No.

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

Treasury Branches Investments

(continued)

Mr. R. Miller: Thank you, Mr. Speaker. As was mentioned earlier today, the Alberta Treasury Branch is an institution that represents a pillar of financial strength and independence for both rural and urban Albertans alike. But I am very concerned about the losses reported and the investment strategies undertaken. The minister is concerned, too. I quote: I don't want them coming back and saying we've had to do another writedown. To the Minister of Finance: how can Albertans continue to put their trust in the Alberta Treasury Branches if even you are concerned that the actual loss is higher than what's being reported?

The Speaker: The hon. minister.

Dr. Oberg: Thank you very much, Mr. Speaker. Under the due diligence that I have as Minister of Finance I wanted to be absolutely sure that that was the correct number. I did not want the Alberta Treasury Branch to be coming back two or three or four months down the road and saying: by the way, there needs to be a further writedown. The asset-backed commercial paper has been a large issue in the banking industry, and we had to ensure that these were absolutely accurate numbers. I am confident in the Alberta Treasury Branch, that the numbers that were put forward by them were the correct numbers, that they had the due diligence applied to those numbers. Hopefully, that \$79 million writedown will not be realized as a loss. Hopefully, the asset-backed commercial paper issue will turn around and will survive.

The Speaker: The hon. member.

Mr. R. Miller: Thank you, Mr. Speaker. Investment in risky, asset-backed commercial papers is not normally recommended by financial consultants, so I do have concern that the board of directors for Alberta Treasury Branch would feel that it's an appropriate move. To the Minister of Finance. It is within your legislative powers to ensure prudent loan and investment standards. Can you explain why this \$80 million loss happened? Should it not have been avoidable with these high-risk investments?

Dr. Oberg: Mr. Speaker, obviously, there has been a writedown of \$80 million, and as I stated previously, we would sooner not have had any writedown at all. Two years ago asset-backed commercial paper was looked upon as being a very positive investment with high returns, and indeed at some point in time it did give better returns than other investment modalities. This is something that has caught

the whole financial industry in North America in investments that have decreased liquidity, which has caused significant issues with them. Is the Treasury Branch any worse off than any other financial industry? The answer is no. At 6 and a half per cent I am confident that . . .

The Speaker: The hon. member.

Mr. R. Miller: Thank you, Mr. Speaker. In the Yukon Territory the Official Opposition considered this type of risky investment of public money serious enough to call for an audit, and they got it. The Auditor General of Canada has agreed to investigate \$37 million of public money invested in high-risk credit markets, so for us to call for an investigation regarding more than double that amount seems quite reasonable. To the Minister of Finance: will you be asking for a complete audit of the financial decision-making processes and risk management policies within the Alberta Treasury Branches to ensure that public money is not lost due to unnecessary financial gambles?

Dr. Oberg: Mr. Speaker, once again this side of the House is way ahead of that side of the House. The Auditor General has been working very closely with the Treasury Branch and has been involved with the Treasury Branch right from the start on the asset-backed commercial paper issue, and indeed the \$79 million was done in conjunction with the Auditor General.

The Speaker: The hon. Member for Whitecourt-Ste. Anne, followed by the hon. Member for Calgary-Elbow.

Support for Seniors' Centres

Mr. VanderBurg: Thank you, Mr. Speaker. The Alberta Council on Aging has partnered with the Seniors Advisory Council for Alberta, which I chair, to learn about the financial status of seniors' centres in the province. From our findings recommendations were developed to help the seniors' centres access the funding that some of them may need to remain open. More than 200 seniors' centres helped with this report. My question is to the Minister of Seniors and Community Supports. Can the minister tell us what he's doing to address these recommendations, and when is he going to do them?

The Speaker: The hon. minister.

Mr. Melchin: Thank you, Mr. Speaker. I'd first like to thank the Alberta Council on Aging and the Seniors Advisory Council of Alberta for their outstanding work as they go around the province and meet with seniors and seniors' organizations to get the feedback and help us ensure that our programs do meet their needs. There are three recommendations in this report that came back to us on seniors' centres in particular. One is to provide more information on all the sources of financing and funding that could be available to them. We were happy to see that we could act on that quickly. The other is to get into some of the financing sources that seniors' centres could access. One of those in particular would be easy for us to start actively working on instantly. The other will take a little bit of time. Excellent report.

Mr. VanderBurg: Well, I thank the minister for the pat on the back, but I guess I'm looking for a more conclusive action. The FCSS funding of more than \$60 million is available, but many of these seniors' centres complain that they don't get access to that funding. Can the minister explain why not?

Mr. Melchin: Mr. Speaker, family and community support services

actually provides substantial funding for seniors' organizations and family organizations throughout the province. About 80 per cent of those funds are provided from the provincial government, and about 20 per cent of the total funding from FCSS actually goes to seniors' organizations, many of them to seniors' centres. So they are actually accessing it. It was intended that this structure would be community based, that they could respond to the individual and local needs. In that respect, I am pleased to see that this program continues to be a viable support of seniors' centres and programs.

The Speaker: The hon. member.

Mr. VanderBurg: Well, thank you, Mr. Speaker. Again to the same minister. Surely, there are other sources of funding that seniors' centres can apply for. Utilities are an issue that our seniors' centres are all facing, probably the number one issue. Can the minister explain maybe other sources of revenue to volunteers for these centres?

2:00

Mr. Melchin: Mr. Speaker, one of the recommendations that they did give was to ensure that the new community spirit program for charitable giving be designed so that seniors' centres receive donations that would be eligible for matching funds from the community spirit fund. Now, that's been designed, and it's certainly working with our colleagues in the other departments to see that that would and could qualify. That is the intent of the spirit of giving. That is what makes our seniors' organizations very viable as a volunteer base and the charitable contributions and the support from the local people.

The Speaker: The hon. Member for Calgary-Elbow, followed by the hon. Member for Edmonton-Beverly-Clareview.

Logging in Watersheds

Mr. Cheffins: Thank you, Mr. Speaker. This government's approach to forest management on the eastern slopes of the Rockies/Kananaskis is unacceptable. It's an approach that privileges industry over environmental well-being in a vitally important region. Our concern is not with the forestry industry. It's with what this government allows the forestry industry to do and where they allow them to do it. Our problem is with a minister who thinks: "If you want to see real water problems, sit back and do nothing; let nature take its way. That will cause worse problems." To the Minister of Sustainable Resource Development: how can a minister in this portfolio be so afraid of nature?

Dr. Morton: Mr. Speaker, we've explained to our friends across the way many times that water is the highest value that we manage for in our forestry in the eastern slopes. We work closely with our counterparts in British Columbia on both the pine beetle and the fire strategy.

Half their questions are: why don't we follow science? The other half is: let nature take its course. The message from British Columbia is very clear. They sat back and listened to messages like this in the late '90s. The result is that they lost 90,000 hectares of lodgepole pine. We're not going to make the mistakes that were made in British Columbia.

The Speaker: The hon. member.

Mr. Cheffins: Thank you, Mr. Speaker. In the 2004 elections Spray Lakes Sawmills, the forestry company who has the forest manage-

ment agreement in Kananaskis Country, gave \$2,000 to the current Minister of Sustainable Resource Development's election campaign. That same minister refuses to make public his Progressive Conservative leadership campaign contributions. There's a clear potential for a conflict of interest arising when the minister responsible for forest management agreements has a history of campaign support from the company holding the FMA for the most sensitive region in this province. The question needs to be asked. Will the minister release his donor list so that Albertans know the full situation here?

Dr. Morton: Mr. Speaker, Spray Lakes Sawmills has operated in the Cochrane and Kananaskis area since the 1940s. They are a family-owned local operation. If you visit Cochrane, I'll be happy to take you out there. The local community centre is donated by Spray Lakes. They're the kind of company that have helped build Alberta – north, south, and centre – and I'm very proud to have them as constituents.

Mr. Cheffins: Are you in a conflict or not is what we want to know. Continued clear-cutting in this area is having a negative impact on Calgary and the surrounding region's watershed. It is ruining the valued leisure and recreation resource in this area, and it hinders attempts at wildlife protection. Will the minister do the right thing: end these damaging logging practices and declare this entire area a fully protected provincial park?

Dr. Morton: Mr. Speaker, nothing will damage more the watershed and recreational value of the eastern slopes in Kananaskis Country than devastation by pine beetle and/or forest fire. That's what we're managing the forest for. That is our goal. I've met with the Friends of Kananaskis. We've discussed it. We share the same outcome. We see recreational watershed as the highest use. But the question is: how do you achieve that? Again, we've learned from British Columbia and we've learned from the Canadian Forest Service that sitting back and doing nothing is not the solution. It didn't work in British Columbia. It won't work here, and we won't make those mistakes again.

Affordable Housing

Mr. Martin: Mr. Speaker, according to CMHC the average two-bedroom apartment in Calgary is currently \$1,075 to rent, and we know it's going up. Recent figures from Stats Canada show that over 20 per cent of Albertans earn less than \$12 an hour. Those working for \$12 an hour in the city of Calgary would have to work 69 hours a week to afford this average, ordinary apartment. My question is to the Minister of Municipal Affairs and Housing. Could you explain to these people how the Alberta advantage is supposed to work for them?

The Speaker: The hon. minister.

Mr. Danyluk: Well, thank you very much, Mr. Speaker. As the hon. member very much knows, there is an influx of people into this province, and this government is very much trying to address the challenges of a hundred thousand people coming into Alberta and providing housing. We do have a program that is in place looking at providing 11,000 more units into the marketplace over five years. Also, Mr. Speaker, the philosophy of this government is very much to deal with the individuals that are in need, and through the rent supplement and other programs we are going in that direction.

Mr. Martin: Well, Mr. Speaker, I guess working 69 hours is okay by this minister.

The other figures from Stats Canada show that 36 per cent of Albertans earn less than \$15 an hour. Again to the same minister. Also, at the same time housing prices are going up. Mortgage payments would cost twice as much as rent. House payments, if they went that route, would cost three times as much. They're between a rock and a hard place. What do we say to these hard-working Albertans who can't afford to buy, and the rent keeps going up. What is your message to them?

Mr. Danyluk: Well, Mr. Speaker, we have been working very cooperatively with the municipalities. In fact, in the city of Calgary through housing support this past year we have given them \$63 million, and those municipalities have that autonomy to be able to choose how they feel that funding should be spent – whether it should be spent on rent supplement, whether it should be spent on new units, whether it should be spent with support from different agencies – to work for the betterment of their community.

Mr. Martin: Well, Mr. Speaker, we're talking about hundreds of thousands of Albertans that aren't sharing in this so-called Alberta advantage. Apartments being turned into condos means this: what cost you \$1,000 a month in rent now will cost you \$2,000 a month for a condo plus \$33,000 down payment. This is a crisis. My final question to this minister is simply this: does the minister finally get it? In the short run there are only two things you can do: rent increase guidelines and a moratorium on conversions. For the sake of thousands of Albertans, will you at least take a look at this and commit to it?

Mr. Danyluk: Well, Mr. Speaker, first of all, I do want to say that the Premier brought forward a task force that the hon. member sat on. The hon. member also brought forward in that task force some of the directions that this government is using at this time.

Mr. Speaker, I want to say to you also that when we look at the delivery of services in the two communities, it is in conjunction with the municipalities; it is in conjunction with the agencies. All of these individuals are working in the best interests of where the needs are most needed.

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

Affordable Housing in Calgary

Mr. Cao: Thank you, Mr. Speaker. Given the unprecedented population growth in Alberta, our Premier is right in putting affordable housing among the top priorities of our government. However, some of my constituents have expressed concern that they are struggling to find rental accommodation that is affordable for themselves and their families. My question today is to the hon. Minister of Municipal Affairs and Housing. With the mandate given to him by our Premier on affordable housing needs for my constituents, what is the minister doing to address this affordable issue in Calgary?

Mr. Danyluk: Well, Mr. Speaker, the hon. member brought forward: what is the government doing? As I stated earlier, the government is looking at programs and assisting municipalities: \$63 million for Calgary; \$45 million for the city of Edmonton. In fact, recently \$60 million was announced for rural Alberta to support units. Also, I want to say that, in fact, last Friday we had an announcement that was made for \$450,000. That was a Canada-Alberta affordable housing project that was very much a co-

operative effort between the municipality, the agency, and two levels of government.

2:10

The Speaker: The hon. member.

Mr. Cao: Thank you, Mr. Speaker. My only supplemental question is to the same minister. Given that the housing demand is outstripping supply, is the government participating in any other projects to address affordable housing in Calgary?

Mr. Danyluk: Very much, Mr. Speaker. We very much look at what is needed the most, as I talked about before: the number of units, the rent supplement, the homeless and eviction prevention fund. We are bringing forward programs. But this is a challenge. We need to look at housing in different ways. We need to look at homelessness in different ways because this challenge is not going to go away. And we are doing exactly that. This Premier has brought forward a secretariat to end homelessness over 10 years.

The Speaker: The hon. member?

The hon. Member for Edmonton-Decore, followed by the hon. Member for Edmonton-Castle Downs.

Confined Feeding Operations

Mr. Bonko: Thank you, Mr. Speaker. In his 2006-2007 annual report regarding confined feedlot operations the Auditor General noted that the Natural Resources Conservation Board "cannot demonstrate that it uses its resources effectively to manage the risk of environmental harm." The risk identification was incomplete, reports were lacking important information, and this issue was raised previously in the Auditor General's report in 2003-2004. My questions are to the Minister of Sustainable Resource Development. Why has the NRCB not addressed the issue in the past three years?

Dr. Morton: Mr. Speaker, I can only answer that question with respect to the last 11 months, and I can say that internal reforms are under way to address the Auditor General's concerns.

Mr. Bonko: Environmental risks at confined feedlot operations are a significant concern to Albertans. They've raised it in the past, and they continue to raise it, especially over this wintertime. When we receive calls and letters from outraged Albertans about filthy water and pouring manure on the land, the Minister of Sustainable Resource Development said that these concerns should be taken up with the Natural Resources Conservation Board. Yet it's clearly not working. When is the minister going to oversee the NRCB and ensure that they're taking responsibility for these actions?

Dr. Morton: Mr. Speaker, the hon. member is now making baseless accusations against good people who work on the Natural Resources Conservation Board. He didn't give a single specific example. He's just making things up. I'm not going to answer questions like that. Thank you.

Mr. Bonko: Okay. The Auditor General has described very clearly what needs to be done to address environmental concerns at CFOs. To the minister: will he finally commit to fully implementing all of the recommendations outlined in the Auditor General's report 2006-2007? Is that specific enough?

Dr. Morton: Mr. Speaker, like the other departments of this government, we absolutely are committed to resolving any problems

identified by the Auditor General, but we decide how to solve those problems.

Thank you.

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

Italian Consulate

Mr. Lukaszuk: Thank you, Mr. Speaker. No longer than a month ago I had the honour of hosting the Italian ambassador to Canada here in Edmonton. During our discussions many areas of potential co-operation were explored. Learning of the imminent closure of the consulate definitely was bad news not only to me but to all Alberta Italians. My question is to the Minister of International, Intergovernmental and Aboriginal Relations. What impact, Mr. Minister, will the closure have on Edmonton and Alberta?

The Speaker: The hon. minister.

Mr. Boutilier: Yes. Thank you very much, Mr. Speaker. I want to thank the hon. member for the excellent work he's been doing here rallying the troops in terms of the Italian community, with over 70,000 proudly living here in Edmonton.

I could give you an example. Did you know that Italy is one of the top 10 exporters, of course, that Alberta deals with, which is very important? The employment opportunities, the tremendous jobs that are provided here, and also the tremendous traditional value that Italians have brought to Edmonton are significant not only to this city but to all of the province of Alberta. I want to say that we are working very closely with the consul general relative to keeping the office open.

Mr. Lukaszuk: Mr. Speaker, to the same minister: since the value, not only economic but also cultural value, is of such paramount importance to this province, what is the minister doing to prevent the closure of the consulate?

The Speaker: The hon. minister.

Mr. Boutilier: Thank you very much, Mr. Speaker. I want to say what I am doing and this government is doing is. I tabled in this Assembly earlier today a letter which was sent on behalf of our government to His Excellency Ambassador Gabriele Sardo in Ottawa. We're encouraging him to meet with us as well and are also reminding him of excellent examples of Italian companies who are doing work, in fact, in my own constituency of Fort McMurray, where over half a billion dollars are being spent. That is being done by Snamprogetti, which is, as you know, an environmental company that is building three hydrotreatment plants in Fort McMurray. It's another example of Italians who are working with their expertise here in our province, and we welcome it.

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

Energy Efficiency in Government Vehicles

Mr. Elsalhy: Thank you, Mr. Speaker. Alberta has adopted the lead filter standards to reduce emissions in public buildings, yet this government seems to lack an implementation strategy to modernize its vehicle fleet in a similar way. Can the Deputy Premier explain to Albertans why similar steps have not been taken to reduce vehicle emissions?

Mr. Renner: Mr. Speaker, the issue with respect to emissions of the

government fleet is something that came up quite frequently during the public discussions we had on climate change this summer. I can advise the member that it's the government's intention to respond not only to that issue but to a number of other issues as we bring forward our updated climate change strategy.

The Speaker: The hon. member.

Mr. Elsalhy: Thank you, Mr. Speaker. To the same minister, then. Alberta currently produces the bulk of Canada's fossil fuel emissions. The minister should know that at present technology is available to reduce automotive emissions and is being deployed in provincial service fleets in jurisdictions like British Columbia, Saskatchewan, and Ontario. To the minister: will the government commit to making our provincial vehicle fleet more energy efficient and less polluting? I appreciate the answer. My question, then, is: when?

Mr. Renner: Well, Mr. Speaker, there are a couple of issues. There's the government fleet of vehicles, and then there's the broader perspective of vehicles at large. There are two issues related to this. One is that older vehicles tend to be much more emitting than the newer vehicles, so as the vehicle fleet in Alberta begins to move into newer vehicles, there will be a natural improvement. We've also been working with CASA, and they'll be presenting at their next board meeting, on December 6, a program that will include incentives, antitampering, a hotline for visible emitters, and inspection and maintenance issues.

The Speaker: The hon. member.

Mr. Elsalhy: Thank you, Mr. Speaker. I was mostly interested in the government fleet itself, automobiles that are under the control of this government. The Alberta Liberal caucus has always viewed fleet conversion as a measure for reducing emissions and mitigating environmental stresses: things like hybrid, ethanol, or NGVs, for example. The government should lead by example and demonstrate its commitment to reducing emissions. Can we expect the same from this government, or will they continue to be oblivious and resistant to the realities of climate change?

Mr. Renner: Well, Mr. Speaker, I believe that the government should lead by example too. That's why I as the Minister of Environment am leading by example by buying and using and driving a hybrid vehicle, and I'm encouraging all others in government to do the same. In answer to the first question, I answered that clearly this is something that the government needs to take under consideration. At times it is appropriate. At other times the use of hybrid vehicles may not be available to serve all needs, but clearly that's the direction we should be heading in.

2:20

The Speaker: Hon. members, that was 82 questions and responses today.

On a lighter note I would like all to know that, actually, the Sergeant-at-Arms leads all of us by example. He rides a bicycle to work every day.

Speaker's Ruling Use of Laptop in the Chamber

The Speaker: Now, hon. members, during Oral Question Period I received a number of notes with respect to an item that I think I have to clarify. In the letter that I sent to all hon. members March 5, 2007, with respect to the Legislative Assembly of Alberta, 20

different items were covered. One was called 17, Laptop Computers in the Chamber. Essentially, my request was that laptops are not to be used during the question period or on ceremonial occasions. Today when we had Members' Statements the hon. Member for Calgary-Bow used not a laptop but a notebook. That brought forth a number of notes. So a dutiful investigation was conducted during Oral Question Period, and the response was that, yes, a notebook was held in the left hand and was read from. That is a no-no. That violates the rules of the Assembly. I suspect that in ensuing months and in ensuing years there will be another technological innovation that will come forward, but that is generally covered under the whole guise of the laptop definition.

There was no point of order.

head: **Orders of the Day**

head: **Private Bills
Committee of the Whole**

[Mr. Marz in the chair]

The Chair: Hon. members, I'd like to call the committee to order.

Bill Pr. 1 CyberPol – The Global Centre for Securing Cyberspace Act

The Chair: Are there any comments, questions, or amendments to be offered with respect to this bill? The hon. Minister of Justice.

Mr. Stevens: Thank you, Mr. Chairman. It's my pleasure to stand and make a few comments with respect to Bill Pr. 1, CyberPol – The Global Centre for Securing Cyberspace Act. This bill essentially is an effort by the hon. Member for Calgary-Buffalo to establish a centre which has a very, very good purpose. The bill itself sets out the purpose on page 2, section 3, where it says:

The objects of the Centre are to use the funds entrusted to it to establish, construct and operate an international centre for the co-ordination and advancement of public safety, intelligence gathering and government response related to cybercrimes such as child exploitation, financial systems fraud, threats to critical infrastructure and intellectual property and identity theft.

I can tell you that all of those threats, all of those crimes are indeed serious crimes that we are facing today.

I will use the example of child exploitation to give you some example of how it has grown over the last handful of years. In 2003 Alberta established its first specialized prosecutor in the area of Internet child exploitation. In 2003-2004 throughout Canada there were something in the order of 60 prosecutions of child exploitation involving the Internet, child pornography, and such. I can tell you that it has grown, Mr. Chairman, so that today here in Alberta alone we have in excess of 60 cases before the courts. In other words, one jurisdiction, this jurisdiction, has the total that there was in 2003 throughout Canada, and we now have four dedicated prosecutors in this specific area dealing with nothing else. All I'm talking about, so we're absolutely clear, is the one crime of several that are mentioned here, namely child exploitation.

The object of CyberPol is also to deal with financial systems fraud, which is huge, threats to critical infrastructure, intellectual property, and identity theft, which are also huge. Indeed, the federal government has just recognized that by introducing legislation in this session to enhance the criminal law with respect to identity theft. So I can tell you, Mr. Chairman, that this is indeed very, very important work that the CyberPol centre proposes to do.

This government is completely supportive of this initiative. We

think it's a wonderful initiative. This initiative, however, is in its very, very early days. I know that people have been working hard, the people who are behind it, in trying to raise dollars to support a business case, to support a feasibility study, and, indeed, have I believe received funding from the city of Calgary and also from the federal government. We as a province are prepared to provide funding for a feasibility study and a business plan, and I believe that the hon. Solicitor General and Minister of Public Security will be able to speak to that.

What I want to say today to the Assembly is that the government is supportive of this idea. I personally as the Minister of Justice and Attorney General see this as a potential incredibly important tool in dealing with Internet-based crime, which is a proliferation and which requires incredible skill, which, candidly, we do not have enough of at this particular point in time either in Canada or in Alberta.

Furthermore, this is an initiative which would see CyberPol here in the province of Alberta, and we would be able to provide guidance and leadership, not only for all of Canada but also for North America and, indeed, probably Europe, the way the proposal is being structured.

We need to know the answers to a number of questions before we determine what type of vehicle is appropriate for the centre. What we have in this particular act, Mr. Chairman, is essentially a corporation by private bill, and that is what it is trying to do. I think the issue here that I want everybody who is interested in this to understand is not a lack of support by the government – we have complete support for the idea – but, rather, the idea of committing to this particular vehicle today when a number of questions have not been answered. Those questions, I respectfully submit, require a business case and feasibility study to be done so that they can be answered. We need to clarify roles, functions, mandates, and day-to-day operations of the centre.

Some of the specific questions, I think, that need to be addressed are: should the centre have the authority of a law enforcement agency? Should there be government oversight of the centre? Should the centre be a public body for the purposes of FOIP? With regard to the sharing of information, it's unclear whether the centre itself, as opposed to law enforcement agencies that work within the building provided by the centre, will actually collect or have custody and control of any personal information which it could share. I know that there has been some guidance provided by the FOIP commissioner with respect to this particular bill. When I read it, I could tell that there were a number of questions that were left unanswered. Obviously, whatever goes forward will have to comply with the laws of Alberta and Canada as appropriate.

Other structures that can be considered for an organization like this are quite numerous. We have the possibility of a society under the Societies Act of Alberta. We have the possibility of a nonprofit corporation under part 9 of the Companies Act of Alberta, a for-profit corporation established under the Business Corporations Act of Alberta, a nonprofit corporation established pursuant to the Canadian Corporations Act, a statutory corporation pursuant to a private act, and a statutory corporation pursuant to a private member's or government bill. Of course, Bill Pr. 1 is the statutory corporation pursuant to a private member's bill.

Mr. Chairman, on behalf of the government I wish to say that we are supportive of this particular program. We are prepared to provide funding with respect to a feasibility study with respect to some business planning. That is the responsibility of the Solicitor General and Minister of Public Security, and he will have further to say about that in due course. We firmly believe that more work needs to be done there before we can proceed with this particular bill today or, perhaps, at all. Once we have more information with

respect to the matter, it may be that a different vehicle, a different corporation will be appropriate for the go-forward on this.

For the time being, Mr. Chairman, I would like to move that the debate on the matter be adjourned.

[Motion to adjourn debate carried]

head: 2:30 **Government Bills and Orders**
Committee of the Whole

Bill 1
Lobbyists Act

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

Ms Blakeman: Yes, indeed, Mr. Chairman. I do have an amendment, and I have sent it to the table already. It's held by the table under the heading of L1.

The Chair: We will just allow the pages a moment to distribute it, and we will refer to this amendment as amendment A3.

Okay, hon. member, you may proceed.

Ms Blakeman: Thank you very much. Mr. Chairman, as the House is aware, I have worked closely with the not-for-profit sector in trying to make sure their voice is heard in this Assembly on the debate around the Lobbyists Act. This is one of the things that they would really like to see happen.

I know it's a bit unusual because what the amendment is asking is under the Regulations section, which is section 20, appearing on page 19 of the original bill. They're asking that a subsection be added in that says, "Any exercise of the above regulatory powers must involve consultation with the voluntary sector to address adverse impacts of any regulation." What they're really seeking here – and I, obviously, agree with them because I've brought forward the amendment – is to try and enshrine a consultation process with the members of the not-for-profit sector when regulations are being made or changed for this Lobbyists Act.

Now, for those of you that have been following along with this debate, you'll know that a fairly large group that was classified under the not-for-profit sector has been excluded now from the effects of the Lobbyists Act. One might say: well, why, then, are you still trying to make sure that this group is being consulted under regulatory changes? The reason is because there's still a number of not-for-profit organizations that are captured under the Lobbyists Act, and regulations that will fine-tune the act will likely affect that sector.

Let me give you an example. One of the qualifiers, criteria, or tests in the act is around whether you're paid or not paid. But there is a clause in there that talks about being paid in other ways, and in the voluntary sector, charitable sector, no, we don't pay our volunteers – and we certainly rely on volunteers – but we do try and recognize them in other ways. Some organizations for their annual general meeting pay for all their members and their spouses to go to a retreat, which may well be in quite a nice place and might be regarded by some people as a darn nice treat. What's that worth? Should that be counted as part of a payment, perhaps?

If the government starts to make regulations through this Lobbyists Act that will reflect upon that NGO sector, sooner or later that is also going to travel into the part of the NGO sector that has now been exempted out of this bill. I think it's important that the NGO sector is included with some sort of consultation because what happens here is really going to affect them in a very immediate and

visceral way. So the amendment is asking that that consultation be enshrined.

I'm noticing that the Member for Calgary-Lougheed is involved in a very energetic conversation, and I'm wondering if, perhaps, he and his colleague might like to step outside with it. I'm sure he wants to keep going with it, but maybe he could take himself outside. I'd appreciate that.

I've done the example of the trip, for example, for the individual and a spouse, but at what point do you include gifts? Is there a value? For example, often at a volunteer appreciation night volunteers will be given a token. They'll be given a coffee mug, let's say, so everybody gets a coffee mug. All right. Do we count that as payment? I'll put that in quotes. All right. The government may decide that a \$5 coffee mug is indeed deemed to be payment. Okay. Fine. But what about the volunteers who didn't come to the appreciation night and didn't get their coffee mug? What happens to them? Are they now a different kind of volunteer? Are they an uncompensated volunteer versus a compensated volunteer? Do we now treat them differently in what they're doing?

I think it's important that we recognize that there are still a lot of details to be worked out in this act, and I think it's important that the NGO sector is included in what happens, that they're consulted. There's no expectation here that they would have a veto power, that they would somehow dictate what was happening, but they really want to know what is going on, and they want to be consulted in how these regulations come forward.

That is the essence of this particular amendment. I hope I have explained it satisfactorily, but I would like to get all of my colleagues in the Legislative Assembly to support it. I realize it's a bit unusual. I'm the one that's usually standing up here shaking my finger at the government, saying, "Thou shall not make regulations behind closed doors," and now I appear to be saying, "You can make regulations behind closed doors if you consult the group that is going to be affected by it." I suppose it could be read that way.

I still am no keener on having regulations developed as part of legislation than I was before, but I am speaking on behalf of a group that is very concerned about how this will affect them, and they want to make sure that they will be consulted. Without it being in the legislation, that consultation – you know, this minister, I'm sure, would say: absolutely. He would do that, but ministers turn over every two years. We have no guarantee that the next one or the next one or three or four down the road would honour that same commitment that the first one might have. This is trying to make sure that we have an ongoing requirement that that sector is consulted and consulted in a thorough way.

Having said that, I'm not sure if I have a few members who want to speak in support of it – I hope so – but I do urge all members to support this amendment. Thank you.

The Chair: The hon. Government House Leader.

Mr. Hancock: Thank you, Mr. Chairman. I think this amendment is extremely well intentioned, but I would ask that the House not support it. This would set, perhaps, a potential precedent for suggesting that in every act which has regulations, there would be a litany put into the act of who should be consulted before regulations be promulgated. The reality is, of course, that there is consultation before regulations go forward, but more than that, we now have in this House a process which the House can avail itself of with the all-party committees, where a minister can in fact refer potential regulations to a committee for review ahead of time, or the committee can determine that it wants to review the regulations once they're

passed. So there are opportunities in the area of regulations which should have greater public scrutiny or discussion, or if there are concerns about them, there are opportunities for those to be determined.

2:40

Again, I understand the sentiment behind this. Certainly, the issue that the hon. member is concerned about and one that I and many members, if not all members of the House, are concerned about is that we do not want to put undue regulation, undue framework around voluntary organizations that are doing wonderful things in our communities and our province to build our province.

As I said when I spoke to another amendment earlier, we already find ourselves in a position where because of the accountability frameworks that are in place, we find voluntary organizations spending a lot of their time and effort and passion applying for grant money and a lot of their time and effort and passion accounting for the grant money and some of that time running bingo's and fundraisers so they can actually fund their activities and not enough time actually doing the activity that the people are passionate about. If there's anything we should do, it should be to unleash those organizations so that they can actually expend their passions on the good works in the community.

We probably can't get there from here right away because we have this fondness for accountability structures. Even the hon. Minister of Employment, Industry and Immigration brought in a program this year for the homeless and eviction fund. I thought it was a brilliant program because at the front end of it it basically said that we're not going to put an undue amount of strictures around it. We're going to let the front-end people use their judgment and make the expenditures that are necessary to help people.

The first piece that comes back, of course, is a question of: "Are you giving some money to people who shouldn't get it? How can you be accountable if there aren't more rules?" All of those sorts of issues. Well, we shouldn't be doing that, and we shouldn't be doing that particularly to volunteer organizations, wasting their time and effort on an overabundance of accountability. I'm afraid that with this amendment we're going to actually add to that burden.

All sides of this House agree, I think it's fair to say, that voluntary organizations and volunteers are very important to the fabric of our community, and we shouldn't unduly restrict them. Obviously, the concern about regulations under this act is that you don't want unintended consequences. You don't want to catch volunteers. I think that that's understood in terms of any regulation that comes forward. There needs to be discussion with affected parties before they're promulgated, but if by chance you miss that or if by chance there's an unintended consequence, there's a venue for reviewing those regulations at our all-party committees. I would suggest that that's a more appropriate route to go.

Ms Blakeman: Sorry, I can't remember the rules, which I shouldn't be admitting, but may I speak again in an amendment without closing the debate?

The Chair: We're in committee. You can rise as often as you wish.

Ms Blakeman: We're in committee. Thank you. Just double-checking.

I hear what the minister is saying, and I understand that. My only caution about that is the same concern I've had all the way along about that. It's government controlled. It's the minister supported by a majority government who will vote a referral of something to

a policy field committee, and/or the policy field committees are set up with a majority of government members on the committee itself. So once again this agenda is controlled by government, and a non-for-profit representative or an individual not-for-profit has no way of getting an agenda item up in front of one of those policy field committees without convincing the majority of the government members to in fact support it.

I would agree with the minister except for that process itself has problems in it. That's my argument around this. I'm sorry, I don't accept that that is a valid replacement for actually putting it in the legislation because, once again, it continues to be controlled by government.

I guess what I could say is, you know: how happy would the government members of today feel if members on this side formed the government in a few months and they start controlling all of those committee memberships? How pleased are they going to be at that point with the government controlling all of it? I think the answer is: not so much. So you can understand my small alarm at hearing that the way that that sector could try and be involved in consultations is depending on a majority of government members to allow it onto the policy field committees.

Thank you.

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

Dr. Swann: Well, thank you, Mr. Chairman. I just rise to briefly comment and support the amendment from the hon. Member for Edmonton-Centre. Clearly, the major issues that we've heard about in Bill 1 are from nongovernment organizations, nonprofit organizations, who are deeply concerned that the existing bill will seriously impact their sense of freedom and their security about lobbying, and at the same time they're being excluded in some areas where they feel very powerfully the need to participate.

Examples abound in our recent history of NGOs having to respond to fairly draconian changes in the regulations or in the implementation of guidelines, and as the minister himself has stated, there are tremendous implications if there are fines or if there are found to be irregularities according to this new act.

This, I think, will help us to encourage meaningful consultation. It will enable nongovernment organizations to feel that they are being meaningfully involved in decisions that ultimately will affect their viability and their ability to do the good work that they have been doing. There is no evidence that this would be seriously delaying or denying any of the good purposes of a lobbyist act.

I think, in short, that this will satisfy a significant number of nonprofit organizations particularly and make it much more accountable, much more democratic, and much more likely to include relevant and important considerations in government.

I'll be supporting this amendment. Thank you, Mr. Chairman.

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

Mr. Taylor: Thank you, Mr. Chairman. I, too, will be supporting this amendment. With respect to what the hon. health minister and Government House Leader had to say in arguing against this amendment, the sense that I have from the voluntary sector people that I know is that they would be quite happy to take a few minutes out of their day from time to time to be consulted by the government over the exercise of these regulatory powers.

The Government House Leader made some very valid points about the stress that's put on voluntary sector people and organizations following the rules of accountability and so on and so forth. That is true: it does sometimes very much get in the way of those

volunteers' ability to do what their passion is. But this amendment, I believe, Mr. Chair, speaks to part of their passion and their need to be informed and be part of the process, so I will be supporting this amendment.

Thank you.

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

Mr. Agnihotri: Thank you, Mr. Chairman. I'm pleased to rise and speak in support of the amendment introduced by the Member for Edmonton-Centre. Consultation with the voluntary sector to address the adverse impacts of any regulation is very important. Recently, you know, so many NGOs, the charitable organizations, and volunteer organizations in my constituency approached me, and they think this is not fair. They shouldn't be exempted, and they said to voice their concern in the Legislature, so that's the reason I'm supporting this amendment. I think we shouldn't exempt them from the Lobbyists Act. I know lobbying itself is not a bad thing, but excluding important institutions, especially those volunteers – we have I think 3 million volunteers working all over Canada. I don't know the exact number of volunteers in Alberta, but they are doing a wonderful job for our community, and they shouldn't be exempted. We should consider them as a servant, just like all the MLAs and Members of Parliament and some other elected officials.

Thank you very much.

2:50

The Chair: Are there others?

Are you ready for the question on amendment A1?

Ms Blakeman: No. A3.

The Chair: A3. Thank you for that, hon. member.

[Motion on amendment A3 lost]

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

Ms Blakeman: Thank you very much, Mr. Chairman. I have a second amendment, that I have already sent to the table in a package labelled L2. If you would be so kind as to ask the pages to distribute that at this time.

The Chair: We will refer to this as amendment A4, and we will just allow a moment to have them distributed.

I believe you can proceed, hon. member.

Ms Blakeman: Thank you very much, Mr. Chairman. This amendment A4 is striking two sections in each of two schedules. In schedule 1, which is page 21, under section 1(3)(c) it's striking the section that says, "Any individual who formerly occupied a prescribed position with a prescribed Provincial entity." That's actually repeated under schedule 2 and appears on page 25, and exactly the same clause is struck again. What these are definitions, essentially. Earlier in schedule 1 it says, "For the purpose of section 2(1) of this Schedule, 'former public office holder' means," and then it gives a long list.

I've already talked about how the face of volunteerism is changing in our province. We've long ago left behind the 1950s, when all of the nice housewives were available during the day to go out and volunteer for all kinds of good works. We are now dealing, for the most part, with families where two parents are working, where children are very involved in a number of activities – parents

actually have to volunteer for those activities – so the availability of people’s time and dedication and resources as well, if we’re talking about donating money, is really quite precious. The concern that was voiced to me was that if we describe people that used to hold a position with a provincial entity as being named under one of the groups of people with whom lobbyists couldn’t associate, we’ve essentially said that someone that used to work for the Alberta Mental Health Board, for example, couldn’t volunteer.

That, I think, could be problematic for us. We don’t have a huge pool of volunteers to pull from. We’re not New York. We don’t have millions of people that we could use as a volunteer pool. We’re a lot smaller than that. It’s harder to find volunteers with expertise in certain areas. I think what we’ve done here is we’ve discouraged or in some cases made it wrong to allow someone who used to hold a position with a provincial government entity to be involved with a volunteer organization.

Now, we have exempted the charities and sort of the good-works, charitable groups out of this, but you are still dealing with things like professional associations, chambers of commerce, the Alberta Medical Association, who was in here today, business groups, umbrella associations, unions, for example. They are still looking for volunteers and people willing to serve in their executive positions as well. Especially when you start looking at some of the groups that need a specialized interest and a specialized background – at least it would be a really steep learning curve for somebody else to pick it all up – I wonder if it’s really advisable for us to be cutting out people who may have gained their expertise by working for a provincial entity or, more to the point, formerly working for a provincial entity. The request was made to me to see if we couldn’t agree to exempt those individuals in this one particular section, which would open up that pool of volunteers. I agree, and I was clearly willing to bring the amendment forward and to argue for it.

I hope that others in the House will see how difficult it can be to recruit volunteers in this day and age, especially when we’re looking at specialized or niche groups, where the hope is that there would be some kind of knowledge around the organization from the people who become involved with it, especially in executive positions. I mean, our civil service is not huge, but it’s a good pool of volunteers for us to be pulling from, and to say that anyone that formerly worked for a provincial entity is out, I think we’ve narrowed that pool of experts that might be able to contribute by quite a bit.

I’m encouraging members of the Assembly to support this amendment.

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

Mr. R. Miller: Well, thank you very much, Mr. Chairman. I don’t really have a lot to add except that I’m certainly supportive of this amendment and would echo the comments that have been made by my colleague from Edmonton-Centre, particularly when it comes to striking section 1(3)(c): “Any individual who formerly occupied a prescribed position with a prescribed Provincial entity.” As was pointed out, this could encompass so very, very many individuals and, in fact, limit the pool of those who might be willing to serve in this capacity.

A number of my caucus colleagues and I were recently in Grande Prairie, and we met with the Grande Prairie and region chambers of commerce. This was one of the concerns that they raised, actually, so I’m going to guess that if the Grande Prairie chambers of commerce have that concern – and I know that they do a lot of work with the Alberta chamber – this is something that chambers of commerce across the province would share with many, many others. As my colleague from Edmonton-Centre was just whispering in my

ear: the Canadian Federation of Independent Business, the Canadian Taxpayers Federation. It goes on and on and on. In fact, I can think of several examples: certainly, with the Canadian Taxpayers Federation, people that work for that entity now who previously worked with provincial government entities. I can think of similar examples with the Insurance Bureau of Canada, and I’m sure the list is endless, Mr. Chairman.

Indeed, I think this is probably more far reaching than was contemplated when the act was first drafted. I think it would be the appropriate thing to strike these two sections from the proposed legislation, as is being suggested by this amendment. I do support it, and I would urge all of my colleagues in the Legislature to do the same.

Thank you.

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

Mr. Martin: Well, thank you, Mr. Chairman. I at first glance cannot accept this amendment. We had a discussion with the Ethics Commissioner when we looked at that, and we were trying to expand who should be included in terms of conflict of interest, a cooling-off period. We eventually moved that it wasn’t only cabinet ministers that had this sort of influence; it was people that worked, say, in the Premier’s office and for some of the cabinet ministers. If we look at the previous bill, we were trying to do that. Here we seem to be lessening or watering down some of the impacts of people that would have that sort of influence. It’s not that they can’t do it forever, Mr. Chairman; it’s a cooling-off period. These people could have as much power.

3:00

In other words, I’m worried about moving on the Lobbyists Act and watering it down as we go along to the point where it might be meaningless. I think that any individual who formerly occupied a prescribed position – we’ve already taken out the voluntary sector generally, so it’s not going to impact them. So it’s going to be precisely, it seems to me, the people that we might want to know are lobbying the government.

You know, unless somebody can tell me differently, I see no reason why we should not have that in (c). If this was a concern, it should have been dealt with. Probably the people that had more time to look at it were the people in the policy field committee. They must have thought it was important for a reason. Unless something I’m missing totally jumps out at me, I think that’s why you want those particular people there, because they may have influence. We want to know who’s talking to government. It’s not that they can’t talk to government. But who is talking to them? That’s the whole point of a lobbyist registry.

Again, I accept the argument from the nonprofit sector, but we have already taken them out of the picture. So who else is left, Mr. Chairman? We are concerned that there are some people from some of these groups that are mentioned. I’d like to know if they’re talking to the government. That’s precisely what a lobbyist registry is. Not that it’s illegal or anything else, just that we know who’s talking to them. That’s the whole purpose of the Lobbyists Act, Bill 1.

I certainly would not support removing 1(c) from this act. Thank you.

The Chair: Are there others?

Are you ready for the question on amendment A4?

Hon. Members: Question.

[Motion on amendment A4 lost]

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

Mr. Elsalhy: Thank you very much, Mr. Chairman. We're back talking to Bill 1. Bill 1, as you know, Mr. Chairman, was the flagship bill for this legislative session. It was referred, as you know, to one of the four standing policy field committees, which met over the summer a number of times and invited feedback and input from members of the public, identified stakeholders. They did in fact come back to us with recommendations both in written submissions and also in oral presentations when they appeared before the committee. Some of the recommendations were dealt with earlier in the Assembly, and now we're talking to the bill itself.

Let me tell you a bit of history from the committee, Mr. Chairman. You don't need me to remind you because you sat on the committee as well. We had a fairly extensive discussion in the committee about the words "to communicate" with a public office holder, and we spent some time trying to narrow it down and define what constitutes communication. It was an area where the committee actually had some serious discussions and serious thought on the idea that lobbying in itself, as you know and agree, is not forbidden. It is not prohibited. Lobbying is something that goes on and should be allowed to continue to go on. However, we wanted to give clarity to the word "lobbying."

We arrived at the destination, if you will, that lobbying is basically attempting to do two things. You're either attempting to influence policy or you're attempting to influence funding decisions, maybe securing funds for your organization or, you know, setting policy where funds can and should be allocated over where funds cannot and should not be allocated. So policy decisions and funding decisions.

Now, if I can draw your attention, Mr. Chairman, to page 3 of the proposed act, that's the section that talks about the interpretation. What does the act do? What does the act attempt to accomplish? Section 1(1)(e) talks about lobbying, and it says here as it's worded: "lobby" means, subject to section 3(2),

- (i) in relation to either a consultant lobbyist or an organization lobbyist, to communicate with a public office holder in an attempt to influence.

Then it lists various areas from section (A) all the way to section (G), talking about the development of any legislative proposal, the introduction of any bill or resolution, the development or the enactment of any regulation or any order in council, the awarding of a grant, a decision by Executive Council, and so on and so forth.

Mr. Chairman, I want to offer that clarity, building on the excellent discussions and presentations we had in the Standing Committee on Government Services, and as such I am proposing an amendment, which I have already delivered to the table. I'll await its distribution.

The Chair: We'll refer to that amendment as amendment A5.

You may proceed, hon. member.

Mr. Elsalhy: Thank you, Mr. Chairman. As hon. members know, the registrar and the Ethics Commissioner expect the registry to be up and running fairly soon after this bill passes. If we consider the fines and we consider breaches of the act, somebody who fails to register will be held accountable. Somebody who registers and fails to report will be held accountable. What this amendment is trying to do is tighten the bill a little more and offer that clarity which I talked about. Somebody might appear before the Ethics Commissioner or a court of law even and say: "Mr. Ethics Commissioner or

Your Honour, I was not attempting to influence any of these areas. I was basically stating my mind. I was making an expression. I was making a statement." I am afraid that this might be used by some people who maliciously and intentionally break the law, basically, and breach the act by saying: I was not attempting to influence; I was basically making an observation or making a comment.

So I think that this amendment should be agreeable to all members of the House. It is basically making a good bill even better. It is tightening it up in such a way that if you consider this a loophole, it is not going to be available for those people who maliciously want to break the law, maliciously want to circumvent or sidestep the lobbyist registry, that we're all eager to have passed and have implemented, you know, in this Assembly.

Mr. Chairman, I invite comment, and I'm hoping that members of this Assembly are going to agree to this amendment and help make a good bill even better.

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

Ms Pastoor: Thank you, Mr. Chair. I, too, am pleased to stand to address amendment A5 to Bill 1, and I also served on that committee, as you are aware, I'm sure. I think that this is a very good amendment. I believe that it does tighten it up, as my hon. colleague has noted, because to my mind it really does make it too easy to get around what really should be the intent. The intent is that if you are lobbying or you're speaking to someone, the information that should be available is: who spoke to whom, and what did they talk about? I don't think that the details of that conversation are particularly important, but it really has to be registered at some point in time. So that's why I believe that the words "in an attempt to influence" make it too easy.

3:10

One of the things that came up in the committee was that we spoke about transparency, openness, and accountability. I believe that the way it sits, it will not address those three parameters that really should be respected in this process. We talked about something that was interesting in a way, and it was called reverse onus, and that was going to be about who actually was responsible. This is a conversation that I'm hoping will still come up at a later date. I believe that if we had that reverse onus, where in fact the onus is on the elected official to say whom they've spoken with, where they spoke to them, and what they spoke about, it would take away all of these abilities or intents for someone who wants to get around this bill.

So for those reasons I'm supporting this amendment. I hope that the House has paid attention to why they should be supporting it, and therefore I will.

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

Mr. Taylor: Thank you, Mr. Chairman. I'm pleased to rise and speak to amendment A5, which I think does exactly what the member has indicated. I think we would be wise to support this amendment because we want to give clarification to the whole issue of lobbyists. We want to tighten up the regulations around lobbyists, and we want to be seen doing that as well. I think this does both. I think it tightens up the regulations in a couple of key areas, and it is seen to do that as well and sends a powerful message to the people of Alberta that their provincial government is serious about a lobbyist registry act.

I think that, quite frankly, when you look at the substance of the

amendment, which is to strike out the phrase “in an attempt to influence” and substitute the phrase “with regard to,” and then you read it the way that the legislation would read, it makes a lot of sense in regard to that. So if the amendment were adopted, it would say, for instance:

“lobby” means, subject to section 3(2),

- (i) in relation to either a consultant lobbyist or an organization lobbyist, to communicate with a public office holder with regard to
 - (A) the development of any legislative proposal.

I could go on because there are a number of sections there, obviously, as opposed to reading: “in an attempt to influence” the development of that legislative proposal, et cetera, et cetera.

Again in subclause (B):

- (ii) only in relation to a consultant lobbyist . . .
 - (B) to communicate with a public office holder with regard to the awarding of any contract by or on behalf of the Government or a prescribed Provincial entity.

This reads considerably more strongly than “in an attempt to influence the awarding of any contract.”

My colleague from Edmonton-McClung I think is right that when you phrase it in terms of an attempt or an intent to influence, you leave a very large amount of wiggle room for the alleged lobbyist, if he’s called on it, to say: well, no, that wasn’t my intention at all; I wasn’t really trying to do that. I think that if you change the language to “with regard to,” that makes it good and clear to everybody – to prospective lobbyists, to lobbyists registered and not yet registered, to anybody considering getting into the lobbyist business, to MLAs, to cabinet ministers, to anyone involved in the process of government – what the expectations are around that. Clarity like that I think makes for better legislation.

So, Mr. Chair, I’ll be happy to support amendment A5 when it comes to a vote. Thank you.

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

Mr. Martin: Thank you, Mr. Chairman. This particular amendment I will support because I think it makes good sense. I don’t know how you would talk about a, b, c, d, and e, the semantics. You say: I want to talk to you, but I don’t want to influence you. I think this makes it clear, and I hope the government would take a look at it. If you’re going to discuss these matters, the semantics are fairly important because, as I say, the person said: I just happened to be chatting with the minister about this, but I didn’t really influence him or try to influence him.

Now, I don’t know how you have a discussion about a bill or any other matter coming from the government without having some bias towards it, and I think this amendment says that discussion about this – and we don’t get into that debate about what’s an attempt to influence or not – about a particular bill or resolution or anything coming from an order in council: if there’s been that discussion and you’re a lobbyist, we should know about it, plain and simple. So I think this does add to the bill, and I will support it.

Thank you.

The Chair: Are there others? The hon. Member for Edmonton-Rutherford.

Mr. R. Miller: Thank you, Mr. Chairman. Just briefly, I would like to point out that this amendment was approved by Parliamentary Counsel on the 20th of March 2007. Of course, you will understand that that was actually in advance of Bill 1 having been referred to the policy field committees. In fact, I’m quite sure it was the first bill that was ever referred to the policy field committee on government services.

I think it’s important to note that because what that shows me is that my colleague from Edmonton-McClung actually had these concerns way back in the spring, prior to any discussion ever having taken place at the policy field committee. I know that in speaking to my colleague from Edmonton-McClung and other members who sat on the committee that this particular issue, this particular wording was discussed at length during the meetings of that Government Services Committee and apparently never really came to any full resolution, certainly not to the satisfaction of the Member for Edmonton-McClung.

You know, what we’re doing here when we debate these individual amendments, of course, as has been discussed previously, is trying to make what we believe is a good bill even better, even stronger. I just feel that we leave too many doors open too far when we don’t nail down the wording exactly.

If what we really mean is that an individual has to register as a lobbyist if they’re discussing a particular issue with a minister, we don’t mean whether or not they were attempting to influence because if they’re required to register as a lobbyist and they’re having the discussion on a particular issue with a minister, as an example, clearly that’s why they’re doing it. They’re not chatting over coffee. This is an issue that is important to the lobbyist. It’s important to the relative minister or whoever it might be that is being lobbied. To leave the door open by saying that it would only qualify under this legislation if, in fact, there was an attempt being made to influence is just a little too broad.

In the last amendment I discussed how I didn’t feel that when the drafters of the bill drafted the act, they intended it to be that broad. In this case I would have to think that the drafters of the legislation actually intended it to be as broad as this amendment contemplates, and narrowing the wording to simply talk about an attempt to influence I believe doesn’t capture the intent of the Premier when he first contemplated bringing forward a lobbyist act. And I don’t believe it captures the intent of the drafters of the bill when they put it together.

I, too, speak strongly in support of this amendment, and I would encourage all hon. members to support it as well.

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

3:20

Mr. Agnihotri: Thank you, Mr. Chairman. It’s my great honour to rise and speak in support of amendment A5. If we really want to strengthen Bill 1, which is a good bill, we must consider the intention of the lobbyist. In this amendment the Member for Edmonton-McClung is trying to say that we should clarify the difference between intention and influence. It’s very important because with this amendment we will be able to clarify more about intention and influence. If we really want to strengthen this bill, we should clearly make important changes.

This amendment is very important. This definitely will make this bill even better. That’s the reason I support this, Mr. Chairman. If we find out the difference between intention and influence, we definitely will be able to see the intention of people who come and see the government, who apply for grants, or who apply for contracts. The public has every right to know. We will definitely, you know, strengthen this bill with this amendment.

Thank you.

[Motion on amendment A5 lost]

The Chair: Are you ready for the question on Bill 1, Lobbyists Act?

Hon. Members: Question.

[The clauses of Bill 1 as amended agreed to]

[Title and preamble agreed to]

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

Hon. Members: Agreed.

The Chair: Opposed? Carried.

The hon. Deputy Government House Leader.

Mr. Renner: Thank you, Mr. Chairman. I move that the committee rise and report progress on Bill Pr. 1 and report Bill 1.

[Motion carried]

[The Deputy Speaker in the chair]

Mr. Hayden: Mr. Speaker, the Committee of the Whole has had under consideration certain bills. The committee reports the following bill with some amendments: Bill 1. The committee reports progress on the following: Bill Pr. 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 Deputy Speaker: Does the Assembly concur in the report?

Hon. Members: Concur.

The Deputy Speaker: Opposed? So ordered.

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

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

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

Mrs. Jablonski: Thank you very much, Mr. Speaker. I'm pleased to have the opportunity to commence debate on Bill 50, the Health Professions Statutes Amendment Act, 2007 (No. 2), in second reading.

This bill proposes an amendment to the Health Professions Act and the Medical Profession Act. The amendment extends liability protection for Alberta health care professionals who conduct competency assessments of health care professionals who are educated in other provinces or in other countries. A competency assessment must be completed before these health care professionals are allowed to practise in Alberta to ensure that they have the proper credentials and expertise to treat patients safely and proficiently.

The Deputy Speaker: You're going to move this, are you?

Mrs. Jablonski: Yes, I am. Thank you. I am moving this bill in second reading, Mr. Speaker.

The College of Physicians and Surgeons of Alberta has requested the amendment to provide liability protection for those who carry out these assessments. In considering this request, it became clear that the amendment should apply not only to doctors but to profes-

sions under the Health Professions Act as well. This amendment will encourage and enable more health care professionals to assist with assessments, enable more health care professionals to work in our province, help improve the capacity of the health care system, and ensure that Alberta's quality standards are upheld.

Mr. Speaker, I have finished my speech in second reading. Thank you.

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

Ms Blakeman: Thank you very much, Mr. Speaker. At this time I am certainly willing to support Bill 50 in principle. As the member opposite outlined, this is really an enabling bill. It's essentially expanding the liability protection to members of a number of other health professions and colleges who complete competency assessments of health professionals trained outside of Alberta.

Given the struggle that we're having not only with physicians and nurses but with other health professionals in recruiting them into Alberta and being able to retain them, I think it's important that we look at innovative ways to complete this work. Part of the struggle that we have experienced is that even when we're trying to train people, we don't have enough trainers, and certainly in the medical profession the trainers are themselves physicians or hold MDs.

I think this is a good step to be taking. I believe that it is part of the health workforce plan that the government finally tabled after more than two years of the Liberals urging them to do so. So I'm willing to support it for that reason as well. I would even look further down the line and recommend that the government research wooing some retired health professionals to come back and, maybe with a small amount of in-service upgrading, be able to then serve in a similar capacity as a mentor or a trainer of residents or a tester of capacities because, again, we don't have enough people that are currently working. Maybe there's a way to get a couple of people out of retirement willing to do this on a part-time basis, which would still be helpful.

The real stumbling block was liability. Medical liability, as you know, is staggeringly expensive because the payouts are staggeringly expensive. Some of the people that were willing to do this said: well, you know, I'd love to, but not if it's going to cost me, and if I have to look after increased liability insurance, then no. So this bill is really trying to address that to make sure that we've looked after the people who have come forward and offered to work with us to offer those competency assessments of health professionals that are trained outside of Alberta, again stressing that it's not just about physicians and nurses but all health professionals, that are sometimes called the allied health arts.

At this point I'm certainly willing as the shadow minister for Health and Wellness to support Bill 50 in second reading. Thank you.

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

Dr. Swann: Thank you, Mr. Speaker. It's a privilege to stand and speak on Bill 50, the Health Professions Statutes Amendment Act, 2007 (No. 2). Clearly, this does go some distance in helping us to train, recruit, and increase our health professional workforce. I think it's a positive amendment, one that will be felt not only in the medical profession but across the professions.

3:30

I certainly hear, and did today, from physicians who are concerned about not only the lack of physicians in the province but also the speed with which we help new Albertan physicians, new Canadian

physicians trained elsewhere to get into the workforce, many of them frustrated, not contributing as they would like to and could. It raises the question of just how well we are streamlining and attending to the individual strengths and weaknesses of physicians trained in other jurisdictions. It also speaks to the need to protect the trainers in the assessment of these folks, who for many reasons – not only one of liability but remuneration, resources, and other factors – do not choose to be either trainers or evaluators in this very vital time when we desperately need new professionals in the health system.

So there's every reason to think that this will do nothing but good to help promote among physicians and other health professionals the interest in and willingness to take on the sometimes onerous responsibility, with marginal returns, of this evaluation process. To remove the liability is a very positive step. I will be supporting this amendment.

Thank you.

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

Seeing none, the hon. Member for Edmonton-Beverly-Clareview.

Mr. Martin: Thank you, Mr. Speaker. [some applause] Thank you. I'm not used to that. Will you even like what I'm going to say this time?

Actually, this is an important step forward. As the previous speaker talked about, with the College of Physicians and Surgeons in lobbying us today about Bill 41 and the shortage of doctors, as mentioned, health professionals generally, we know that we have a lot of people that are trained as medical practitioners here in Alberta. You run into some of them, Mr. Speaker, you know, if you're driving in a taxi or other places. I think there's a great need to bring these people in as quickly as we can.

Apparently, one of the things that was very concerning for the medical profession was the fact that if they were training people, legally they could be sued if something went wrong. I think that this is an important step for them so that they can work with these people that we need to bring into the profession. Certainly, we know that there's a shortage there, a huge shortage. According to them it may be a bigger shortage if Bill 41 goes through as such.

I want to say that this is probably a step in the right direction. I think there are other impediments there that we're going to have to look at, Mr. Speaker. We just cannot afford to have a number of these people that have these sorts of skills that we can use. Any impediments that we can do without in terms of getting them into the profession – and it's not only the medical profession but throughout the health professions. We need a lot of skilled people. Now, in the health professions it is not only a shortage here in Alberta. It's a shortage across Canada, and to some degree it's a shortage around the world. This becomes an important, I think, first step in trying to at least do something about that.

When the member is commenting later down the line, obviously they've had the discussions with the medical profession. I think the question to be asked of the medical profession would be: are there other impediments that we need to deal with? Maybe that's part of what the profession has to look at themselves. Are there things that they can do within their own profession that can move this process along?

This is a good bill and a necessary bill and a step in the right direction. I would certainly be glad to support it. Thank you, Mr. Speaker.

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

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

Ms Pastoor: Thank you, Mr. Speaker. I'm pleased to be able to stand as a health professional and speak to this Bill 50, the Health Professions Statutes Amendment Act, 2007 (No. 2). I, too, support this as an RN. I have never been in this particular position because I've obviously been sitting in the House for the last little while, but there were a number of times when certainly people would have been presented in various ways, where I was asked an opinion on if I thought, not necessarily if they had the skills but if they were competent in actually using those skills. I think probably everyone in the House that knows me knows that I wasn't, probably, very reticent with my opinions. I saw it, I called it the way I saw it, and away I went. However, in an instance with this to protect me, I would probably feel a lot better in being able to express those opinions, making sure that we do get more people into the health profession, either doctors or nurses or pharmacists or any other number of people that are considered health professionals.

Language often is a barrier. They do have to have a certain English competency, which is fine, but what I saw sometimes with working with people with language barriers is that it was very, very clear that the knowledge was there, the experience was there, and certainly their desire to help their fellow man was there. As has been mentioned, perhaps we should be looking very carefully at other aspects of this in terms of the language training. If you look at somebody on a piece of paper and then you look at them face to face and you can talk to them, you have a far better idea of what this person can actually provide to our society within the Health Professions Act.

For those reasons I very much support this. I'm glad that it's coming forward. It does give the protection to the Health Professions Act, of which I'm a member and proud to be.

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

I have the hon. Member for Edmonton-Ellerslie.

Mr. Agnihotri: Thank you, Mr. Speaker. It's my great honour to rise and speak to Bill 50, Health Professions Statutes Amendment Act, 2007 (No. 2). First of all, I want to applaud the Member for Red Deer-North for introducing this bill. I think this is a very important piece of legislation, a step forward, and it was a long time due.

In my personal experience I met so many foreigners with education from a different part of the world. They have the right qualifications, but they are not eligible to work in this country. Some people are doing odd jobs. If we pass this legislation, I'm definitely sure it will not only help those people; it will help all Albertans as well as all Canadians because we can utilize their educational background, we can utilize their expertise, and it will help their families. It will help Alberta as a whole because once somebody is doing the right job, it gives a person satisfaction. Once a person is satisfied and working happily, they can definitely contribute something for the nation.

3:40

The Alberta Liberal Party has been asking for a long time and pushing very hard to bring forward legislation something like this, but I think we should have some more training centres to upgrade them here in this country. You know, they are complaining that they can do certain jobs here, but they don't find the training centres. Some people are even saying that some doctors from overseas come to this country, but no other doctors are ready to take them to work as an assistant doctor to get the training while working. I think it's a very good idea.

I don't know the intention of the Member for Red Deer-North:

how she can help those people right away. You know, they get permission to enter this country from overseas, and for many, many years they are doing odd jobs. Sometimes they get fed up, and some people go back to their own country. Some people do the odd jobs, and after a few years they go back. This is not a good sign.

I definitely applaud the member. At least she is trying to bring forward something which is badly needed. If we could do something for those people who need the right legislation to help them out, I think we should. I definitely support 120 per cent this legislation. I've met so many people who are desperate. They want to do something in this country. They are capable of doing fantastic jobs because they've been doing so in the past in their own countries. I'm sure that if they get the proper tools here, the proper certification which we require here, they can be very helpful for our province, for our country.

Thank you very much.

The Deputy Speaker: Again, Standing Order 29(2)(a) is available. Seeing none, the hon. Member for Edmonton-Rutherford.

Mr. R. Miller: Thank you very much, Mr. Speaker. My pleasure to rise this afternoon and add a few comments to Bill 50, the Health Professions Statutes Amendment Act, 2007 (No. 2). As my colleague from Edmonton-Centre spoke about earlier, the Alberta Liberals have a primary focus when it comes to wait-time strategy, and that is recruitment and retention of health care professionals. Any measure that will increase health care workers and improve services available for Albertans will receive the strong support of our caucus. I, too, would like to personally congratulate the Member for Red Deer-North for bringing this forward because it looks to me that that is exactly what will happen.

The reason I feel compelled to rise this afternoon and add my comments to the record, Mr. Speaker, is because I have fond memories of the period after I was elected on November 22, 2004. One of my fondest memories is of the very first constituent visit that I had in the office as MLA. It was from a young lady who had received her training as a medical doctor in South America and was experiencing all sorts of difficulties and barriers in terms of having those credentials recognized here.

I often think of Irma and wonder how she eventually made out and whether or not she is in fact practicing now. I hope that things worked out for her because as a newly elected MLA trying to find some help for this young woman, it was clear that there were any number of barriers to people in her situation. If removing liability from somebody that might be looking at those qualifications and passing judgment on whether or not that person is qualified to practise their profession in Alberta is a step towards removing some of those barriers, then clearly it is a good and proper thing for us to be doing.

I, too, as my colleague from Edmonton-Ellerslie has said, have had many, many visits to the office or calls and concerns from constituents who find themselves in similar situations. And you know what? If it's happening in Edmonton-Ellerslie, and it's happening in Edmonton-Rutherford, I'm going to guess that it's happening in Red Deer-North and probably every constituency in this province. I'm going to have to assume that most if not all MLAs have had similar visits in their offices. As I say, if this is a step towards attracting and retaining more health care professionals for the province, it's got my full support and that of my caucus.

I'm pleased to have had the opportunity to put those comments on the record. Thank you.

The Deputy Speaker: Again, Standing Order 29(2)(a) is available. Seeing none, are there others who wish to participate in the debate?

Does the hon. Member for Red Deer-North wish to close?

Mrs. Jablonski: Just call the question, Mr. Speaker.

[Motion carried; Bill 50 read a second time]

Bill 53

Teachers' Pension Plans Amendment Act, 2007

The Deputy Speaker: The hon. Deputy Government House Leader on behalf.

Mr. Renner: Thank you, Mr. Speaker. On behalf of the Minister of Education I would like to move second reading of Bill 53, Teachers' Pension Plans Amendment Act, 2007.

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

Mr. R. Miller: Well, thank you very much, Mr. Speaker. Indeed, it's my pleasure to respond on behalf of the Official Opposition to Bill 53, the Teachers' Pension Plans Amendment Act, 2007. It's quite a journey that's brought us to today. As everybody in this Assembly and, I'm going to guess, probably by this time almost everybody in the province is aware, the Alberta Teachers' Association and the provincial government have finally come to a resolution on this issue. That's a good thing. It's something that I as the shadow minister for Finance have been calling for action on for a long time, ever since I've been in this House actually. This bill is a part of that. It's a part of what got us to where we are today.

Mr. Speaker, as you know, the \$25 million that is contemplated in this bill to put towards the teachers' unfunded pension liability is something that was announced in the budget that was introduced and passed in this House back in the spring sitting. But it's interesting to note that at that time the \$25 million was somewhat more controversial than it is today. I think it would be wrong to let this particular bill go by without examining the history of that \$25 million. [interjection] I hear some grumbling from the other side. I know there are a number of people on the other side who accuse the Official Opposition of living in the past and don't want to acknowledge what history has taught us and what brought us to where we are today, but it's important because, as we all know, if you don't pay attention to the lessons of the past, you're bound to repeat them, and Lord knows we don't want to be repeating this particular situation.

Back in April – actually, it was April 19, budget day – when this \$25 million was first announced, it was trumpeted by the Minister of Education as a sign of good faith to teachers. You will likely remember, Mr. Speaker, that at that time the \$25 million was contemplated to address particularly teacher attraction and retention, and the minister talked about aiming it specifically at new teachers. As a result of that, teachers would have found that for a whole year 100 per cent of their contributions, or approximately \$1,400 on a \$50,000 salary, would have been looked after by the government for teachers in their first to fifth year of teaching. However, if you were a teacher with six to 10 years of experience, the government was only going to look after 75 per cent of your UFL contributions. In fact, if you were a teacher with 11 to 15 years of experience, the government was only going to look after 50 per cent of your contributions. If you were a teacher with 16 to 20 years of experience, the government was only going to address 25 per cent of your contributions.

Mr. Herard: Because they get all the benefit.

Mr. R. Miller: The Member for Calgary-Egmont seems to have a lot to comment on. I hope he's going to get up when I'm finished my comments and put them on the record rather than just mumbling in the background.

The most important thing to note here, Mr. Speaker, is that if you were a teacher in this province with more than 20 years' experience, the Minister of Education was willing to completely discount that contribution and was not going to contribute whatsoever – whatsoever – with this \$25 million to the unfunded pension liability that you were paying for.

An Hon. Member: They're the ones that screwed the others.

Mr. R. Miller: Now I think I also hear someone else on the other side. I'm really looking forward, Mr. Speaker, to these members getting up and putting their comments on the record officially. I'm going to guess that there might be any number of individuals, particularly teachers, who would like to hear what the Minister of Sustainable Resource Development has to say on this issue. Oh, no. Now he says he's not going to put those comments on the record. Why should I be surprised?

3:50

So there we have it in a nutshell, Mr. Speaker, where the more time that you had spent as a teacher in this province, the more time that you had spent contributing to the growth and the prosperity of this province by sharing your knowledge and helping to raise youth into successful, contributing members of our society, the less recognition you got from the Minister of Education in terms of looking after this UFL. I can assure you that despite the fact that it was trumpeted as being a sign of good faith, it was not received as such by the teachers of this province. In fact – let's be clear about this – if it were not for the Premier stepping in and mandating that the \$25 million would be shared equally amongst teachers, we probably would not have the agreement that was announced just days ago between the Alberta Teachers' Association and the government to address the unfunded liability.

Mr. Danyluk: How do you know that? How can you say that?

Mr. R. Miller: Are you going to stand up and put your comments on the record, too? I hope you do because this is a really important issue, and Albertans deserve to hear what members opposite have to say.

The Deputy Speaker: Hon. members, the hon. Member for Edmonton-Rutherford has the floor, so I'd appreciate the comments going through the chair.

Mr. R. Miller: Thank you, Mr. Speaker. I'm sure you also meant to remind me that I'm to make my comments through you and not directly to members opposite, and so I will accept that.

Mr. Martin: You're self-regulating.

Mr. R. Miller: Yes, I'm self-regulating. That's right.

As I said, Mr. Speaker, it is important for us to recognize how we got to where we are today. You can't just pretend that this situation didn't develop back in April. It festered throughout a period of time before, as I said, the Premier stepped in and changed the rules of the game so that the \$25 million would be shared equally, which I'm

sure everybody would agree – well, maybe not everybody would agree, but certainly everybody on this side of the House would agree – was the right thing to do.

Now, the other thing that I have to say, because we have an opportunity to talk about the unfunded pension liability, is once again reiterate the fact that the Official Opposition is really, really pleased that an agreement has been reached. We believe that this is a good thing for teachers. It's a good thing for students. It's a good thing for parents. It's something that we've been calling for for a long time.

[The Speaker in the chair]

My disappointment continues to be that the Alberta government has taken no step whatsoever to this point to address the unfunded liability, and in fact, Mr. Speaker, our unfunded liability, the debt that we as taxpayers carry, has now officially gone from \$4.3 billion to \$6.6 billion overnight. At the snap of my fingers we increased our debt to the unfunded pension liability by 50 per cent. Again, I'm not necessarily suggesting that that was the wrong thing to do because we needed to have an agreement; we needed to get on with dealing with this situation. However, we've heard absolutely nothing from the Minister of Education or the Minister of Finance or the Premier as to how that, what is now a \$6.6 billion debt, is going to be addressed.

Mr. Speaker, I'm on the record and the Finance minister has acknowledged and the Auditor General has acknowledged that if this is not . . .

Mr. Agnihotri: They don't accept this as a debt.

Mr. R. Miller: Well, no. My colleague from Edmonton-Ellerslie is suggesting that the government doesn't accept that this is a debt. They don't necessarily talk about it as being a debt, but they do accept it as being a debt. I've had the Finance minister on the record in the House admitting that it is a debt. So I think they accept it. They don't like to publicize the fact that it's a debt, but clearly it's a debt. The Auditor General certainly calls it a debt, too.

The concern is that we now have this \$6.6 billion debt, which has been acknowledged by the Finance minister will cost us \$45 billion by the end of the current payout scheme if, in fact, we don't address it sooner, \$45 billion to the taxpayers of this province. Despite the fact that we've been talking about it for three years in this Legislature, in my time here, and I'm sure it was talked about for many years beyond that, and despite the fact that the province continues to post multibillion dollar surpluses year after year after year – I think we're up to 12 years now – there has been no movement on this \$6.6 billion debt. That is the real concern I have, that despite the fact that we've done the right thing for teachers and students here, we haven't done the right thing for taxpayers. We haven't announced yet how we're going to address the \$6.6 billion debt, which is in danger of ballooning to \$45 billion if we don't do something about it quickly.

I think those are the comments that I have today for Bill 53. [some applause] Although if I continue to get encouragement from the other side, I'm sure I could find other things to discuss on it. In particular, Mr. Speaker, as I said, the upshot is that anything that can be done to attract and retain teachers in this province and provide some stability for parents and their students in school is a good thing and will get our support, and this bill will get our support.

I thought it important to remind members as to how we got to where we are today, and it wasn't all a rosy picture. In fact, there was an awful lot of animosity created by the announcement of this \$25 million on April 19, and an awful lot of hard work and goodwill

was required to get past that animosity. It wasn't an easy thing, I know, on the part of teachers. I know that for a fact because I had any number of correspondences into my office, many of which I tabled in this Legislature back in the spring, expressing displeasure with the position that the government took on the unfunded liability in general and in particular on this \$25 million and the way that it was originally to be applied. I'm glad that we are where we are today, but it's important that we learn lessons from history, and it's important that we remember how we got to where we are today.

With those comments, Mr. Speaker, I thank you for the opportunity to speak to Bill 53, and I do look forward to the many members opposite who had comments to make while I was speaking. I look forward to their getting up and putting their comments on the record. I think that that would be a good thing for all Albertans, to hear exactly what they have to say on this issue.

Thank you.

The Speaker: The hon. Minister of Advanced Education and Technology, followed by the hon. Member for Edmonton-Beverly-Clareview.

Mr. Horner: Well, thank you, Mr. Speaker. I'm very pleased to rise and speak to the second reading of Bill 53, the Teachers' Pension Plans Amendment Act, 2007. When the Premier was sworn into office, he pledged that ministers in his new cabinet would listen to and meet Albertans' priorities. One of the priorities identified by the Premier was solving the teachers' unfunded pension liability issue, and this legislation represents one of the first steps forward in honouring that commitment.

As part of Budget 2007 the government of Alberta allocated \$25 million to assume the payment of the teachers' portion of the pre-1992 unfunded liability of the teachers' pension plan for a period of time. The pension relief was part of an initial step while a reasonable long-term solution could be identified. The payments are to be made until the \$25 million is exhausted. That is expected to cover payments for all teachers who contribute to the pension plan where the government is the employer contributor for the period from September 1, 2007, to the end of December 2007. The decision to assume these payments was a clear sign of the government's commitment to finding a long-term solution to the issue of the unfunded pension liability.

The requirement of teachers hired after 1992 to pay off an unfunded liability they did not help create was seen by many as a barrier to attracting and retaining new teachers and to creating an intergenerational inequity. It was also a constant irritant in relations between the Alberta Teachers' Association and the government and could serve as some barrier to the stability of an education system that would truly meet the needs of the 21st century learner.

In keeping with the government's commitment, the Alberta Teachers' Retirement Fund Board was asked to notify boards to stop deducting the additional 3.1 per cent from teachers' pay that was previously allocated to paying the teachers' portion of the pre-1992 unfunded liability. The Alberta Teachers' Retirement Fund Board did as requested, Mr. Speaker, and the teachers of Alberta saw an immediate difference in their take-home pay.

4:00

Bill 53, Teachers' Pension Plans Amendment Act, 2007, will authorize government to make a retroactive payment of \$25 million plus interest costs to cover the teachers' share of the pre-1992 unfunded pension liability from September 1 to the end of December. Contributions made by the government during the September to December period will be treated like any other Crown contribu-

tion and therefore will not be reflected on a teacher's T4A for income tax purposes as this would provide an additional benefit for pension contributions that were not made by the teachers. This payment of \$25 million plus interest to the Alberta Teachers' Retirement Fund Board cannot be made until this legislation is passed, Mr. Speaker, so I would urge all hon. members to move the legislation as quickly as we can.

It has often been said that one reaps what one sows. It's worth noting that by making this financial commitment, the government was intent on planting the seeds for a new era in education. By doing so, the government has clearly indicated to the Alberta Teachers' Association that it was truly committed to finding a fair and equitable long-term solution to the unfunded pension liability and that it would negotiate a solution in good faith. Mr. Speaker, as the events of the past few weeks have shown and as has been mentioned by other hon. members, those seeds have borne real fruit, and the students, parents, teachers, school boards, and taxpayers of Alberta will reap those rewards.

By making this significant first step, the government in cooperation with the Alberta Teachers' Association is helping to create a positive environment for change in education. Bill 53 is a first small step among many this government is taking towards ensuring that Alberta's K to 12 education system remains one of the best in the world, Mr. Speaker, a system that will prepare students for the challenges and opportunities that will face them in the 21st century.

Alberta has one of the best education systems, and it ranks among the best in the world. There are several reasons for that: our teachers, our curriculum, our students, our parents and volunteers, and the range of choice available in our schools. All of these factors mean that our grade 12 students compete in a global education system. They have a well-rounded and comprehensive education that makes them prepared for their future, including our postsecondary system and the world of work.

The first wave of the baby-boom generation is preparing for retirement, and there are implications across the workforce, and clearly the education system is not immune. The loss of our most experienced teachers from the classroom environment is a concern. As you well know, Mr. Speaker, I have a brother who recently completed 30 some-odd years in the education field and has retired. He was very proud of the contribution that he made to our province, but that just goes to show that we are losing some very experienced teachers to retirement.

It's my opinion that the pre-1992 teachers' portion of the unfunded pension liability serves and served as a disincentive for young Albertans to enter and to continue in the teaching profession. I believe that concern is recognized by both government and the teaching community, and that's why it is so important for both plan sponsors to work together to resolve the issue, which is what they have done. That's why it's so important for this province to recruit the best into the teaching profession and to retain those excellent teachers.

Bill 53, Teachers' Pension Plans Amendment Act, requires the wholehearted endorsement of all members of the Assembly to ensure that this enabling legislation can come into effect. It is unfortunate, Mr. Speaker, that while the opposite side of the House will say that they support this, they also want to continue to claim that they could have predicted the future and that they can correct the past. Instead of talking about what we can do to make our system better, they continually want to take credit for what we have already done.

Mr. Speaker, I urge all members of this House to support Bill 53 so that we can continue on with the good work of the relationship between the government of Alberta and our education system.

Thank you.

The Speaker: Hon. members, Standing Order 29(2)(a) is available for five minutes should there be takers.

There being none, I will recognize the hon. Member for Edmonton-Beverly-Clareview.

Mr. Martin: Thank you, Mr. Speaker. I listened intently to the minister of advanced education. If I heard him right, I think he's making a case for increased spending in the next budget for education so that we can maintain this wonderful system that he's talking about. I think we'll have to take a look later on.

Mr. Speaker, I'm not going to bore you with the past. The past is the past. Certainly, we support the bill. We support the agreement. It was a necessity, I think. We've been saying that before, and we'll say it again. I think the Member for Edmonton-Rutherford had an important point to make, though, and that is that now that we've solved the problem with the teachers, we have an extra debt for the people of Alberta. Again, it was the right thing to do, but I think it's important that we try to figure out how we're going to deal with it. I know that maybe "planning" is a bad word with the opposite side, but now it is part of the province's debt, if you like. The Member for Edmonton-Rutherford alluded to that, and he was right.

This is a debt right now, and if we don't deal with it fairly quickly, it will be a bigger debt down the way. Then if you deal with it quickly and with the infrastructure deficit and the social deficit and all the rest of the problems that we have, it creates a problem that way, Mr. Speaker. But I think it's incumbent on the government, now that they've accepted this teachers' unfunded liability, to tell us exactly how this is going to be looked after. Is it going to be short term, that we're going to bite the bullet and try to save the money down the way? How is that going to happen? Is it over one year? Two years? Five years? Or are we just going to let it sort of drag along over the period of time? I think this is an important point to make.

As I say, now that the government has accepted this debt, I would hope that very soon they would tell us how they're going to deal with this. At the latest, Mr. Speaker, I'd take it there might be a budget coming down in the spring, early – who knows? – and that they would at least by that time tell us as part of the financial picture of the province how this is going to be handled.

As I say, I'm glad that this is settled, and this is the first step. Certainly, we'll support it here. I'm glad that the Minister of Education and the Premier were able to come to an agreement with the teachers. I'll give them credit for doing that. I'll give credit to the teachers. There's no point, as I say, in going back in history, but I really think the future is something we have to look at. The future is: how do we deal with this \$6 billion that is clearly on our books right now as a debt? I think it's incumbent on the government to very quickly show us how they are going to handle this particular debt.

Thank you very much, Mr. Speaker.

The Speaker: Hon. members, Standing Order 29(2)(a) is available. The hon. Minister of Municipal Affairs and Housing.

Mr. Danyluk: Well, thank you very much, Mr. Speaker. It indeed is a pleasure for me to rise and respond to the hon. Member for Edmonton-Beverly-Clareview. Hon. member, I do want to respect, you know, your position, and your position is very clear. It's very straightforward. It's very clear. It talks about: how are we as the government going to respond? I suppose I want to ask you: how do you feel that that response should happen? What commitment do you feel should happen? I mean, it's much better than the comments that were made by the Member for Edmonton-Rutherford, where he

typically rode the fence from one side to the other and couldn't decide what side of the fence he was on: deciding that we're spending too much money, not spending enough, then spending too much, and not spending enough.

Mr. Speaker, I would like to hear the comments from the hon. member.

The Speaker: The hon. member.

Mr. Martin: Thank you. To the hon. member, my first comment would be that that's why you guys get the big bucks over there: to decide this. Mr. Speaker, I guess what I would say is that I think probably we should try to get rid of it along with our other priorities as quickly as we can. Maybe it can't be done in one to five years; the Member for Edmonton-Rutherford is right. I mean, we know that it will just keep going up to \$45 billion. We have to pay the price one way or the other.

As I said, that's a decision you would have to make. It's ours to criticize after if we don't like the decision, but I just don't think you can allow it to keep going up because it is a debt, like anything else. Trying to find a balance, Mr. Speaker, between the problems that we have now with our overheated economy and how we deal with this – it's going to be easier to deal with it while we have money coming in rather than later if we hit a recession, I can tell you that.

Thank you.

The Speaker: The hon. minister rose first. The Minister of Municipal Affairs and Housing, then, followed by the hon. Member for Edmonton-Rutherford if we have time.

4:10

Mr. Danyluk: Well, Mr. Speaker, I think it's very obvious that this government has taken the first step, that this government has moved forward, that this government has looked at the solutions for the unfunded liability, and this Premier has led the way in that focus and in that direction. I think it's wrong for you to make that assumption, in comparing and aligning yourself with the hon. Member for Edmonton-Rutherford, suggesting that the unfunded liability would be at \$45 million. That would happen if nothing was done, but something has been done, so I ask you the question. I know you said one to five years, and I appreciate that. I just wanted to compliment you on that comment.

The Speaker: A comment, hon. member?

Mr. Martin: Well, yeah. I didn't suggest. I mean, what we're saying is: if nothing was done down the way. The point I'm trying to make is that we haven't seen the plan from the government yet on how to deal with that. I'm looking forward with bated breath to see this, if we may, to the hon. minister, in a very short period of time. I think that's incumbent on the government. I mentioned whether it be by the budget or sooner, but I think it's important that we do see that fairly quickly.

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

Mr. R. Miller: Well, thank you very much, Mr. Speaker. I would like to ask the Member for Edmonton-Beverly-Clareview whether or not he would support taking some money out of the sustainability account, which currently sits at \$8 billion, taking some money from there and making a paydown on the \$6.6 billion debt, which for the information of the Minister of Municipal Affairs and Housing is actually a position that I personally have espoused in the past.

Mr. Martin: Mr. Speaker, you know, I'd be prepared to look at it. What I would suggest is that we have this debt, that we figure out whether it's best out of the sustainability fund or the general revenues or whatever. The point is that that is there. That's the most important thing, that we see how the government is going to deal with it, whether it's, as I say, out of the sustainability fund or out of another fund or whatever. It's a debt, and we have to deal with it. That's what I'm looking forward to seeing from the government in a very short order of time.

The Speaker: Hon. members, we'll now move on.
The Associate Minister for Capital Planning.

Mr. Zwozdesky: Thank you very much, Mr. Speaker. I just want to add a few comments very briefly myself from the perspective of being a former teacher in this province and having enjoyed every minute of it and also from the perspective of having been privileged to serve as the Minister of Education for over two years. Obviously, I'm supportive of anything that helps with our teacher recruitment and teacher retention plans because this is extremely . . .

An Hon. Member: Are you going to get a pension?

Mr. Zwozdesky: No, I'm not getting a pension, hon. member. I wish. And there's no pension in this job either, neither as a teacher nor as an MLA.

Anyway, I'd just say these few words, Mr. Speaker. We are privileged to have a world-class education system in this province, as everyone knows, and I think the first reason for that is the outstanding teachers that we have, truly. Of course, there are many other reasons: the students are very good, the facilities are great, the province-wide curriculum serves us well, and our resources and our labs and everything else that we have all dovetail into that. But the first reason for our excellence is our teachers.

Secondly, I just want to add that this particular bill, which covers about four months of time of teachers' pensions, is similar to what we did a few years ago, five or six years ago, when we provided something like \$63 million to take over the pension liability from the teachers. I'm hoping everybody will support this because it's really not any different than that, and that was immensely popular with all teachers, and so, too, will this be. Our teachers do deserve this full support.

Now, of course, we have the companion piece coming along, that being the full takeover permanently of all of the teachers' unfunded pension liability by the government. So let us not feel that this is not good value for our education system because it truly is. I think the taxpayers are well served by our teachers, and this bill recognizes that service, at least in part, and the value that we place on teachers in our province. So let's celebrate the positive aspects of what we have here and move on.

My last comment is simply to say that during the two years that I served as Minister of Education, I met many times with teachers, with parents, with the ATA Executive Council. We did a lot of negotiating to help set up some of the deals that we're here today saluting and, hopefully, supporting. But the credit on this one really goes to our Premier, who had the courage to take this on with our Minister of Education at present and get the deal moving and get it done. This particular introduction of this takeover for this portion of the unfunded liability was a good signal that really set the tone for the rest of the negotiations that have occurred.

With that, I want to indicate my full support for Bill 53, the Teachers' Pension Plans Amendment Act, 2007. Thank you.

The Speaker: Hon. members, Standing Order 29(2)(a) is available. The hon. Member for Edmonton-Rutherford.

Mr. R. Miller: Thank you, Mr. Speaker. Of course, as we all know, turnabout is fair play, so I would like to ask the Associate Minister for Capital Planning: what is he recommending to his cabinet and caucus colleagues as a plan for addressing what is now a \$6.6 billion debt to the Alberta taxpayer and will become \$45 billion if it's not addressed over the lifetime of the agreement?

The Speaker: The hon. minister.

Mr. Zwozdesky: Thank you very much, Mr. Speaker. Clearly, there will be an opportunity to address that very question in a much larger and more detailed fashion. The reason that I provide the answer that way is because we know that it's a complex issue that the government has far more ways of addressing than does any private citizen or any private body, such as the Alberta Teachers' Association, or anyone else. The hon. member should take some solace in knowing that we will be dealing with this. It will in the end prove itself out to have been a very good deal for teachers and for settling things with our teachers and the students and the parents in the province. The other part we will get to in due course.

The Speaker: Additional questions or comments?

Shall I call on the Deputy Government House Leader to close the debate, or should I call the question?

Hon. Members: Question.

[Motion carried unanimously; Bill 53 read a second time]

Bill 54

County of Westlock Water Authorization Act

The Speaker: The hon. Minister of Environment.

Mr. Renner: Thank you, Mr. Speaker. I'm very pleased to move second reading of Bill 54, the County of Westlock Water Authorization Act.

The purpose of this act is to provide for the development of a regional water system within the county of Westlock and specifically to transfer treated potable water from the town of Westlock to the hamlet of Vimy and the village of Clyde. It's an area of the world I think you may be familiar with, Mr. Speaker.

This particular regional water distribution system is really no different than a number of other regional water distribution systems that we have throughout the province. However, what is unique about this one and a few others throughout the province is that geographically the county and the area that will be served by this regional water system are located in and straddling a major water basin. Part of the county is within the Athabasca watershed, and the other part is in the North Saskatchewan, so in the town of Westlock treating water and putting it into a pipe and sending it to the hamlet of Vimy and the village of Clyde, who will in turn treat the municipal waste water that results from the consumption of that fresh water out of the municipal water source. Their return of that water into the system would go into the North Saskatchewan, thus we have the legislative requirement – I think a good requirement, frankly – of requiring an act of the Legislature to authorize that interbasin transfer.

4:20

I want to talk about the fact that this is a regional water system.

The reason why we have these regional water systems is to ensure that we have a cost-effective way to provide safe drinking water. We eliminate the need for a number of smaller communities to build, maintain, and operate very expensive water treatment facilities. By any yardstick, Mr. Speaker, I think anyone would have to agree that regional water systems are the appropriate way that we should be serving our municipal water needs throughout the province.

I want to emphasize that this water under question here is for basic human needs. It's not a sufficiently large quantity for large developments. The bill specifically limits the annual amount of water that can be delivered to 208.78 cubic decametres. That's enough water for about a thousand users over the 50-year projection, so it allows for some growth. But let's put it all into perspective, Mr. Speaker: it's a very small quantity of water in the grand scheme of things.

There have been public consultations throughout the region. The public is very supportive of this water system. I want to also emphasize that there are absolutely minimal environmental impacts. This is piped potable water. It's not raw water. As a result, there is virtually no transfer of any biological organisms. We're not going to be moving fish from one water system to another.

There is a conservation plan in place that will be enhanced over time to ensure that the users of this system, like all other users, quite frankly, ensure that the use of water is kept to a minimum. Above all, this is a way that we can ensure that we have quality drinking water and that we meet the quality drinking water standards for large municipalities as well as small ones.

Alberta Environment is committed to safe, secure drinking water supplies for all Albertans. This kind of a regional municipal water system is exactly what we need to ensure that those safe, secure water supplies are in fact available to all Albertans. I would encourage all members of the Assembly to give their strong endorsement and support to this legislation.

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

Dr. Swann: Well, thank you, Mr. Speaker. It's a pleasure to rise and speak to this bill before the House, the water transfer bill. It's an important issue, obviously, to all Albertans, probably the most important issue in southern Alberta and growing in importance as a result of climate change and the implications that that has for both quantity and quality of water in our province.

Many volumes have already been written and concerns expressed by both scientists and the lay public about how we're managing water in the province and real concerns about sustainable management plans based on good information, based on projected models around climate change and its impacts, and better knowledge about how clear-cut logging is impacting our water systems, particularly in southern Alberta, Calgary in particular, with the Elbow and the Bow rivers being the lifeblood of the city.

Water management has to be seen as the primary role of government, and there are real concerns that we're not putting the resources and the expertise into assessing our water, both surface and groundwater, and to analyzing the prospects for the future in relation to climate change and its negative impacts on both quality and quantity in the future.

I think the bill has some positive dimensions to it and recognizes the need for better quality control, better cost efficiency in delivering potable water to individuals and to businesses. I think some of the reservations we have about this have to do with the fact that this is the fourth or fifth interbasin transfer since I was elected three and a half years ago. It raises some questions about whether we have a long-term management plan that is going to be sustainable or whether we are going to continue to transfer water from north to south as the demands outstrip the local resources. That's really what

Albertans and scientists are asking: how can we get a better handle on reducing demand, primarily water conservation, on measures to use water more efficiently and to find substitutes, for example in the oil industry, where we're now using water that is being lost to circulation?

Clearly, there are a number of concerns around our quantity and quality of groundwater: how well we understand its connection to surface water, and whether we will in fact begin as a government to take back some control over our water resources when, especially in the south, roughly 70 per cent of it is controlled by irrigation districts, and how that will translate into the best water management and for the highest purposes in southern Alberta, where we're seeing increasing business and development demands as well as even recreational and domestic uses.

So it's with real concern that we see yet another bill addressing the question of interbasin transfer. I think we all appreciate the fact that this is potable water; it's treated water. It may not have all the risks associated with interbasin transfers that the minister has referred to, but I think it's fair to say that microflora, microfauna can easily be transmitted in treated water. What the long-term implications of that are I don't know. I don't know what the scientists are thinking about that.

What we do know is that interfering with natural flows, natural processes, risking in-stream flow needs in some areas, which is the support system for the ecosystem within the river and on the banks of the river, is a dangerous proposition. We seem to be doing this more than once per year just in the last three years. I think that the writing is on the wall, Mr. Speaker. If we don't start looking at limits to growth on these river systems, we are going to be faced with very severe economic as well as, I think, biological and ecological impacts from this penchant to pipe water from wherever it is presently in abundance to areas where it's presently or predicted to be in shortage.

There are some real concerns about this whole process, and I think some questions that need to be addressed include some of the following. It's not clear to me as the opposition critic and to many in the public what process Alberta Environment follows when addressing the question of an interbasin transfer. Is there any kind of public consultation both in the receiving communities and in the donor communities? In the broader context do Albertans have a vehicle for having input into this decision-making that is of vital concern to the future of the province? It's not clear that there is a transparent public process where issues can be discussed and debated, including the issues that I raised earlier.

Secondly, are there restrictions on the purpose for which the water is used in an interbasin transfer? How is the provincial Legislature, for example, to evaluate a bill before us to recommend a water transfer? On what criteria would we say that it's either in the public interest in the long term, which we increasingly have to look at, or it's not in the public interest in the long term? Maybe the minister could help to define some of that for us in terms of what restrictions are placed on the purpose for an interbasin transfer.

A third question is: in such an important decision for the future of the province have we done any environmental impact assessments on any of these interbasin transfers? What, if any, are made public, preferably independent assessments, to assess, again, the risks and advantages of interbasin transfers?

Fourthly, for these specific bills, bills 54 and 55, you've indicated that about a thousand users will be supplied for the foreseeable future. It's not clear what that means and what volumes, what small businesses might expand, what domestic needs might expand. Will we be facing another request for an expansion of this water transfer in the next few years if there is, perhaps, more growth than is expected there, or are we in fact going to establish these interbasin

transfers on the basis that there are significant conservation measures implemented, significant efforts to reduce the demand, and we're actually going to put a limit on growth in that particular community, or will we simply allow them to grow and grow and grow and be faced on an annual or semiannual or semidecadal basis with more requests for more transfers? This does not appear to be a responsible way to manage our water.

4:30

There are some concerns about these continued requests for interbasin transfers when it's the most serious decision that we can make in the province. We bring it to the Legislature for that reason, because it is a serious decision, yet we see no criteria on which to make our decisions about whether this is or isn't in the longer term best interests of the public of Alberta.

With those comments, Mr. Speaker, I would welcome the opportunity to hear more from the minister and hope that we can take very seriously our role as legislators in this most vital time in our history in how we manage our water and whether we can be assured that this government has the backbone to set limits on development and water use for the purposes of ensuring a future, not only an economic future but an environmental future, a future for people where their basic needs are going to be met.

Thank you, Mr. Speaker.

The Speaker: Hon. members, the bill before the House is Bill 54. Additional speakers? The hon. Member for Edmonton-Calder.

Mr. Eggen: Thank you, Mr. Speaker. I certainly am glad to have an opportunity to speak to Bill 54, County of Westlock Water Authorization Act.

You know, I was struck when I saw this bill come forward just recently because, interestingly enough, I believe it was last winter that I was approached by a number of people in this area that were having concerns with their water quality. I actually ended up going out to a number of these towns and even took some water samples, so it's interesting to see how life has its twists and turns.

Certainly, Mr. Speaker, I'm thus very aware, as I'm sure you are as well, of the importance of having potable water to communities. Quite literally, people are making decisions to either move to or move away from a community based on water quality. This can be a determining factor, and a number of these communities aren't so terribly large in the first place. This can be a crucial factor as to the survival of the town or village itself.

Also, I certainly have been an advocate of building some shared water systems because, of course, you realize efficiencies through using economies of scale and building both the water treatment systems and the sewage treatment systems and sharing those collectively.

Those two things being said, still I'm having some serious concerns about the manner in which these regional water systems are coming forward and being developed not just in the county of Westlock but right across the province. Of course, this isn't the only bill for a water transfer that we have before us here this session, Mr. Speaker. We have another one. It's a water transfer that we already started to work on last spring, and lo and behold after a few months what was a very modest expansion of a water transfer to facilitate potable water to a small community in central Alberta now has come back in a completely different form in terms of volume and scope and everything, really, that you could use to define a water system, just within a very few short months.

I guess the question that comes to my mind, then, is: do we have the capacity to make a water plan that encompasses the larger

region, both in central Alberta with Bill 55 and then with this particular bill, Bill 54? Interbasin transfers are only one part of the equation, Mr. Speaker. I believe that we are also looking at the concern about conservation and land-use planning and making the most efficient use of the resources that we have available to us. Water, as we've heard people say innumerable times, is perhaps the most valuable commodity we have in any given region, the absence of which would of course preclude any development or habitation at all.

I guess when we're talking about building regional water systems and piping water out to areas, we have to not just look at the immediate efficiency or usefulness of this but also in terms of conservation. This particular one, of course, Bill 54, is only 208.78 cubic decametres of water, and this is municipally treated water being pumped from one basin to the other. But, you know, as the next bill here, Bill 55, tells us, nothing ever stays the same, necessarily, with the province expanding like it has been expanding and particularly with people choosing to move to smaller centres around the province, which is a good thing. Certainly, it's good to distribute the population around the province. It makes for, I think, healthier and stronger communities. But then, you know, we're making the decisions. The water is kind of following those movements.

Of course, when you build a water system, as I said at the outset of my comments, then people are more likely to move to a place if it has a good potable water system. I know that in this particular area the water, if I recall, has a very high sodium content, the water that the people are having to use now, a high sodium and particulate content as well as sort of dissolved solids in some places that seem to give the water a certain colour. All of these things are problems that undoubtedly Bill 54 was designed to overcome.

My point is that, certainly, when you build a water system, this is going to enhance the population in growing. If we built in the provision for a thousand people to live on this system now, because people would have a choice up in that area to get better water, then probably you'll end up with more than a thousand people. Let's not forget, as well, that this is a growing part of the province. I know, Mr. Speaker – and you would know this better than me – that they want to expand services with the airport in Westlock, which is great, so people can work in different parts of the province and, you know, go back to those smaller communities. All of this is good, but I just would like to see a regional water plan that says we're going with 208.78 decametres, that that's the allowable limit sustainable for the water basins that we are talking about here, and not just perhaps building these things in an ad hoc manner.

I look forward to the continuation of the debate on this particular Bill 54. As I said before, I have sipped the water in this region before and do recognize the need for something better. Thank you.

The Speaker: Standing Order 29(2)(a) is available. I suspect that the chair should preclude himself from having an opportunity to comment.

The hon. Minister of Environment, then, to close the debate.

Mr. Renner: Mr. Speaker, I've noted with interest the comments of the members opposite and look forward to addressing them during committee and call the question.

[Motion carried; Bill 54 read a second time]

4:40

Bill 55

East Central Regional Water Authorization Act

The Speaker: The hon. Member for Drumheller-Stettler.

Mr. Hayden: Thank you, Mr. Speaker. I'm pleased to move second reading of Bill 55, the East Central Regional Water Authorization Act.

Mr. Speaker, Albertans are becoming increasingly aware of the value of a safe and secure water supply. For many communities across the province, particularly in southern and central Alberta, water is a precious and often scarce resource. Due to drought and increased growth, communities in east-central Alberta are facing serious drinking water quality and quantity issues. Some communities have even been forced to truck their water in from neighbouring towns. This is just not acceptable. These Albertans need a long-term solution.

[The Deputy Speaker in the chair]

A regional supply line is a cost-effective way for providing these Albertans with safe drinking water. A supply line will eliminate the need for smaller communities to build, maintain, and operate expensive facilities. The Stettler Regional Water Authorization Act and the Town of Bashaw and Village of Ferintosh Water Authorization Act authorized licences for interbasin transfers of treated municipal water to some but not all of the communities and residents along this line. I would say here that this is a co-operative effort that's taking place now that involves over 30 communities who have come together to do this. The East Central Regional Water Authorization Act will repeal the two previous acts and supply water to the entire area. If passed, Bill 55 will allow Alberta Environment to amend or issue water licences to transfer up to 10,800 cubic decametres annually of piped potable water to those east-central communities in need.

Mr. Rodney: How many?

Mr. Hayden: Ten thousand eight hundred.

Mr. Rodney: Cubic?

Mr. Hayden: Cubic. Sorry.

Mr. Rodney: Thank you. Just clarifying.

Mr. Hayden: Yes.

The act covers the regional water needs for the next 50 years, at a time when the population is estimated to increase by 74,000 people. The act also includes controlling conditions to allow rollbacks if the population projections are not met. With the passing of this act, Mr. Speaker, no further special acts of the Legislature are expected for these areas.

Let me remind the Assembly, Mr. Speaker, that the South Saskatchewan River basin water management plan sets a limit on the amount of water that can be allocated out of the Red Deer River. Those limits were developed through extensive public and stakeholder consultation and were taken into consideration when developing this act.

Interbasin transfers require thorough scientific studies and public consultation prior to being brought to this Assembly. Mr. Speaker, this has been done. The transferred water will be treated, drinkable water, not raw water, so no transfer of biological organisms is expected. Public consultations conducted throughout the region show great support for this proposal. Red Deer already has enough water to cover projected growth for the next 50 years. In fact, in a written statement the mayor of Red Deer stated he does not oppose the transfer.

These communities need this water for drinking, bathing, watering their gardens, and for other municipal purposes. Without this transfer the residents of these counties and towns will continue to face uncertainty of their water from both a supply and a safety perspective. Bill 55 will ensure that the approximately 35,300 Albertans currently living in the counties of Lacombe, Stettler, Camrose, Paintearth, and special area No. 4 will have access to the safe, secure water supplies that they need to survive and to thrive. I urge all members to support Bill 55 to end the uncertainty.

Mr. Speaker, this government is committed to ensuring safe, secure drinking water supplies for all Albertans. It is a major component of Alberta's Water for Life strategy, North America's most comprehensive water management plan.

Thank you.

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

Dr. Swann: Thank you, Mr. Speaker. It's a privilege to stand and speak to Bill 55 and the important issues that again it raises with respect to water management in the province and the concern that many Albertans have expressed to us, including scientists, that we need a better management plan for the province. It's clear that people all over the province need to be guaranteed safe, potable water, and in no way would we want to jeopardize that right. The responsibility of government to provide that is a fundamental human right.

At the same time we want to be sure, as stewards of the environment and stewards for future generations, that we are recognizing limits. There's the question of how many of these interbasin transfers we will continue to approve, again without clear criteria, without a sense of setting limits, without any clear sense of what demand-management procedures are in place, and without a strong sense that we understand the impacts of climate change and what it's going to mean for the whole province. Obviously, the best of science is needed here. It's not clear to us on this side of the House what kind of expertise the Alberta Environment department has called upon to make these recommendations and to support these kinds of decisions.

While the hon. member did say that they're looking at a 50-year growth pattern in the area and that this should cover all the needs for 50 years, it's unclear to this member what that means and what kind of growth is expected and what kind of industry demands there might be. While no special acts in the future might be anticipated, I don't see how it's possible to make that suggestion without knowing more about the future of Alberta in terms of immigration and agricultural development, oil and gas development, and the demands that people might place on this particular area.

It's reassuring, of course, that some scientific assessment has been made of in-stream flow needs for the Red Deer River, but there is still lots of controversy in the nongovernment community and among scientists about what in-stream flow needs are, how they are defined, and to what extent we are actually intending to meet them, especially at the lowest flow times in the late summer. It's not at all clear to us that the protective mechanisms have been put in place and established and that this will be honoured when human needs supercede everything else. Given the possibility in the next 30 years that there will be significant shortages in flow in the Red Deer River, it's not at all clear that we anticipated the declines and flow and the capacity of the Red Deer River.

We are not at all reassured that the government has done its homework in assessing the true implications of yet another interbasin transfer or that they have the backbone to set limits to

growth and ask or give incentives for people to move to where the water is as opposed to continuing to shift water from north to south as a result of expectations that people may have or industries may have that they want to locate in a particular area when there is no guarantee of water. Then we'll be faced with increasing numbers of applications in this Legislature for interbasin transfers from north to south at a huge public cost. Mr. Speaker, that needs to be addressed and continues to be sidelined or not treated as seriously as we need to.

Just in 2005 the Stettler Regional Water Authorization Act was passed in this House, Bill 11, another interbasin transfer. It's not clear to us how this new bill relates to Bill 11 and the Stettler water needs in that particular area and why these needs weren't anticipated back in 2005. Again, Mr. Speaker, it raises serious questions about whether we are simply going to be a reactive government, looking at "Wherever people need it, we're going to supply it," or whether we're actually going to have a plan for this province, that we're going to set limits, we're going to demand accountability at local levels, we're going to give incentives for people to move to where the water is and for businesses to move to where the water is as opposed to continuing to look at this unsustainable approach to water management.

I think that summarizes the comments from this side. We would like to see some amendments coming forth in the committee stage to look at some of these concerns and to responsibly show Albertans that we are simply not a rubber stamp in this Legislative Assembly, that we simply react to problems that arise as a result of both climate change and increasing pressures on our water systems.

That concludes my comments, Mr. Speaker, and I look forward to further debate in the committee.

The Deputy Speaker: Are there others? The hon. Member for Edmonton-Calder.

Mr. Eggen: Thank you, Mr. Speaker. Once again I rise with interest to speak to Bill 55, East Central Regional Water Authorization Act. It's not dissimilar in a way, theoretically, to the circumstances that we had before us with the previous Bill 54 in that it's an interbasin water transfer request. However, the scope of this one is far more extensive, looking at 10,800 decametres of water and expanding the access to the system to nine different communities this time around in central Alberta, southeast of Edmonton. This is interesting in a number of ways in my mind because, of course, we are repealing the act that we passed only two months ago and putting in a much more wide program of piping water into communities in this region.

4:50

Once again, I don't certainly dispute the requirement of each of these communities to have a system that provides potable water to their communities. It's a qualitative leap forward to be able to access a system like this. You have to weigh different elements. What sort of resources are you using to provide, say, for example, water to these communities before this pipe system is put into place? For most of these communities I would suspect that people are trucking their water in, so of course that has an environmental impact of its own. If you're transporting water, which is a very heavy commodity, by vehicle to different places around central Alberta, that is problematic and expensive, too. I mean, pipelines do have their merits. There are no two ways about it.

But just even looking from the outside, the fact that we brought in the Ferintosh bill in the spring and then repeal it a few months later does give the impression that there is a lack of a comprehensive plan that's encompassing this whole region. I have serious concerns

about that because, of course, the drought that is precipitating this requirement for the transfer of water between basins and a regional system is not just ending at the end of this pipe. It continues all the way to and past the Saskatchewan border through this part of the country. It's been becoming progressively drier in this region for a long time, and this has been causing problems for both agriculture and cow-calf operators in the area and for human consumption as well.

At what point does one make the decision to say that the circumstances aren't going to reverse themselves? How sustainable is it to continue to expand this system into east-central Alberta? I mean, those decisions are difficult, but those are decisions that, I guess, are meant to be made here at this level of government. I think we all have to think hard about this because unless things change, the drought and the dry circumstances that east-central Alberta is having to deal with will only continue and, perhaps, will even get worse. So we have to think about that.

As well, we have to think about the basin to which we are drawing more and more attention to meet our water needs, at least in this part of the province, and say: at what point do we need to have a comprehensive water plan for not just the South Saskatchewan River basin but for the Red Deer, Athabasca, and the North Saskatchewan basins as well? Again, I don't want to be creating policy just on the fly here. It would be, I think, wiser and easier to manage to know that we are working with a plan here that will meet these needs over a long period of time but will also be sustainable at the same time.

Just the fact that we're repealing the Ferintosh act here a few months after we created it to bring in a quantitatively much larger water allocation for nine communities instead of two does raise my concerns. I think we need to continue to work on this, and we need to debate it in this House. I would recommend as well that we do gather more data so that we can make the best decision possible.

Thank you.

The Deputy Speaker: Hon. members, Standing Order 29(2)(a) is available for those who wish to participate.

Seeing none, the hon. Minister of Environment.

Mr. Renner: Thank you, Mr. Speaker. I'd just like to comment briefly on this bill and some of the comments that have been made regarding the repeal of the Ferintosh act that was just passed. Frankly, I share the concerns of members that have expressed concern with this. The truth of the matter is that shortly after the House adjourned last spring, I had an opportunity to travel out into that part of the country. In talking with some of the municipal councillors in the area, they were thanking me and thanking the Legislature for passing the legislation so they could get on with providing water to Ferintosh, and in the course of that conversation they said, "Oh, and when can we expect that you'll introduce the legislation to take it on to the next town?" My reaction was, "Well, what next town?" If there was an intent to have this water delivered to more than just Ferintosh, why didn't we deal with it? Why didn't we acknowledge it at the time that it was in the House? Every time we extend this waterline by another 30 or 40 miles, are we going to be back in the Legislature with another piece of legislation?

My instructions at that point to my staff and to everyone in the area was: get your act together. Figure out what the plan is. Figure out what this regional plan is going to be, and let's deal with it all at once. So, Mr. Speaker, if there is someone to accept responsibility for repealing legislation that was just passed this spring, I accept that responsibility; it's mine. Frankly, I think that we have a much better approach dealing with it this way than the piecemeal approach that had been undertaken in the past.

The Deputy Speaker: Again, hon. members, Standing Order 29(2)(a) is available. The hon. Member for Calgary-Mountain View.

Dr. Swann: Well, thank you very much, Mr. Speaker.

The Deputy Speaker: On Standing Order 29(2)(a)?

Dr. Swann: Yes. And thanks to the minister for acknowledging some leadership issues that are needing to be filled.

I did ask for some guidance about the principles that are involved and how we make these decisions and the extent to which we could open up that process so that Albertans could be assured that we are making decisions in the longer term interests of Alberta. I wonder if he could comment at this time or would like to comment later on the principles. We're talking about the principle of the bill in second reading. What are the principles that we are using to make these kinds of decisions?

The Deputy Speaker: Hon. minister, do you wish to respond?

Mr. Renner: Well, Mr. Speaker, the issues regarding the approval mechanism that would be allowed by this legislation are the same as for any other licence that is issued by Alberta Environment. There is a process by which notification is required. There is a process by which affected parties may submit a letter of concern. At the end of the day, like every other decision that is made by Alberta Environment, ultimately individuals have an opportunity to ask the Environmental Appeal Board to consider an appeal of any decision. All of those same kinds of ongoing requirements of the Water Act will continue to apply to any licences or amendments that would be granted under this act.

All this act does is take off the table the interbasin transfer because, frankly, that's now been decided by the Legislature. Everything else to do with the water application remains in effect and will continue to be dealt with in the normal manner.

The Deputy Speaker: The hon. member.

Dr. Swann: Thank you, Mr. Speaker. To the minister again: under what conditions would we as a Legislature turn down an application for interbasin transfer?

Mr. Renner: Well, my crystal ball is no better than yours, Mr. Speaker. I don't know what the conditions would be where that would be turned down. I can think of some conditions where I would not bring forward a request. Those conditions would be where we would be suggesting a wholesale transfer from one water basin to another through very large diversions. That is my understanding of the intent behind having the legislation that we have currently in place: to ensure that we didn't have massive, wholesale diversions from one water basin into another. I would suggest that that may be something that the Legislature would consider.

5:00

The Deputy Speaker: The hon. member.

Dr. Swann: Thank you, Mr. Speaker. Again to the minister: would the minister entertain any notion of setting limits to growth in communities particularly that are clearly straining the limits of water supplies in southern Alberta? Are we going to continue to see the freedom to completely grow and make more demands as time goes by as water supply is outstripped by demands?

Mr. Renner: Mr. Speaker, I'm pleased to respond. The answer is no. I would not consider that we should be restricting growth, but – and it's a very big but – what we do have to do is start to consider how we use the water, how we can conserve the water, how we can accommodate growth. I actually made reference to it earlier today in question period when I talked about the development of in-stream flow needs for rivers. Those are what I think we should be basing our decisions on, whether or not the ecological health of the river would be impaired by additional withdrawals. If that's the case, then we don't restrict the growth; we restrict the use of the water and require that the new development live within the set limits. There is only so much water to go around, and we'll have to figure out how to share it better.

The Deputy Speaker: Hon. members, there's a lot of background noise, making it difficult to hear those who have the floor.

The hon. member.

Dr. Swann: Well, thank you, Mr. Speaker. Again to the minister. Thank you for those responses. What is emerging in southern Alberta is a market for water. The Balzac situation clearly illustrates what happens when we don't have a plan in place to address demands that outstrip supplies.

The Deputy Speaker: That concludes our time under Standing Order 29(2)(a).

Back on the debate, the hon. Member for Edmonton-Manning.

Mr. Backs: Thank you, Mr. Speaker. I'm very pleased to rise to speak to Bill 55, East Central Regional Water Authorization Act. You know, I think Albertans will always come to the aid of those who are in need, especially in times of drought. I remember stories from my mother of the time of the Great Depression, which was a great drying time, a great time of warming on the prairies, so to speak, where the dust would rise against the walls of the farmhouse above the windows. People would come to help. Nobody wanted to take help and all the rest of it but were certainly happy to see some when it came.

The need for water and the need for a policy on water to look at what will happen in the future is becoming increasingly clear. We're seeing the glaciers drying up at the end of an ice age. The ice used to be a kilometre or more thick here not too many thousands of years ago. There are glacial cirques in the mountains, if anybody knows land forms or anything, that are already dry. Anybody that's gone to the Columbia glacier knows that that's been receding for 10,000 years. It used to be here, but it's getting much, much less. Those are decreasing the water supply and the flow of the rivers, and they will continue to decrease as time goes on.

Having been in a fairly high precipitation area in the Peace at one time and seeing those that would move our water down there, there were always a lot of concerns that that might happen. I don't agree with the idea of arbitrarily moving people to the water because a lot of the places where the water is are muskeg, are not the greatest places to live. You know, I don't think it would be sensible to try and force people.

I do agree with market systems, and I would appreciate, you know, if the minister could in Committee of the Whole come back with some sense of how the market for water allocation transfers and the use of incentives will work in the long term and how we will see those develop in the long term as water becomes, in effect, more valuable and as those who are in areas of a lot of water or less decreasing water become more protective of their water. We don't want to see water wars, and we don't want to see areas unnecessarily

restricted in their economic development, but a market allocation system that is properly priced in the long term may be the way to do that so that those places have the right sort of feeling that they are ensuring that they're getting the proper return for their resource.

That's all I have to say, Mr. Speaker.

The Deputy Speaker: Again Standing Order 29(2)(a) is available for questions or comments.

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

Mr. R. Miller: Well, thank you very much, Mr. Speaker. I'll try to keep my comments brief. I just noticed a couple of things that I'd like to comment on, the first being that when the mover of the bill, the Member for Drumheller-Stettler, suggested that this allocation – and we're talking 10,800 cubic decametres annually. I have to confess I don't know how much water that is, but it certainly sounds like it's an awful lot more than we dealt with previously in Bill 54, which was only 208.78 cubic decametres annually for the county of Westlock. Now we're covering off several counties, several communities, and 10,800 decametres annually, so an awful lot of water, clearly. That's not necessarily a bad thing. [some applause] I hear some applause from the other side of the House.

You know, as has been mentioned I think by every speaker so far, nobody is going to stand in the way of getting potable water, safe drinking water, to those people who need it. But I share the concerns mentioned by the Minister of Environment earlier in that we were here just last year dealing with the county of Ferintosh. As much as the mover of the bill contemplated that this should address the needs of these various communities for the next 50 years, I'm not completely confident that we won't be back here, perhaps not next year – I would certainly hope not next year – but at some point in the relatively near future contemplating moving even more water into these counties.

I guess the thing is, as was mentioned by my colleague from Calgary-Mountain View, that we're here to discuss the principle. I think it has to be asked: how many times can we come to this Legislature? How often are we going to be coming to this Legislature, moving water from north to south? It has become almost a pattern already. The legislation contemplates a special act of the Legislature when this is required. Just that wording itself, I think, Mr. Speaker, would indicate that this is not something that should be contemplated as routine but, rather, in special circumstances. What we're seeing, unfortunately, is that the special circumstances contemplated by the legislation are in fact happening more and more often. My suspicion is that given that the rivers in the southern part of the province are fully allocated, we're going to continue to see these special circumstances and these special acts of the Legislature being asked more and more often to address the serious situation that we're facing with water in this province.

Now, the other comment that was made by the mover of the bill – and I'm going to ask him if he could clarify this for members of the House before we deal with this bill in committee stage. He said that the act currently contemplates rollbacks in the allocation if, in fact, the population forecasts are not met. Well, it's clearly not in this act, so I'm not sure where that is. Perhaps it's in a regulation or perhaps it's in another act. As a member who will be voting on this ultimately and who has constituents that I have to answer to, that is something that I would like to know about because if, in fact, we do contemplate rollbacks if the population growth doesn't take place, that would give me some small measure of reassurance, I suppose. If you could undertake, hon. member, to have an answer on that

particular question for us when we come back to committee, I would appreciate it.

5:10

As I said I would keep my comments brief, I'll stick to my word, Mr. Speaker. In particular, I wanted to raise the question about the rollbacks. I think it's important that we all think in a more broad sense about how often we're doing this and what it might mean for the future if we continue to come back every year or two and ask for ever more water transfers from one basin to another.

Thank you.

The Deputy Speaker: Any comments or questions under Standing Order 29(2)(a)?

Seeing none, the hon. Member for Red Deer-North.

Mrs. Jablonski: Mr. Speaker, I'd just like to comment about this bill. As we all know, the very first bill that moved potable water, water that had been treated, from one system to another was the North Red Deer Water Authorization Act, and I can tell you how successful that was for the people who received the water. The question has been asked: how often do we move water from north to south? I would say to you that we should only do it in special circumstances, but as often as it is necessary for life and quality of life is how often we should do it. At no point in time will we ever refuse to give water for drinking and livelihood purposes to any Albertan.

Now, I do have to admit that I had a problem with using water for irrigational purposes and that sort of thing, but that's not what we're talking about here. We're talking about domestic use only for people and for animals, and it's treated water, so I have no qualms whatsoever about supporting this bill. I think it's absolutely necessary and important. At the same time, after having said that, we do need to be cautious about how we do things with our water in the future. But in this case it's important and necessary, so I would ask all members to support this bill.

The Deputy Speaker: Again under Standing Order 29(2)(a)? The hon. Member for Edmonton-Riverview.

Dr. Taft: Thank you, Mr. Speaker. My question is to the Member for Red Deer-North. When she says we should transfer water as often as is necessary, that in effect implies that there would be no end to the amount of water transferred, that if a town in a dry area got a new subdivision, we'd transfer it, and if they got another new subdivision, we'd transfer more water. Does this member really mean what she's saying, or does she actually see some requirement to limit water transfers?

The Deputy Speaker: The hon. member.

Mrs. Jablonski: Thank you. I think that what you're referring to is planning. It wouldn't be very clever to be planning to build neighbourhoods in communities and areas where there is no water available. So I wouldn't be supporting that at all. Let's not build new communities in places where there is no water. Planning is the answer to that, and planning is what we need to do. However, when people are living in a community and they run out of water and we can help to support their livelihood by a simple transfer, I would be very supportive of that.

The Deputy Speaker: The hon. Member for Calgary-Mountain View, under 29(2)(a).

Dr. Swann: Well, thank you, Mr. Speaker. I appreciate the

comments of the member. I guess my question in a follow-up would be: do you see any basis for limiting growth? It's one thing to say that the people run out of water when they've been established in a community; it's another thing to say: "We will not put any limits on growth. If you have problems in five years or 10 years, we will simply increase the demands from this resource."

Mrs. Jablonski: Once again, Mr. Speaker, I would say that the key issue here is planning. Obviously, it's not a very clever plan to continue to grow in an area where there's no water to support that growth. So I look to the wisdom of the planners.

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

Mr. R. Miller: Thank you, Mr. Speaker. One of the comments made by the Member for Red Deer-North is certainly something that intrigues me, and that is her assurance that in both Bill 54 and Bill 55 the water is for domestic use only. I understand it's potable water, it's drinking water, but I have concerns that some of this water will end up being used for commercial or industrial use. I don't know how you could possibly stop that from happening once it's moved into a community. So do you not share the same concerns I have that some of this water may end up being used rather than simply for domestic use, as you said a minute ago, that some of it may actually be for industrial or commercial use?

The Deputy Speaker: The hon. member.

Mrs. Jablonski: Thank you, Mr. Speaker. I know that the amount of water that is allowed for this bill has a cap. I would say to you that because we know how much water is going to be transferred, that's where I take some comfort in knowing that it's not a never-ending supply. We know it's the 10,000-whatever decametres that's in the bill.

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

Dr. Taft: Well, thank you. I really appreciate this exchange. I hope that the Member for Red Deer-North urges her colleague in the cabinet the Minister of Sustainable Resource Development to address the kind of planning she's talking about in his land-use plan. It doesn't make sense, we agree – at least you agree with us – to allow development in areas where there's no water. That may well be the kind of restriction that we would look for in the land-use framework, whatever you're calling it, that's going to come out soon. Lean on your minister to make those plans happen.

Thanks.

The Deputy Speaker: Does the hon. Member for Red Deer-North wish to respond? Others on 29(2)(a)?

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

Does the hon. Member for Drumheller-Stettler wish to close?

Mr. Hayden: Let's vote.

[Motion carried; Bill 55 read a second time]

head: **Government Bills and Orders**
Committee of the Whole
(continued)

[Mr. Marz in the chair]

The Chair: I'd like to call the committee to order.

Bill 2

Conflicts of Interest Amendment Act, 2007

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

Mr. Elsalhy: Thank you, Mr. Chairman. It is my pleasure to rise today before the Committee of the Whole to speak to Bill 2, Conflicts of Interest Amendment Act, 2007. As you know, this bill passed second reading on May 9, 2007, and was then referred to the Standing Committee on Government Services on May 30, 2007, very shortly before the spring session adjourned.

The Standing Committee on Government Services met a total of 10 times and received six written submissions on this bill from individual citizens and associations, people who had issues or people who had some ideas or remarks. A number of issues then came forward, came to the forefront throughout the committee's review, and we had the opportunity to explore them both as members, amongst ourselves, and with stakeholders. The committee issued a report, and I'm sure everybody in this House actually read it and read it very thoroughly.

This was the same procedure we used for Bill 1. The report is actually available as a sessional paper because it was tabled in the Assembly. It's also available online for those members who care to go to the Assembly website and read it. Unlike Bill 1, though, it is not as thick or dense as the recommendations from that particular legislation. This one here is roughly two and a half or three pages, so I urge all members to check that out.

Most of the amendments that the committee is proposing are of a technical nature. We had extensive help, assistance from officials in the Ministry of Justice as well as our own Legislative Assembly Office, and I actually have to express my gratitude as the deputy chair of the standing policy field committee and on behalf of all members who sat on the committee for the assistance we received from those officials from Justice and from the LAO.

The committee actually made some recommendations. Those recommendations were tabled earlier. Today I would like to actually introduce these as an official amendment in Committee of the Whole. Hopefully the pages can distribute that.

5:20

The Chair: We'll allow time to do that. We will refer to this amendment as amendment A1.

The amendments that are written here say moved by Mr. Cenaiko.

Mr. Elsalhy: Yes. On behalf of the chair of the committee.

The Chair: You're moving it on behalf of him, so we'll change the wording to that?

Mr. Elsalhy: Yes.

The Chair: Okay. I believe you can proceed, hon. member.

Mr. Elsalhy: Thank you, Mr. Chairman. The first thing I have to ask you to do, please, is that we are hoping that the amendments get severed. We have amendments A, B, C, and D, as per that sheet, and we don't want to proceed as an omnibus amendment. We want them severed into their individual clauses, please, as is customary.

The Chair: So you're suggesting that we deal with them in four parts: A1A, A1B, A1C, A1D?

Mr. Elsalhy: Please.

The Chair: This has been done in the past, and we'll allow that to happen again.

Mr. Elsalhy: Thank you very much. As such, I will start with the first one. The first one is amendment A1A now. It's a committee amendment that was proposed by the Department of Justice. It recommends that a member should only be required to disclose those legal proceedings of which he or she is aware. This proposed amendment would bring the provision more closely in line with the recommendations of the Select Special Conflicts of Interest Act Review Committee, which I also happened to sit on about a year ago. That committee actually did extensive work on the Conflicts of Interest Act itself and made wonderful recommendations which led to the introduction of Bill 2. Now we're making it extra clear. We're making something that is good even better.

People have indicated to us that sometimes there is a legal proceeding that is brought against me that I'm not aware of. Maybe somebody is a vexatious litigant. Maybe somebody is doing some frivolous lawsuit just to get me in trouble or just to maybe distract me from my duties. That extends to all other members of this House, and it also extends to members of cabinet and so on. There might be a legal proceeding against me; there might be 10 of them, and maybe I'm not aware of any of them. This particular amendment, as suggested by the Department of Justice, deals with this in terms of me disclosing to the Ethics Commissioner based on what information I know. If it's something that I'm not aware of, how could there be an expectation for me to report it to the Ethics Commissioner?

I think it makes sense. I'm urging all members of the Assembly to support amendment A1A.

The Chair: Okay. Does anyone else wish to participate?

Are you ready for the question on amendment A1A?

Hon. Members: Question.

[Motion on amendment A1A carried]

The Chair: Do you wish to proceed to some more?

Mr. Elsalhy: Thank you again, Mr. Chairman. Now moving on to amendment A1B, this is a committee amendment as well that was proposed again by the Department of Justice. This proposed amendment would allow a person who has been financially affected by a member's breach of the act to pursue an action against any person, including the member himself or herself who has gained financially from the breach. The proposed amendment would bring the provision more closely in line, again, with the recommendations from the select special committee which reviewed the act a year earlier.

Basically, it talks about furthering the interests of somebody. Furthering their interests resulting in a financial gain or otherwise doesn't only apply to the member in question; it also applies to any other person out there who might or might not be related to the member. So we're just extending that definition. Again, it's a recommendation that was supported by both the earlier committee and the latter one.

Dr. Taft: You know, my advice to members is to pay close attention to some of these because everyone of us will get caught up in this kind of legislation.

My questions to the Member for Edmonton-McClung: are there any limits to the scale of restitution that might be sought, and can that include both punitive as well as compensatory aspects? In other words, could an action be brought against one of us that seeks not only to be compensated but also to punish, which is not uncommon in some courts of law?

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

Mr. Elsalhy: Yes. Thank you very much, Mr. Chairman. While this is definitely a technical question, a legal question that I'm not qualified to answer, my understanding as a layperson is that if as a member of this Assembly or a member of cabinet I did something that basically amounts to a proven or evident conflict of interest that led to somebody benefiting and then maybe also led to somebody, you know, being unduly impacted or being negatively impacted, that person can bring action against myself and also can bring action against the people who benefited from my conflict of interest. That is my understanding. Whether it is punitive or whether it's only restitution, I honestly am not qualified to answer that, but I know that one of my colleagues who sat on the committee has the legal expertise to address it, the Member for Calgary-Nose Hill.

The Chair: The hon. Member for Calgary-Nose Hill.

Dr. Brown: Well, thank you, Mr. Chairman. In response to the hon. leader's inquiry, my understanding of the provision is that restitution means that. It means to restore to the previous state of affairs prior to the ill-gotten gains. In other words, there is no limit on the amount deliberately because it's limited to the amounts which are in fact ill-gotten gains. I think that responds to his question.

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

Dr. Taft: Thank you. Again, I suppose, to the Member for Edmonton-McClung on this particular issue. This will involve a case in the Court of Queen's Bench, as I'm reading the section here, which could be very costly. I'm wondering if there was any thought given to who might cover those costs. You know, if there was a prolonged legal battle and in the end the case from the government fell apart or the case from the person seeking restitution fell apart, is the MLA personally exposed to paying the costs of defence?

Also, a second question would be: I suppose there's a safeguard in here, but is there any risk here of mischievous actions?

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

Mr. Elsalhy: Yes. Actually, we discussed the issue of mischief and people just suing for the sake of suing. We felt that nothing that we do here is going to prevent people whose minds are set to sue us and to make us look bad from doing that. What this is dealing with, to the hon. Leader of the Opposition, is basically when I as a member use inside information or use accessed information that is not available to other people to further the interests of either myself or people I know and in doing that somebody gains either financially or otherwise and somebody may be hurt or loses financially or otherwise, that person, who in their opinion experienced that loss, would now have the ability to sue to get restitution and potentially even for fines or other sanctions against me.

5:30

I have to have committed the conflict of interest initially to be subject to this. It's not just any MLA, and it's not just anybody

suing any MLA because they feel like it. It's basically because I put myself in that conflict that somebody has experienced a loss or experienced some ill effect or side effect from my action as somebody who has inside information, and maybe I used it to, you know, further the interests of a friend of mine, for example, or somebody the government is in a contract with. There is nothing to stop people from continuing to sue us vexatiously or frivolously. This is only if I am asking for it. As a member of this Assembly or a member of cabinet who did something wrong, I deserve what's coming.

The Chair: Are there others on this amendment? The hon. Member for Edmonton-Riverview.

Dr. Taft: Well, thank you, Mr. Chairman. Again on this particular amendment, I think people should be paying close attention. As I read the section, it says: "any person affected by the financial gain, including the Government or a Provincial agency, may apply to the Court of Queen's Bench." So one of us could be taken to the Court of Queen's Bench by a government agency, which is quite a different situation and, I think, one that we might want to consider the wisdom of. I don't have any specific concern, but I just want to point that out.

I also wish to ask the Member for Edmonton-McClung if he can tell me if this would have any retroactive applications. For example, if somebody last year was discovered to have made a tremendous amount of money through a conflict of interest and was found in breach of the act as laid out here, could they be taken to Court of Queen's Bench by a government agency next year?

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

Mr. Elsalhy: Thank you again, Mr. Chairman. Let me start by saying that I definitely don't have the legal expertise to maybe give as full an answer as the Leader of the Opposition is hoping for, but I'm going to reply to him again as a layperson and someone who sat on the committee.

I don't think the act would be applied retroactively. I think the act comes into force and then moves forward. The discussion in the committee and even in the earlier committee, if I remember correctly, had to do with how much time those records are kept in terms of potential conflict, you know, our returns, submissions to the Ethics Commissioner, how long he keeps them for, and so on. I don't think the act could be applied retroactively.

Now, in terms of a government department or a government agency going to the Court of Queen's Bench to sue, I actually don't view this as a negative. I think it's also a positive because it offers that added accountability and that added layer of openness. If a government agency – they're not all necessarily bad, and we have to make this clear in this House. Government agencies sometimes discover things through their own internal audit mechanisms, or the Auditor General might unravel something that a government agency would then investigate further. If they discover wrongdoing against myself or against the Minister of Justice or the Minister of Employment, Immigration and Industry or whoever, maybe we should give them that tool, give them that licence to go to the court and alert the court and say: "You know what? We discovered that this particular MLA or this particular minister has done something wrong. We think that the money should be paid back, and maybe compensation should be offered to the other person or entity that got adversely affected."

I look at it as a positive, actually. I don't think it is particularly negative or particularly unsavoury. You know, yes, if they discover that there has been wrongdoing and that money changed hands

because of it, I think they have a duty to report it, and they have a duty to pursue it. If we can save taxpayers money by doing this, or if we can reclaim some of the money that was maybe inadvertently lost or misplaced, then I think that's the way to do it.

Would the Member for Calgary-Nose Hill care to supplement?

Dr. Brown: Well, the hon. Member for Edmonton-McClung has certainly covered it very well. As I mentioned previously, the purpose of that particular subsection of the legislation is to require anyone who has wrongfully benefited or made a personal financial gain to disgorge those gains. I think that's equitable.

The amendment that the hon. member refers to, part B, is just expanding the concept to include any other person who has improperly gained. That could be the member's brother or the member's spouse or anyone else. That's simply, I think, a reasonable provision, to require anyone who has benefited improperly by reason of a conflict of interest to not gain financially by those deeds.

The Chair: Are there others? The hon. Member for Edmonton-McClung.

Mr. Elsalhy: Thank you, Mr. Chairman. Now moving on to amendment A1C . . .

An Hon. Member: No. We have to vote.

Mr. Elsalhy: Oh, we have to vote. Okay.

The Chair: Has everybody spoken on A1B that wishes to? Hon. Member for Edmonton-Calder, did you wish to speak on this particular clause?

Mr. Eggen: No. Thanks.

The Chair: Are we ready for the question on A1B?

Hon. Members: Question.

[Motion on amendment A1B carried]

The Chair: Okay. Hon. Member for Edmonton-McClung, you may proceed on C.

Mr. Elsalhy: Yes. Thank you, Mr. Chairman. On behalf of the committee section C here is a committee amendment that was proposed by the Department of Justice, again, and it's basically cleaning up some of the language. The word "activity" is inappropriate in the context of this provision. An activity cannot be awarded, approved, or given. An activity is undertaken, but it's not awarded or given or approved. This proposed amendment reflects a simple improvement in the drafting language, something that was missed initially.

Then sub (b) under there is also a committee amendment that was proposed, one more time, by the Department of Justice, as you guessed it, which would allow a person who has been financially affected by a former minister's breach of the act to pursue an action against any person, including the former minister himself or herself, who has gained financially from that breach. While the original recommendations of the Select Special Conflicts of Interest Act Review Committee did not contemplate claims against persons other than the former minister, we're now offering that extra accountability mechanism. We're opening the door, basically, for anybody who benefited to be held accountable, to be held liable. This proposed

amendment would bring this provision in line with the restitutionary provision applicable to members. So now we're extending it as well to ministers and then to anybody who benefited from the conflict of interest.

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

Dr. Taft: Thank you, Mr. Chairman. Again I urge the members of this Assembly to pay careful attention because we are on the hook here.

Would the hon. Member for Edmonton-McClung, who is doing a marvellous job, for the record, be able to advise me – and this may sound farfetched, but I don't believe it necessarily is – when it says in this amendment “or any other person,” if that person might be liable for an action against them, recovering money obtained through a conflict of interest, if there was not knowingly a conflict of interest there? I'm thinking, for example, if a cabinet minister's daughter or any other person – a cabinet minister's business associate or, indeed, the way this is written, a cabinet minister's business associate's daughter; I could go on and on because it says “any other person” – benefited thinking that a deal had been conducted properly, only to discover after the fact that somebody in that chain had been in a conflict of interest: was there any consideration of that sort of possibility, if you're understanding what I'm saying? We may be casting the net a little bit casually here.

5:40

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

Mr. Elsalhy: Yes. Thank you, Mr. Chairman. Again, as a layperson I'm going to explain to the hon. Leader of the Opposition how I understand this and how the discussion of the committee went. Basically, I think the rate-controlling step, like we deal with this in the laboratory or as a pharmacist – this is something that we've discussed. You have an equation, you have a chain of reaction, but then there's usually a rate-limiting step or a rate-controlling step. In here the rate-controlling step is: who is the person going to the court asking for sanction? The person who has been adversely affected by a conflict of interest: this person lost money, lost business, lost an opportunity somehow and is now seeking compensation. So that person goes to the court and says: through a conflict of interest the government awarded, you know, a contract or a benefit to X, Y, and Z, and I think that because of that conflict of interest X, Y, and Z should pay the money back, and I should maybe be considered for that particular contract.

Now, the court will make that decision. The court will study the case, will study the circumstances surrounding the case, and will say: okay; was that particular minister in a clear and proven conflict of interest? Could we prove that he knowingly advanced the interests of his daughter or his business partner, that through inside information that's how the business partner or the daughter submitted their tender, for example? And so on.

Based on this, the court is going to make that decision. If it's not convinced that there was a clear conflict of interest, that it wasn't malicious, that it wasn't criminal, the court might dismiss it. If the court is convinced that it was, then both the minister or that person who had that inside information, had that conflict of interest, is going to be held liable. Then that person or entity who benefited is also going to be brought into this court case, and maybe they'll be forced to relinquish, pay back the money, give up the contract, or there might be other sanctions as the court deems necessary.

I'm not a lawyer, unfortunately, and this is a question that is best directed at somebody who has the legal expertise. But that's my

understanding. As such, I don't think it's an unfair amendment. I think this is a fair amendment, that that third party that benefited is brought into that court case.

Thank you.

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

Dr. Taft: Thank you, Mr. Chairman. Let's just take an example that's very newsworthy right now, or let me use an example that will echo with the newsworthy example just so there's, you know, no problem. Let's assume a senior elected government official obtained \$300,000 in cash in brown envelopes. Let's just imagine that might happen. Then that person who received the \$300,000 cash left office and got into a business deal, and it wasn't discovered at the time, and that \$300,000 of cash was mixed in with the interests of the other business associates. They didn't know that it was obtained inappropriately, and they continued to develop their business. Is there a point at which those people, because it does say in this amendment “any other person,” might find themselves on the hook for that \$300,000 cash even though they never had any idea that it was obtained inappropriately?

Mr. Elsalhy: Now, that's an interesting example. I know it's hypothetical. This kind of stuff, hopefully, doesn't happen in Alberta, but should it happen in Alberta, with the act as it's presently worded, the Ethics Commissioner will now hold that person liable and accountable because that person failed to disclose income.

You know, Mr. Chairman, we all disclose income annually. Even gifts and stuff that are given to us if they exceed a certain limit have to be reported. Everything we own, everything we invest in, all the investments, all the companies we hold, and so on have to be disclosed to the Ethics Commissioner on an annual basis. So that particular politician, before having left office, made that kind of money or received that kind of money and has not reported it to the Ethics Commissioner: in this particular case that person is in deep trouble, is in extreme hot water.

Now, if that person used this money to advance the interests of that other person and knowingly did this to circumvent the rules or to bend the rules or to give an unfair advantage to that person, well, yes, that person should be also brought into it because that person gained from that arrangement, gained from that relationship unduly. He didn't deserve to make that money or he didn't deserve to win that contract in particular, and that conflict of interest right there led to that award, and maybe that should be reversed. The person who had the conflict of interest should be dealt with forcefully, and he should be made an example of. The person who, you know, unduly secured that benefit or that award should also be at least asked to repay it to the public purse.

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

Mr. Agnihotri: Thank you, Mr. Chairman. If the recommendations are made by the Department of Justice, why don't you, the Member for Edmonton-McClung, ask the question to the Minister of Justice?

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

Mr. Elsalhy: Yes. Just for clarity, it was basically officials from the Department of Justice who helped the committee all along. They offered the technical assistance, they offered the expertise, and they actually acted as a resource for the committee, so it's not really a question of us versus them. This was an all-party committee, and whenever we needed that support, whenever we had questions that

maybe we couldn't answer ourselves, we had Parliamentary Counsel and we also had the Ministry of Justice staff that were there at our disposal. I'm actually quite envious because I think we can use some of those same officials in our own caucus whenever we're doing internal discussions and internal deliberations. Maybe in the future there might be a provision for, you know, legal expertise to be made available to us.

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

Dr. Taft: Well, thank you. Just picking up that comment from the Member for Edmonton-McClung, do you think there's perhaps a conflict of interest or an unfair advantage when one caucus gets access to the legal resources of the Department of Justice and the opposition caucuses do not?

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

Mr. Elsalhy: Yes. Thank you. I am basically going to restrict my comments to the committee. The committee was an all-party committee, and it's a creature of this Assembly. As such, it was deemed appropriate and prudent to offer the committee that resource.

Now, if the Leader of the Opposition has any proof or evidence that members from the ruling party get access to government expertise and government advice, then definitely I think it's an issue of fairness, and maybe that courtesy should be extended to all caucuses operating in this Assembly.

The Chair: Are there others?

Are you ready for the question on amendment A1C?

Hon. Members: Question.

[Motion on amendment A1C carried]

The Chair: Hon. member, on section D.

Mr. Elsalhy: Yes. Thank you very much, Mr. Chairman. Section D has two parts: part (a) and part (b). Part (a) is something that we discussed in the committee, and it was brought forward by Justice. Again, the word "activity," just as we did briefly before, is inappropriate in the context of this provision. This is basically a drafting fix – you know, we're fixing some of the language – so it's really minimal, and I hope we don't spend any time on this particular one.

Amendment (b) under there is allowing a person who has been financially affected by a former political staff now – we talked about MLAs; we talked about ministers; now we're talking about political staff – when they breach the act to pursue an action against any person, including that former political staff member, him or herself, who has gained financially from the breach.

While the Select Special Conflicts of Interest Act Review Committee made a general recommendation in that regard, you know, with respect to the cooling-off period, we felt that those political staff, those senior officials, also have a lot of access and a lot of clout. We felt that bringing them in under here was also a measure of accountability and a measure of tightening up the rules a bit because we felt that they, too, have a lot of access and a lot of clout. Their cooling-off period should be introduced, and that is something that everybody agrees to. The length of that cooling-off period is a question that maybe should be brought up in the Assembly because we all agree that cooling off is a done deal. How long, I think, is the question.

The committee felt that it didn't address questions of punishment

and restitution for violations of the cooling-off provisions. This proposed amendment would bring the provisions in line with that restitutionary direction that is applicable to both members and former ministers who are now bringing in senior political staff in this mix.

5:50

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

Dr. Taft: Thank you, Mr. Chairman. A question for either the Member for Edmonton-McClung – I guess I need to identify a specific one – or if he's unable to respond, the Member for Calgary-Nose Hill could respond perhaps. My question is really pretty straightforward. How extensively was the Ethics Commissioner and/or his staff involved in developing this amendment or, for that matter, any others?

The Chair: The hon. member.

Mr. Elsalhy: Yes. Thank you, Mr. Chairman. The Ethics Commissioner was actually involved and engaged from day one. It was basically the committee, that Select Special Conflicts of Interest Act Review Committee, which did the initial work. The Ethics Commissioner was not just invited as somebody who presents to the committee; he was actually engaged more like a partner to the extent that the Ethics Commissioner and his staff actually made a presentation. They made a submission to the Conflicts of Interest Act Review Committee detailing what they would like to see. They actually told us: if you're coming to us to tighten the act and to make it, you know, less leaky and to rid it of some of the loopholes that are in it, these are things that we would like you to discuss. They didn't tell us we had to do it, but they told us that these were things they wanted us to go over and to discuss and to evaluate.

We heard the Ethics Commissioner and his staff. We actually addressed most of his concerns, but this is basically taking it a step further. This is basically offering that extra layer of accountability. I think, to answer that question, that the Ethics Commissioner was actually a partner in this process from day one.

The Chair: Are there others?

Are you ready for the question on amendment A1D?

Hon. Members: Question.

[Motion on amendment A1D carried]

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

Mr. Eggen: Thanks, Mr. Chair. I certainly appreciate the opportunity to speak back on the actual Bill 2. I actually had an opportunity to sit in on one of the meetings where Bill 2 was being drafted. It was an all-party committee that seemed to be functioning quite well. Certainly, the spirit of co-operation was more prevalent than not, although in one section that I happened to attend, I did have a problem with the fact that the cooling-off period was changed in Bill 2 from I think it was 12 months down to six months. I was wondering about that because it seemed as though people had voted on it before, and then it was as though it was being rescinded. Certainly we didn't see that in the energy and environment committee. You know, once we organized it, we organized it. I felt as though there were larger forces at hand somehow, pulling this committee back from making a reasonable decision and perhaps nefariously influencing the causes of democracy within the committee.

I was a bit concerned about that, and I was curious to perhaps seek

clarification as to why that sort of happened in the 11th hour of the formation of Bill 2 through this all-party committee. Of course, whenever you're making these sorts of regulations and the amendments that were brought forward by the hon. Member for Edmonton-McClung, forwarded from the chair, I was struck globally by looking at these as to the importance of all-inclusivity when you're making rules about conflict of interest. You can't pick and choose too much because, of course, you can always find exceptions to any circumstance. We do that all the time when we're making legislation in this House.

You know, while the accommodation for exceptions is useful, when you're talking about conflict of interest, I don't think that that is the best path necessarily because when you're dealing with the highest level of government decisions, the capacity to influence legislation that might benefit one group over another or one individual over another is massive. By definition you are, by choosing, making a potential opportunity for one or another group, right?

I believe that this does not just extend to the elected members of this House. It seems to me that there are people behind the scenes that are making these decisions at least at the same level or even more so. Referring back to the example of my one time in this fine committee, the elected people all decided something, and then somebody else obviously had decided something different. That could very well be nonelected officials who are making those recommendations to the elected officials. That very example I think proves the necessity of actually extending that 12-month cooling-off period to all individuals and not just to the ministers involved.

I think that that is an eminently reasonable condition to bring forward. Thus, I will do so with an amendment that I have available to me here now. I have an amendment that I would like to pass on to each member . . .

The Chair: Did the hon. member wish to make a motion to rise and report progress as well?

Mr. Eggen: I'd like to rise and report progress of the evening thus far.

The Chair: Do you move that we rise and report progress?

Mr. Eggen: Sure. Absolutely. Thank you.

[Motion carried]

[The Deputy Speaker in the chair]

Mr. Hayden: Mr. Speaker, the Committee of the Whole has had under consideration certain bills. The committee reports progress on the following: Bill 2. 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 Deputy Speaker: All those in favour of the report, please say aye.

Hon. Members: Aye.

The Deputy Speaker: Opposed, please say no. So ordered.

The hon. Deputy Government House Leader.

Mr. Renner: Thank you, Mr. Speaker. I would like to congratulate the members for making some considerable progress this afternoon and suggest that given the fact that it's 5:58 we give ourselves a break and go home a little early, call it 6 o'clock and adjourn until 1 tomorrow afternoon.

[Motion carried; at 5:59 p.m. the Assembly adjourned to Wednesday at 1 p.m.]

