

## Legislative Assembly of Alberta

**Title: Monday, December 3, 2007**

**8:00 p.m.**

Date: 07/12/03

[The Deputy Speaker in the chair]

**The Deputy Speaker:** Please be seated.

head:

### Government Motions

#### Time Allocation on Bill 46

37. Mr. Renner moved on behalf of Mr. Hancock:

Be it resolved that when further consideration of Bill 46, Alberta Utilities Commission Act, is resumed, not more than one hour shall be allotted to any further consideration of the bill at second reading, at which time every question necessary for the disposal of the bill at this stage shall be put forthwith.

**The Deputy Speaker:** The hon. Deputy Government House Leader.

**Mr. Renner:** Thank you, Mr. Speaker. This bill has already had in excess of four hours of debate in second reading. There are, as all members are aware, a number of very critical amendments that the government wishes to get onto the table, and with an additional one hour that will be in excess of five hours at second reading. We feel that it's reasonable to move forward at this point in time so that we can move into the Committee of the Whole and introduce the amendments.

**The Deputy Speaker:** The hon. Opposition House Leader.

**Ms Blakeman:** Thank you very much, Mr. Speaker. Of course I am speaking against this motion, and again I will raise my deep concern with the government choosing to use special power that is granted to it through legislative or parliamentary procedure. Truly the government benefits from our parliamentary process. There are special provisions that are set up to allow or intended to be used for extraordinary circumstances. In a case where there had been, you know, hundreds of hours or tens of tens of hours of debate on a bill and some need to move along with it to meet a court ordered deadline or something like that, I could see a justifiable use of time allocation. But that's not what we're experiencing here.

Frankly, it takes over five and a half hours for every member not in the government caucus to speak in second to a bill, and we have not even been able to achieve that. In fact, given the time allocations that have already been brought forward, we will not be able to achieve that. So never mind backbenchers, never mind rural members of the government caucus who need to be able to be on the record to explain to their constituents why they would be supporting – or perhaps they're not – a bill that has a disproportionate effect on rural landowners. That's not even including time for them, Mr. Speaker.

There's the government with horror in their hearts that we might be going over five hours' worth of debate in second, Mr. Speaker. This is an appalling abuse of a special process that is granted to government under extraordinary circumstances that they now use, you know, like a glass of water. It really is abusing the situation. This Bill 46 is a bad bill. It should have been taken off the table and repaired or, perhaps, it could be argued, never brought in. It is curtailing democratic participation. It continues to do that despite the rumoured amendments that are coming. It does preclude that democratic participation from the government caucus's strongest supporters, and perhaps that's why they feel the need to rush this bill through so quickly.

Let's have a look at how much time has been spent in debate on some other bills. In British Columbia, a government that this government says it admires greatly, they spent over a hundred hours debating the land claims issue that they had a couple of years ago – over a hundred hours. When we were debating Bill 11, which is the biggest bill that has been debated in this House in many years, we, I believe, were up in the 60-hour mark before closure was brought in, and here we have a government bringing in closure after four hours of debate in second.

I don't need much of a crystal ball. Actually, we've already had oral notice that the government plans on bringing in closure in committee after three hours tomorrow afternoon and closure again in third after one hour. So we'd be looking at approximately nine hours' worth of debate on this entire bill, Mr. Speaker. That is an appalling – appalling – misuse of legislative process to be able to cover up a government embarrassment, and that's what's going on here. This is a government embarrassment. They're trying to get it off the record, get it off the page as quick as they can, and they have misused a parliamentary process in order to do so. I think it's about saving face for a minister who is in trouble. All I can see is a peevishness to get out of the session by Thursday in order to, I presume, attend Christmas parties.

Certainly, I can see a much better reason for staying in the House, debating this bill and other bills, but, no, there is a hell-bent for leather push to get out of here by Thursday. I cannot describe to you my disappointment in this government and in the tactics that it has chosen to use. None of it justifies the use of closure, and I object to the use of it strenuously, Mr. Speaker.

Thank you.

**The Deputy Speaker:** Hon. members, this is a nondebatable motion. The mover and the Opposition House Leader each have five minutes to speak. They have done so.

[Government Motion 37 carried]

head:

### Government Bills and Orders Second Reading

#### Bill 46 Alberta Utilities Commission Act

Mr. Eggen moved on behalf of Mr. Mason that the motion for second reading be amended to read that Bill 46, Alberta Utilities Commission Act, be not now read a second time but that the subject matter of the bill be referred to the Standing Committee on Resources and Environment.

[Debate adjourned November 20: Mrs. Mather speaking]

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

**Mr. Lund:** Well, thank you, Mr. Speaker. It gives me great pleasure to have the opportunity to rise and speak briefly on Bill 46, the principles of the bill. I think that it is very necessary that we do split the EUB and that we establish the ERCB and the utility commission. The reason I say that, of course, is because there is so much work going on on the energy side, and at the time when we amalgamated the two boards, there was not anywhere near the activity that there currently is. So I think that it's really important that we do split them and that we do have a utility commission.

I think that another principle of the bill, of course, is to enhance the role of the Utilities Consumer Advocate. Having been responsible for that position for some time, I can tell you that it played a

very, very important role speaking up for the consumers of the province. As we move forward, giving it even more ability and setting a board up that it would answer to is going to, I think, really enhance the role of the Utilities Consumer Advocate.

When we look at the personnel that are involved, particularly if we can somehow use the services of David Gray, who is currently the Utilities Consumer Advocate – this gentleman knows the system. He knows how it all works. He's very, very intelligent. Mr. Speaker, I know that he's the type of person that if he needs some more expertise, he will get it. He will simply admit that there's something that he needs help with. I believe that they will do just a tremendous job for us and protect the consumer in the province.

Particularly as we move forward and we see the amendments – I know that the amendments were tabled so we know now that the Utilities Consumer Advocate is going to be housed. It has to be housed someplace, and it will be housed . . .

**Ms Blakeman:** Point of order, Mr. Speaker.

**The Deputy Speaker:** Hon. member, on a point of order?

#### Point of Order Relevance

**Ms Blakeman:** Yes. I'm sorry to interrupt the member, but we are speaking on a referral motion to refer this bill to a standing policy committee. If I may use citation 23(b), or also relevance under *Beauchesne* 459, and call the member to order.

**Mr. Lund:** Hon. House leader, I apologize.

**Ms Blakeman:** Well, you're supposed to be talking to a referral motion.

**The Deputy Speaker:** Hon. member, on the point of order?

**Mr. Lund:** Yes, on the point of order, Mr. Speaker. I apologize if I'm speaking about the wrong thing. I did not know that it was simply with the motion to refer it to the committee. I'm sorry. I thought it was on Bill 46 as it's presented. Okay. I'm sorry. That'll be all I have to say for now.

#### 8:10 Debate Continued

**The Deputy Speaker:** We're on the amendment. Okay? Anyone else on the motion to refer? The hon. Member for Cardston-Taber-Warner.

**Mr. Hinman:** Thank you, Mr. Speaker. I would vote in favour of this motion. [interjection] For a little while.

It really is sad that we want to call this a democratic process. The hon. Member for Edmonton-Centre has brought up a lot of the points that I would like to bring up in order that we can go forward. We haven't spent any time on this. This is a new bill. It's going to make a dramatic change in how business carries out business in the province and how they expropriate land from landowners, and it needs more studying.

We had the bill in front of us, Mr. Speaker, for over five months, and they threw the 23 amendments, which goes to speak to how faulty this bill was, last Thursday and expected us through the weekend to be able to have digested that and to say: oh, everything's fixed now. It isn't fixed. It's not in the interest of Albertans. This is a bill that's making a major change in how business is going to be conducted and in the ability of landowners to say no to transmission lines, pipelines, and other things that cross their land and that are

going to affect them for a lifetime. Maybe, you know, three, four generations down the road are going to be affected by this bill, and to invoke closure is totally undemocratic.

We need to send this to committee. It needs to be studied. It needs to go out to rural Alberta again and the landowners so that they're comfortable with it. Even if it is a good bill, they're not comfortable with it. This government should know and understand that, but they're going to shove it down the throats of Albertans. I think they're going to pay a price for it, and that's fine, but then we still have to rescind the bill. So, Mr. Speaker, I think it's critical that this bill goes to committee, that it's studied, and that Albertans are familiar with it and not just a \$27,000 blitz campaign to say: oh, it's okay; trust us.

**Mr. MacDonald:** How much?

**Mr. Hinman:** I think \$27,000 just this weekend, taxpayer funded to promote their expropriation bill.

**Mr. MacDonald:** Is this after they rejected the Auditor General's report?

**Mr. Hinman:** Yes, after they rejected the Auditor General's report.

Anyway, I vote in favour of this amendment, and I hope that all the MLAs sitting in this House will consider that and the importance of this. This isn't a quick little amendment to some bill that's been floating around. Why didn't they use closure on 20 other bills that aren't as critical as this one?

I support this amendment, and I hope everyone will think it over twice before they vote. Thank you.

**The Deputy Speaker:** Others?  
Are you ready for the question?

**Hon. Members:** Question.

[Motion on amendment A1 lost]

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

**Mr. Elsalhy:** Thank you very much, Mr. Speaker. It is typically my pleasure to rise and participate in debates in this House, but tonight I am of two minds. Part of me is of course pleased that I am here advocating on behalf of my constituents and expressing either support or opposition to a government bill, in this case definitely opposition, but the other part of me is also angry, first of all, at the government which drafted Bill 46 and then also at members of the government caucus for now limiting debate to one hour in second reading, three hours in committee, and then one hour in third.

Every session, Mr. Speaker – and I have been here for three years – there are typically one, maybe two contentious bills, bills that are controversial enough to generate or awaken some interest among Albertans. I call these issues or these ideas or these bills Trojan Horses. Take, for example, Bill 11 a few years ago and to a much lesser extent the third way, which followed afterwards in 2005. Take Bill 20 last year, making government more secretive, less open and transparent. When we talk about closure or censorship, it was, I think, tallied that under the former Premier closure was used some 38 times. Well, under this Premier that's his first three in one session right there. If we spent more time, this government was going to be in extreme hot water.

The same happened with Bill 20. People were starting to catch on. They were starting to pay attention. They were starting to ask tough questions, writing to their MLAs, letters to the editor, and so

on, asking, "Why is the government so bent on hiding ministerial briefing notes?" for example, or "Why were they so adamant that findings of internal audits were to be sealed for 15 years out of sight, out of access?"

Instead of addressing these concerns back then in 2006, the government brought in closure. They said: well, let's just kill this issue and move on. I was the critic for government services back then, in 2006. In an exchange with the hon. Premier, before he became the Premier, I told him that Bill 20 was really offensive and that I felt very bad that the government did what it did. He replied to me that it was really the critic not doing his job; otherwise, how would we have accepted closure?

Well, the government has the numbers. If all of us say no to one issue and they all say yes or half of them say yes or a third of them say yes, then it's a done deal. I don't think it was really the critic not doing his job. I think it was just a government that is so adamant about keeping that distance between itself and the opposition, between itself and the media, and between itself and the public.

This year it is Bill 46. It follows on the heels of the EUB spying scandal, but this time, compared to other instances, the public is catching on and catching on very quickly and in larger numbers. I think that if we're using the Premier's argument, then I must say that the critic, or the shadow minister, this year is doing an extremely good job. He also happens to be the Member for Edmonton-Gold Bar. He is not going to let the government off this easy, and neither are we in the opposition. Edmonton-Gold Bar is opposed; the Official Opposition is opposed; the third party is opposed. Albertans have caught on.

Earlier in this House there was a bit of sniping and a bit of short temper. I think that if anything it is indicative of how potentially damaging this bill is to the Tories. A bill does not exist by itself or in isolation. It is a clear reference to a government policy or direction, one in this case which wants to deny basic rights to affected Albertans, a direction which would further weaken democracy in this province and erode public trust in this administration even more.

As I said, this bill is a Trojan Horse, and the Ministry of Energy is actually spinning it, or marketing it, as a solution, not as a problem. Well, I find it a problem. After 36 years under this government Alberta is suffering from a democratic deficit. We are doing good things to address it, but we are also equally doing bad things to further it or to make it even worse. Bill 46 does that. It takes people's rights away: the public's and, in particular, landowners'.

Trust is a two-way street, Mr. Speaker. I know the government sometimes considers the cities as iffy but takes the rural vote for granted. They rely on the rural vote. On Thursday the Education minister responded to one of my comments about rural Albertans being upset with something like: let's wait and see what happens in the next election. I know that the government is feeling heat. That might explain why they're spending thousands of dollars on a media campaign to reassure people: "You know what? Do not worry. Everything is fine. We listened to your concerns, and we're acting on them." But the rural folk are not buying it this time.

These ads, Mr. Speaker, which were tabled today, basically tell Albertans not to worry. I don't believe them, and I don't think most people do as well. There's actually a joke among reporters and Legislature employees that the government bought a \$30,000 car only to spend \$20,000 more on amendments, or improvements. Well, one has to question, then: how good a car was that? I think definitely the government bought a lemon, and it is leaving a very sour taste in many people's mouths. They are said to be bringing

about 22 amendments on their own, and then there are amendments of the opposition, and so on, so I don't think a meagre three or four hours is enough, nor is it realistic. I think it is really criminal.

Now, Mr. Speaker, before I go on, I would like to actually move a motion, which I'm going to give to the pages to distribute. I'll just keep one copy so I can read it at the appropriate time.

8:20

**The Deputy Speaker:** Are you introducing an amendment?

**Mr. Elsalhy:** Yes, Mr. Speaker.

**The Deputy Speaker:** Okay. Could you just give the pages a moment to distribute them?

**Mr. Elsalhy:** Yes. I did.

**The Deputy Speaker:** Could we have the original at the desk?

You may proceed, hon. member.

**Mr. Elsalhy:** Thank you very much, Mr. Speaker. I am moving this amendment on behalf of my colleague from Edmonton-Centre. The amendment actually is to Bill 46, Alberta Utilities Commission Act, to be amended by deleting all the words after "that" and substituting the following: "Bill 46, Alberta Utilities Commission Act, be not now read a second time but that it be read a second time this day six months hence."

Now, why am I doing this, and why is the hon. Member for Edmonton-Centre doing this? Well, we both feel very strongly about the need for better consumer protection in Alberta, Mr. Speaker. I've always thought that consumers needed assistance and protection when it comes to corporations or providers or retailers. Never have I thought that there would come a day when these consumers would need protection from their own government, which is clearly working against them. Mind you, it happened before with deregulation, so I really should not be this surprised.

Mr. Speaker, I cannot support Bill 46. Earlier we tried to refer this particular piece of legislation to a committee of this House for further deliberations. Something of this magnitude warrants examination and close scrutiny, but unfortunately the House did not accept this motion to refer.

I think the next best thing is to actually say: "Okay. Let's just pause it. Let's just put it on hold, spend six months." You know, tempers would settle. People are going to ask good questions and maybe, hopefully, receive good answers and in six months, which is not really that long a time frame given the bigger scheme of government. Come back and consider it, you know, potentially after the next budget, potentially after the next provincial election even.

This bill as it's read, as it's proposed, is really offensive. I find it really ironic that this is the 21st century, and this is Alberta, which is part of Canada, a democratic place where democratic procedures and protocols are in existence, for a government to do this, a government that should know better. It may be acceptable or expected in the Third World, for example, but I don't think it should be accepted or expected here, in a province like this. I should know. I come from overseas, and these are the types of tactics that some of the governments over there do.

As such, this explains my amendment, Mr. Speaker. This bill definitely should be receiving a lot more discussion, a lot more scrutiny, and I think, given the short duration that this House is going to be sitting, we should maybe postpone it till six months from now.

Thank you very much.

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

**Mr. Martin:** Well, thank you very much, Mr. Speaker. I'm not surprised that the previous referral was turned down. I guess hope springs eternal. We have a new amendment to try to get the government to do the right thing, and as I say, hope springs eternal.

I certainly will support this amendment because I think we're rushing into something that we don't need to rush into at this particular time. So if we can put it off for six months, that would be a great thing.

Mr. Speaker, I'm curious about all this. The previous speaker said he's angry. You know, I'm not angry anymore – I'm dealing in the Legislature – but I'm a little bit dumbfounded by why we're pushing ahead with this in the way we are. You know, the government, the Premier has come to the Legislature, and he says it's going to be a new era of openness and transparency. We have a couple of bills that are supposedly taking us in that direction – we can debate those later as bills 1 and 2 – and all of a sudden we have this particular Bill 46, Mr. Speaker, and we're in such a hurry.

I noticed that the Minister of Energy said that we've been debating it for five months. I didn't know we were in the Legislature for five months, but that's precisely the point. The emotions have been running extremely high in this province for five months, and people were upset by what's going on with the EUB. As I said before, Mr. Speaker, the fact that after this ham-handed approach of spies and all the rest of the things and firings that have been with the AEUB, I'd think the last thing they'd want to do is rush through a controversial bill dealing with the EUB. For the life of me, I don't understand that.

You know, we could have had a policy field committee Mr. Speaker – that's what they were supposed to be there for, to check legislation that might be somewhat controversial, hold public hearings, do whatever is necessary – but we didn't do that. We come in with this bill, and now we're into time allocation. It doesn't surprise me – I've been around for a long time – when governments want to do this, but you know it's not like this is a bill that's so absolutely crucial to this government that they'd have to push it forward. That's what makes me confused and dumbfounded about this rush, especially with the timing.

Surely the government must recognize with what's been going on with the EUB, the spies and everything else and the firings and the rest of it, that any legislation coming forward, and one that looks like – it still does – in terms of cutting into public accountability is going to create a lot of friction, and it has, especially in the rural areas but not only the rural areas. We're getting letters from all over about this particular bill. I just, Mr. Speaker, for the life of me cannot understand what the hurry is.

You know, the government told us when they brought this bill forward: my, what a magnificent bill this is going to be. You know, this would solve all the problems of the EUB. Of course, they brought it in before we heard what was going on. But if this was such a perfectly good bill – now they're coming forward, saying they're in a hurry to bring forward amendments, and there is a myriad of amendments to a bill – if it was that good to begin with, why are we coming in with all these amendments? Most of the people that I've talked to don't think these amendments go nearly far enough in terms of what we were talking about in terms of openness and transparency, Mr. Speaker.

Again, we get these amendments. We want to bring them forward. We're going to have three hours in Committee of the Whole to discuss this myriad of amendments that still – I believe, especially when we take a look, there are still a lot of concerns about

the consumer's advocate, the intervenor funding. None of this is clear, even with all the amendments, Mr. Speaker. Anybody that has looked at the amendments is still not satisfied, but I would think that the last thing the government would want to do, especially in the real heartland with the Marthas and Henrys, is keep prodding them, you know, the way they are because they don't find this acceptable. That's what has me absolutely baffled.

You know, sometimes I understand there's a different philosophy across the way, and there's a bill that the government is staking their reputation on. Eventually there's enough debate, and then there's time allocation brought in. This bill just doesn't make that sort of sense to me, why they need it that quickly, you know, especially, as I said, in view of the timing with what's been going on with the EUB. It seems to me the more prudent thing would have been to say: "Okay, there have been some problems. We want to take a look at it. We want to break it up in two." That doesn't seem to be the problem. It's all the other things that go with it, Mr. Speaker, that are creating the problems. "Because we're an open, transparent government, we're going to do the right thing and hold some public hearings and get this bill right. Then we'll come back to the Legislature when we've heard from the people."

It seems to me from the government's own perspective that this would make a lot of sense. It makes so much sense to me that I don't understand why they want this fight with everybody over this particular bill. That's all that they seem to be doing is pushing this forward even with all the bad press that they've had with the EUB. Even if it was a great bill, if everything was perfect, the timing is so wrong, you know, after what's happened. Is it just stubbornness? Is it just bullheadedness, that we're right and everybody else is wrong, and we're going to bull ahead because we have the numbers here to do it? Well, they do have the numbers to do it. We're well aware of that on the opposition side, Mr. Speaker.

**8:30**

I know where this is going, and I'm sure the member that brought it in knows where it's going after the previous amendment. But, you know, I don't know why. Six months from now would not make a difference. I think that along with that, rather than just sitting there for six months, they should go out and talk to people and try to get this right. You know, bring a bill back that people can support generally.

Again, I stress that we were told that this was a necessary bill, and then we're raising things in the Legislature here and across the province, and then all of a sudden some amendments come in that don't go nearly far enough in terms of what the criticisms were. All these amendments come flooding in. Wouldn't that strike you that there's something wrong to begin with when you have to bring in all these amendments that were added to a perfect bill beforehand? It seems to me, Mr. Speaker, that something is not right.

Mr. Speaker, I certainly will be supporting this hoist amendment. If we could get a break for six months, that would be great.

In conclusion, Mr. Speaker, if the government thinks that they've solved all the problems here and the people are going to just say, "Well, these amendments are great; now we support the bill," that's not happening in the letters I'm getting. It's not happening with the rural landowners that are upset. You know, we'll see where this takes them down the way. But it's just so ham-handed. I just don't understand – as I say, baffled is probably the word – why we're approaching this bill at this time in this way.

Thank you, Mr. Speaker.

**The Deputy Speaker:** Hon. members, the amendment that we're

debating is amendment A2, and Standing Order 29(2)(a) is available for questions or comments.

Seeing none, back on the debate. The hon. Member for Edmonton-Gold Bar.

**Mr. MacDonald:** Thank you very much, Mr. Speaker. Certainly, I rise this evening to urge all hon. members to support this amendment, sponsored by the hon. Member for Edmonton-Centre. This amendment certainly reads like a lifeline for a government that is out of control. This is a lifeline that will allow them to do the public consultation that was never done before this bill was initially drafted.

Certainly, I would like to formally apologize to the hon. member for the third party, the hon. Member for Edmonton-Beverly-Clareview, and his colleagues. Earlier in debate at second reading I thought the only chance we would have to throw the government a lifeline was his party's amendment, and if I steered the House and the public wrong in this matter, I apologize. Certainly, you have two opportunities here, government members, to once and for all finally listen to Albertans, who are very, very concerned about the direction this bill takes us in.

Albertans don't have an issue with the splitting up of the EUB. That's not the issue here. But once this split occurs, the powers that different organizations will have is the issue. No one is denying that there's been a dramatic increase in the number of applications or hearings before the EUB. Everyone but this government seems to recognize that the EUB is understaffed and overworked. When we look at the applications that are before the EUB, we see clearly that the majority of them are in the oil and gas development sector.

With Albertans that I've talked to, they certainly do have issues with access and with tenure on oil and gas applications, but for the majority of citizens, after the spy scandal in Rimbey and again in Redwater was made public, that was the last straw. They could not believe that a government or a government agency would use spies to eavesdrop on and monitor innocent, unsuspecting citizens who were just exercising their democratic rights. They were just exercising their democratic rights.

The week before the spy scandal blew up, the Minister of Energy quietly stood in this Assembly and introduced Bill 46, the poorly drafted, flawed act that it was. He seemed bound and determined, the honourable minister, to have this sit on the Order Paper over the summer. Now, I don't know which groups of citizens that the government consulted with over the summer. I do know that this \$500 an hour consultant was hired to implement the bill. I do know that there was an active recruitment going on for various senior officials to operate these new boards or commissions. But if there was public consultation occurring, was it with the Alberta Beef Producers? Was it with the city of Edmonton? Was it with the city of Calgary? Was it with the Lavesta group in central Alberta? Was it with the Consumers' Association of Canada, the chapter in Alberta? Was it with the legal community? Was it with the AAMD and C? Was it with the AUMA? Just exactly who was consulted here? Or was this bill written by certain members of the electrical generation and transmission industry for certain members of the electrical generation and transmission industry? Who benefits from this bill?

That's why, Mr. Speaker, it would be very wise for us to refer this bill, for instance, to the hon. Member for Strathcona. He's doing such a great job as chairman of the elections and privileges committee.

**Mr. Lougheed:** What's the real name? Get the real name.

**Mr. MacDonald:** The real name? Hon. member, it hasn't met in 20

years, until you got it going here last week. I can't remember the name.

**The Deputy Speaker:** Hon. member.

**Mr. MacDonald:** Yes. I'm distracted by this hon. member, Mr. Speaker.

#### **Speaker's Ruling Relevance**

**The Deputy Speaker:** I've been listening very intently to your most interesting comments, but we are debating amendment A2. I'd like to read it. It's moved that the motion for second reading of Bill 46, Alberta Utilities Commission Act, be amended by deleting all the words after "that" and substituting the following: "Bill 46, Alberta Utilities Commission Act, be not now read a second time, but that it be read a second time this day six months hence." I was trying to relate what you were saying to this amendment. I'm having a very difficult time. So if you could, maybe when you continue, get back kind of on track to the amendment.

#### **Debate Continued**

**Mr. MacDonald:** Yes. Thank you for that clarification, Mr. Speaker.

What I was proposing was that the hon. Member for Strathcona be given this bill for up to six months to have a series of public hearings, hear directly from the groups that I mentioned just previously to your comments, and we could come back with a bill that would be suitable, not a bill that is declaring martial law on consumer groups or on intervenors or on people who want to stand up and speak out. This would be a bill that would perhaps meet all the requirements that were described briefly by the hon. Member for Rocky Mountain House.

**8:40**

Again, no one has a dispute with the splitting of these two boards, but everyone has a dispute with how they're going to work. If we were to give this bill a break, if I can use that term, Mr. Speaker, with amendment A2, it would give Albertans the opportunity that they have not had to date to give some public input into this bill.

Mr. Speaker, we can go through this bill from start to finish, part 1 through to part 10, and we can find areas that need improvement. If we were to support amendment A2, it would give us the time to fix this bill because it certainly is flawed. We could start in part 1, and we could determine if the membership of the commission should be changed. We could go on. We could talk about the duty of care.

**Mr. Rodney:** But why?

**Mr. MacDonald:** But why, hon. member? Because it's a flawed bill. It was hastily written. Clearly, that is articulated very well by the passionate, articulate letters and position papers that have been presented on this bill.

We could go, again, to section 8, Mr. Speaker. We could talk about the powers of the commission. Maybe there's some control that needs to be put on this commission that is not in section 8. We could look at further amendments to section 9. The hon. Member for Whitecourt-Ste. Anne clearly knows that there are many improvements that could be made to section 9, the decisions and hearings portion. We could look at some of the reviews that the commission may do. We could also in this period of time question whether this commission should have or has the powers of a Queen's

Bench judge. I can't imagine what members of the judiciary think of this because this certainly is a new legal feature or a new legal wrinkle. I have no idea. I see the Minister of Energy shaking his head, but this is a first.

Now, we can go on here. If we were to adopt amendment A2, we could certainly have time to think about section 12 and how that should be changed. Section 18 is another one that comes to mind. Perhaps it should be amended. Section 17: the public interest. Now, that's a novel concept for this government, the public interest. I certainly wish they would put the interests of the public first for a change.

We can go on here. Section 21, the costs of proceedings. We could hear from the intervenors. We could hear from some of the citizens in Whitecourt. Maybe they would have some new information to provide to their hon. member. Section 22, local intervenor costs. I think we should support the proposed amendment A2 simply for this section alone because it is unclear. It is unclear what is going to happen in this section if this bill becomes law.

We can go on. Commission orders, orders without notice. Why is it necessary to have orders without notice? In that section, "A person entitled to notice under subsection (1) may, at any time within 10 days after becoming aware of any decision or order . . . apply to the Commission." Maybe that should be changed, and maybe in the period of time, in the six months, the government would see why it's necessary to change that.

We could have a look at section 26, the registration of order, Mr. Speaker. We could have a look at part 4, the appeals from the commission. We're giving this commission wide powers, and they have a lot of discretion here. For the hon. member – that is, the person who looks after Service Alberta – a lot of his constituents are phoning our constituency office asking for clarifications on this bill. If we were to accept this amendment A2, it would give that hon. member time to consult further with his constituents.

Now, the office of the Utilities Consumer Advocate: the city of Calgary has had a lot to say about that. We need time to discuss what this government's future plans are for water. In this bill, again, we're talking about electric energy, natural gas, and water. Specifically, we're talking about the purchase of electric energy, natural gas, and water.

We have 24 amendments already tabled by the hon. Minister of Energy. I suspect we're going to have more. He's going to surprise us. Not only is he going to table more amendments, but he's also going to table the regulations that we all know he's got in his bag there somewhere. He really should table all those regulations. There are so many different avenues for regulations to be written in this act; it would take us six months alone, Mr. Speaker, to have a good look at all the regulations. If we're so open and transparent and we're accountable, recognizing that I haven't heard a public statement in this Assembly from the new Premier on this bill, but I certainly hear often about how open and transparent and accountable this supposedly new government is – it's not a new government; it's the same playbook, different quarterback. You can certainly read the plays that this team is attempting to implement.

But we need to see those regulations. If the minister is so confident in how this is going to improve the energy regulatory process in this province after the spy scandal, after the failures of electricity deregulation, show us the regulations. If there's anything we could do in the period of time that the hon. member is talking about here, in six months, we could have a good squint, as they say, at the regulations.

The hon. Minister of Energy is pulling something out there. It can't be all the regulations. There would be more than that. But I could be surprised.

**Mr. Rodney:** You could be.

**Mr. MacDonald:** I could be surprised.

But getting back, again, Mr. Speaker, to water.

Oh, dear, ran out of time again.

**The Deputy Speaker:** Standing Order 29(2)(a) is available for questions or comments if anyone wishes to participate.

Seeing none, back on the debate, the hon. Member for Calgary-Elbow.

**Mr. Cheffins:** Thank you, Mr. Speaker. I rise as the MLA for Calgary-Elbow to support this amendment, to express concerns regarding Bill 46. Following on the heels of the comments from my colleague from Edmonton-Gold Bar, I feel it's incumbent for me also to speak on behalf of citizens of Calgary. The Alberta Utilities Commission Act, Bill 46, is of concern, and as a Calgary representative in this Assembly I'm compelled to express concern on behalf of all Calgarians. Therefore, I would speak in favour of amendment A2, to allow further discussion, further review of this bill for a period of six months.

I feel that it's right and proper to relate to this House the concerns of Calgarians, including the concerns as expressed by the mayor of the city of Calgary, Dave Bronconnier, in a letter to the Premier. I would expect that, as I'll come to later on, he would have concerns and would like us to take our time in looking at this on behalf of consumers in this province. Bill 46 threatens all Albertans, not just landowners in rural areas. As Mayor Bronconnier has articulated in his letter of November 8, it's of concern to Calgarians and of concern to consumers; therefore, we do need to take a serious look at amendment A2.

The mayor has expressed a number of concerns. These concerns continue to have merit because they speak to the purpose or the spirit of this proposed legislation in its original form, yes, but that perverse spirit I think continues to haunt this bill. The mayor has indicated that this bill would negatively impact all Albertans, not just landowners but urban Albertans as well. It has far-reaching implications. This bill is wrong. It gets it wrong. It's very wrong. The bill has serious flaws in it, and I think the failure of this minister to properly consult with all stakeholders, both rural and urban, including the city of Calgary, is of concern and should be of concern to the members of this House.

8:50

**Mr. Elsalhy:** But they're advertising.

**Mr. Cheffins:** Yes. Despite this advertising that they've brought out at the cost of some \$26,000. Outrageous.

There are major concerns, including in the major metropolitan centres, and I think that it calls out for changes to this bill and for further study, and this is why I would be speaking in support of amendment A2. We do need to consider this bill very carefully. Now, admittedly, much of what it is that the mayor has raised in his letter has to do with the UCA, but I think that regardless of changes that may have been brought forward in that regard, there are concerns, and there are concerns relating to consumers.

The mayor has pointed out that the city of Calgary has owned an electrical utility for over a century, and for over 35 years the city has been involved in interventions. That's of concern, and I think that speaks, again, to the spirit of this bill in trying to change that intervention process in its original form. But, again, the concerns continue to be there for consumers in this province. Throughout the process we've seen an imbalance here, and the city shareholders have an interest in this on behalf of ratepayers.

Again, I think that perhaps the most important part of the mayor's letter as it went forward speaks directly to amendment A2, where he concluded by saying, "there is no reason to implement a new regulatory structure by January 1, 2008."

**Mr. Elsalhy:** What's the rush?

**Mr. Cheffins:** As my colleague from Edmonton-McClung has indicated, we need more time to speak to this bill. It's unfortunate that this bill wasn't sent to committee to have an opportunity to take a look at it. That would have given the public and consumers an opportunity to come forward and voice their concerns in the committee. Well, I think this is a good amendment brought forward by my colleague because, once again, it attempts to do the same thing, to bring this back to Albertans for them to take a long look at it. These are concerns that Calgarians have and that we should all have. They're not the only concerns with regard to this bill. This bill needs to be looked at on any number of fronts, and this amendment would allow an opportunity to do that.

Alberta Beef Producers have expressed concerns with regard to Bill 46, Alberta Utilities Commission Act, and as the members of this House know, the Alberta Beef Producers is a commission incorporated under the Marketing of Agricultural Products Act to represent the interests of some 30,000 beef cattle producers. They've undertaken a detailed review of the proposed Alberta Utilities Commission Act, and they have concerns on any number of fronts. They've expressed serious concerns on the following sections of the bill. They've indicated that section 3, membership of the commission; section 8, powers of the commission; section 9, decisions and orders; section 17, public interest; section 96; section 24; and section 6 are all of concern. They have indicated that there are flaws in Bill 46, and for these reasons we need to take a serious look at amendment A2 and bring this bill back to the public, as I mentioned, to consumers in Calgary and throughout the province and also to concerned citizens such as those of the Alberta Beef Producers.

**Mr. Elsalhy:** That's an organization speaking on behalf of how many people, again?

**Mr. Cheffins:** There are some 30,000 beef producers, as my colleague suggested, and we need to clarify.

There are other concerns with regard to this bill as well. Coming back to what the mayor had to say and to reinforce again the need to take a look at amendment A2, the mayor outlined a couple of specific areas. Section 8 is one of the things that he expressed concerns about. Amendment 2 would allow us to take a longer look at section 8; section 8(1), for example: "The Commission has all the powers, rights, protections and privileges that are given to it or provided for under this Act and under any other enactment and by law." There's a lot of power in that statement. We need to take a long look at it.

Not only that, but in section (2) it states:

The Commission, in the exercise of its powers and the performance of its duties and functions under this Act or any other enactment, may act on its own initiative or motion and do all things that are necessary for or incidental to the exercise of its powers and the performance of its duties and functions.

Subsection (3), referring once again to the powers, indicates that the duties and functions . . . imposed on the Commission by this Act or any other enactment, the Commission may carry out any other powers, duties and functions determined by the Lieutenant Governor in Council.

That's a lot of power. We need to be able to address that issue and take our time in taking a look at this. This is why amendment A2 as

moved by my hon. colleague from Edmonton-McClung deserves every consideration.

**Mr. Elsalhy:** We can give them the power, but we need to ensure accountability.

**Mr. Cheffins:** The power and accountability. Accountability best comes when we take a long time in taking a look at things.

Finally, just under section 8, I think, this bill allows for further delegation of power. There are questions with regard to that delegation because in section 8(7)

the Commission may delegate any of the powers, duties and functions conferred or imposed on it under this or any other enactment to any member or any other person unless the regulations under section 90 prohibit the delegation.

Again, there's a lot of power. There's a lot of concern with regard to that power, Mr. Speaker.

The mayor also raised concerns with regard to section 10. He points to concerns with regard to the commission, that

the Commission may in accordance with the rules made under subsection (2) review any decision or order made by it under this Act or any other enactment and after the review may confirm, rescind or vary the decision or order.

So these are all areas of concern.

I'd also like to raise one more area of concern not necessarily outlined by the mayor, but I think that this is something that would be of concern. My hon. colleague from Edmonton-Gold Bar raised this, and that has to do with the power that's given in section 12, the power of the commission with regard to contempt: "A person who commits or does an act, matter or thing that would, if done in or in respect of the Court of Queen's Bench, constitute a contempt of the Court." The previous section is giving the commission the powers of the Court of Queen's Bench. I would expect that some of the members across the way, perhaps the Justice minister, a respected member of the legal community – I'd wonder as to why it is that he sees the need for this and whether or not it would raise concerns for him with regard to the democratic aspects of this bill, perhaps some overreaching powers and implications of this bill.

**Mr. Elsalhy:** I bet you this doesn't happen in other jurisdictions.

**Mr. Cheffins:** Yes. I think it would be worthy of taking a long review as to how this bill stacks up with regard to other jurisdictions and the amount of power that's being granted to the commission on this front.

Again, I'm concerned about the amount of power that's given to the commission. I'm not sure why the commission has the same powers as the Court of Queen's Bench, you know, particularly after the EUB scandal. I think that Albertans and Calgarians are concerned about the amount of power that's granted here, and I'm concerned about the limitations that are placed on Albertans' ability to question.

Admittedly, there have been some amendments brought forward by this government. But as referred to by my colleagues as well, with the number of amendments that are brought forward under this legislation – it's quite dumbfounding, actually, that they would move forward with a piece of legislation that would seem to be so flawed at its very heart.

In conclusion, I'd just like to say, Mr. Speaker, that I'm speaking in favour of amendment A2. I think that there are concerns about this piece of proposed legislation. I think Albertans deserve an opportunity to take a longer look at this piece of legislation and its far-reaching implications, and I would urge members to support amendment A2.

Thank you.

**The Deputy Speaker:** On Standing Order 29(2)(a), the hon. Member for Cardston-Taber-Warner.

**Mr. Hinman:** Yes. I was just wondering if the hon. Member for Calgary-Elbow – I thought that he was going to talk a little bit about how much the federal government sends everything to committee all the time and to the opposition and if the hon. member had any comments, you know, looking at the federal party. When bills were controversial, you know, even their accountability bill, they sent them to committee work. I'm just wondering if you had any comments on why this government isn't following that, realizing the importance of committee work. Do you have anything else you wanted to say about that?

9:00

**The Deputy Speaker:** The hon. member.

**Mr. Cheffins:** Yes. Thank you, Mr. Speaker. I appreciate the question from my colleague from Cardston-Taber-Warner. I appreciate that question. I do think that we can learn from other jurisdictions and from the federal jurisdiction in terms of referring things to committees, where much of the work and the detailed work can take place, and we can take a look at legislation. I think that that would also speak to whatever it is that we need to do in order to be able to take a longer look at this.

Previously we debated sending this motion to committee. Again, I know that many members on this side of the House voted in favour of that because, again, many of us on this side of the House see the problems with this bill and would really on behalf of Albertans like to take a longer look at it. So I thank you for your question.

**The Deputy Speaker:** Hon. Member for Edmonton-Manning, under Standing Order 29(2)(a) or on the debate?

**Mr. Backs:** To speak.

**The Deputy Speaker:** Anyone else under Standing Order 29(2)(a)?  
Seeing none, the hon. Member for Edmonton-Manning, back on A2.

**Mr. Backs:** Thank you, Mr. Speaker. I'd like to speak against this amendment. I see this as kind of a standard procedural amendment that's meant to limit debate. The same Member for Edmonton-Centre earlier on, just in the same hour that was meant to give that hour of debate for this important bill, moved an amendment that, in effect, limits debate. It seems to have not just a little bit of illogical inconsistency but a whole bunch.

This amendment seeks to push for six months. You say that there would be public hearings and all the rest of that in the six months. That's after the normal sitting of a spring session, and we all have some sense that there may be some other events in the meantime that might come in the way of hearing this bill. So this is, in effect, to limit debate, to kill any further discussion on this. We've wasted the whole hour in second reading that was allocated for this, Mr. Speaker, on something to limit debate on a procedural matter. It doesn't seem to make a whole bunch of sense and have a whole bunch of consistency with some of the earlier arguments, which said that we should be extending debate and giving full flow to a lot of the talk about the importance of the various amendments and all of the other things in this.

Mr. Speaker, I would urge the Assembly to defeat this amendment. Thank you.

**The Deputy Speaker:** Under Standing Order 29(2)(a) the hon. Member for Edmonton-Gold Bar.

**Mr. MacDonald:** Yes, please. To the hon. Member for Edmonton-Manning. When one travels through rural Alberta these days, regardless of whether it's before or after the snow has fallen, you will see on a lot of round bales beside the highway big signs and little signs that say: Kill Bill 46. My first question to the hon. member would be: in light of his comments does he agree or disagree that the sign that reads "Kill Bill 46" is valid, or is it just some sort of political prank?

**Mr. Backs:** The question doesn't pertain to, actually, this particular amendment, Mr. Speaker. I appreciate the question from the Member for Edmonton-Gold Bar, and I'm sure he has some strong views on this particular matter, but the fact of the matter is that those farmers, those people in rural Alberta will not have the opportunity to hear any debate, any amendments, any improvements to this bill if this amendment was to go through. If this amendment goes through, the debate will be ended here and now. It will be hoisted for six months, and that will have the effect of killing debate on this bill. The Official Opposition has effectively moved a motion to kill debate. What is going on?

Thank you, Mr. Speaker.

**The Deputy Speaker:** The hon. Member for Cardston-Taber-Warner under 29(2)(a).

**Mr. Hinman:** Yes. I'd just like to ask the hon. Member for Edmonton-Manning, then: if this bill in another I don't know how many minutes is done, do you think that that hasn't moved the bill forward and assisted the government in stuffing something down the throats of Alberta landowners? I don't understand, Mr. Speaker. This will give landowners an opportunity. If you could ask the hon. Member for Edmonton-Manning.

**The Deputy Speaker:** Hon. member, if you would speak into your microphone, it would be easier to hear you from up here, instead of having your back to the microphone.

**Mr. Hinman:** I apologize. We get too emotional on this stuff when we're running out of time and the bill is going to be worse than killed. It's going to be shoved through. What are we going to do about it then? The question to the Member for Edmonton-Manning is: do you see it as a benefit that in 10 minutes Albertans are going to have this bill the way it is and that there are no more amendments that we can make and that I don't think the 24 cover it yet? What's your feeling on that, hon. member?

**The Deputy Speaker:** The hon. member.

**Mr. Backs:** Thank you, Mr. Speaker. I appreciate the concern of the Member for Cardston-Taber-Warner, and I'm sure that the member would like to speak a whole bunch more on this bill, a lot more. This amendment, in fact, will stop that. It will end the debate for six months and, in effect, kill debate on this bill. The Official Opposition and, I'm sure, the party that you lead and the constituents that you represent would not like to see this particular debate killed. This is what is happening with this amendment. It doesn't seem to have any consistency. It doesn't seem to make a whole bunch of sense with some of the earlier debates and the requests that were brought forward in order to extend debate. Again, I just am saying that I've urged the Assembly to defeat this in order to ensure that we have some further debate on this matter.

Thank you.



**The Deputy Speaker:** The hon. Member for Rocky Mountain House under 29(2)(a).

**Mr. Lund:** I would like to ask the hon. member a question.

**The Deputy Speaker:** I hesitate to interrupt, but pursuant to Government Motion 37, as agreed to on December 3, 2007, I must put the following two questions, first on the amendment as proposed by the hon. Member for Edmonton-McClung on behalf of the hon. Member for Edmonton-Centre.

[The voice vote indicated that the motion on amendment A2 lost]

[Several members rose calling for a division. The division bell was rung at 9:08 p.m.]

[Ten minutes having elapsed, the Assembly divided]

[The Deputy Speaker in the chair]

For the motion:

Cheffins	MacDonald	Miller, R.
Elsalhy	Martin	Pastoor
Hinman	Miller, B.	Tougas

Against the motion:

Ady	Johnston	Oberg
Amery	Knight	Pham
Backs	Liepert	Prins
Cao	Lindsay	Renner
Cenaiko	Lougheed	Rodney
Danyluk	Lukaszuk	Shariff
DeLong	Lund	Snelgrove
Forsyth	Magnus	Stevens
Goudreau	McFarland	Tarchuk
Jablonski	Melchin	VanderBurg
Johnson	Mitzel	Webber

Totals:	For – 9	Against – 33
---------	---------	--------------

[Motion on amendment A2 lost]

9:20

**The Deputy Speaker:** Hon. members, I must now put the other question pursuant to Government Motion 37 as agreed to on December 3, 2007, on second reading of Bill 46, Alberta Utilities Commission Act.

[The voice vote indicated that the motion for second reading carried]

[Several members rose calling for a division. The division bell was rung at 9:21 p.m.]

[Ten minutes having elapsed, the Assembly divided]

[The Deputy Speaker in the chair]

For the motion:

Ady	Knight	Pham
Amery	Liepert	Prins
Boutilier	Lindsay	Renner
Cao	Lougheed	Rodney
Cenaiko	Lukaszuk	Shariff

DeLong	Magnus	Snelgrove
Forsyth	McFarland	Stevens
Goudreau	Melchin	Tarchuk
Jablonski	Mitzel	VanderBurg
Johnson	Oberg	Webber
Johnston	Ouellette	

Against the motion:

Cheffins	MacDonald	Miller, R.
Elsalhy	Martin	Pastoor
Hinman	Miller, B.	Tougas

Totals:	For – 32	Against – 9
---------	----------	-------------

[Motion carried; Bill 46 read a second time]

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

[Mr. Shariff in the chair]

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

#### **Bill 46 Alberta Utilities Commission Act**

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

**Mr. VanderBurg:** Thank you, Mr. Chair. I'm pleased to stand in Committee of the Whole and speak to Bill 46, the Alberta Utilities Commission Act. I'd like to note that the Minister of Energy tabled amendments in the Legislature on November 27. The package of amendments demonstrates that this government is listening to the concerns of Albertans. I'd like to move that the amendments identified as A through X be treated as a package before the committee. Mr. Chair, I believe you have copies of it as well.

**The Deputy Chair:** Pages, please distribute them to members that are in the Assembly first and then the empty chairs.

Hon. members, we shall refer to this amendment as amendment A1. However, is there an agreement on whether we'll have one vote, or will it be separated?

**Mr. MacDonald:** Mr. Chairman.

**The Deputy Chair:** Yes. On behalf of the opposition?

**Mr. MacDonald:** Yes.

**The Deputy Chair:** Is there an agreement?

**Mr. MacDonald:** No, there's not. I would really like to see each one of these amendments dealt with separately, the ones that are alphabetically listed, as it has been presented to me, A through X.

**The Deputy Chair:** Very well. Thank you.

Hon. members, we shall refer to this as amendment A1, but when it comes to voting, we shall vote on every section individually.

Hon. member, you may proceed.

**Mr. VanderBurg:** Well, thank you. I'd like to move that the

amendments identified as A through X be treated as a package for the committee and one vote, sir. The majority of the amendments are housekeeping in nature; they address the need for consistency in language and intent between this bill and existing energy regulation legislation.

**The Deputy Chair:** Hon. member, you know, we are in a committee stage, where we technically go line by line. Unless there's an agreement between both sides of the House, the Chair is obliged to have a vote individually on separate sections.

Hon. Member for Whitecourt-Ste-Anne, you may proceed.

**Mr. VanderBurg:** The majority of these amendments are housekeeping in nature. They address the need for consistency in language and intent between this bill and the existing energy regulation legislation, such as the Gas Utilities Act and the Electric Utilities Act. This is an intricate bill. Because it works together with other legislation, it's important to consider it in its entirety, not by individual clauses and certainly not out of context, as some have chosen to do. I ask that the amendments be considered in the same manner, in their entirety. Since they were tabled in the House a week ago, I trust that others have had the opportunity to review them in detail so that they may be considered as a package.

I spoke to this bill in second reading. I want to confirm my full support for the legislation. During my time today I'd like to highlight some of the key amendments government has proposed. As we all know, Mr. Chair, the Minister of Energy tabled the government's amendments to Bill 46 last week during question period. Listening to Albertans and hearing what they have to say is an integral part of the legislative process. We listened to landowners. We heard from Albertans, and we responded with changes.

Key amendments will answer Albertans' concerns about landowner participation in utility hearings and allow third parties to apply for funding when they intervene. To be clear, Bill 46 hearings must be held on all infrastructure applications where the rights of an individual may be directly or adversely affected. All interested parties will have the right to be notified of the facts, to participate in the hearing if they wish, to be represented by counsel if they choose, and to appeal questions of law or jurisdictions to the court.

Mr. Chair, I'd like to go through some of the key amendments during my time this evening. The way it was originally proposed, the AUC would make a decision without holding a hearing if it appears that no person will be directly or adversely affected in a material way by that decision. We have responded to the landowners' concerns. Section 9(3)(b), which uses the phrase "in a material way," has been removed. The intent of this section was to improve the regulatory process for infrastructure applications that have had minimal or no impact on people. Clearly, I'm not referring to major transmission infrastructure projects, that would impact Albertans. However, by removing this section, stakeholders can be confident that they'll be able to make their case to the regulator if they believe that they are directly or adversely affected.

This amendment ensures that those who are directly and adversely affected will be able to express their concerns to the regulator as part of the hearing process. In addition, section 9 goes on to state that the AUC shall provide the opportunity for parties to receive notice and the opportunity to learn all the facts about the application – that refers to section 9(2)(a) and (b), Mr. Chair – and that a public hearing be held if any person's rights may be directly or adversely affected by an AUC decision. That's section 9(2)(c).

9:40

I also want to comment about 9(4). The section reads:

Where a person is entitled to make representations to the Commission, the Commission is not required by subsection (2) to afford an opportunity to a person to make oral representations, or to be represented by counsel, if the Commission affords the person an adequate opportunity to make representations in writing.

Now, some parties have expressed concern over this point. They are concerned that landowners would not be able to present their views unless it was given by oral presentation. Section 9(4) of Bill 46 does give the AUC the ability to require testimony in written rather than oral format. This may be appropriate in certain circumstances, as in highly technical matters such as the determination of gas cost ratios. The current regulator has used the written format for hearings previously, and it has been successful. Some say this will be used to limit landowners' participation. Mr. Chairman, this is not the case. Keep in mind that this provision exists today – this is not a change from routine powers granted under the existing legislation – and that is section 40 of the PUB act.

In Bill 46 the commission has the authority under sections 91(1)(e) to make rules of practice governing hearings. The AUC will make rules surrounding hearings and proceedings, and rules regarding oral hearings will be developed in a transparent process with public input. As with any legislation it must be looked at in its entirety. Each section builds on the next, creating a clear set of rules. A clear set of rules.

Mr. Chairman, I'd like to talk about intervenor funding. Before the amendments were introduced, the AUC act stated that the intervenor funding for participation in the AUC hearings or in other proceedings would be reserved for local intervenors; in other words, directly or adversely affected landowners. Other intervenors would have the ability to participate but would have responsibility for their own costs. Other intervenors would have been able to participate but would have been responsible for their own costs. I wanted to repeat that because there are some cloudy issues around that clause.

Again, this is a case where Albertans have expressed their concern and we have responded. Section 21 is being amended to allow the Alberta utilities commission the discretion to provide funding to a local intervenor or other intervenors in any hearing or other proceeding, just as the EUB does today. This allows the AUC the ability to provide any intervenor with funding to ensure that the public interest is considered in the AUC decisions. The right and opportunity for parties to intervene in proceedings has not been restricted in any way. In fact, this amendment to section 21 gives the AUC the discretion to provide funding to any third-party intervenors for participation in any hearings or proceedings.

Mr. Chairman, the Utilities Consumer Advocate, part 5. There were many concerns raised about Bill 46 establishing the UCA as part of the Alberta utilities commission and setting out its responsibilities. In response, the amendments we have introduced will remove the section of the act relating to the Utilities Consumer Advocate. The UCA will remain within Service Alberta, separate from the Alberta utilities commission and will continue to effectively represent Albertans at rate hearings. Independent consumer groups will continue to participate at rate hearings and can apply for funding to help cover their costs, just as they do today.

I would like to say that a majority of consumer groups, five of seven, have been part of a stakeholder consultation over the past few months and should be commended for providing their members and Albertans with excellent representation. Albertans can be confident that the Utilities Consumer Advocate will continue to represent the interests of electricity and natural gas small consumers. That's residential and small businesses and agriculture in Alberta. The UCA team works diligently to ensure that small consumers have the information and representation they need to assist them to make

informed choices in Alberta's restructured electricity and natural gas markets.

Well, Mr. Chairman, there have been a handful of amendments proposed by the Official Opposition, specifically from the Member for Edmonton-Gold Bar. It appears that these amendments are relating to sections 8 and 9 and are designed to offer protection to stakeholders that have already been provided in this bill, so his work is done for him.

The sections in Bill 46 have been developed as a cohesive unit and the support for the commission in its present and future roles. Bill 46 is designed to ensure that Albertans have an effective and efficient regulator that will listen and respond to the concerns raised by Albertans who choose to participate in the regulatory process.

There were concerns raised by the Pembina Institute and other organizations that I'd like to talk to as well. Some other concerns raised during the recent weeks are not addressed in the amendments because they can be explained by considering the legislation in its entirety. For example, concerns have been raised about section 24(1), which gives the commission the authority to make orders without giving notice on matters that it considers to be urgent. Again, this is in no way intended to address major infrastructure projects. Rather, this is about responding to emergency situations such as when a power line comes down and it's minus 30 or if a generator comes off line unexpectedly. I'm sure my constituents and yours, Mr. Chairman, would be pleased to know that we have provisions to respond to emergency situations and keep the power on for them. I'm sure that's important for the constituents of Edmonton-Gold Bar as well. Plus, it's worth noting that this provision is not new as similar provisions exist in the PUB Act.

I've also heard concerns about section 14(3) and, because it is retroactive, claims that this will remove the right of Albertans to contest whether transmission line hearings are actually needed. Mr. Chairman, nothing could be further from the truth. Simply put, need must be considered at one point during the regulatory process. Plus, this change clears up an omission in the EU Act which leaves open the idea that need must be considered twice during the regulatory process. Obviously, a project is either needed or it's not. Looking at need twice is not an effective use of the regulator's time and in no way better addresses the interests of Albertans.

The intent of Bill 46, Mr. Chairman, is very clear, and I'd like to make note. We know that Bill 46 will separate the Energy and Utilities Board into two separate regulatory bodies, the Energy Resources Conservation Board and the Alberta utilities commission. This reorganization into two boards with clear mandates, improved management, and fresh leadership will help manage growth pressures brought on by increased oil and gas activity and demand for electricity-related infrastructures.

There has been almost unanimous support for this reorganization and restructuring from the public, consumer groups, and even the opposition, and consideration of the needs of an effective regulatory system for Albertans and the energy sector is a vital part of it. The energy sector accounts for tens of billions of dollars of economic activity, employs hundreds of thousands of Albertans, and provides economic benefit across the country, and none of it works without electricity.

Alberta's economy is strong, and Bill 46 is a proactive move to help the regulatory system respond to an increased workload brought on by growth pressures. The current regulatory system is strained under an ever-increasing workload. When I say increased workload, I'm referring to a 300 per cent jump in the number of applications before the EUB each year. Yes, it's 300 per cent, colleagues. In 1995-96 the EUB dealt with fewer than 19,000 applications, but in '06 the EUB had over 60,000.

**Mr. Cenaiko:** Sixty thousand?

**Mr. VanderBurg:** The Member for Calgary-Buffalo said: 60,000. Yes, it was 60,000. Keep in mind, though, that there were only about 20 hearings, which shows that nearly all of the applications before the EUB have no direct impact on Albertans. Obviously, with 60,000 applications it's not reasonable or cost-effective to hold a hearing in every case.

While this demand is remarkable and it's a testament to Alberta's prosperity, it also made the restructuring of the regulatory process for energy-related development very necessary. We have listened to Albertans. Through this legislation and the amendments we've introduced, Alberta landowners will have their say on proposed developments such as new electricity transmission lines. Under these amendments all intervenors will be eligible to apply for funding in any regulatory hearing or proceeding, just as they do today.

9:50

Landowners will be heard when there are developments that affect them. The Utilities Consumer Advocate will remain independent and speak up to represent consumers' interests. Under Bill 46 a wider range of factors must be considered when determining whether a proposed development is in the public interest. Section 17 explicitly requires the AUC to consider whether a proposed development is in the public interest and to take into account its social, economic, and environmental effects. Bill 46 will provide the regulatory process that citizens have confidence in.

The system must preserve the rights of affected individuals and third-party intervenors while addressing the interest of all Albertans in a reliable electrical system and responding to energy development. This is exactly what Bill 46 will do.

I want to thank the Minister of Energy. I know it's been a difficult time moving this bill through. Albertans have been concerned. There have been meetings around Alberta. I think I have to say, Mr. Minister, that you've responded well. This is a great package of amendments. I see that even the Member for Edmonton-Gold Bar thinks so, too, and I thank him for that.

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

**Mr. MacDonald:** Thank you very much. As much as I admire the speaking skills of the hon. Member for Whitecourt-St. Anne, I certainly can't agree with his last statement. There are some improvements in these 24 amendments. Certainly, there are. But there are so many deficiencies in this that one could not feel comfortable that we would be doing Albertans a service by endorsing either these amendments or this bill.

First off, I have to express my disappointment, Mr. Chairman, that we didn't adopt either the New Democrats' or the Official Opposition's motion to refer this to a series of public consultations. The hon. Member for Whitecourt-St. Anne seems to think that these amendments prove that this government is still listening, but I would have to say that they are still not listening to Albertans. To think that this bill is a reflection of the government: well, I could certainly agree with that because this government is operating without a plan. To introduce this bill in the middle of June and then see these amendments – major amendments, minor amendments, 24 in total – is certainly an indication that this is a government that is still operating with no plan. Again, it confirms that they're still not listening to Albertans.

Now, in the time that I had, I listened quite keenly to the hon. member trying to sell not so much this Assembly but concerned

Albertans that the first amendment, amendment A – and that is the removal of section 9(3)(b) and changing it – is suitable. It may be, but I would like a further explanation. You know, with the three hours that we have to debate this legislation, three hours is certainly inadequate.

How does the hon. member explain section 91 of this bill? Section 91 is in part 9, Mr. Chairman. Section 91(1)(g) is amended as well. This would be amendment A. Amendment A is also tied into amendment K. Currently section 91 provides the Alberta utilities commission the authority to make rules respecting the requirements that must be met by an applicant to avoid a hearing. Section K: I guess we could call it a reference amendment. It may be considered by the hon. member and his colleagues to be a minor amendment, a minor amendment to reflect that part of section 9 that has been deleted. This is the part that allowed the Alberta utilities commission to make a decision without holding a hearing if no person is directly and adversely affected in a material way.

But we look at section 91(1)(g): “The requirements that must be met by an applicant to satisfy the Commission under section 9(3)(c)” – that will now read 9(3)(b) – “that a hearing is not necessary.” This entire section deals with the commission being able to make rules governing any matter or person within its jurisdiction. Now, can we rely on or can we trust in this government? This is the same government that did nothing when the spies were hired. You know, I’m sorry. Albertans have every right to be quite skeptical. Trust is in the trench. The reason why trust is in the trench is because the last energy regulatory body, the one that’s still currently in existence, decided: “Well, we want to ram some things through. Let’s hire some private eyes. Let’s get them to do certain things which are despicable, and here we go.” So we have a new commission, this newly created commission, and the Minister of Energy should go back to looking for his regulations there and table them before we get too much further into this debate and give us an opportunity to have a look at them.

Mr. Chairman, regarding the commission, this commission in this section is given the authority to make its own rules. We go down a little further in this section. None of this has been amended yet. We have time to do our amendment, certainly. I would like to point out to all hon. members – and this is sub (5) in section 91 – that “the Regulations Act does not apply to Commission rules.” So when this commission makes rules that may or may not fit into the new section 9(3)(b), who’s to know? It won’t be printed in the *Alberta Gazette*, that I’m aware of. Why are we doing this?

The Regulations Act does not apply to this commission and its rules. If any of the hon. members would like to go to the cupboard down here and get the Regulations Act and have a look for themselves – they’re going to make the rules. People like Joe Anglin, the Alberta Beef Producers, any other group will have no way of knowing what the commission’s rules are. The first portion of this amendment may be suitable, but certainly whenever you read section 91, the commission is still going to be able to do what it wants, when it wants regardless. This is worth noting, Mr. Chairman.

Now, certainly, amendment B, which replaces the phrase “gas transmission pipeline” with “gas utility pipeline,” is considered a minor amendment. This amendment is being made so that there’s a consistency with the definition in the Gas Utilities Act. Could the hon. member or any of his colleagues across the way please tell me what the difference is between the definition of a gas transmission pipeline and that of a gas utility pipeline before we go any further in this debate?

10:00

Now, amendment C. Here we’re going to allow the utilities

commission to provide any intervenor with funding in respect of hearings or other proceedings, to ensure that the public interest is considered in utility commission decisions. All along – and this is section 21, intervenor funding – we were told initially by this government: “Oh, don’t worry about this. This is a myth.” And it’s not. It’s not. I would urge all hon. colleagues of this House to please read this amendment C very, very carefully because we can see that the commission may make rules respecting the payment of cost to an intervenor other than a local intervenor referred to in section 22.

Again, they have the discretion. I could live with this if “may” was made into “shall.” There are two words in the drafting of legislation that can completely change something, and those two words, Mr. Chairman are “may” and “shall.” Again, this is a commission that has the discretion. The last energy regulatory body had the discretion to do: guess what? Spy on innocent, unsuspecting landowners who wanted to participate in a public hearing. So these discretionary powers have been abused, to say the least.

For this government to come at this time with this amendment, quite frankly, I’m very disappointed. Rural Albertans are disappointed. Urban consumers of energy are disappointed. Hon. Minister of Energy, they’re very disappointed in this bill. You can get all the congratulations that you want from the hon. Member for Whitecourt-Ste. Anne, but I’m sorry, this bill should have been removed from the floor of this Assembly. I believe the hon. Minister of Energy knows that deep down, that it should have been removed, but it wasn’t.

Mr. Chairman, with amendment D we’re looking at the question of the gas transmission pipeline and the gas utility pipeline. I won’t spend any more time on that because we’ve already had a little discussion on that one.

Part 5 must be a major disappointment for this government, to see that whole office of the Utilities Consumer Advocate deleted. I don’t know what sort of money was promised any of the people that were recruited. Surely the hon. Minister of Service Alberta, – whenever they get to his department, if this amendment becomes part of the bill and this bill becomes law, I’m confident that he’ll be going over their contracts with a fine-tooth comb, making sure that they’re not getting paid an extravagant amount. I’m sure he’s going to have a look to make sure that none of the people that are put in this department are just simple patronage appointments, that they’re hardworking Albertans.

When we look at that amendment where we delete part 5 – and that’s amendment E – we have to go on a little further because we have to look at the amendments that are included in the Government Organization Act, the ones that clarify that the Utilities Consumer Advocate will be part of a government department. Now, that would be amendment S. I was going to say S is for Service Alberta. I was going to say the minister in charge of Service Alberta, but that would be violating one of the laws of this Assembly, so I can’t say that.

This is listed as sort of a consequential amendment to the Government Organization Act, and it is supposedly necessary, again, to clarify that this advocate will be part of the government department. It sets out the responsibilities at a high level and provides cabinet regulation – here we go again; the ability to make regulations – with respect to the Utilities Consumer Advocate. Now, when we look closely at this, Mr. Chairman, we will again see the responsibilities of this UCA, Utilities Consumer Advocate, and we see how narrow the responsibilities have become. We can see from the original act that, again, water was one of the responsibilities, the purchase of electric energy, natural gas, and water.

The hon. Minister of Infrastructure and Transportation is looking at me. I know he gets frustrated at the end of every month when he

pays his high power bill because of electricity deregulation. I know he's frustrated with his natural gas bill. And he's just looking at me, knowing fully well that his water bill is the next thing that's going to be putting a big dent in his pocketbook. He just has that look.

Anyway, Mr. Chairman, water has been removed now from the responsibilities in this amendment S. But in the regulations – and I'm going to read this.

The Lieutenant Governor in Council may make regulations

- (a) adding to, clarifying, limiting or restricting any of the responsibilities of the Office of the Utilities Consumer Advocate or regulating how they are to be carried out;
- (b) respecting any other matter necessary to carry out the intent of this Schedule.

So here we go. You're going to hide the water bill for a little while. You're going to hope that this goes away. You're going to hope that no one remembers this whenever we have an election, regardless of when that date may be. People are not going to forget, Mr. Chairman. People certainly are not going to forget.

So we go from all this detail that's listed in part 5. We know that Mr. Bronconnier, His Worship the mayor of Calgary, has a lot of issues – and my hon. colleague from Calgary-Elbow has been on top of that – with how this Utilities Consumer Advocate is going to work.

**An Hon. Member:** Doesn't he own the power company?

**Mr. MacDonald:** He certainly does own the power company, yes.

**The Deputy Chair:** Hon. members, through the chair, please.

**Mr. MacDonald:** He's standing up for his consumers, and you are not, hon. member from this government. One-third of the energy consumers in this province reside in that gentleman's city, and when you drafted this bill, you forgot that fact. You forgot that one-third of them are in the metro area of Edmonton. I'm sorry, I don't understand why there are such hostilities toward MOUs, municipally owned utilities, on that side of the House. I don't understand why you're so hostile. I think there's a lot of hostility, and the hostility is reflected in the drafting of this bill.

**An Hon. Member:** But you don't understand the difference between who's selling and who's buying.

**The Deputy Chair:** Hon. members.

**Mr. MacDonald:** Now, Mr. Chairman, the hon. gentleman is just trying to distract me again.

That is schedule S, and there are a lot of questions still around schedule S. This is not your innocent little housekeeping amendment. This is leading a government that has abused in the past its regulation-making ability through cabinet, and now you want more. Now you want more. Maybe I could accept this amendment if only the hon. Minister of Energy would table all those regulations and let us have a look at them. He must have a suitcase full, Mr. Chairman, of regulations. There are at least 32 different ways for regulations to be written. I can understand why this government didn't want any public consultation when you drafted this bill, but in the drafting of the regulations surely you would learn from your mistakes and circulate them with the public so that they could see first-hand what you're up to because this entire bill allows you to govern behind closed doors, in secret, through regulation. That would be amendment S at this time.

**10:10**

Now, we go on with the administrative penalties, and that certainly is interesting. There have been some administrative penalties imposed, and there have been some changes made which, I guess, I could live with. I have had questions, the administrative penalties, but certainly in the time that we had and with the closure motion hanging over us like some sort of democratic guillotine, I've got to keep my remarks focused so that we can cover as much of this as possible.

We look at amendment H. This is an amendment to section 79, and there have been a few changes to that, certainly, regarding an offence. When we look at this carefully, I'm not so sure about this amendment. Perhaps the hon. Member for Whitecourt-St. Anne or maybe the hon. Member for Stony Plain – he's the Solicitor General – could advise all members of the House and the general public why it was necessary to have amendment H at this time because, Mr. Chairman, the original bill provided the court of Alberta the ability to impose a fine of up to \$5 million per day, and now we're down to \$3 million.

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

**Mr. Mitzel:** Thanks, Mr. Chairman. I'd like to move that we adjourn consideration of Bill 46 for this evening and that progress be reported on the bill when the committee rises.

[Motion to adjourn debate carried]

## Bill 23

### Unclaimed Personal Property and Vested Property Act

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

**Dr. Oberg:** Thank you very much, Mr. Chairman. I'd like to move a package of amendments that I believe are with the table officers.

**The Deputy Chair:** If you'd just hold for a minute, please.

Hon. minister, you may proceed, and we shall refer to these amendments as amendment A1.

**Dr. Oberg:** Thank you very much, Mr. Chairman. What you have before you is a package of amendments. The first amendment is to remove gift cards and retail credits from being covered by Bill 23. The last thing the government wants is to have an inventory of gift cards at their disposal, and indeed we will be looking at legislation and/or regulation in the future that would ban expiry dates on the gift cards. That's very consistent with what has been adopted in other provinces, and we're currently under consultation on that.

Secondly, the bill covers property worth \$100 or more. We are now proposing that that be changed to \$250 or more for intangible property and \$1,000 or more for tangible property. This is simply the logistics of an administrative cost, Mr. Chairman.

The next excludes from the bill a list of funds payable under various provincial pension legislation as well as the Legal Profession Act. Other legislation covers the specific schemes to deal with pension or trust funds so doesn't need to be included in this bill.

The next proposed amendment would allow holders of unclaimed funds to recover their out-of-pocket expenses for turning property over to the minister under Bill 23. The cost burden to comply with this legislation should be minimized to the holder.

Mr. Chair, the bill relieves holders from liability for complying with the act. Another proposed amendment would expand this relief to any changes in value of property after it has been turned over to the minister.

The next relates to vested land. It currently provides that the Department of Finance can transfer the administration of land to another government department after a certificate of title has been issued. What we are proposing, Mr. Chair, is that we can actually transfer this at any time that the land has been vested in the Crown because there are other departments that have better expertise than the Ministry of Finance for looking after that.

We're looking at separating the registry into a public registry and a repository of information, with only the information in the registry being public. This is for a little bit of clarification, and it ensures that it is consistent with the Freedom of Information and Protection of Privacy Act.

The next is the disposition of the ultimate heir trust fund. Mr. Chair, what we've done here is simply take from regulation and put into legislation that the ultimate heir trust fund, which is currently a little over \$600,000, will be given to the four postsecondary universities. There have been other questions on the Ultimate Heir Act. This is something that was set up to receive monies as a result of there being no will from people. It's currently \$601,170.21 and will be transferred to the ultimate heir trust fund for universities.

Another question was about consultation. Mr. Chair, this has had extensive consultation, starting in 2005 for the first set. The second set was in 2006. It's been posted on the GOA website and, indeed, had the tremendous amount of roughly 20 written submissions for feedback.

Mr. Chair, these are some of the issues that are included in this bill, that are included in the amendment. It's a bill that will make life a lot easier for government. It's a fairly clear bill, and it's certainly laid out as such. I would move the set of amendments for Bill 23.

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

**Mr. Elsalhy:** Thank you very much, Mr. Chair. I rise to speak to the amendments as proposed by the hon. Minister of Finance. I just have to start by stating that while this bill is not the thickest that we're presented with in this Assembly in terms of its size, I found it a bit more technical than I am used to.

Having said that, I don't think we're opposed to the amendments, and I am actually speaking on behalf of my hon. colleague from Edmonton-Rutherford, who looks after the Ministry of Finance as well as the Treasury Board, you know, for the Official Opposition. I know that he actually went through some discussions with some stakeholders that he identified, and they didn't really voice major objections or concerns with the bill initially and then now with the amendments.

The one area which I found very interesting, Mr. Chairman, is the part that talks about the Ultimate Heir Act. You know, I definitely had questions whether other jurisdictions had similar provisions to deal with unclaimed property, if other provinces, states, or even the federal government have legislation in place to resolve property issues in terms of estates or in terms of formerly owned corporations in the manner that we're doing here. You know, the fact that the government is going to give them something but then also stop something in the future, basically, were questions that I had.

**10:20**

Overall I don't think we are opposed. I would much rather see revenues or income earned from Albertans' unclaimed property or

estates go to scholarships, not to the general revenue, in part because I think we have a tendency in this province to lump everything together in the same pot. You know, this seems to be the preference of the government, where all the money generated from whichever revenue stream goes into one big container, and then it is split up and spent on the various programs and the various government projects and agencies and boards. In fact, I would like some of this money to be allocated separately, to be earmarked, to be targeted towards certain areas. For example, health care premiums should be spent on health promotion and disease prevention. In this area here the money that is generated should be allocated towards scholarships and making postsecondary more accessible.

Again, having said that, the stakeholders have expressed support for the ideas contained in these amendments, and as such, I will be voting in favour.

Thank you very much.

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

**Hon. Members:** Question.

[Motion on amendment A1 carried]

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

**Hon. Members:** Question.

[The clauses of Bill 23 as amended agreed to]

[Title and preamble agreed to]

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

**Hon. Members:** Agreed.

**The Deputy Chair:** Carried.

### Bill 53

#### Teachers' Pension Plans Amendment Act, 2007

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

**Mr. Cheffins:** Thank you, Mr. Chair. I rise just to express concern about this process, this situation, I think. Of course, I'd like to support the need to improve teacher pension plans. Our teachers deserve the security of knowing their pension is secure. However, I just couldn't allow this bill to move forward without taking this opportunity to express concerns about this whole issue and how it could have come about. Being somewhat new to this whole process, it just does strike me as being something that bears consideration and, perhaps, looking into it a little bit deeper, seeing how it is that this situation has arisen and how similar situations could be avoided, I think, is my main concern.

I have many constituents who are teachers. I know them to be hard working and deserving of a good and fair pension plan. I, of course, am very supportive of that. I believe that some of them would also like me to take this time to express concerns about how this situation came about. But it's not just teachers that I've heard from. I believe that all Albertans are concerned that this situation arose and are looking for better ways to be able to do things in this province, to be more proactive with regard to governance to ensure that situations like this don't arise again.

Thank you, Mr. Chair.

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

**Mr. Martin:** Well, thank you very much, Mr. Chairman. I'm not going to go on very long, but I think it's important. We've had this discussion. Clearly, we had to deal with the teachers' unfunded liability, and we certainly support the government in doing that. But I think the point that we still don't know is the other shoe to drop. Now that we've accepted and have the debt – I think we can call it a debt now – of the teachers' unfunded liability, we still do not know when the government is going to deal with this and how the government is going to deal with this. I would have hoped that fairly soon after the announcement about taking over the unfunded liability, which I believe was the right thing to do, we should have some idea about how we are going to deal with that unfunded liability. I think we recognize now that we do have a debt, and if we let it go for a length of time, obviously it will cost more. I don't know if the figures are right, but down the way it could end up \$46 billion. I would hope that we'd be dealing with it faster than that.

I guess I would say to the Minister of Education here and to others that any influence we can have to get this into the financial plan and show us how and when we will be taking care of this – are we looking at it in a five-year period, a three-year period, or longer? I think Albertans deserve that explanation relatively quickly.

In saying that, Mr. Chairman, I certainly will support the bill at this stage. Thank you.

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

**Mr. MacDonald:** Thank you very much, Mr. Chairman. I, too, have similar questions to those that have just been presented to the public record by the hon. Member for Edmonton-Beverly-Clareview. I know that the time or the method as to how this debt will be reduced by the government will determine whether it's a good or a bad deal for the taxpayers, the length of time that it's going to take. Certainly, if we stretch it out for decades, it will be in the billions and billions of dollars. My question is to the hon. Minister of Finance. [interjection] It's your money, yes. It's not the Minister of Education's money in the stability fund or the sustainability fund.

**Mr. Martin:** It's Albertans' money.

**Mr. MacDonald:** Absolutely, hon. member. It is the citizens of this province: it's their money in the safekeeping of the Minister of Finance.

The over \$7 billion that's in the stability fund or the sustainability fund, whatever you want to call it: will any of that be used to deal with this matter as has been articulated by the previous speaker?

Thank you.

**Mr. Liepert:** Mr. Chairman, I know it's getting late, but the two members who just spoke are actually confusing the legislation here. This pertains strictly to the \$25 million that was budgeted last spring, and I have to remind both members that this deal is not completed until the 62 school boards and union locals sign contracts at the end of January. Once that occurs – I'm confident it will – we will then be required to bring legislation into the following session to deal with that particular agreement that we just arrived at. I don't want the two members to confuse what we're doing here tonight.

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

**Hon. Members:** Question.

[The clauses of Bill 53 agreed to]

[Title and preamble agreed to]

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

**Hon. Members:** Agreed.

**The Deputy Chair:** Carried.

#### Bill 54

#### County of Westlock Water Authorization Act

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

**Mr. Renner:** Thank you, Mr. Chairman. I am pleased to take a few moments to address some of the issues that were raised during second reading on this bill.

10:30

At the outset I'd like to acknowledge that, in fact, all of the speakers that spoke to this bill recognized the need for this bill, so the questions that were raised were ones of detail and interpretation and in some cases, really, issues that are much broader than this bill. I will be reasonably brief in addressing some of the issues.

The Member for Calgary-Mountain View raised a number of questions, as did the Member for Edmonton-Calder, around the planning in place for this bill. As members are aware, the purpose of this bill is to provide water to the village of Clyde. There will be an Athabasca River basin watershed planning and advisory council that will be developed, and that will provide that overall plan that the region can deal with.

It was also asked: how do we get a better handle on primary water conservation and measures? The region's per capita water consumption is already below the national average. The average consumption rate is 220 to 314 litres per capita, and the national average is 450. Now, that being said, we will continue to work with the community to implement water conservation strategies and do whatever we can to assist them in reducing that per capita consumption even lower.

Calgary-Mountain View also asked: are there restrictions on the purpose for which the water is used in an interbasin transfer? The licence is for household use, garden watering, stock watering, and light commercial and industrial uses; for example, restaurants, service shops, and strip malls. Irrigation and oil field injection is not an acceptable use of water. The cost of the water, really, precludes most commercial and industrial use, the cost being the cost to deliver the water, not the water itself.

Calgary-Mountain View also asked what process Environment follows when addressing the question of interbasin transfer. The Water Act requires the approved consultation plan, public consultation, and environmental assessment. Open houses will be held. The applicant will describe the project, potential impacts and benefits, record and address concerns raised by the public.

Also, he asked if there was any kind of public consultation both in the receiving communities and the donor communities. He asked: do Albertans have a vehicle for having input into this decision-making process? Notice is in the newspapers, sent to every business and residence in Westlock, Vimy, and Clyde. Open houses in Westlock and Clyde were held and comments and concerns recorded

and addressed. There's also extensive information on Alberta Environment's website.

There was also a question inquiring what, if any, are made public with respect to environmental impact assessments. Mr. Chairman, I'm pleased to tell you that Spencer Environmental Management Services have done an assessment of the hydrology and biotransfer issues to source and receiving water bodies as well as impacts to existing users. The results were made public and shared at the open houses. Micro-organisms are eliminated in water treatment plant prior to entering any pipeline.

The member also asked: on what criteria would we say it's either in the public interest in the long term, which we increasingly have to look at, or is not in the public interest in the long term? The regional water supply supports the Water for Life goals. It's a cost-effective way to provide safe drinking water, eliminate the need for smaller communities to build, maintain, and operate expensive facilities. Westlock residents understand the importance of safe, secure drinking water.

I think that pretty much summarizes questions that were asked by members during second reading, and I'm pleased at this point to move forward with further discussion on the bill. There are no amendments to present.

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

**Dr. B. Miller:** Thank you, Mr. Chairman. I'd like to comment on Bill 54, County of Westlock Water Authorization Act. This bill, as everyone knows, authorizes the transfer of treated municipal water between the Athabasca River basin and the North Saskatchewan River basin to a maximum yearly amount of 208.78 decametres. The treated water will be transferred through the existing water treatment facility in Westlock county. It'll be transferred approximately 20 kilometres to the village of Clyde. This is an interbasin transfer because the village of Clyde is in the North Saskatchewan River basin, and Westlock county is mostly in the Athabasca River basin. Even though the two areas are geographically very close, the boundaries of each basin actually go right between the two areas.

While we do not support interbasin transfers as a matter of principle, and I think that's also the position of the government in its official position, this transfer seems necessary due to a lack of quality groundwater that the village of Clyde has access to. The people in the area have been trying for years to find a solution to the fact that they have very poor quality of groundwater that supplies Clyde. Over a number of years the councils of Westlock and the village of Clyde tried to come up with some kind of solution using filters, water treatment systems, and so on, but nothing seems to really work very, very efficiently. So there is really a need to help this village.

In principle the use of interbasin transfers as a management tool, of course, is contrary to our position and also the government's Water for Life Strategy, and any need for interbasin transfers indicates, really, a failure of water management planning. The province's water strategy should be directed at eliminating the need for such transfers. However, this interbasin transfer appears to be necessary for two reasons. One, it's an interbasin transfer mainly because of geography, as Clyde and Westlock although very close happen to be in two different water basins, and second, this is not a failure of water management but rather the culmination of years of attempting to rectify a quality issue with their groundwater source. This solution was done over years with the co-operation of various councils in the area and as such should be supported.

The final consideration. The denial of this licence would be extremely devastating to the village of Clyde as they do require a

high-quality water supply. Therefore, we must bear in mind that even if we have problems with making an exception to the basic strategy of not allowing interbasin transfers, there seems to be a real legitimate need here, and it must be addressed.

You know, it's not surprising that hon. members would want to comment on wider issues concerning water because we realize that as Alberta grows and water demand rises, the evaluation process that the Environment minister will have to go through will become increasingly important.

We must note, as we're looking at this particular bill, that this is not the first interbasin transfer bill to come along. In fact, there have been three other interbasin transfers in the past number of years: Bill 33, the North Red Deer Water Authorization Act in 2002; then in 2005 the government passed Bill 11, the Stettler water authorization act; then, of course, last spring Bill 33, the Bashaw-Ferintosh water transfer act. So we're just wondering how many other kinds of acts we are going to have. We have this one, 54, and then we also have Bill 55 in a few minutes. How many more are we going to be facing in the future? The issue is going to be really, really quite severe in the future.

I am very much beholden to Dr. David Schindler. He's an international water expert. He has written extensively about water in the Canadian context and especially in western Canada. He says that, you know, Canadians are always told by politicians in the media that we have abundant supplies of fresh water from our lakes and rivers, but that is not true. Canada has 7 per cent of the world's land mass and produces 7 per cent of the world's terrestrial runoff. In other words, we have just an average supply of sustainable fresh water by global standards. Of course, we have basins which can catch rain, but that doesn't mean that we actually would do so because rain has to fall. Much of northern Canada, where fresh water is most abundant, actually receives less than 250 millimetres of precipitation per year. Many of the larger lakes would require 100 years or more to refill if we emptied them.

**10:40**

Now, the western prairie provinces face a tremendous challenge because we live in the driest part of southern Canada. In the rain shadow of the Rocky Mountains some parts receive an average of less than 350 millimetres of precipitation per year, less than average evaporation, and the only reason that agriculture and large cities like Calgary have been able to thrive is because their shortage of precipitation has been offset by the rivers and aquifers draining from the Rocky Mountains, where there is high precipitation and also melting glaciers.

But, Mr. Chairman, that is a real problem. As Dr. Schindler and others have pointed out, we've been dependent on the glaciers and the snowpacks, but for the past 30 years the snowpacks have been getting smaller and melting earlier, and the major glaciers of the eastern slopes have lost 25 to 37 per cent of their mass in the past century. Every time we go to see the Columbia Icefield, which is the origin of the Athabasca River, and we see how far the Athabasca Glacier has receded, we all remember that it was much bigger when we were smaller years ago. So there's a great worry, I think, for us in Alberta now as we face the future.

We're kind of on a collision course. Dr. Schindler says that it's a collision course between increasing human demand for water – and all of our villages and our cities desperately need water, and our population is increasing, is increasing more than any other part in Canada. So there's the increasing human demand for water; then there's the increasing scarcity of water due to climate warming. I haven't mentioned that, but that's certainly a big part of this whole issue. There's a big United Nations conference meeting in Bali as we speak to deal with climate change.



If on the prairie provinces the temperature goes up even two or three degrees, that's going to have a devastating effect. We've had a history of droughts in the last century, and now we're going to probably have more history of drought in the future. So you have a collision course between the increasing demand for water and the increasing scarcity of water due to climate warming. If we have one of the long droughts of past centuries, then that's a collision course, and we will learn first-hand what water scarcity is all about.

Now, of course, there's much we can do to alleviate the situation, and that's where the whole issue of management of watersheds comes in. Government policy is right; we have to be extremely careful about transferring water from one water basin into another. There should be better management of our watersheds of lakes and rivers. There are certainly a lot of things that people can do, and perhaps it's time to provide incentives for landowners to retain or restore wetlands and plant more trees along rivers so that our watersheds can be improved.

Anyway, it's not surprising that a bill like this, which deals with just the needs of a small village – we're really quite concerned that this village be able to have a good water source. At the same time, we realize the huge issue that the issue of water brings to Alberta.

Those are my comments, Mr. Chairman, and we would be prepared to support this bill, Bill 54.

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

**Hon. Members:** Question.

[The clauses of Bill 54 agreed to]

[Title and preamble agreed to]

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

**Hon. Members:** Agreed.

**The Deputy Chair:** Carried.

### Bill 55

#### East Central Regional Water Authorization Act

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

**Mr. Renner:** Thank you, Mr. Chairman. I'm going to address Bill 55 by saying that many of the questions that were asked by speakers addressing this bill at second reading were very similar to those that I've already addressed in my comments respecting Bill 54, so I'm not going to repeat myself on what the process is about public meetings and notifications and all of those types of issues. They all apply in the case of this act in the same way as they would in Bill 54.

In addition, I also had an opportunity to deal with a number of specific questions during the questions and comments section when I spoke during second reading. I don't know that there is a whole lot that needs to be said on this bill other than some specific reference to the fact that here we're talking about a transfer from the Red Deer River.

I think there were some comments that were raised with respect to the amount of water that's involved. I want to go on record as indicating that the South Saskatchewan River basin management plan will require a thorough review when the allocation in the river

subbasin reaches 550,000 cubic decametres. That is a significantly higher number than the amount that's being contemplated in this bill. However, it is something that we need to watch and will as we develop the management plans for this river, like any other river in the province.

The question that was asked by the Member for Calgary-Mountain View in this case: is it sustainable to continue to expand the system into east-central Alberta? I want to advise the House that the commission completed a feasibility study to support their grant application, and that study identified the debt load from their portion of capital costs and the expected operation and maintenance costs, which the commission accepted. The member also asked: what kind of growth is expected, and what kind of industry demands might there be? The proponents anticipate 2 per cent rural and 3 per cent urban growth within the region. So this is a very conservative plan that's in place.

Bill 55 will allow Alberta Environment to amend and issue licences to address the long- and short-term solutions required by towns and villages throughout this region. The water, again, will be for household use, garden watering, stock watering, and very light commercial and industrial use such as restaurants, service shops, and strip malls.

Apart from the fact that we're dealing with a different set of realities on the ground, the principle behind Bill 55 is exactly the same as the principle behind Bill 54. We have a regional water system that happens to be geographically located in an area that straddles two different water basins. It is necessary to have this dealt with by the Legislature. But as previous speakers have indicated, although it's contrary to the overall philosophy, the overall policy of government to have interbasin diversions, it is not unusual nor is it, I think, unreasonable that where geography dictates, where we've got treated municipal water that crosses between interbasin water bodies, this Legislature should give careful consideration.

I would suggest that this legislation requires the same kind of support as we had for Bill 54.

**The Deputy Chair:** The hon. Member for Edmonton-Beverly-Clareview, followed by Lacombe-Ponoka.

**Mr. Martin:** Thank you, Mr. Chairman. Again, I won't go on long. I think what makes this one a little more problematic – and the minister alluded to it – is the scope here. I think this is what perhaps makes people uneasy and, I'm sure, the minister to some degree uneasy, too. Just in the spring we were dealing with Ferintosh, and I believe it was in 2005 that we were dealing with Stettler, and now we're expanding this by 8,000 decametres to 10,800 decametres, and nine communities are accessing this instead of two. So that's sort of a huge leap for interbasin water transfers.

**10:50**

Now, I think I heard the minister right in saying that he has some concerns about this, that they are going to be working on a water management plan. I think the minister can see, you know, why there is this concern when we in the spring dealt with the ad hoc in Ferintosh before that, and then all of a sudden it's nine. I think the feeling is: is this the thin edge of the sword? Are we going to keep coming back? Is it nine communities? The minister alluded to his feeling that this, perhaps, can handle the increase in terms of the population living in this area. I guess we'll have to see, but we need very quickly, I would think, a cumulative impact plan. If I heard the minister right, that's what they're going to start to look at in a more serious way in the South Saskatchewan basin, to see if this is sustainable or not. I think I heard him right, but this is coming fairly quickly.

You know, the 10-year time span for the project indicates that this water will be allocated for future community growth. Again, the minister said in his studies that they thought this was sustainable. I'm not sure how we know that. With the population increase, certainly, the major population increases have occurred in certain areas of the province, but all the province is growing considerably. People are moving away from the cities to get cheaper rent in the rural areas. I hope this is sustainable, and I hope it's not the first sort of bigger step towards more interbasin transfers. The minister says not. We'll have to at this stage take him at his word about it. I would hope that we're not going to have to come back to the Legislature to deal with, you know, Ferintosh in the spring and then nine more communities and then come back next spring, and there are a few more. Then we've got a bigger situation.

I think we have to watch this very, very carefully. Obviously, these communities need water, but there has to be an overall plan of how we're going to deal with that, with population and the rest of it. I look forward to the minister following this closely and take him at his word that they will be taking a good look at this and these basins and seeing that it is being done, that there will be a comprehensive water management plan, and that we're not going to have to deal with this every year in that 10-year span and take more and more water out. The Member for Edmonton-Glenora is correct: this is going to be a major issue for us in this province in the very near future.

Thank you, Mr. Chairman.

**The Deputy Chair:** The hon. Member for Lacombe-Ponoka, followed by Calgary-Elbow.

**Mr. Prins:** Well, thank you, Mr. Chairman. I would like to just make a couple of very brief comments about Bill 55 and, I guess, Bill 54 as well. I want to thank the hon. Member for Drumheller-Stettler for bringing this bill forward. I was the one that proposed Bill 33 this spring, the Town of Bashaw and Village of Ferintosh Water Authorization Act. Basically, when I went out to talk to these people, I asked them if there were any more needs in the area, and they assured me that there weren't. We passed the legislation, and soon after they asked for more water in this area. I suspected that this would probably happen anyways, and I'm very pleased that we're moving forward with this bill at this time.

Because this bill is going to repeal two acts, the Stettler Regional Water Authorization Act and the Town of Bashaw and Village of Ferintosh Water Authorization Act, it actually covers quite a large area, so it probably will take care of the needs of these small communities for many, many years. It will take care of Stettler's needs as well as in my constituency Alix, Mirror, Bashaw, Ferintosh, New Norway, and Edberg. This is a fairly large area, and there's a bit of concern here about: how far is this going to go? Are we going to hear about this every year? Are we going to keep on bringing this up? I believe that once we have a regional system that covers a large area, we won't hear from these people for a long time because they'll be satisfied.

People are right about being concerned about groundwater, aquifer water. This is the kind of water that currently we're using in these small communities. Farmers and all people in rural Alberta use aquifer water. People are right to be concerned about this. What I can say to you today, Mr. Chairman, and to all members is that I was part of the water commission that was built through Lacombe, the one that went from Red Deer, Blackfalds, Lacombe, and Ponoka. I was one of the founding members of the original water commission when I was a reeve with the county of Lacombe. What we found when we actually turned that water system on and took the towns of

Blackfalds, Lacombe, and Ponoka off the aquifer system, the aquifers that they were using before that: the aquifers recovered very nicely. The water level in the aquifers in Lacombe rose by many, many feet as soon as the water was turned on from the water pipeline from Red Deer.

What that does is that it provides more water for the surrounding areas for the farmers and the rural residents, that completely depend on aquifers for all of their water. They have no choice. They don't have pipelined water to their places. What happens when you turn a pipeline on to these communities is that you save the water that's in the aquifers and preserve that water for the people that have no choice. That's the good news about regional water systems. As the minister has said, when economics and geography dictate, it makes a lot of sense to build regional water systems, whether it's interbasin transfer of treated water or not. We just want to do what makes sense and what's right for Albertans.

I would support this bill, and I'd encourage all members to support it as well. Thank you.

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

**Mr. Cheffins:** Thank you, Mr. Chair. I rise to obviously express support for this bill. We need to. There are people who are in need of drinking water and water for other basic needs, so I think we all need to do that.

I'd like to begin by thanking the minister for trying to address concerns that have been raised by the hon. Member for Calgary-Mountain View. I think this is a good day to be actually thinking about the hon. Member for Calgary-Mountain View and his concerns for people, so I'm glad that you brought those forward.

I know that we've all got concerns about management of water. I think that, once again, we have to be in support of this particular bill and this particular interbasin transfer, and I emphasize this one in particular. Again, people do need to come first, and basic needs of human beings have got to be a priority. But we do have concerns about major water diversion and storage projects because it can significantly compromise aquatic and other ecosystems, and we have to at the same time remind ourselves that people in the ecosystems don't exist separately. There's an interdependency that's there. At the same time, as I say, we do need to support Bill 55 here.

There's not a whole lot more that I'd like to say. I am a little bit curious about the issue that was raised by the hon. Member for Lacombe-Ponoka. I don't know whether or not this is the place to have further discussion on the aquifers in general and the effects that interbasin transfers can have on aquifers and that whole interdependency of the water system. I think it does call into question the need for an inventory, and I think questions should be raised as to why there hasn't been a complete groundwater inventory done.

I am interested in learning more about whether or not these transfers allow for recovery of the aquifers. Also, I want to make sure that this isn't just sort of an opportunity, then, to be able to use the aquifers for other purposes, that that's really not what it is that we're attempting to do here. I'm not necessarily suggesting that would be the case – I do believe that this bill has been brought forward primarily to address the concerns of the people in the area – but it still, I think, bears consideration. I do have some concerns on that.

**11:00**

Just for the minister, as well. I think he mentioned the reasons for this bill going forward, that the water uses would be for individuals, and I think you mentioned also light industry. With the previous bill that we talked about, I think you specifically indicated in Bill 54 that

the water transfers weren't to be for consideration of utilization for agriculture and for mining. I'm just wondering whether or not we can get assurances to the same effect with this bill as well.

Thank you, Mr. Chair.

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

**Hon. Members:** Question.

[The clauses of Bill 55 agreed to]

[Title and preamble agreed to]

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

**Hon. Members:** Agreed.

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

The hon. Deputy Government House Leader.

**Mr. Renner:** Thank you, Mr. Chairman. I move that the committee now rise and report Bills 23, 53, 54, 55, and progress on 46.

[Motion carried]

[Mr. Marz in the chair]

**Mr. Shariff:** Mr. Speaker, the Committee of the Whole has had under consideration certain bills. The committee reports the following bills: Bill 53, Bill 54, Bill 55. The committee reports the following bill with some amendments: Bill 23. The committee reports progress on the following bill: Bill 46. 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**

*(continued)*

#### **Bill 48**

#### **Health Facilities Accountability Statutes**

#### **Amendment Act, 2007**

[Adjourned debate November 29: Mr. Hancock]

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

**Ms Pastoor:** Thank you, Mr. Speaker. I'm pleased to speak to Bill 48, the Health Facilities Accountability Statutes Amendment Act, 2007. The objective, really, of this bill is to amend the original acts to clarify the lines of accountability between hospitals, health regions, and the minister. Bill 48 is the government's response to the confusion in the accountability that resulted in the failure when it didn't close St. Joe's sterilization unit and was initially ordered to do that.

I believe that there are various reasons that St. Joe's was closed, and I think some of them were due to the differences between and the infringements of the infection controls. Mainly, part of it was

the legislation and the arguments governing the operations between East Central health region and St. Joe's. So I guess, basically, the question at that point was: who's really in charge?

However, I don't think that that's the question today. I believe that this bill tends at this point to be a bit of an overreaction to the issue. I am in no way making light of the fact that there was a serious breach of infection control. I think that that is what every citizen considers as basic human care and that we just take for granted that we can trust our health care providers. One of the things that you trust them with is the fact that when you go to a hospital, you're not going to come out with a worse infection than what you went in with.

I really believe that part of this is an overreaction because infection control really is based on cleanliness. In the early '90s there were severe cuts, of course, in the health care regions. One of the first ones to be cut was the staffing for the cleaning of all of these, not just in the ORs but, certainly, throughout all the hospitals and anywhere that patients actually were. Unfortunately, what's happened at this point is that, yes, there has been money put towards this bill, and there's also been money put towards the studying of infection control, et cetera, but in the meantime that money has now stayed at a level, certainly, way above the people that are actually doing the work.

Where has this extra cleaning now been downloaded onto? It's been downloaded onto the front-line staff, the PCAs and often the LPNs, which means that the residents and the patients in these particular health facilities now have even less care than what they had before. I think it's very serious. I think it's something that has to be looked at by the government when they evaluate how those dollars that they've put towards this particular issue have actually been spent and what they are getting for their money. Are they really getting cleaner OR rooms? Are they really getting cleaner hospitals? I would have to see that on a piece of paper to actually believe it.

The guiding principles of the government's review of the health agreements and the legislation were sort of as follows. They strengthen the accountability for quality and infection control for regional health authorities and voluntary health providers. The process was not about threatening the existence of voluntary health providers or eroding their ability to be an independent and integrated part of the regional health care system. The voluntary health providers have added value to the health system for over a hundred years, and this process should support documenting the current value-added and look for ways to enhance the value-added and the strategic continuation into the future of their contributions.

Bill 48 really is not designed to clarify and enhance that joint accountability of the regional health authorities and the faith-based organizations but instead actually imposes rigidity and control of the faith-based organizations. It limits the ability to add value to the system and completely contravenes the second and third principles that I mentioned above, number two and number three, which were that they weren't threatening the actual existence of the voluntary health providers through the faith-based community. As usual, unfortunately, this is a government bill that was drafted without stakeholder consultation or input from the faith-based providers of health care. The legislation effectively cancels the master agreement and other agreements with the regional health authorities, which effectively served the province since 1994.

The recommendation from Alberta Health identifies one entity to have final authority for all matters related to the operation of the health care facilities in a regional health authority. I believe that that recommendation in itself probably makes a great deal of sense. You can't have many bosses when you need to enforce one particular set of standards. However, I would be upset if I saw that the faith-based

community was cut out of the operation or out of being able to give their contributions because of the one system.

I also believe that the minister in this particular opportunity has again granted himself too much unchecked authority. The health care system clearly doesn't have the appropriate checks and balances for identifying and monitoring problems. The province had an effective centralized monitoring and enforcement standards branch, but it was dismantled by the same government in the '90s. This appears to be an attempt to return to that but using the minister as the authority.

11:10

I am going to support this bill with reservations, and I believe that I have spelled out the reservations. But I think that paramount in this whole discussion is the fact that we simply must have standards for infection control in our hospitals and in our nursing home facilities, actually in any facility where we have vulnerable people visiting and living where infection can rapidly get out of control. Again, I would go back to my belief that if we increase our cleaning staff, we would cut down on our infection control. So I would be supporting this with reservations.

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

**Mr. Martin:** Well, thank you very much, Mr. Speaker. I am going to support this bill. I think it was clear from what happened in Vegreville and Lloydminster that it was broken and needed to be fixed. The Health Quality Council said as much, and they've asked the minister to establish a plan. You know, generally it makes a lot of sense.

There are always misgivings about centralizing power in the minister's office. Obviously, with that old saying, "The buck stops somewhere," it ends up stopping with the minister. I think he has to have that authority through a contract, you know, working down the way through the regional authorities and the rest of it.

I think we learned that you need a bill like this, Mr. Speaker. The centralizing power in the minister's office: hopefully, the minister will recognize that there are limitations to that and operate the way he has to if there is a pandemic or some other emergency.

There was one question – I'm just trying to pull it together – that just came to the minister. I'll just put it on the record. At some point he may want to talk about it. It came from the physicians. Unlike Bill 41, where I think there was a bit of an overkill – and I've said that, and there are some amendments now, which makes it better. I'm not sure that they're totally satisfied.

There was a letter sent to the minister and the Member for Edmonton-Centre and myself as health critics. The physicians were asking some questions about Bill 48 specifically, specifically about – here it is – certain clauses of the bill. I don't know if the minister has had a chance to look at this letter yet. I'm sure he will take a look at it. It just came in from Darryl LaBuick. He wants to seek assurance that these proposed amendments are not intended to include physicians' offices, offices associated with primary care networks, other facilities owned, operated, or managed by physicians, or offices of physicians associated with alternate relationship plans. Now, I'll leave that.

This letter was sent. I just picked it up, I think, today. So if the minister would take a look at that before we come back to Committee of the Whole, it would be appreciated. They perceive no urgency to these amendments, and they ask that it not be proceeded with. I disagree. I think there is some urgency. If something hit again, we'd need to do this. But I wish that the minister, if he hasn't,

would take a look at that letter that just came in addressed to the three of us and respond and let us know what they're saying and specifically about that insurance that I mentioned.

Thank you, Mr. Speaker.

**The Deputy Speaker:** Hon. members, Standing Order 29(2)(a) is available. Questions or comments? Seeing none.

Anyone else wish to participate in the debate?

**Hon. Members:** Question.

**The Deputy Speaker:** Does the hon. Health and Wellness Minister wish to close?

[Motion carried; Bill 48 read a second time]

### Bill 52

#### Corrections Amendment Act, 2007

[Adjourned debate November 28: Mr. Cenaiko]

**The Deputy Speaker:** Does the hon. member, wish to close? The hon. Member for Calgary-Buffalo.

**Mr. Cenaiko:** Thank you very much, Mr. Speaker. As I mentioned the other day, the amendments to this act are really going to provide us with enhanced inmate disciplinary procedures, provide for safer correctional facilities for communities that have those facilities in their neighbourhoods, and as well, especially and most especially, support victims by providing greater access to information about offenders.

[Motion carried; Bill 52 read a second time]

### Bill 49

#### Traffic Safety Amendment Act, 2007

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

**Mr. Johnston:** Thank you, Mr. Speaker. I'm pleased to rise to provide additional information about the bill introduced on November 20, Bill 49, the Traffic Safety Amendment Act, 2007. One of the amendments stems from work done by Infrastructure and Transportation on Alberta's traffic safety plan. The traffic safety plan is aimed at reducing fatalities and injuries and making Alberta's roads safer for everyone.

Speeding through intersections: we all know that speed causes many collisions and that many collisions occur at intersections in Alberta. In fact, Mr. Speaker, over the past five years 138 people have been killed, and 35,080 have been injured in collisions at our urban intersections. Accordingly, a key amendment is related to reducing speeding through intersections. To explain, red-light cameras currently located in municipalities act as a deterrent to help reduce red-light infractions and collisions. It is proposed that the same cameras be used to identify vehicles that speed through intersections.

Mr. Speaker, we know that enforcement is a key component of traffic safety. Using intersection safety cameras to discourage speeding is a prudent way to increase safety for all drivers and passengers. In fact, this has been the case in the United Kingdom. Through a four-year evaluation of fixed camera sites the U.K. Department for Transport found that there was a 70 per cent reduction in the number of vehicles travelling above the speed limit. In the same four-year evaluation it was noted that there were 42 per

cent fewer collision fatalities and injuries and a 91 per cent reduction in the number of vehicles speeding excessively.

Mr. Speaker, another amendment under Bill 49 would put the focus of liability for collisions on people who have day-to-day control over driving their vehicles. At present others who retain title to a vehicle they lease or sell to someone on a conditional basis can be found vicariously liable for damages and collisions where an individual who leased or bought the vehicle got into a collision or allowed someone else to drive who was in a collision. It is proposed that a cap be placed on liability by the vehicle leasing and sale industry and on the liability of lenders who retain title to vehicles as collateral for loans. The provinces of Ontario and B.C. have a similar cap on liability in place.

Mr. Speaker, the final three amendments under Bill 49 are housekeeping items. One amendment is related to upholding the validity of Alberta's administrative licence suspensions of those providing a breath sample over .08, or 80 milligrams, per cent. The Alberta Transportation Safety Board is currently required to make a common-sense assumption that a driver's blood alcohol level at the time of driving is the same as when the breath sample is provided in an approved breathalyzer. Some people question whether this is a reasonable assumption. It is proposed the act be amended so that the administrative licence suspensions will be confirmed if evidence taken within three hours of driving indicates that a motorist was over the legal blood alcohol limit.

Under the Alberta Transportation Safety Board, Mr. Speaker, another amendment to the act involves streamlining the process for court review of decisions made by the Alberta Transportation Safety Board. In a nutshell, if there is a concern about a decision made by the board, the applicant can apply to the Court of Queen's Bench, not other levels of court. This amendment also reaffirms the Alberta government's original intention to give significance to decisions by the Transportation Safety Board.

11:20

Mr. Speaker, the final amendment under Bill 49 addresses certificates of registration for certain types of trailers drawn by commercial vehicles. Specifically, the amendment involves trailers classified as class 4 commercial vehicles. For this kind of trailer the registration doesn't have to be renewed annually. Unlike other classes of trailers class 4 trailers are commonly pulled by a number of different drivers working for various commercial carriers. The registration is often kept in a pouch on the side of the trailer. That being the case, we propose that it would be sufficient for the carrier to attach a photocopy of the registration to the trailer as an option to the original registration. This will save the industry time and money.

Mr. Speaker, traffic safety is important to everyone, and traffic safety is an important part of our government's plan to secure Alberta's future. Thank you.

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

**Mr. Cheffins:** Thank you, Mr. Speaker. I rise to speak to this Bill 49, Traffic Safety Amendment Act. I recognize that this bill I believe is brought forward, at least to some extent, in the spirit of trying to make Albertans safer. We all have concerns with regard to speeding and to safety around traffic lights. I still have some concerns about just how it is that this bill will be implemented. I'm not sure whether or not it's trying to catch people who are speeding or going through red lights or both or which combination of that we're looking at. If it's to try to catch people who are speeding to try to make it through a light, obviously we've got concerns about that. That can be a danger to the public, and we should all be concerned about that.

But at the same time I'm not sure whether or not this bill shouldn't be debated further in terms of larger questions in terms of specific or general deterrence. I think that there are some questions also in terms of where it is that these measures would be deployed. Again, I believe that I and my constituents would like to see these measures deployed in areas where there's the greatest concern for public safety. I think that there is the issue of general or specific deterrence, and if in fact the measures are going to have the greatest impact in terms of deterring behaviours that are not safe in specific areas, then we'd like to see the resources deployed in those areas.

I think there's also a concern about where it is that the revenue from these measures will go. Would they be designated to a particular fund? Again, I think that that speaks to the purpose and the principle of this bill in terms of if this bill is not just an attempt to have more revenue in the coffers of the government but in fact if it's something to address safety issues of the public. I think designate the dollars to a particular fund which might go to victims or, even better perhaps, to driver education because prevention should be the key and it should be what is the most important thing that we're trying to address here, which is to improve safety and reduce the number of accidents, accidents that truly can be devastating for individuals and families.

Perhaps dollars could also go towards more policing. I think the general public would like to see more police involved in traffic issues as well. Often there's an education component that could come into that as well.

Finally, I think there are some concerns as to just how this would go about. Would there be private companies involved in this process? I'd like to see further discussion on that, and I look forward to further discussion, Mr. Speaker.

Thank you.

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

**Mr. Martin:** Thank you, Mr. Speaker. I want to mainly comment about the speed-on-green cameras. I realize there are other aspects to the bill, some changes regarding drunk drivers, and so forth, but I want to talk about the references to the red-light traffic enforcement device.

Mr. Speaker, I know the government is saying that this is a safety issue, and perhaps it is, but I look at the statistics. I know the member, I think, said that there were statistics from Great Britain that he was quoting, but I have one closer to home. Statistics do not clearly indicate whether radar cameras, the ones we have now, change driver behaviour. A study conducted for the Edmonton Police Commission in September 2006 concluded that the statistics gathered by the city's photoradar program were inconclusive. This study reviewed the literature on photoradar around the world and found that red-light cameras reduced the number of red-light violations, only slightly reduced the total number of collisions, but lead to more significant reduction. I think those are the studies that you were talking to, but it didn't seem to make much impact here.

Now, we know it's obviously a cheaper way to catch traffic violations than stationing police officers to hand out tickets. The cameras also make it easy for municipalities to collect significant amounts of revenue, but whether they lead to improvement in driver behaviour, frankly, I think is unknown because there are no demerit points for radar tickets. You know, my leader called it robocops, but I'm not sure that this is going to work in the long run. I would rather save the money. I think we're in desperate need of more police.

And I think that when you hand out demerits, with the driver education that I was talking about – I used to work in that area in

Calgary at one time, working with people that were almost on the verge of losing their licence, in counselling programs. I'd like to think that we had an impact. Hopefully we did. But I'm not sure that this is going to lead to what the member wants it to do because, really, the evidence is inconclusive. I'd rather see, frankly, more police out there writing tickets, adding up the demerit points, you know, and then the driver education working there. I think that's the way to have impact over the longer run.

This will collect some money for the municipalities. I don't think that's the purpose of the bill, but other than that, I'm not sure that this is going to work because the evidence, as I say, is inconclusive. Again, I really stress – really stress – that we need more policemen out there. You know, our national average is way down in this province, and the cities are growing, and the police forces aren't keeping up. I know I'm probably talking to the converted there, but I'd much rather see that than these sorts of quick fixes because I'm not sure they're going to have much impact in the long run.

Thank you, Mr. Speaker.

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

Seeing none, are there others that wish to participate in the debate? The hon. Member for Edmonton-McClung.

**Mr. Elsalhy:** Thank you, Mr. Speaker. I rise to participate in debate on Bill 49, the Traffic Safety Amendment Act, 2007, which is before the House. I'm of two minds. I definitely support measures and tools which are meant to increase safety on our roads, to minimize accidents, to minimize injury and death, and I know that the government is actually looking at this as a measure to maybe improve safety or to discourage speeding, and so on. The other part of me is against tools that are meant to be money-generating mechanisms or cash cows.

11:30

Many, many people in this province have expressed concerns with photoradar, for example. Some people approached the issue from the angle that the money that is generated through photoradar is not necessarily spent on drivers' education or on road safety programs, and so on, that it's basically a way to supplement or to bring up the funding to certain local police services because the government underfunds police services in this province. So what these agencies have to do is to look for alternate means to raise that kind of revenue, and they do it through photoradar. People have complained that this money doesn't get put back into driver education or road safety programs, and so on, and that in fact photoradar penalizes the vehicle owner. It doesn't really penalize the person who was driving, who is the person to blame and should be the person really held accountable.

That is why I am hesitant to support Bill 49. What it's trying to do is to implement intersection safety devices, or speed-on-green devices, to basically catch people who are speeding in an intersection. We do have red-light cameras already, which catch people who go through a red light, and we catch these people typically from behind. We take that picture from behind, so we get the licence plate of the vehicle, but we don't know who's driving. Sometimes you do, but most of the time you don't. I would much rather see, you know, hopefully in the not-so-distant future, a way for us to actually catch the driver, identify the driver, issue demerits so that it acts now as a deterrent. People have to learn. To make a suggestion that somebody pays the fine and learns a lesson from just paying the fine I think is looking at maybe half the picture. Drivers have to be really held accountable. They have to be questioned, and they have to be pressured into behaving, into adhering to the code.

Driving is a privilege. Basically, we don't want to abuse that privilege. It's a privilege that's given to them pursuant to some basic driver education at the beginning, then owning a vehicle or having access to a vehicle, and then having driver's insurance, and that's it.

Many people go through red lights. Many people speed in intersections. We need to deal with them, yes. But I don't think we should be looking at this as just another cash cow to generate revenue.

Now, when people don't speed, they don't get caught. When people don't break the law, they don't get fined. That makes sense. What we're trying to say here is that this bill may give the impression that this government is serious about safety on Alberta's roads. Like I say, I'm not necessarily opposed to any measure that would improve that safety record, but this one here doesn't do it. This particular bill does not achieve this.

Legislation is, you know, one minor step in maybe dealing with this. I don't mind the fact that it streamlines the judicial review for Alberta Transportation Safety Board decisions. That's probably a good decision. It increases the amount of time during which blood and alcohol levels can be measured. Again, that is probably not a bad idea.

We also have to look at the technology that is being used. I recently toured some areas of the province and spoke to many people from the law enforcement community. It was actually brought up multiple times that maybe the technology we're using is not all-encompassing, and maybe we need to be upgrading and updating our technology in terms of the breathalyzer. Also, it was suggested to me by some sheriffs in southern Alberta that maybe we should be looking at other jurisdictions and incorporating drug testing, not just alcohol.

There are technologies right now, Mr. Speaker, that vary from a device that measures for seven well-known drugs that are abused by drivers that can be identified; then, there are other technologies that can identify up to 11. Now, whether you start with 7, whether you do the full thing and do 11 of them, it doesn't matter. You have to start somewhere. Recreational drugs, you know, while driving can cause the same level of impairment, if not more. Then sometimes they're actually combined with alcohol, so you get a drug and then you get alcohol on top, and it's a double impairment. So I think we should be looking at modernizing what type of technology we're using.

Another idea in terms of cameras was also brought up when we were touring southern Alberta. In fact, a place like British Columbia has those cameras that can identify a vehicle and instantaneously determine if that particular driver or that vehicle owner, you know, has an outstanding warrant, is wanted for a crime, or even as simple as being wanted for family maintenance arrears. If somebody owes money to their former spouse or to their kids, well, that camera can identify that person right there. There is a bulletin that is issued automatically, and then at the next stop or the next stretch of road somebody's waiting for them with open arms.

Are these improvements that I would like to see? Yes, absolutely. If you ask me how much money a device like this costs, it only costs about a hundred thousand. I would argue that it's money well spent because, you know, that is definitely something that would help with our outstanding warrants. I know the Solicitor General is moving in that direction now with his warrant apprehension crew, and that's one tool that might be made available to them.

Again, just to emphasize my point, sometimes drug impairment can do more damage compared to alcohol impairment, and sometimes the two substances are combined.

So some areas of this act are favourable, and I don't necessarily

disagree. I'm actually going to, you know, reserve my judgment until, maybe, we're in committee and discussing the clauses of this bill.

**Mr. MacDonald:** Amend this bill?

**Mr. Elsalhy:** I wasn't intending on amending it, but actually I might, given the encouragement from my colleague from Edmonton-Gold Bar.

Just the fact that it's potentially going to be used as a revenue-generating cash cow is objectionable. I would really like drivers to be identified. Maybe now, as the province is considering redesigning the licence plate, there could be the discussion that licence plates would now be put on the front of the vehicle as well, and then we take a picture of the driver. It wouldn't be a huge cost, and it wouldn't be really that difficult in terms of getting some crews from Alberta Infrastructure and Transportation, for example, to retrofit these cameras. Instead of pointing them, you know, looking at the intersection from behind, maybe get them to look at the intersection from the front and catch people in the act and identify those drivers. The financial deterrent in the fines I don't think is adequate, and I don't think it's actually cutting it.

The liability and insurance issue is probably the most problematic section. While I understand the need to remove the vicarious liability, as in number 13 in the clause-by-clause analysis, there are some serious concerns with this section in particular, you know, a question that we have raised more than once in this House in terms of broad regulatory powers being given to the minister or being acquired by the minister. Definitely, the Solicitor General is no exception. We often raise concerns about this practice in terms of the consolidation and concentration of power in the hands of one person or a small group of people. We've seen it in this House time and time again with energy bills, with privacy bills, and so on. This again is taking the government further into that direction. I think, you know, that to offer one person or one member of the Executive Council that broad a power definitely invites attention and scrutiny, and we hope to afford this bill that type of scrutiny in Committee of the Whole.

11:40

More importantly is the amendment to the Insurance Act, which actually privileges regulations the minister may make over legislation itself. Again, we have seen this being a trend of this government, a direction that they like, a preference where, in fact, regulations which are not debated in the House, regulations that are passed behind closed doors, take precedence over legislation that is debated in this House, legislation that members from both sides of the House get to debate and talk about and consider. Regulations don't get the same type of attention. The government might argue that the minister has all the information at his fingertips, that he has the staff and the resources to go through these, you know, in as much detail as he or she wants, but I would argue that this is not good enough. Regulations are needed at times, but regulations do not have more importance or more precedence when compared to legislation itself.

Now, the ministry sometimes explains this as being necessary because of emergencies, because of situations which arise, and we need to deal with them. Fine. We need to deal with emergencies, and we need to deal with special situations when they do arise, but to give that blanket provision, that blanket licence to the minister to do what he pleases and to make his regulations more important than the legislation itself I think is ill advised.

Unless I bring an amendment forward or if other members would like to, you know, explore that option, I think I'm going to reserve

my decision on this, but I'm leaning more towards not supporting it in the meantime.

Thank you, Mr. Speaker.

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

Seeing none, does anyone else wish to participate in the debate? Does the hon. Member for Calgary-Hays wish to close debate?

**Mr. Johnston:** Question.

[Motion carried; Bill 49 read a second time]

#### Bill 47

#### Livestock Commerce and Animal Inspection Statutes Amendment Act, 2007

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

**Mr. Mitzel:** Thank you, Mr. Speaker. I'm pleased to rise tonight and move second reading of Bill 47, the Livestock Commerce and Animal Inspection Statutes Amendment Act, 2007.

Bill 47 seeks to amend the Livestock Identification and Commerce Act and the Animal Health Act prior to bringing the acts into force by proclamation. Amendments to the Livestock Identification and Commerce Act will clarify the requirements pertaining to security interest disclosure, sale documentation, prompt payment, and livestock permits.

I'll provide a brief overview of the current provisions and the proposed amendments. Currently the Livestock Identification and Commerce Act sets out a mandatory requirement that sellers disclose security interests in the livestock they're selling. This will strengthen the due diligence practices of the livestock industry to better recognize the security interests of lenders and provide protection to buyers of livestock.

This provision received royal assent in 2006 and will come into force upon proclamation. At that time completion of the security interest declaration on the manifest will change from optional to mandatory. Sellers will be required to disclose to buyers the names of lenders holding security interests in the livestock. Buyers will be expected to issue payment jointly to the seller and security interest holders. Security interests are an important consideration, Mr. Speaker, as the vast majority of cattle are pledged as security. The amendments refine the legal language pertaining to security interest disclosure and directing the payment for the sale of the livestock. Bill 47 will improve the operation of the act in the interests of both the livestock industry and the lending community. Mr. Speaker, both the livestock industry and the lending community have worked together to prudently ensure that security interests are appropriately recognized to facilitate effective commerce in the livestock market.

We're also proposing amendments to sale documentation provisions. Currently the Livestock Identification and Commerce Act requires the use of a bill of sale for the purchase of livestock. The amendments seek to recognize the various types of sale documents used now and that have been traditionally used in the livestock industry, including bills of sale, invoices, and settlement statements. Sale transactions will need to be documented in one of these three forms and include the prescribed information. Sellers and agents can customize their choice of form to meet specific needs and practices. Bill 47 recognizes the three forms of sale documents that are considered valid by the livestock industry and lending community.

Minor amendments to prompt payment provisions are included

also in Bill 47, Mr. Speaker. Currently the Livestock Identification and Commerce Act requires prompt payment for livestock. Payment is to be within two business days after possession or price discovery, whichever occurs later. The amendments will recognize sales through agents such as auction markets and require that they also pay promptly.

We're also seeking to amend provisions related to livestock permits. Currently the Livestock Identification and Commerce Act defines a permit as a livestock permit, a horse permit, a pedigree cattle permit, or other type of permit as permitted in regulations. Permits are used for the movement of livestock when the livestock are not being sold. The amendments seek to facilitate the implementation of the variety of permits by moving details into the regulations.

The final amendments, Mr. Speaker, in Bill 47 are to the Animal Health Act. Currently livestock marketing facilities in Alberta are licensed under the Livestock and Livestock Products Act and are inspected by Agriculture and Food under the Livestock Diseases Act. The Animal Health Act provides for licensing these facilities. The amendments will add inspection authority over these facilities. Licensing and inspection will be consolidated under one act. That will be the Animal Health Act.

I can assure all hon. members that we've undertaken extensive stakeholder consultations to develop Bill 47, and we continue to work with industry and others affected by the legislative framework to ensure that the Livestock Identification and Commerce Act and the Animal Health Act will work for them. The amendments to the Livestock Identification and Commerce Act were developed with the input of representatives from the federal and provincial lending community and the livestock industry. These stakeholders are united and solidly in support of these amendments.

In conclusion, Mr. Speaker, this legislation will enhance livestock identification and make sales transactions of livestock easier. The amended acts will help the day-to-day business of the livestock industry to work more consistently and efficiently.

In the interest of our livestock industry I urge all hon. members to support Bill 47. Thank you, Mr. Speaker.

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

**Mr. MacDonald:** Yes. Thank you very much. It's a pleasure to rise at this time and speak to Bill 47, Livestock Commerce and Animal Inspection Statutes Amendment Act, 2007. Certainly, it's so different from Bill 46. It's amazing.

First off, Mr. Speaker, I would like to recognize the co-operation that came from the Minister of Agriculture and Food regarding the briefing on this bill. Certainly, it was a lot more than what one got with Bill 46, if one could compare Bill 47 to Bill 46. If you look at

the consultation process that went on here, I think the name of the hon. member who proposed this bill should be added to the list for future ministers of energy because certainly the hon. member has been doing due diligence. There has been a consultation process. The Alberta Beef Producers have stated – and I appreciated the information and the time that they have provided to the Official Opposition – that due diligence has been done on this bill. They know the hard work that was done by the hon. member, and it's a pleasure to receive their comments on Bill 46. It's such a contrast to the comments they have provided whenever you consider Bill 46 and what they want and what they want to see in Bill 46 and why they have reservations about that bill. That's interesting, and the work that the hon. member has put into Bill 47 is interesting and why they're not only anxious to support it but to see all members of the House support it.

**11:50**

Hopefully, this bill will see speedy passage through the Assembly. The reason why it should receive speedy passage is because of, again, the work that the hon. member has done before it came to the House, unlike Bill 46. This bill clarifies requirements pertaining to security interest disclosure, sale documentation, prompt payment, and livestock permits through amendments to the Livestock Identification and Commerce Act.

Mr. Speaker, with that, certainly, I would urge all hon. members of the Assembly to support Bill 47 at second reading. [interjections] Not 46. No. Don't support Bill 46, period. But this is one bill up the numerical order, and it is suitable for all members of this Assembly.

Mr. Speaker, in conclusion, I would just like to say that the consultations that we've had with various parties across the province are a testament to the work that this hon. member has done on this bill before it got to the Assembly, and I would like to again say thank you. Please vote for Bill 47.

**The Deputy Speaker:** Does the hon. member wish to close debate?

[Motion carried; Bill 47 read a second time]

**The Deputy Speaker:** The hon. Deputy Government House Leader.

**Mr. Renner:** Thank you, Mr. Speaker. I want to congratulate members for a considerable amount of work dealing with a number of pieces of legislation. I think good progress has been made. I suggest that we call it a night and adjourn until 1 p.m. tomorrow.

[Motion carried; at 11:54 p.m. the Assembly adjourned to Tuesday at 1 p.m.]