



Province of Alberta

The 27th Legislature  
First Session

# Alberta Hansard

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Issue 14e

The Honourable Kenneth R. Kowalski, Speaker

# Legislative Assembly of Alberta

## The 27th Legislature

First Session

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[Errata, if any, appear inside back cover]

## Legislative Assembly of Alberta

7:30 p.m.

Monday, May 5, 2008

[The Speaker in the chair]

### Motions Other than Government Motions

**The Speaker:** The hon. Member for Calgary-Nose Hill on behalf of the hon. Member for Calgary-Hays.

#### Highway Racing

503. Dr. Brown moved on behalf of Mr. Johnston:

Be it resolved that the Legislative Assembly urge the government to introduce amendments to the Traffic Safety Act to allow a vehicle to be seized if a driver is charged with racing on a highway.

**Dr. Brown:** Thank you, Mr. Speaker. The motion urges the government of Alberta to amend the Traffic Safety Act to allow a vehicle to be seized when the driver is charged with racing on a highway. There is hardly a month when we don't hear about another tragedy brought about by foolish people using our streets to race other motorists. Speeding is certainly dangerous at any time but particularly so when two vehicles are travelling in tandem at high speeds on a public highway or a street. Many of these racers have performance-enhanced vehicles that are able to exceed speed and acceleration capabilities of factory-made cars.

Mr. Speaker, there is no doubt that speed kills. The risks involved with highway racing are no secret. Most drivers understand that the faster you go, the more dangerous and uncontrollable the situation becomes. Energy equals mass times speed squared, so the forces of energy created by more speed create a more destructive power and entail more risks. To give an example, a vehicle travelling 140 kilometres per hour is 96 per cent more energy than a vehicle travelling 100 kilometres per hour, almost double. That means the time to react is reduced, and the stopping time is almost doubled.

Today's vehicles are capable of travel at tremendous speeds, and in so doing on our streets and highways, which are not designed for such speeds, they produce a very real danger. All too often the results of speed contests are tragic, not only for the participants but also for innocent bystanders and other users of the road. This motion addresses a number of different issues and risks that result from the illegal activity of highway racing and offers one solution that might change some attitudes to the risky behaviour, which could result in saving lives here in Alberta.

There is probably nothing which would have more impact on the macho young males who are usually the owners of the powerful, souped-up vehicles which are used in street racing than taking away that car. If we take away the means to race, we are able to impact the behaviour which causes the danger on Alberta's highways, but more importantly we instill the knowledge in the street racer in advance of his participation in his street racing. It sends a message that if apprehended, his actions will have very serious consequences for him in the form of loss of an important personal possession. This motion urges the government to make it possible for an immediate, sanctioned penalty for this offence.

Now, Mr. Speaker, some hon. members may point out that this illegal activity is also mentioned within the Criminal Code of Canada, which specifies that dangerous operation of a motor vehicle while street racing is an indictable offence and upon conviction the offender is liable to a penalty up to life imprisonment. Seizures of vehicles are also provided for in certain instances under the Criminal Code of Canada.

Mr. Speaker, there are proper times and places to have drag races or auto races, but they should never take place on streets populated with ordinary cars driven by unsuspecting drivers who are merely going about their business using our province's streets and roads. They belong on designated raceways or drag strips with properly equipped vehicles and handled by individuals with proper training and expertise.

Motion 503 encourages the government to add another tool under provincial legislation to reduce the tragedies which result from street racing without having to rely on the Criminal Code and all of the implications with having to proceed with criminal charges under that act. In 2006 over 1 in 4 fatal collisions in Alberta involved drivers travelling at unsafe speeds, and these lives lost are truly regrettable. Motion 503 will be one more small step which the government of Alberta can take to reduce the amount of excessive speeding on our roads.

The hon. Member for Calgary-Hays would urge the government to correspond with other jurisdictions that are experiencing similar concerns. Many provinces have experienced their own sad measure of deaths and injuries from street racing, and other provinces have increased the penalties for street racing, including, in some cases, the sanction of vehicle seizure. Also, the federal government recently passed legislation to amend the Criminal Code in response to this dangerous activity to make it a more serious offence.

This is a serious issue that has gained the attention of all levels of government. I know that the hon. Member for Calgary-Hays has consulted with senior members and inspectors of the RCMP and the Calgary Police Service who are assigned to traffic enforcement. They are unanimously in support of this measure proposed in Motion 503, and they believe it will be an improvement in our road safety. The motion urges the government to further its safety commitment to the public with respect to highway racing.

Mr. Speaker, I want to thank you and the members of the Assembly for allowing me to put this motion forward on behalf of my honourable friend. I urge all members of the Assembly to support it.

**The Speaker:** The hon. Minister of Transportation.

**Mr. Ouellette:** Thank you, Mr. Speaker. Motion 503 is in regard to the seizure of vehicles for highway racing. As highway racing has become more of a problem throughout North America, including Alberta, it has also created a real safety issue for motorists on our roads. The proposed motion that was presented by my colleague from Calgary-Hays supports the seizure of vehicles for a longer period of time.

Under the current legislation, section 172 of the Traffic Safety Act, those vehicles or vehicles driven on a bet can be seized for 24 hours. In fact, we added this amendment to the Traffic Safety Act with Bill 39 in 2003. The prohibition for racing is found in section 115(2)(c) of the Traffic Safety Act under prohibited operation of vehicles. Section 115(2)(d) makes it an offence to race on a bet or wager. Section 169(2)(h) states that a peace officer may arrest without a warrant for racing. Section 170(2)(a) allows for the vehicle seizure as a result of an arrest for racing. I believe that these provisions along with others already in our current legislation are effective tools to help police deal with the dangerous racing on our roads. In fact, I am advised there have been 199 convictions over the past year for racing or driving on a bet or wager.

I commend the hon. Member for Calgary-Hays for taking a keen interest in making our highways safer. I understand that this motion is intended to educate drivers on the dangers of highway racing. I can assure all members of this Assembly that traffic safety is one of

my top priorities. We have a comprehensive traffic safety plan in this province that is focused on educating Albertans about safety on our roads and making improvements where needed. I certainly agree that racing is a dangerous abuse of our highways. In some cases it may even be considered criminal, where the negligence of the driver results in someone being injured or killed, but there are provisions in the Traffic Safety Act and the Criminal Code of Canada to deal with those situations. Charges of criminal negligence causing injury or criminal negligence causing death are available to police and are often applied where appropriate.

In my opinion, we already have provisions in our laws to deal with racing and other dangerous driving on our roads. I believe these provisions are sufficient tools to allow police to crack down on street racing. [interjection] My hon. colleague from Fort McMurray, if you'd like to speak, you'll get your turn right after me.

I will not be supporting this motion because I do not believe it is necessary given the existing legislation we already have here, Mr. Speaker.

Thank you.

7:40

**The Speaker:** The hon. Member for Calgary-McCall.

**Mr. Kang:** Thank you, Mr. Speaker. I'm in favour of this motion. We know that speed kills. It's a very serious issue. No doubt the law will save the lives of innocent people walking on the roadways. I think it should not only be highways, but roadways should be in there, any road. You know, if people are car racing, the vehicle should be seized. All those souped-up vehicles racing on the roadway should be seized on the spot. They are not only dangerous on the road; they are also annoying to normal drivers.

I think educating the public alone won't work. We need the law to have a deterrent on racing on the roadways. It will allow for concrete measures to combat the dangerous highway activity. This is good because street racers tend not to be hardened criminals and often escape serious criminal sanctions. This would allow for a proactive approach to traffic safety. If there is a law, people will have to obey it. It will save lots of money on health care costs, property damages, insurance claims, and I think it will keep our insurance premiums down as well.

I think Ontario and Manitoba already have the law in place. There are fines. They have heavy fines for street car racers. You know, I think they have risen from \$200 to \$2,000, with the maximum increasing from \$1,000 to \$10,000. I think that will be a big deterrent for people not to race on the roadways when the law is there. There's strong public support for government to strengthen the measures aimed at reducing impaired driving and street car racing. So I'll support the motion because it will make our streets a lot safer.

There was recently a death in Calgary. A mother died, and the kid is in the hospital, and the father had to quit his job. We don't know if it was drunk driving or if it was racing, you know, or both of them. They killed an innocent mother. I think in B.C., too, there are racing kids who have killed some innocent people crossing the street or walking on the roadways.

I think it will be a good law for Albertans. You know, if the law is there, people will obey the law, and if it's not there, it's a slap on the wrist. It will not be a big enough deterrent. I think we should strengthen the law to say that car racing on any Alberta roadway will result in the car being forfeited.

I think we should go a step farther. You know, we can seize the cars of johns. If there are drugs in the car, I think we should seize

their cars, too. And unauthorized guns in the vehicles: those vehicles should be seized, as well. And drunk driving activity: if a person, you know, has their licence suspended under drinking and driving or for any reason, that vehicle should be forfeited, as well.

I think this will make Albertans' lives a lot safer on the roadways if this motion is passed. Thank you, Mr. Speaker.

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

**Ms Pastoor:** Thank you. I, too, will be supporting this motion. I think it's a very good motion. I would like to see this even go further. If this became the law, I'd like to see us be able to extrapolate it into people losing their cars if they were guilty of having drugs in the car, if they had guns in the car. Certainly, we pick up the cars from johns, so I think that we should be able to take these cars away – abductions if people are caught. I think that the cars should be able to be seized even if they don't own them, and they could be returned to the rightful owner. Often when they're street racing, the cars that they're actually using have been stolen. Even if the kid has taken the father's car or the family car, it still should be seized, and then the negotiations are on if it's returned under those circumstances.

I think it's a very common-sense approach because I think that some of our laws just aren't strict enough, and these young people just aren't learning quickly enough. I know that in Holland if you are even picked up once with alcohol on your breath, your car is gone right now, and you walk home. I can assure you that there are a lot of designated drivers in Holland. They just don't take that chance anymore.

I think that this would be a very proactive approach to not only the problems, as I've said, of the street racing but also of anyone else that's committing a crime in a car. If they're caught committing the crime with that car, then that car goes.

Thank you, Mr. Speaker.

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

**Dr. Swann:** Thank you very much, Mr. Speaker. It's a pleasure to rise to Motion 503, Traffic Safety Act seizure of street racers' vehicles. This amendment to the Traffic Safety Act would allow the police to seize the registration and the vehicle of an individual who has been charged with a street racing type of offence. It has already been done in the provinces of Manitoba and Ontario. It's essentially broadening the powers of seizure that already exist in the act relative to insurance, solicitation, and certain other offences. It allows for concrete measures to combat a highly dangerous activity. We're talking about life and death here.

It would allow for a very proactive approach to traffic safety. I think more and more in the western world we're seeing the results of a lack of legislation on responsible vehicle management, and the 400-odd deaths a year in this province attest to the need for much stronger legislation around violence associated with vehicles. There's no question in my mind that a vehicle under poor control is a weapon. It should be addressed as an illegal weapon if it's being used in an illegal fashion. It makes very good sense, and I applaud the member for raising this as an important issue.

It allows for 60 days from the day the motor vehicle has been seized, and a shorter period of time if established under a regulation if the law was passed. The research, obviously, isn't in yet about the impact of this kind of a law if it were ever enacted, but the evidence from Ontario and elsewhere is that it sends a very strong message to individuals. The process for forfeiture of vehicles involved in other

activities – for example, drinking and driving offences and other serious misdemeanors – can attest to the fact that it does have an impact. When vehicles are removed, people take it much more seriously. In Ontario, for example, the Civil Remedies for Illicit Activities Office is recognized nationally and internationally for its precedent-setting work, and since November of '03 a total of \$4 million in property has been forfeited to the Crown. The province also has approximately \$13 million in property that is frozen pending the completion of other civil forfeiture proceedings.

7:50

Under the Civil Remedies Act the Attorney General has shut down crack houses. This is in relation to drug offences. It has crushed two street racing vehicles. It has frozen two Hells Angels club-houses. It has forfeited 13 properties used for marijuana grow operations, for example, and it has forfeited over a million dollars in illicit cash. It has distributed approximately a million dollars in compensation to victims of unlawful activity, and it has awarded more than \$900,000 in grants to law enforcement. So there is evidence, albeit indirect evidence, that in taking crime seriously, whether it's vehicle or unrelated to specifically speeding or risky driving, by seizing a person's vehicle, there are significant results. One would assume the same would be true here.

I will be supporting this motion, Mr. Speaker, and look forward to further discussion.

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

**Mr. Olson:** Thank you, Mr. Speaker. I'm glad to have the opportunity to speak to this motion, sponsored by the hon. Member for Calgary-Hays. Street racing, as we all know, is becoming an increasingly dangerous and disorderly activity, and the noise from races is disruptive. It puts public and private property at risk, and most critically it threatens the lives of participants, peace officers, and innocent public.

The hon. Member for Calgary-Hays brought forth this motion to urge government to increase the safety of Albertans by raising the penalty for participating in illegal highway racing. I'm generally supportive of stiffer penalties, and I applaud the initiatives of both the federal government and the provincial governments, including our own, over the past few years to deter this dangerous activity. In fact, I note that our Traffic Safety Act already does contain the power to seize, and as the Minister of Transportation has already pointed out, section 115 says that a person shall not drive "on a highway in a race unless authorized pursuant to a permit issued" under the act. It goes on to say that a person shall not "drive a vehicle on a highway on a bet or wager." If a peace officer on reasonable grounds believes that a person has been racing or driving on a bet or a wager, he has the power to arrest without warrant, and he's also given the power to seize or immobilize the vehicle for up to 24 hours.

Given this limited power of seizure in the act, I would have thought that an expanded power of seizure might be helpful. Therefore, I want to move that Motion 503 be amended by adding "section 172 of" before "the Traffic Safety Act," and adding "for a period longer than 24 hours" after "vehicle to be seized." In other words, a seizure would not be limited to just 24 hours as it now is.

I believe that copies of the amendment are available and, I hope, being distributed.

**The Speaker:** Copies of the amendment will be circulated forthwith. Continue.

**Mr. Olson:** The amended motion would then read:

Be it resolved that the Legislative Assembly urge the government to introduce amendments to section 172 of the Traffic Safety Act to allow a vehicle to be seized for a period longer than 24 hours if a driver is charged with racing on a highway.

Mr. Speaker, as I've previously indicated, there are now specific federal sanctions against street racing in the Criminal Code, and those were contained in Bill C-19, introduced by the Harper government in June of 2006 and given Royal Assent later that year. There are two offences, dangerous operation and criminal negligence, for which there must be a causal connection between the street racing and death or bodily harm, but there is also an offence of dangerous operation of a vehicle not causing bodily harm or death. For all of these offences there is a range of penalties involving fines, prohibition from driving, and imprisonment. As has been indicated, in the most serious of cases one could receive a life sentence. In addition to this, I believe the Criminal Code also provides a general power of seizure of items used in the commission of criminal offences.

Given the foregoing, one might wonder what place in provincial legislation there would be to add to this arsenal of sanctions. I think that the hon. Member for Calgary-Hays has quite properly raised the prospect of vehicle seizure as a potentially important tool and a way in which provincial law might complement the Criminal Code. I know that some will argue that street racing is often a spontaneous thing and these deterrents don't work anyway, but it's important, I think, for us to make a firm statement as to how we abhor this dangerous activity, and I believe that we should be prepared to think outside the box a little bit here.

In my preparation for this discussion I was interested to read that some jurisdictions in the United States now even have fines for people who watch these activities if they're within a certain distance of a race. They also provide for permanent seizure of vehicles. I don't know how aggressive we in Alberta are prepared to be, but I think that a broader discussion might best be one undertaken by the appropriate ministry. In the meantime I'm quite supportive, though, of this modest yet, I think, meaningful motion with the amendment. I look forward to hearing the rest of the debate.

Thank you.

**The Speaker:** Hon. members, the amendment has been circulated. It's appropriate according to form, and it's appropriate with respect to the original motion. The debate now will ensue on the amendment.

The hon. Member for Edmonton-Highlands-Norwood.

**Mr. Mason:** Thank you, Mr. Speaker. I find the discussion on this motion and now on the amendment to be quite interesting. There is, I think, a wonderful intent here, and that is to make our roads safer and to constrain and limit and, hopefully, eliminate a very dangerous activity, which is street racing. This has increasingly come under public debate with the actions of the federal government with amending the code there and as a result of a number of fairly high-profile and tragic instances in the country as a result of this.

However, I have some questions that I would hope someone in the course of the debate could answer for me. One is whether or not legal advice has been obtained on the relationship of this particular amendment to the Traffic Safety Act and how it connects with the federal Criminal Code provisions and how the two would work. I would also be very interested in knowing whether or not such a motion as has been placed before us tonight has been requested by police forces within Alberta, whether or not the Solicitor General or

the Transportation department have considered this and what advice they've given. We've heard tonight the minister responsible, who reminds us nearly every day in question period that his top priority is safety, speak against the motion. I thought that that was interesting that he would do so.

So while I think the intent of this motion and the amendment is quite good and very well intentioned, I believe that there are unanswered questions with respect to what professional and legal advice the hon. member who proposed the original motion may have received. On that basis, until I can receive some answers to those questions, I'm reluctant to support the motion or the amendment as has been made.

Thank you.

**The Speaker:** The hon. Member for Edmonton-Calder on the amendment.

**Mr. Elniski:** Thank you, Mr. Speaker. I'm pleased to rise today to speak to Motion 503 as amended, vehicle seizure for highway racing. This motion urges the government of Alberta to increase the penalties associated with highway racing, including seizing vehicles for periods longer than 24 hours.

8:00

I grew up in a time when police officers would issue stunting tickets, cars had bench seats, and there was an activity called brake stands. I have to admit that my knowledge of these practices derives itself purely from participation, and while I may have received more than one or two stunting tickets in my day, an important difference between what is called stunting and what is now called drifting is that the technology has superseded an individual's ability to control the vehicle. We have improved the car; we have not improved the driver.

My mother's 1966 Oldsmobile with its 14-inch bias-ply snow tires was limited in how fast it could go around a corner. The advances in vehicle technology allow people to extend themselves well beyond their limits of control, increasing their risk of injury on our highways.

Mr. Speaker, I too am concerned about the drastic increase in injuries resulting from illegal highway racing, and I'm also concerned about the unintended consequences involved with this practice such as injuries to bystanders or passengers. Put simply, there is no need for any of these risks, injuries, or even deaths. This is an issue of concern now more than ever.

There are opportunities to take these hazards off the highway. In Alberta we have Race City Speedway, Stratotech Park, Castrol Raceway, and for many years the province has sponsored alternative forms of and alternative approaches to highway racing. There have always been opportunities to take these practices elsewhere, and our highways don't need to be one of them.

At one time I belonged to the Northern Alberta Sports Car Club. This is an organization that organizes and holds legal meets for automobile enthusiasts. It holds events, races, and gatherings that did not threaten the safety of third parties. It was legal, it was fun, and it was moderately safe.

Currently the penalties for those found guilty of highway racing are not enough of a deterrence to prevent these violations altogether. Action must be taken. The penalty for street racing is the seizure of an individual's vehicle for a 24-hour period of time. Twenty-four hours, I respectfully submit, is not really a deterrent.

The motion as amended would enable the law enforcement of Alberta to hold highway racers more accountable for their illegal actions by implementing legislation that can seize these vehicles for

in excess of 24 hours. By imposing more severe penalties, our province can reduce the volume of illegal racing on our streets.

The motion as amended is one I feel very strongly about. The Member for Calgary-Hays, I know, does also. It cannot go unnoticed that Albertans get injured or, worse, die every year from increased street racing in our province. There was recently an incident on the Whitemud freeway where a young fellow left the road with three people in the car at double the posted limit. He was doing a hundred and sixty kilometres an hour.

As our province grows, so does our population. Our law enforcement agencies have been experiencing pressure due to this dramatic rise in population. With more Albertans on the roads more are put at risk. With the rising illegal activities of highway racing more Albertans than ever could experience the unintended consequences that this act presents.

As Alberta grows, we must enact legislation to combat the harmful effects of these pressures for our citizens. There must be greater legislation put in place to combat these escalating dangers, and there must be more of a deterrent.

Thank you.

**The Speaker:** Additional speakers on the amendment? The hon. Member for Lethbridge-East.

**Ms Pastoor:** Thank you, Mr. Speaker. I, too, would stand to support this amendment. I think it's important to be able to seize, and again I think, as I had mentioned even when I spoke to the motion, that the conversation should go on around if these vehicles even should be returned to them.

One of the things that I would hope perhaps could be addressed as well is the wording in the amended motion. Part of it's the same as the motion itself. It's actually saying: "charged with racing on a highway." I guess I'd like a definition of a highway because often these street races are done on residential streets. So if it would cover residential streets as well, I think it would be more comprehensive, maybe using the word "roadway." I would like an explanation on exactly what was meant by "highway."

Thank you.

**The Speaker:** Speakers on the amendment?

**Mr. Kang:** I, too, would like to have this changed to "roadway," sir, because "highway" will probably only cover the major highways, and racing mostly occurs in the residential areas. Sure, it goes on the highway, too, but mostly it's in the residential areas, so I think it should be changed to "roadway."

Thank you, Mr. Speaker.

**The Speaker:** Additional speakers on the amendment?

**Hon. Members:** Question.

**The Speaker:** Well, we'll deal with the question, first of all, on the amendment.

[Motion on amendment carried]

**The Speaker:** Then shall I call the question on the motion as amended?

**Hon. Members:** Question.

[Motion Other than Government Motion 503 as amended carried]

## Committee of Supply

[Mr. Mitzel in the chair]

**The Deputy Chair:** We will call the Committee of Supply to order.

### Main Estimates 2008-09

#### Service Alberta

**The Deputy Chair:** The hon. Minister of Service Alberta.

**Mrs. Klimchuk:** Thank you, Mr. Chairman. Thank you for the opportunity to present the 2008-09 estimates for the Ministry of Service Alberta. It is a real honour and privilege to have been appointed Minister of Service Alberta, and I've already discovered what a dynamic and exciting portfolio this is. The breadth and depth of programs, services, and issues in this ministry is amazing.

Before I briefly explain what the ministry does and outline the department's estimates, I would like to introduce some of the department officials who are with me today. With me on the floor are Paul Pellis, Deputy Minister of Service Alberta; Brian Fischer, assistant deputy minister of financial services; and Carol Moerth, director of planning and performance measurement. Joining us in the gallery are Cathryn Landreth, assistant deputy minister of business services; Dennis Mudryk, assistant deputy minister of technology services; Cam Traynor, communications director; and Carol Anderson, executive assistant. Thank you all for being here tonight.

Service Alberta's vision. Mr. Chairman, I've often said that Service Alberta is one of the government's hidden gems. The work done by the ministry covers an incredible span of different programs, services, and initiatives. Without these services the government wouldn't be able to operate, and the economy of the province would slow to a crawl. Service Alberta's vision is "one government, one enterprise and one employer driving innovation and excellence in service delivery." This vision is achieved each and every day in countless different ways.

Service Alberta has a wide range of responsibilities that support to some extent all of government's five priorities. The ministry provides a number of services directly to Albertans: registries, licensing, vital statistics, consumer protection, and many other services. The ministry also serves other government ministries, providing technology support, procurement services, mail and couriers, payroll, government libraries, and other support to the entire government.

In other words, sometimes the ministry is on the stage in the spotlight, and sometimes it's working behind the scenes, playing a supporting role. Regardless of what role we're playing, our guiding mission and purpose is always to provide excellent customer service to our clients, whether it's directly to Albertans or internally to government.

**8:10**

The business plan. Service Alberta's business plan outlines goals for the ministry that link closely with the priorities assigned to me by the Premier as well as government priorities. The Premier's mandate letter to me emphasized two priorities: one, "establish a single enterprise approach to information technology development and operations for the Government of Alberta"; two, "improve service delivery, whether in person, by phone or through the Internet, to Albertans by creating innovative approaches, while maintaining information security and integrity." The business plan outlines how I will be meeting that mandate. It describes the work of our ministry through our two core businesses.

Core business 1, services to Albertans. First, the ministry provides services to Albertans. These services include registering a car or a house, issuing a birth certificate, starting a business, investigating consumer complaints, and answering questions from the public. Service Alberta processes more than 17.5 million registry transactions each year on behalf of Alberta consumers and businesses. While the ministry ensures freedom of information, it also ensures the protection of citizens' private information. We ensure that consumers are protected through marketplace awareness initiatives, a ministry contact centre for inquiries and complaints, and regular reviews of business trends and marketplace practices.

In the business plan there are a number of strategies planned under this core business over the next three years that will help improve service delivery, whether in person, by phone, or through the Internet, to Albertans. These include enhancing the ministry's registry system with a new contract for registry agents and new performance reporting systems; developing a redesigned licence plate for the province based on the input of over 33,000 Albertans; expanding BizPal, which is a website that gives entrepreneurs a full list of business permits and licences they require, to Calgary and other municipalities; implementing a province-wide fraudulent document recognition program to make it easier to identify forged and altered documents; developing regulations under the Fair Trading Act to address marketplace issues for Alberta's home inspection industry, payday lenders, timeshares, travel clubs, gift cards, and the household moving industry; expanding an alternative dispute resolution service to Calgary and other municipalities called RTDRS, which handles landlord and tenant disputes without resorting to the courts; finally, implementing a renewed scope, mandate, structure, and governance model for the office of the Utilities Consumer Advocate.

Core business 2, services to government. Our second core business is providing services to government. Service Alberta provides corporate and shared services to ministries in a standardized, efficient, and effective manner. For example, Service Alberta is responsible for the timely delivery of tens of millions of pieces of mail each year to government departments, and every year the ministry handles the photocopying of millions of documents for government ministries. The ministry works collaboratively across government to improve the ability of departments to deliver government programs and services, reducing duplication of services and ultimately better serving the public.

In the business plan there are a number of strategies planned under this core business over the next three years. These include providing more capacity within data centres to meet immediate and short-term requirements for government-wide technology; implementing the information and communications technology, the ICT initiative, a common approach to technology across government – under the ICT initiative 10 ministries are already getting their help desk support from a single company, which saves tax dollars and makes services more consistent – addressing new issues in access to information and protection of privacy and developing corporate approaches to protect the personal information of Albertans held by government; as well, developing a plan to leverage the combined buying power of the government of Alberta and the broader public sector to save taxpayer dollars; lastly, developing cross-government standards for contracts using standardized tools and best practices.

Mr. Chairman, these are just some of the initiatives Service Alberta has planned over the next three years that will improve services provided both to Albertans and to government.

Now moving on to the estimates. To achieve my mandate and our business plan goals, the ministry needs adequate government investment. I will now outline the funding we require as I present

the ministry's estimates for the 2008-09 fiscal year. The overall amount to be voted for expense and equipment/inventory purchases is \$373 million, as noted on page 345 of the 2008-09 government estimates book.

Expense for ministry support services. Of the overall estimate \$13 million is for ministry support services. This includes funding for the minister's office, the deputy minister's office, and corporate services.

Services to Albertans. The estimated budget for the ministry's first key program, services to Albertans, is \$69 million, including equipment purchases. This funding will support registries, which include land titles, motor vehicles, and other registry services. It also supports consumer services, which include consumer awareness and advocacy and the Utilities Consumer Advocate.

Services to government. The estimated budget for the ministry's second key program is \$290 million, including amortization of equipment purchases, which will help Service Alberta continue providing efficient and effective services to other government ministries. These services provided to the government include mail and courier services, records management, government libraries, procurement services, processing government invoices, Crown debt collections, management of the government's payroll system, vehicle services, data centre operations, software licences, the running of the SuperNet, and support and security of government's computers.

These are the 2008-09 estimates for Service Alberta. The estimates you'll be voting on will support us in our overarching goal to achieve service excellence within and outside government.

Before we conclude, I would like to emphasize one more thing. While budgets, business plans, and mandate letters are important, the work of Service Alberta hinges on its people. Since being appointed Minister of Service Alberta, I have quickly discovered what talented, dedicated, and hard-working staff we have in this ministry. The executive team here with us today is a big part of the success of this ministry, but most important are the front-line staff, who are so dedicated and committed to providing excellent service.

Here's one good example. In Red Deer a few months ago the ministry investigated a consumer complaint and successfully resolved it on behalf of a consumer. A few weeks later the Red Deer *Advocate* did a story on the investigation. The consumer who filed the complaint was quoted in the story praising the work of Service Alberta's investigator. Here's what he said: I got an absolutely outstanding investigator; she worked really hard on this file; she really went after them and got the successful resolution we were looking for. That's just one example of the excellent service being provided by the ministry's front-line staff each and every day.

I am very proud of the work done by this ministry. Service Alberta staff are a shining example of excellent public service, and I think we can all be very proud of the work they do.

This concludes my presentation, Mr. Chairman. Thank you for your time and attention. I look forward to the questions.

**Mr. Kang:** Thanks, Minister. According to the government business plan the funding allotted is designed to assist Service Alberta in achieving the following goals. Under the link to the government's strategic business plan, to facilitate Alberta's prosperous economy by processing over 18 million registry transactions and "promoting consumer confidence by reviewing and enforcing marketplace legislation to ensure it remains current and responsive." That's on page 236.

It goes on further. Help establish an accountable and open government by

- establishing a single enterprise approach to information technology development and operations for the Government of Alberta [and]
- adopting innovative approaches to serving Albertans in an accessible, timely and efficient manner.

That's on page 236 as well.

Will make Alberta a safe place to live, work, and raise families "by promoting the increased privacy and security of personal . . . information entrusted to government," page 237.

The estimates show that there are modest, consistent increases through most ministry programs, but there appears to be more of a focus on land titles, item 2.1.1, under program 2, services to Albertans, which indicates a 14 per cent increase from the previous year, from \$14,855,000 in 2007-2008 to \$16,960,000 in 2008-2009. Technology operations and infrastructure, item 3.2.1 under program 3, services to government, indicates a 9 per cent increase in spending, from \$88,095,000 to \$95,770,000.

#### 8:20

The key questions and issues here are the Freedom of Information and Protection of Privacy Act, government openness and transparency. In the business plan, page 236, strategic priorities, 2008-11, goal 4: "Alberta will have a financially stable, open and accountable government and maintain its strong position nationally and internationally." Yet it states in the first paragraph that the government is committed to openness and accountability and the trust of Albertans. Does this mean that the government is planning on amending the Freedom of Information and Protection of Privacy Act? Does the minister support Bill 20 which was introduced in 2006, a bill that was described by experts and academics as every secret government's dream, contrary to international standards on public openness? A huge step backward in the fight for more open and transparent government; simply unacceptable, noxious.

Given that government with integrity and transparency is one of the minister's main priorities, can she tell us if she thinks her government has failed in this respect in the past? How exactly does the minister plan on improving this government's reputation of being the most secretive government in Canada? What steps has the minister taken so far to contribute to a more transparent government? Can the minister tell us what her views are on Alberta's Freedom of Information and Protection of Privacy Act? Does she see a need for change with that particular piece of legislation?

I'll have the answers for those.

**The Deputy Chair:** Hon. minister, the chair has assumed that you're sharing two individual 10-minute segments as the 20 minutes and you'll be going back and forth.

**Mrs. Klimchuk:** Yes, that's fine.

**The Deputy Chair:** The hon. minister.

**Mrs. Klimchuk:** Thank you, Mr. Chairman. Thank you, hon. member. In terms of just some of your questions about openness and accountability and the priorities that were outlined in this department's mandate and what mandate the Premier has given me, I certainly believe the fact that Service Alberta has been recognized as standing on its own as a department is a huge step in the right direction with respect to openness and accountability. As minister I think it's going to be incumbent upon me to work with the stakeholders, whether it be the Auditor General, the freedom of information officer, those folks, to make sure that we continue to do this.

I know that in November 2007 there was a select special commit-



tee on freedom of information and protection of privacy. That whole area is being looked at. I have had discussions with Frank Work, the chairman in charge, on this specific issue. We will be looking at the results of that report and bringing that forward as we move into 2009 and looking specifically at some of those recommendations that were brought forward through the select committee. I'm looking forward to discussing those further.

You know, working in areas like that, with respect to the Auditor General and FOIP and all of those things, we have to work that much harder to make sure that Albertans' information is protected and to make sure that Albertans feel secure when they do something with the government, whether it's a service for a land title or a registry, and that's something that I will strive for.

**The Deputy Chair:** The hon. member.

**Mr. Kang:** Thank you, Mr. Chairman. In the business plan, page 241, performance measure 1.d, "percentage of Albertans who are satisfied with access to Government of Alberta services and information." The last actual, 2005-06, was only 75 per cent. Where is the target for the upcoming year, 2006-07? Last year, it was 80 per cent. The actual number has gone down drastically. In 2006-2007 the number was an additional 65 per cent. The new target for next year is 72 per cent. So what are the minister's thoughts regarding this failure? Does the minister recognize that Albertans expect a more open and transparent government and that her government is failing to provide in that respect? How does the minister plan on improving this performance measure? Will the minister support amendments to the FOIP Act?

Thank you.

**The Deputy Chair:** The hon. minister.

**Mrs. Klimchuk:** Thank you, Mr. Chairman. When you look at performance measures, they're kind of a picture in a moment of what's happening at a particular time. But to me performance measures are helpful, and they help the department, you know, do a better job. I look at the example of the registries and the incredible work that the registries are doing across Alberta and the many transactions they're doing. That to me, you know, is a good performance measure: being open and accountable and working with the Alberta registry association in terms of planning things for the future and making sure that we have good standards in place as we move ahead. Something that I consider a really good performance measure is the success of these registries. However, that does not preclude our trying to, you know, make improvements and to keep working in those areas. So that, to me, is a good performance measure.

I guess another performance measure is in the whole area of consumer protection. There is a whole number of areas that the department has been looking at. I mentioned before payday loans, gift cards, and those kinds of things. That, to me, is huge. Consumer protection, to me, is the commonality of this department because if we cannot assist consumers and protect them, then we're not doing our job.

I would like to ask the hon. member if he could, when he's mentioning the amendments to the FOIP Act, certainly provide me with that information. I'd be pleased to get back to him on that. That would be wonderful.

**The Deputy Chair:** The hon. member.

**Mr. Kang:** Thank you, Mr. Chairman. Also, the new Premier likes

to say that he is bringing a more open and transparent approach to governing in Alberta. This implies that the previous leadership was failing in this regard. Does the minister agree with that?

**Mrs. Klimchuk:** Well, Mr. Chairman, the fact is that, as I mentioned before, Service Alberta is on its own, and it's a question of being open and accountable to all Albertans to make sure that we assist them and do what's right for Albertans, especially with respect to information. That's a huge part of why this portfolio was standing on its own and being able to do all the great things that I outlined earlier, that the staff has been doing in many areas.

**The Deputy Chair:** The hon. member.

**Mr. Kang:** Thank you, Mr. Chairman. Business plan, page 244: effective programs and services for information management, access to information, and protection of privacy. There are no performance measures that relate to the cost of access requests and no indication as to the percentage of access requests that are abandoned immediately following the initial fee estimate. Can the minister tell us what the average cost is for an access request, not including those that are for personal information? What is the percentage of access requests under FOIP that are abandoned following the initial fee estimate?

**Mrs. Klimchuk:** Mr. Chairman, I would like to take that question as noted with respect to the costs of access requests. I would prefer to get the accurate information for you. Just to clarify, that would be the information from registries and through the motor vehicle registry?

**Mr. Kang:** On page 302, line 3.1.3, the 2007-2008 estimate for equipment/ inventory purchases, business services, air and vehicle services is \$25.25 million, a 1,265 per cent increase from the 2006-2007 forecast. The same item is nowhere to be found in this year's estimates. This item is not at all listed under any headings in this year's estimates, 2008-2009, certainly not on page 348. Where did this line item go this year?

Thank you.

8:30

**The Deputy Chair:** The hon. minister.

**Mrs. Klimchuk:** Thank you. Mr. Chairman, with respect to ministry support services and services to Albertans I can just clarify some of the figures in that regard. In the ministry support services I outlined before, there has been an increase in the 2008-2009 estimate primarily due to salary settlement increases. Services to Albertans include registries, land titles, consumer services, Utilities Consumer Advocate, the consumer services call centre, which is a great thing in itself, and citizen services integration. The \$3.2 million increase between the 2008-09 estimates, \$69 million, and the 2007-08 forecast is primarily due to the negotiated salary settlement. The \$13.4 million increase between the 2008-09 estimate, \$69 million, and the actual \$55.5 million is primarily due the \$7.6 million to address increase in demand for registry services due to Alberta's strong economic performance and a \$3.2 million increase for the Utilities Consumer Advocate as demand for services has increased.

I would also like to talk about a couple of these pieces, which I addressed before, consumer awareness and advocacy. This includes programs aimed at promoting, regulating, and enforcing fair market practices through consumer awareness activities, the administration and enforcement of consumer-related legislation, monitoring the

marketplace, and supporting regulatory bodies that administer consumer legislation. As well, this includes the call centre, which is responsible for answering inquiries from Albertans and providing interpretation on the acts and regulations administered by Service Alberta. Information collected from callers plays a role in identifying the need for investigations on behalf of Albertans as well as recommending changes to legislation. This certainly refers to being accountable. This, to me, is being very accountable.

It also includes the citizen service integration, which through an integrated network allows Albertans to choose between web self-service, counter service, telephone, and mail. It also provides services in the areas of access and privacy legislation support, program compliance, and accountability information and records management and department legislative planning and support for requests made under the Freedom of Information and Protection of Privacy Act.

**The Deputy Chair:** The hon. member.

**Mr. Kang:** Thank you, Mr. Chairman. On the consumer awareness protection, consumer advocacy, Utilities Consumer Advocate estimates on page 348, line 2.2.1, the 2008-2009 estimate for consumer services' consumer awareness and advocacy is \$21 million, a 6 per cent increase from the 2007-2008 budget. In our current economy it is critical that Alberta consumers are given information and support that ensures that they are not taken advantage of by unscrupulous business practices. Can the minister tell us how this additional funding will be used?

**The Deputy Chair:** The hon. minister.

**Mrs. Klimchuk:** Thank you, Mr. Chairman. I want to talk a little bit about the Utilities Consumer Advocate. I think that's something that's going to be very good for Albertans and for the protection of their information and such. The office of the Utilities Consumer Advocate works to ensure Alberta consumers have the information, representation, and protection they need in Alberta's restructured electricity and natural gas markets. The UCA is fully funded by industry, 80 per cent by the electricity balancing pool and 20 per cent from natural gas companies. Electricity and gas companies generate revenue to fund the UCA by billing the public. These funds are recorded as revenue by Service Alberta. So the \$3.2 million increase between the '08-09 estimate, \$6.9 million, and the 2006-07 actuals, \$3.7 million, is primarily due to increased demand for services.

I think, as indicated, this is going to be separated with respect to when it was linked with the Department of Energy. So the fact that the Utilities Consumer Advocate is going to be on its own, it will be able to do a greater job protecting Albertans' information and making sure they know they have a place they can call if someone knocks on their door and they're unsure about a particular item or contract that's being sold to them at the door.

**The Deputy Chair:** The hon. member.

**Mr. Kang:** Thank you, Mr. Chairman. Does the minister agree that Alberta's consumer protection and advocacy legislation should be improved upon? Last year a colleague of mine, Mo Elsalhy, introduced Bill 202, the Consumer Advocate Act, as a measure to improve upon Alberta's consumer protection laws. Unfortunately, the government members didn't see a need for such action. Can the minister tell us what initiatives her department is pursuing to this end?

**The Deputy Chair:** The hon. minister.

**Mrs. Klimchuk:** Thank you, Mr. Chairman. I think that this particular minister is concerned about consumer protection laws, and I view that anything we do in that area, whether it's gift cards, whether it's payday loans – there are a whole number of areas that certainly we need to work on.

I just want to add something. Another thing for consumers is making it more efficient for consumers when they contact the government to get the services they need. One very exciting thing was that on February 1, 2008, Edmonton became the first municipality in Alberta to offer BizPal to its business owners and entrepreneurs. The launch occurred at a media event, including Rona Ambrose, president of the Queen's Privy Council, and the mayor. This, to me, is a terrific example of helping consumers access information, get what they need, and then be able to do their job and to make sure that they're getting all three levels of information on the same page. So it's not only, you know, the internal barriers; it's making sure that we don't have the external barriers between the three levels of government. As the new minister for Service Alberta that's very, very important.

**Mr. Kang:** Estimates on page 348, line 2.2.2, Utilities Consumer Advocate, the 2008-2009 estimates for consumer services is \$6.9 million, a 4 per cent increase from the 2007-2008 budget of \$6.6 million. First of all, I'm wondering if it is appropriate to be calling this position an advocate for consumers when the funding for the position comes from utility companies themselves as stipulated in the footnote. Does this affect the advocate's ability to defend the consumers' interest when they conflict with those of the utility company?

**Mrs. Klimchuk:** Mr. Chairman, I did answer that question earlier with respect to why the increase had gone up. Don't forget that when consumers pay for their electricity and natural gas, they pay a bill and a portion of that goes into the pool, and that's how the UCA is funded.

**Mr. Kang:** Can the minister tell us again how this money will be utilized in advocating for consumers?

**Mrs. Klimchuk:** The money will be used when the Utilities Consumer Advocate – I should say that the office of the Utilities Consumer Advocate continues to intervene at rate hearings on behalf of Alberta's residential, farm, and small-business consumers with the new governance board. The new governance board has been put in place, and we continue to address concerns from individual consumers relating to utility services. Since its inception in 2003 the UCA has assisted more than 8,600 consumers, which is a good thing, and I'm sure it'll be assisting more. I will be having a meeting with the chair of the board and the directors about the direction of UCA and the direction that we want to take as a department with respect to the role that they would like to play.

**Mr. Kang:** Is funding there due to a greater need for consumer advocacy, or has there been an increase in consumer complaints regarding the utilities? Can the minister confirm that the advocate position is in fact still being held by the deputy minister? If so, does the minister think that this is appropriate? How can a single individual advocate for consumers against the flawed or abused policies when they must also defend the government's position as well?

8:40

**The Deputy Chair:** The hon. minister.

**Mrs. Klimchuk:** Thank you, Mr. Chairman. I will just say that your comment about the new governance model we have with respect to the UCA is something that we are addressing as a department. You know, if you want to send me further information on that, that would be excellent. We will be communicating that to the House as we move forward in this area on the whole issue of governance.

I would like to add just a different switch, if I may, about consumer protection and consumer awareness. Something else this department has done is called the residential tenancy dispute resolution service. That, to me, helps consumers. It helps, you know, the vulnerable who are being affected by a rental increase and issues with landlords. We had a pilot that proved successful in Edmonton in 2006 and now is expanding to other parts of the province. Based on this success, it's covering the greater Edmonton area since early 2007, and it'll be expanding to cover all of Alberta by 2010.

In early 2008 the RTDRS began providing services to all Albertans north of highway 16 using a combination of video conferencing, on-site hearings, and telephone hearings. RTDRS will provide services to Calgary later this spring in the old traffic court building at Rocky Mountain Plaza. It has taken somewhat longer than expected to get that up and running, so we are looking forward to that.

I just want to indicate that this is a really good example of consumer advocacy and consumer protection because a residential tenancy dispute resolution service allows landlords and tenants to resolve serious issues in a way that is faster, less formal, and less expensive than going to court. It's just another whole way of looking at consumer protection, another way that Service Alberta is facilitating and trying to be innovative in the way to assist consumers.

**The Deputy Chair:** The hon. member.

**Mr. Kang:** Thank you, Mr. Chairman. How much of the advocate's work involves advocating for consumers against the utility companies, and how much involves promoting the utility companies themselves?

**Mrs. Klimchuk:** Mr. Chairman, the utilities companies are not involved in this particular promotion. This is strictly to do with the advocate working with Alberta consumers to make sure they are protected. They're playing a really important role with these companies.

**The Deputy Chair:** The hon. member.

**Mr. Kang:** Thank you, Mr. Chairman. Can the minister tell this House how many times in the last year the advocate acted as the voice of consumers during regulatory processes to ensure the lowest regulatory rates? How does this compare to the amount of time the advocate spends explaining or defending the utility providers' policies to Albertans?

**The Deputy Chair:** The hon. minister.

**Mrs. Klimchuk:** Thank you, Mr. Chairman. I would like to take that question with respect to how many times that UCA has been contacted. Those kinds of details I'd be happy to provide at a later date.

**The Deputy Chair:** The hon. member.

**Mr. Kang:** Thank you, Mr. Chairman. On page 237 is the government of Alberta goal 7: "Alberta will be a safe place to live, work and raise families." Service Alberta will lead the government-wide effort to ensure the "privacy and security of personal and other information entrusted to government." This is clearly an important priority. After all, the citizens of this province must have faith in their government when it comes to protecting their personal information. However, in the case where the government relies on the private sector to provide essential services to all Albertans – the private registries, for example – there's a concern that this information is vulnerable. It wasn't long ago that it was reported that organized crime had infiltrated the private registries in this province, having false IDs made and whatnot, or last year when children's medical records were stolen from the Glenrose hospital. My question is: what has the government done to ensure that the employees of private registries are not being intimidated or bribed for access to the information of Albertans?

**The Deputy Chair:** The hon. minister.

**Mrs. Klimchuk:** Thank you, Mr. Chairman. I want to just talk about freedom of information and protection of privacy first before we go into your other questions, hon. member. Administering Alberta's FOIP legislation is an important part of this government's commitment to openness and accountability, balanced by our responsibility to guard the personal information entrusted to us. My department provides support and training to government departments and other public bodies that administer the legislation. Cabinet ministers have no role in the day-to-day process of deciding what information is released, estimating or waiving fees, or administering legislation in relation to the privacy issues around new programs or laws. As I mentioned before, the Select Special FOIP Act Review Committee concluded in 2002 that legislation was working well to preserve the balance to access and privacy. However, that does not mean we can't do better, and that's something that I'm very aware of.

I want to talk about registry agents' security. I believe that in 2007-08 Alberta's registry agents processed approximately 7.7 million transactions, with relatively few problems. The integrity of Alberta's registry network is a priority for the government of Alberta and this department. We've taken a number of steps to ensure that the security of the information of documents that Albertans give to us is looked after. We regularly monitor registry agent performance to ensure that agents meet the strict rules of conduct outlined in registry agent agreements and policies. We immediately follow up and investigate complaints.

Currently, registry agents and their employees are subject to comprehensive security clearances and police information checks. They are required to sign personal codes of conduct relating to the protection of private information. Violations of these policies or legislation have led to termination of access to the registry system.

An enhanced code of conduct as well as more secure access cards and user IDs will be issued to registry staff later this year as part of the improved registry agent accountability framework that we have been working on with the Association of Alberta Registry Agents. All registry transactions will be linked to a specific individual so that each person will be accountable for their actions. The accountability framework includes a revised agent agreement that more clearly outlines performance expectations, consequences for not meeting those expectations, as well as improved monitoring and recording of registry agent performance.

With all of that in place I believe that we are certainly on the right track and making sure that the integrity of Albertans' information is protected and valued.

**The Deputy Chair:** The hon. member.

**Mr. Kang:** Thank you, Mr. Chairman. How is the minister overseeing the securing of private information across diverse ministries like Health and Wellness that are further divided into health regions?

**Mrs. Klimchuk:** With respect to FOIP, of course, across the government departments it is something that we're working on. With respect to the health authorities I would have to take that question on notice because I want to make sure that the answer I give the hon. member is the correct information.

**The Deputy Chair:** The hon. member.

**Mr. Kang:** Thank you, Mr. Chairman. Business plan, page 240, goal 1, strategy 1.3: "Undertake initiatives to validate and secure information held within the Ministry's registries." What initiatives has the department undertaken to this date? What initiatives does the minister plan on pursuing? Can the minister tell us if the security of registries has been compromised more recently?

8:50

**Mrs. Klimchuk:** Mr. Chairman, with respect to the question to validate and secure information held within the ministry's registries, when I became minister, it was clear to me in meeting with the Association of Alberta Registry Agents that this was a very important issue. A lot of good work had been done with respect to the ID cards, how information was handled.

As well, what I was happy to hear was that the special investigations unit took action when we had an issue; that is, that we'd take action and we'd make the right decision and call for new proposals if we had to close down a registry. That's really, really important. When you talk about validating and securing information, again I go back to the fact that we processed approximately 7.7 million transactions in 2007-2008, with relatively few problems. But I think we need to be aware that we have to stay on top of that.

The whole issue of registry agent accountability is something that we are working on as well. Registry agents are providing excellent services. During 2007-08, 87 per cent of Albertans surveyed indicated they were satisfied with the service they received. But the world has changed significantly since the registry agent network was introduced in 1993, and improvements are definitely needed. We must ensure that we have the necessary tools to meet the changes and to maintain a high level of public confidence in the network.

We are working with Alberta's 223 registry agents, the Association of Alberta Registry Agents, AARA, and the Alberta Motor Association to improve accountability as well as security and integrity of the network. We're interacting with all of the registry agents and speaking with them on a regular basis. I had the pleasure of meeting with the executive a few weeks ago, which was really important to me. They have a conference which I will be attending. Certainly, input from the agents as to how to make this better is coming from them as well. My approach is that when you want to do something, you want to be able to get input from the stakeholders and be able to move forward and do what's best for Albertans.

**The Deputy Chair:** The hon. member.

**Mr. Kang:** Thank you, Mr. Chairman. In looking at all this, how much of this year's budgeted money is going to be utilized for these initiatives?

**Mrs. Klimchuk:** Just let me get to the right page. I could talk about the registry services. The \$8 million for the 2008-09 estimate for other registry services is \$2.8 million for vital statistics, for registration of all vital events such as births, deaths, adoptions, marriages, and name changes; then \$2 million for corporate registry, which provides limited liability for business ventures, official recognition of nonprofit groups, and name registration for sole proprietors and partnerships; \$1.5 million for agent support, responsible for supporting the registry companies and agencies throughout the province; and \$0.5 million for the personal properties registry, that provides services for registration and searches of personal property – cars, household and personal items, industrial or farming equipment – to support legislative requirements.

With respect to the funds going into land titles, the \$1.9 million increase between the '08-09 estimate and the '07-08 forecast, \$15 million, is primarily a result of increased volumes and demand for services, as we have known what has happened in the real estate industry across Alberta.

**The Deputy Chair:** The hon. member.

**Mr. Kang:** Thank you, Mr. Chairman. In the business plan, page 240, goal 1, strategy 1.11 states: "Participate in . . . cross-jurisdictional and inter-ministry initiatives (e.g., implement the recommendations of the Cross Jurisdictional Identity Management and Authentication Report)." Last year a similar goal called for the same initiative but with an added clause to address identity-related issues and propose amendments to legislation, policies, and procedures that were appropriate. Are these identity-related issues and amendments to legislation, policies, and procedures now in the report?

**Mrs. Klimchuk:** With respect to the comment about cross-jurisdictional and such, as minister of this department I'm very aware when we talk about that that it's one thing to have internal barriers between departments, which is something that we certainly don't want. I look at the TILMA legislation that has been proposed as Bill 1 by the Premier, the trade, investment, and labour mobility agreement omnibus bill. Within that bill there is a section with respect to the free trade act and cross-jurisdictional, that whole area of working together and making sure that we don't set up artificial barriers, that we keep working together and doing the things we need to do for Albertans.

For example, the nonfinancial barriers cost Canada an estimated 1 per cent of the total value of all goods and services. These costs easily run into billions of dollars that could be saved, reinvested, or passed on to consumers. The changes that affect Service Alberta are intended to streamline or eliminate the need to file business-related documents – i.e., annual returns, charters, and amendments – in the other province, making it less expensive and easier for each province's businesses to operate in the other's jurisdiction. So it's about the paperwork being lessened.

As well, the elimination of the annual return filing requirement alone is expected to save corporations in both jurisdictions an estimated half a million annually. Other legislative changes are being looked at and may proceed at a later date.

TILMA creates the second-largest economy in Canada, with 7.7 million people, second only to Ontario's 12.7 million. Albertans and British Columbians will have more consumer choice, and there will be more opportunities for workers, suppliers, industry, and investment.

The department will continue to consult and negotiate over the next two years on how best to extend the agreement to other sectors, including financial services, municipalities, academic institutions, and Crown corporations. To me, this is certainly an example of Service Alberta looking at the best interests of the consumer.

**The Deputy Chair:** The hon. member.

**Mr. Kang:** Thank you, Mr. Chairman. Which piece of the legislation does the minister believe needs to be amended? Which government policies and procedures need to be improved?

**The Deputy Chair:** The hon. minister.

**Mrs. Klimchuk:** Thank you, Mr. Chairman. I guess the pieces of legislation that will affect Service Alberta are the Business Corporations Act, the Partnership Act, and the Cooperatives Act. They deal with the out-of-province registration of a business entity by Alberta's corporate registry. The Government Organization Act deals with fees that may be charged by Alberta's independent registry agents. The amendments to the Business Corporations Act, Partnership Act, and Cooperatives Act will allow the minister to create regulations for an alternate process and enter into agreements with other provinces with respect to extraprovincial registration of business entities.

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

**Ms Pastoor:** Thank you, Mr. Chair. I'll preface my remarks with congratulations to the minister on her first ministry.

One of the things that concerns me – and it has been discussed a little bit – is certainly the FOIP part of this. I have a story out of my office that I can share. Parents were actually going to go forward for an appeal. I think it was under children's services. They had two children, and to go forward with that appeal, they were going to have to FOIP their own children's charts. They did, and it cost them a bundle, which they didn't have. So my concern is: are these FOIP rules only for those that can afford it? I'm not sure that that's fair, that people should have to pay to get their own charts when they're going into an appeal. It may well be a mechanism to keep people out of the process, certainly those that don't have any money. It really is a process for those that have got fairly deep pockets.

9:00

The parents had already had some legal advice saying that they thought that the appeal that they were going for would be granted because the legal advice had said: yes, go ahead with it. So that's why they did; otherwise, they probably would have been intimidated enough by that fee not to have gone forward with it. So I'd like that addressed. I know that you have sort of spoken about it, but I really think it's something that your department has to look at in terms of FOIP.

One of the other things – I'm sort of going off on a tangent here. There is a troubling turn of events at the federal level where, in fact, they've killed an access to an information registry which was actually used by journalists, which is probably why they did it, but also the public did use it. This was a means of getting information, and because I see some of the FOIP things that are going on in this province, I would hate to see that tightened up. So I would like you to address that.

I guess I'd like to ask if you felt that by opening up FOIP even a little bit more, particularly to those that can't afford it, if it wouldn't really make this more open and transparent and help people be able

to trust the government and also be able to trust the public servants that they work with because sometimes the people that work with these people are public servants and they forget that they're actually there to help the public. They think they work for the government; therefore, they shouldn't be helping the public. So there's a bit of a mindset there, and I would like you to look at that in terms of FOIP. They just cut them right off instead of saying: "You know what? I can help you with this. What do you need?" I think that's what public servants really should be doing.

Perhaps you could just address a few of those thoughts.

**The Deputy Chair:** The hon. minister.

**Mrs. Klimchuk:** Thank you, Mr. Chairman, and I thank the hon. member for her comments. I appreciate that. I have to say that I was here the night when you asked a number of questions of the minister of seniors, and I enjoyed your line of questioning. I thought you brought up some excellent points.

With respect to the incident that you raised, it's not appropriate for me to comment on that incident, but I'm always happy to hear about situations and about real-life circumstances because that can only make us as legislators and as MLAs do a better job, so I thank you for that.

With respect to the FOIP fees the hon. Member for Calgary-McCall had asked me that question as well, and I will be getting that information back as promised, and I can provide that to you as well. We've made a number of changes recently to ensure that FOIP fees more accurately reflect the actual costs of services provided. For example, the fees for colour photocopies increased to 50 cents from 25 cents, and several other fees decreased. Fees are not intended to keep anyone from acting on their right to access of information. They're intended to encourage people to use the legislation responsibly and to be specific and serious about what they're asking for. They are also intended to at least partially cover the costs of providing the service, something the select special committee that recently reviewed the legislation agreed was fair. Alberta's fees are in line with the fees charged in other jurisdictions, but that does not mean that we shouldn't review them and make sure that they are fair and accessible to everyone in Alberta.

We will be moving forward on the select committee report, working with Mr. Work, the Privacy Commissioner. It's ironic; I had a great meeting with him today about some of the work he's doing, and now I'm happy that it's being addressed in these estimates because I think that, you know, it's incumbent upon us to do better with the access to information.

With respect to the access to information, your comment about the federal piece, that's something I would like to get further information on if I may. I am, you know, certainly aware of some of that issue, but I prefer to get information.

Your final comment about trust and working with helping people to trust so that when they contact us, they feel they're being listened to and they feel they're not being spoken down to, that whole thing. That's very, very important to me. We're all consumers. We've all been in those situations where we've had to go and ask for something, and I always like to put myself in their shoes and be empathetic, so certainly I agree with you on that whole area. I think that moving towards the fall and the spring of 2009, some of those comments and some of your thoughts will certainly be taken into account.

**The Deputy Chair:** The hon. member.

**Ms Pastoor:** Thank you, Mr. Chair. One more question. I really

don't know the answer to this. Is there any help for people who really cannot afford to get the FOIP? I understand the fairness of half and half in the process, but if they really don't have money. I think that we're probably all aware that for most of the people that often come to our offices for help, really we're the last resort. Often they're undereducated and certainly underfunded. Is there any kind of a grant or something that might help these people out? I'll just leave that with you to think about because I don't think that there is.

The other thing that I'm not sure was answered – well, perhaps it was answered, but I didn't understand it, so I'll try to do it again. As far as the federal comment that you've made, I think it's probably a really political manoeuvre, so it probably doesn't require a lot of your time.

About the government travel flight logs – the estimate is on 302 – they talk about the \$25.25 million as being a 1,265 per cent increase from the 2006-07 forecast, but the same item is not found in this year's. Where have they put that down as that line item for '08-09? That would be another question.

We did talk about the consumers' protection. I'm sorry; I'm going to jump to the registries. I'll go back to the other one. I think that it was last year, and there was a huge problem with registries in terms of licensing truck drivers. I think that they found many of them couldn't even pass the test once they found them. I think there were 14 driver examiners for possible inappropriate licensing activities. I know that it was a huge issue. I'm sorry; part of it was back in '06. I'm not sure that we've ever really discussed what's happened on that. Part of it I think was an overexuberance of people trying to get the temporary foreign workers in that come in to drive trucks. I think that that's very dangerous because some of them certainly were not licensed for that. I'd like to know what steps exactly have been taken. You are going to do the registry; I believe you were saying how you're relooking at those and tightening up and putting more accountability into that particular registry, which I think is very important. One of the things on the registry, too, is do you know the number of prosecutions that may actually have gone forward under registries that were doing things illegally or, well, under the table so to speak?

I think I'll just leave it at that for the moment. Thank you.

**The Deputy Chair:** The hon. minister.

**Mrs. Klimchuk:** Thank you, Mr. Chairman, and thank you again for your questions, hon. member. I first want to say that with respect to your comments about people being able to get assistance when they're in positions when they can't afford, I strongly feel that fees should not be an impediment to people getting information. I agree with you totally. In those situations, personal requests for information, the fees, we can look at the situation and be sensitive to what's going on. You know, that's mostly our most vulnerable people in our society that come to our offices that need the most help. So I think that's something that I will certainly take as good information from yourself.

**9:10**

With respect to the flights the Treasury Board now is responsible for the flights, for the planes. That's why it's not in my estimates. I still have the vehicles, but the Treasury Board has those.

As well, with respect to the registry issues and the licensing of truck drivers, I do remember, you know, reading about that the last couple of years. We are currently working with the Department of Transportation, because it does cross over into Transportation, with respect to resolving this and ensuring that when we do give out the licences, we are doing the due diligence and making sure it's done

properly. That's kind of one of those cross-collaboration things, working with other ministries, to make sure that we don't put ourselves in a situation where the drivers are at danger as well as the people beside them on the highway.

With respect to the prosecutions under the registry I'm only aware of two where we've had to go thus far, you know, when they've been charged by the RCMP. I think our record on that is good, but certainly we can do better and continue to improve in that whole area. As I said before, as you said, the registry association has been excellent in terms of working with us and making sure we come up with some good plans, the ID cards and that kind of thing for employees. I'm confident that we'll be able to do some really good things in that direction.

**The Deputy Chair:** The hon. member.

**Ms Pastoor:** Thank you, Mr. Chair. This probably isn't your department, but I'll ask it anyway. Who actually is in charge of the truck training schools? Is that Education?

**Mr. Horner:** Red Deer College has a course with Advanced Education.

**Ms Pastoor:** Oh, okay. That's fine, then. It's not your department. I'll wait until Education comes in.

One other thing. The advocate position for consumer advocates at one point was actually held by a deputy minister. Is that still the case, and if it is still the case, do you have a problem with that in terms of sort of a conflict of interest? They have to defend the consumer, but they well may be defending it against the government that actually signs their cheques, so it's sort of a follow the money kind of situation where who signs the paycheque; where's the loyalty gone. I don't know if the deputy minister is still that person.

The estimates on page 348, line 3.1.3. I know this question has been asked, but it's an estimate for business services, amortization, and it's an increase of over double from '06-07. What exactly is that money being used for? I'm not sure that I understand how the amortization of what fits into that. Also, could you speak more to the \$5.287 million item?

Thank you.

**The Deputy Chair:** The hon. minister.

**Mrs. Klimchuk:** Thank you very much. With respect to your question about the consumer advocate Cathryn Landreth, the assistant deputy minister, is what's called the acting advocate as we work through the governance act while we set this up. Larry Sirman is the chair of the UCA. For now, until we get it in place, Catherine is the acting advocate. Then we'll have to pass the regulations to put the UCA in place with Larry Sirman. Certainly, she is working with them to make sure that the due diligence is done in that regard.

With respect to the amortization, the increase, as you know, amortization is an accounting procedure that gradually reduces the cost of a capital asset as it's used over its expected lifespan. It's recorded and reported by the GOA in the same manner as the private sector. It's through the vehicle purchasing program. That's why there's been an increase. There has been a shift from leasing towards purchasing government vehicles, so that's why you're seeing that increase. The research was done in terms of indicating that it was better for the government to purchase vehicles for the ministries and all the work that the different departments do. That's why you're seeing that increase there. That's what that's about.

**The Deputy Chair:** Hon. member.

**Ms Pastoor:** Thank you, Mr. Chair. Thank you for that, Madam Minister. Bringing up vehicles: how long is the contract for those vehicles? I guess what I'm asking is: how soon can we start moving into environmentally friendly vehicles?

**Mrs. Klimchuk:** Mr. Chairman, we're starting to buy back the vehicles now to purchase. In three years we should have finished purchasing them all.

With respect to going to hybrid vehicles and green vehicles, that is something that we're looking at. We're working together with Service Alberta and Alberta Environment to explore various vehicle options that are less harmful to the environment, including alternative fuels and hybrid vehicles. I think the thing is that while more energy-efficient vehicle options are being explored, there are few viable options for trucks, vans, and SUVs, and they represent the vast majority of the GOA vehicle fleet that are suitable to the needs of the clients; that is, the vehicles that are in the fields up north, in the south, and that whole thing.

I guess other elements that will impact any go-forward plan include servicing hybrid vehicles at remote locations. If we run into a problem to service a hybrid vehicle, we could be in for some difficulties. But, certainly, the direction from the Premier towards this department is that we encourage that move in the hybrid direction. As technology is improving every day with respect to this, I'm sure that we'll be purchasing more of those vehicles as possible and respecting the role that each ministry has in terms of their needs and what they're needed for.

**The Deputy Chair:** The hon. member.

**Ms Pastoor:** Thank you, Mr. Chair. I'm sure that many of us get the same complaints in our offices, and these are true concerns for consumer protection: rent increases; shady mechanics; ridiculous prices for essential products and services, particularly now, of course, at the utility end; automobile insurance, which is a conversation all unto itself; retail gasoline; and those sorts of things. Gasoline not so much, but certainly we can all relate to the concerns of these consumers.

My problem, I guess, is that we can see price gouging. We can see people taking advantage of people. There's collusion. There's false advertising, and often the false advertising will attract seniors that really sometimes don't know how to read between the lines, and they get caught. Some of it is actually within the insurance industry and in the financial industry. I'm just wondering in terms of protecting consumers, what exactly could your department do?

**The Deputy Chair:** The hon. Member for Edmonton-Highlands-Norwood.

**Mr. Mason:** Thank you very much, Mr. Chairman.

**The Deputy Chair:** You're going to use 20 minutes combined, back and forth?

**Mr. Mason:** Yes. I have four question areas, so I would propose to ask one and get an answer and just go back and forth for those four broad areas if that's agreeable.

**The Deputy Chair:** That's fine with the minister? Okay.

**Mr. Mason:** Thanks very much. I'd also like to congratulate the

minister on her appointment and look forward to four long years of working with this government and with that minister.

My first questions have to do with motor vehicle registries. There have been many issues in the past related to the security of information, the security of documents, the security of drivers' licences, and so on. I would like to know from the minister's point of view where we sit with respect to that, what measures have been taken to deal with this issue. I notice that the budget here is for a little more than \$16 million, and I wonder, of that expenditure, how much is associated with providing security measures or administration of security for the agents.

**9:20**

There is a significant revenue stream with respect to that. The bulk of the revenue stream here comes from the motor vehicle registry, which pulled in \$365 million, but the expenditure is only \$16 million, so I'd like to know a little bit more about that revenue stream, what the source of it is and why we're not moving to reduce the government take and pass more of that revenue back to people in terms of lower costs and so on. I'd also be curious as to the overall revenue stream from motor vehicle registries and what proportion also goes to the individual private registries. So if the government's stream is \$365 million, then what is the amount of revenue that is taken in by the private registries overall?

I think those are my questions with respect to the motor vehicle registry.

**The Deputy Chair:** The hon. minister.

**Mrs. Klimchuk:** Thank you, Mr. Chairman, and thank you, hon. member, for your introductory comments. I appreciate that.

With respect to motor vehicle registrations and some of the measures that we've been doing, I think one of the things is with respect to the driver's licence and ID card security. The Alberta driver's licence and provincial ID card are considered to be among the most secure documents of their type in North America. Since September 11, 2001, virtually every province and state in North America has reviewed these important pieces of identification to address concerns about identity theft and fraud. Alberta was the first jurisdiction to complete this process. So these two cards were fundamentally redesigned in 2003 in the card, the application process, and the delivery to ensure that they are as secure and reliable as possible.

Something else, too, that I think is good news is that facial recognition technology is now also being used to ensure that a licence or ID card is not issued to anyone trying to use someone else's identity. So, certainly, we're moving in the right direction with respect to the driver's licence and the integrity of the information.

I think the comment about the registration of information, the fact that with all of the over 7 million registrations that take place during the year, we certainly are on the right track in that regard.

With respect to your budget questions, the detail with respect to how much goes back to agents, I would like to take that question on notice and get you back some detailed information on that if I could, and that relates to the revenue streams as well.

With respect to your question about how much the registry agent gets back on a transaction, it's around \$6. So the agents certainly do get, you know, money back to them.

Then, I guess, your comment about the revenue that we generate through this department. The \$365 million revenue is something that goes back into general revenue. It's going into other areas right across the government: law enforcement and those kinds of things.

I noticed, too, how much revenue is from that and how much is going just into that area, so I think that's something that is a very good point.

**The Deputy Chair:** The hon. member.

**Mr. Mason:** Thank you very much, Mr. Chairman. Just to follow up on that. I'd be curious if that is generated just from the fees that people are charged for renewing their licences and their vehicle registrations and if that comprises the source of that money. Really, I'll just make an observation. It seems that it's a bit of a cash cow.

I'll leave it there and move on to the Utilities Consumer Advocate and would like to raise a question. As a goal in the 2006-2007 business plan of the department the Utilities Consumer Advocate was to be an effective advocate for Albertans in the restructured utilities system. There were two performance measures that were selected at that time: first, to raise awareness of the Utilities Consumer Advocate and, secondly, to measure the satisfaction of the Utilities Consumer Advocate call centre users. The government was not successful or it failed in its awareness benchmark and has now stated, you know, that it's going to scrap both of those. My question, then, is why the government is backing off on having performance evaluations for the Utilities Consumer Advocate and what the government's intentions are with respect to how you measure performance and satisfaction with that particular position. That's one thing.

The cost is close to \$7 million, \$6,966,000, and then that is recovered. My understanding is that is recovered from the industry. I'd just be curious about what the policy is behind that decision to recover it from the industry and how the recovery is done and how you calculate who pays what and just a little bit more about the policy around the recovery.

Those are my questions about that, Mr. Chairman. Thank you.

**The Deputy Chair:** The hon. minister.

**Mrs. Klimchuk:** Thank you, Mr. Chairman. Your comment about performance measures with respect to what the UCA was to previously do. I think the ultimate performance measure will be how the consumer views the UCA and how we're going to make it work and make it work better for consumers. To me, that's the ultimate performance measure.

As I mentioned previously to other hon. members, the band-aid is to ensure that the interests of small Alberta consumers of natural gas and electricity are represented, served, and protected in Alberta's restructured utilities marketplace. The UCA has responsibility to represent the interests of Alberta residential, farm, and small business consumers of electricity and natural gas before proceedings of the Alberta Utilities Commission and other bodies whose decisions may affect the interests of those consumers as well as to disseminate independent and impartial information about the regulatory process relating to electricity and natural gas, including an analysis of the impact of decisions of the EUB, other bodies, and the courts relating to electricity and natural gas, and to inform and educate consumers about electricity and natural gas issues. As I said before, we are looking at the new governance model with respect to the UCA as it has been separated from the Utilities Commission through the Department of Energy. So that, to me, is a really good thing, that this UCA is going to be better and be more effective in terms of representing the consumers and assisting the consumers.

The Utilities Consumer Advocate, as I said previously, is fully funded by the industry: 80 per cent from the electricity Balancing Pool and 20 per cent from natural gas companies. Electricity and

gas companies generate revenue to fund the UCA by billing the public, and these funds are recorded as revenue by Service Alberta. So that's how that whole area is figured out. This will ensure that Alberta consumers have the information, representation, and protection they need in Alberta's restructured electricity and natural gas markets.

9:30

**The Deputy Chair:** The hon. member.

**Mr. Mason:** Thanks very much, Mr. Chairman. If I can just follow up on that particular question to the minister. I appreciate what she said, that the ultimate benchmark is the satisfaction of the consumers with the Utilities Consumer Advocate. The question, though, really is: how are you measuring that?

**The Deputy Chair:** The hon. minister.

**Mrs. Klimchuk:** Thank you, Mr. Chairman. I think that's a very good question. With how we're going to measure that, I think that's something that will come out as we move further in figuring out the governance model, and I'd be more than happy to hear suggestions from the hon. member with respect to how we can make it better for consumers. I think that would be excellent.

**The Deputy Chair:** The hon. member.

**Mr. Mason:** Thanks, Mr. Chairman. Well, I'll take that under advisement, hon. minister, and I'm sure we'll have plenty of useful advice with respect to that issue and many others as well.

I want to ask another question with respect to housing services. We have received complaints from constituents about dissatisfaction with Service Alberta in terms of advice about housing. There's a specific complaint that I want to bring to the minister's attention that we have received. Constituents have been complaining about landlords falsely using the loophole of relatives – in other words, bringing in relatives to the housing unit – in order to hand tenants the eviction notices. When called, people from Service Alberta have told these constituents that they would have to be evicted first, and then they would have to prove that this was done because of relatives being brought in by the landlord.

That's a specific issue that's come to our attention. If the minister wants to take that under advisement, that would be fine.

**Mrs. Klimchuk:** Mr. Chairman, I would be pleased to take that under advisement. I need to hear about things like this because if things are going on in the area with respect to renters not being treated fairly, these are the things I need to hear. If you would follow up with some further details on that to my office, I'd be pleased to check into it.

**Mr. Mason:** Thanks very much.

My final question has to do with the information technology control framework that was identified in the Auditor General's report. He indicates that, you know, you can't really say that the government has got a handle on this, that there's a wide variation of systems across different departments. He says:

The work needed at different departments to implement efficient and effective IT controls differs significantly, but he calls it an inexpensive "insurance" for all departments against the risk of poorly designed and ineffective controls.

He talks about this at some length and strongly urges the government to take action.



He does say that

Service Alberta recognizes the lack of guidance and is leading an initiative through the CIO Council, to develop and implement a benchmark IT governance and control framework based on COBIT . . .

I don't know what that is.

. . . an industry-recognized best practice IT control framework.

He says that they're going to continue to

monitor the initiatives government departments are taking in the absence of definitive guidance, and to draw the government's attention to poor or non-existent IT control environments.

He concludes:

Without proper control frameworks, government managers cannot do – or assert that they are doing – everything necessary to minimize the risks of loss and theft of data, inaccurate, unreliable, and unavailable data, and wasted resources.

I'd like to ask the minister how the project within the department is going.

**The Deputy Chair:** The hon. minister.

**Mrs. Klimchuk:** Thank you, Mr. Chairman. Certainly, I had the opportunity to meet with the Auditor General fairly early on after being appointed Minister of Service Alberta. We had an excellent meeting and talked about some of the goals that were outlined in his report and talked about some of my own goals as I viewed Service Alberta.

Service Alberta is supportive and committed to work in conjunction with all ministries and through the CIO Council to develop and promote a comprehensive IT control framework, accompanying implementation guidance, and well-designed and cost-effective IT control processes and activities. The comprehensive IT control framework customized to meet common GOA and specific departmental needs will be developed in 2008-09. Implementation is anticipated to commence in the latter part of '08-09 and continue over '09-10 and '10-11 as the ministries will likely have individual implementation plans and associated timelines integrated into their respective business plans. It should be noted that this commitment is based on securing departmental support and commitment via the CIO Council. We presented this matter to the CIO Council, and the Auditor General was in attendance, and the council supported this initiative. So your comments about the IT initiative: we're very aware of it and working with the Auditor General. That's something that we will pursue.

I want to talk about what you mentioned before about the situation with the housing services and those loopholes. I want to mention the eviction issue that you spoke about, just briefly, and I'll look forward to further information on it. I guess we're looking at a whole range of options to help meet the demand for affordable housing because, certainly, this is an example of: where will that person go next to find another place to live? That's really important to me, as it is to the minister of housing. We have added, you know, \$285 million to the housing budget to address immediate pressure, and we're going to see the development of more than 11,000 affordable housing units over the next five years.

I believe that any time we hear about comments with respect to landlords and tenants and how to work together to make it better for them, I think it's really important: such things as limiting rent increases to once a year, in that whole area, and just some of the standards that are in place. I should say that the government originally set \$7 million for the homeless and eviction prevention fund to help people facing rent hikes they couldn't afford, but \$22.3 million has been allocated to date across Alberta for more than 29,000 claims, including \$8.3 million in Calgary. In terms of

helping some of the more vulnerable and the people that we need to assist, that's a good thing.

I look forward to hear more information about the loophole that you raised.

**The Deputy Chair:** The hon. member.

**Mr. Mason:** Thanks very much, Mr. Chairman. Well, just to follow up on that, I have another question with respect to the operation of the homelessness and eviction fund. Does the government track how many people who received temporary assistance from that fund nevertheless are evicted in subsequent months?

**Mrs. Klimchuk:** Mr. Chairman, I would certainly like to take that question as notice and check into that. I mean, that's very interesting the way you phrased it because, on the one hand, we want to help these people, and then if they continue not to be able to have a place to live, then what's the money doing? What are we doing with that money? That's something we can certainly check into.

**The Deputy Chair:** The hon. member.

**Mr. Mason:** I'm done. Thanks very much, Mr. Chairman. Thanks to the minister.

**The Deputy Chair:** The next speaker is the hon. Member for Lethbridge-West.

**Mr. Weadick:** Well, thank you very much, Mr. Chairman. I just have a few questions to direct towards the minister. I'd like to compliment her on her business plan. It's a very unique, diverse portfolio with a huge number of pieces of legislation. You're very focused in the business plan on integration and collaboration, and I compliment you on that. It is the way to move forward.

The new Utilities Commission is going to be extremely valuable. I know from past experiences that citizens struggle with how to deal with and cross those boundaries to the utility companies and get answers a lot of times. If we're able to do that, that will be quite helpful.

On page 20 you just mentioned that one of your key strategies is to update the Land Titles Act. Could you maybe just give me, without real specifics, some general directions you'd like to go in that may make that act a little more user friendly and meeting the updated needs that we have in today's environment?

**9:40**

**The Deputy Chair:** The hon. minister.

**Mrs. Klimchuk:** Thank you, Mr. Chairman, and thank you, hon. member, for the questions. With respect to the Land Titles Act amendment the whole purpose of this is that part of this is committed to improved service delivery to Albertans, whether in person, by phone, or over the Internet. We've made substantial progress in cutting the time needed to examine and register a document on a specific title.

This amendment will benefit clients by reducing the impact of fluctuating turnaround times. Land titles can use this new document waiting list to determine if a document waiting to be examined in the pending submission queue will affect their own situation. Knowing what is in the queue, clients can decide to wait for land titles to complete an existing registration or to proceed with their own real estate transactions immediately. In part of doing a pilot project, we have been trying to do this, and it's been excellent. It's making a

difference. This particular piece of legislation, with final touches, will be brought forward this fall.

**The Deputy Chair:** The hon. member.

**Mr. Weadick:** Thank you very much. To follow up on that, what you're actually proposing is that if I am going after a title on a piece of property, I can find out what other things are in the works that may not have been registered yet. Is that correct? That would be a great benefit to know what's maybe pending but hasn't gone through yet, especially if there's a four- or five-week time delay between submission and title. I appreciate that.

Talking a little more about land titles. I noticed within the performance measures that our clients haven't been very satisfied with land titles. It looks like our satisfaction rates are 52 per cent, and this year we're targeting 60. That's on page 241 of the business plan, on line 1(b). Do you know what's causing that dissatisfaction? Is it just strictly the time it's taking, or are there other factors within the system we're using that are driving that?

**Mrs. Klimchuk:** Thank you, hon. member. That's a very good point that you brought up. Believe it or not – and you probably know this – the turnaround time previously was 23 days. Now we are down to four days' turnaround because of the hard work of the land titles staff in those departments working in that area, expediting and putting the information through. Part of it, too, is that with the action in the successful real estate market across Alberta, that certainly was a test for us, to get it down from 23 to four days. That's where that 52 per cent came from because people were justifiably upset and frustrated with the process when they were trying to close on housing, on deals for homes, and such. To me, that's something with the folks at lands, the employees that are working there. It is due to their diligence and to their credit that we are able to keep doing what we're doing.

I should indicate that we've had very favourable feedback from real estate agents and the legal community with respect to this whole area, and that again is a testament to consumers and doing what's best for consumers.

**The Deputy Chair:** The hon. member.

**Mr. Weadick:** Thank you very much. Now, in '08-09 we're down to four days, but we're only really up to 60 per cent. Do we know how we're going to get it from 60 per cent success? I notice that we're targeting 70 and 75. What are we going to do to move that forward and try to get better support through land titles?

**Mrs. Klimchuk:** Mr. Chairman, with respect to the turnaround times, I think that those percentage points, 60 to 70 to 75, are doable targets that we'd like to reach, and I think that because we are in such a position in terms of the backlog and all of that. Four days is good but, you know, maybe we can turn it around quicker than that: two days. That would be fantastic. I have every confidence in the staff and in the people that are working there, that they have the tools to do this.

**The Deputy Chair:** The hon. member.

**Mr. Weadick:** Thank you very much. I just want to change topic a little bit and talk for a minute about the COOLNet program. There are some proposed changes, I believe. I've had a number of letters from people in my constituency, in fact – I don't know – maybe 75 or 100 of them, responding to this. I'm just wondering if you could

update us where COOLNet is going, how we're going to move forward from here in that area.

**The Deputy Chair:** The hon. minister.

**Mrs. Klimchuk:** Thank you, Mr. Chairman. I know that with respect to the COOLNet issue there has been consultation going on with all of the stakeholders in the MASH sector and all of the stakeholders across the Alberta Construction Association and many others. Working with the Department of Transportation, we have finished that consultation, and now we will be moving forward to bring that through government to make sure that whole issue is addressed in the proper way. We have just finished the consultation with them, so we'll be able to provide more information on that in the future.

**Mr. Weadick:** Thank you very much. I look forward to that.

On the one budget item with respect to land titles I noticed that our budget forecasts are projected to drop over the next three or four years consistently. I'm wondering: is that just because we had quite a, sort of, balloon amount of work done this year, where we jumped to \$81 million, and then we see it reducing over the next three years? What do you see as impacting the revenue stream on land titles, and how can we fix that so we continue to get the appropriate income?

**The Deputy Chair:** The hon. minister.

**Mrs. Klimchuk:** Yes, Mr. Chairman. I think the one way to look at it is that with the market leveling off, the revenue streams are changing. That's certainly one of the reasons why with respect to the estimates we forecast from year to year. That's something that, you know, we can't control. Certainly, that leveling off has contributed to that.

**The Deputy Chair:** The hon. member.

**Mr. Weadick:** Thank you very much. Based on that, is there going to be a requirement to increase any of those fees to make up that reducing net income on those land titles revenues?

**Mrs. Klimchuk:** Mr. Chairman, currently the department is undertaking a fee review, looking at everything, looking at the overall package within Service Alberta to look for efficiencies, to look for better ways of doing things, packaging some of the fees and such. That is something we are addressing.

**The Deputy Chair:** The hon. member.

**Mr. Weadick:** Thank you very much. I have a final question or couple of questions. I understand the funeral act is within your purview as well, another one of the things you're responsible for. I had a question brought to me by one of the funeral directors in our community not terribly long ago. With the increased numbers of people moving to Alberta and people on the streets and more homeless people around, there are substantially more funerals occurring for people that don't have a fixed address or a place to call home. At this point in time the amounts that we allow for that, according to the funeral people that I talked to, are fairly low and not covering the costs of delivering that service. Do we have any plans in the future for how to deal with both the increasing demand and the increasing costs of delivering these necessary services within our communities in Alberta?

**The Deputy Chair:** The hon. minister.

**Mrs. Klimchuk:** Thank you, Mr. Chairman. In the funeral amendment act, which will be presented in the fall legislation, fees are one of the areas we're looking at. I have to say that this issue has been raised by a number of MLAs from across Alberta with respect to more people moving into Alberta and sometimes these people not knowing very many people. Unfortunate circumstances happen, and these funeral directors have to go in and remove bodies and things like that, a very onerous and sad process. This whole issue of fees will be addressed with respect to the act that's going to be addressed this fall.

I certainly would appreciate further elaboration on this matter.

**Mr. Weadick:** Thank you. I have no further questions. I just appreciate the very straightforward and good answers you gave tonight. I appreciate that very much.

Thank you.

**The Deputy Chair:** The hon. Member for St. Albert.

**Mr. Allred:** Thank you, Mr. Chair. My appreciation to the hon. minister for a very informative overview. I think it gave us a good, capsulized summary of her department.

I had questions in three areas. Thanks to my colleague the hon. Member for Lethbridge-West my land titles questions have been answered, but I'd just like to make a comment as a former employee of land titles. I appreciate why you have a backlog. It has happened over the years many, many times. As soon as there is a boom in real estate, things get behind, and you soon get caught up when things go down. It's just history repeating itself. If we could forecast these booms, we'd have no problem.

9:50

I'd like to ask just one question, and I'm referring to page 240 of the business plan. I noticed that strategy 1.5 says, "Develop a redesigned motor vehicle licence plate for Alberta." Is there any attempt to put a chip in the licence plate to identify it by computer? Is that part of your plan?

**The Deputy Chair:** The hon. minister.

**Mrs. Klimchuk:** Thank you, Mr. Chairman. With respect to the licence plate consultation, which is now complete, we've heard from over 3,300 Albertans about what they feel should be on the licence plates, which is pretty neat. It really caught Albertans' imaginations.

The whole issue of a chip in the plate is something that was suggested, but it has certainly not been something that we have looked at. There are huge cost implications for that. We are looking at other things; for example, reflective plates, a whole number of things. We will be bringing this forward through the appropriate areas, through caucus and through cabinet, those kinds of things. I anticipate announcing something obviously before the House finishes sitting this spring.

The bottom line is that with our growing population, we are going to be running out of numbers very soon, so this is why we need to do this. We need to make a good choice. I anticipate getting back to the House very, very soon on this matter.

**The Deputy Chair:** The hon. member.

**Mr. Allred:** Thank you, Mr. Chair. Just a supplemental to that on the licence plates. I believe the consultation process was more on the concept of the design and whether we go one plate or two plates. I don't think there was ever any discussion of an identity chip in the

publicity for the consultation process, so I'm not surprised you didn't get a lot of suggestions. I wonder if your department has looked into that. Certainly, there are cost implications, but there may very well be some very heavy savings generated in other departments.

**The Deputy Chair:** The hon. minister.

**Mrs. Klimchuk:** Thank you, Mr. Chairman. I think what I would like to do with respect to your comment about the chip in the plate is take that on notice, get back to my department, and take a look at that whole area for you.

**Mr. Allred:** Thank you. My last four questions. They're sort of a series, and I think I'll ask them all. The first three are very specific. I expect you probably don't have the answers for them, and that's fine. They're all related to the Queen's Printer. I would again reference the business plan, page 240, 1.15. It says, "Improve access to Alberta's legislation through services provided to the public and legal professionals by the Queen's Printer." My first question is: how much revenue is generated by the sale of provincial statutes through the Queen's Printer over the Internet?

My second question: how much of that revenue is from downloading over the Internet? I guess that's the same question, essentially.

My third question: what is the cost to the department for downloading a single statute on the Internet?

My fourth question, which is really a follow-up to the previous three, is: given that it is necessary in this day and age that we must have our statutes accessible over the Net and that all citizens are expected to know the law, how can the government of Alberta justify charging Albertans to download a statute and reference it on their own computers and/or print it off at their own expense?

Really, what I'm getting at is: why do we charge for downloading a statute from the Internet? I don't expect there's any cost to the government to do that. I can appreciate that there's a cost to printing a statute and mailing it or picking it up at Queen's Printer, but I don't understand why we charge for the downloading of a statute that we're all expected to know.

**Mrs. Klimchuk:** Thank you, Mr. Chairman. I would say that the anticipated revenue from the sale of the publications is \$1.5 million to \$1.8 million. I will get back to you on the cost of the one transaction that you mentioned to me. I'd be pleased to get back to you on that.

I would like to say that Albertans can access all of Alberta's statutes and regulations via the Queen's Printer website, and copies of all laws are also provided to libraries in Alberta, so Albertans can view them. If someone wants their own printed copy, as you said, they are charged a fee to cover the cost of printing and shipping, and then all funds from the sale of statutes go to general revenue.

As you know, the Queen's Printer has been the official source of Alberta governance law since 1906, so we've always believed — there's always been a charge for printed copies of legislation. What I would like to do is take this question as notice and check into it a bit further and see what we're charging and get back to you if I could.

**Mr. Allred:** Perhaps I could just ask a supplemental as a result of that answer. I'm specifically concerned about the charge for downloading a statute, not for printing it. I've got no issue with that. But the cost to download it is pretty well the same, I believe, as printing a copy, and I find that very, very difficult to justify.

Thank you. That will be all my questions.

**Mrs. Klimchuk:** Mr. Chairman, we will confirm the cost of the downloading versus printing. I appreciate that clarification.

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

**Mr. Lund:** Thank you, Mr. Chairman. Tagging on to the hon. Member for St. Albert on the consultation on the licence, it's a question about the front licence plate. I would be very interested to know what kind of a reaction that got as far as the survey was concerned. I haven't got a lot of questions, so I'm just going to go ahead and go through them.

The other issue is dealing with the Utilities Consumer Advocate. I'm hoping that we can find some way that we can drastically increase their budget. They're having a lot of difficulty currently with the inability to pay enough to hire consultants. They can't. You've got lawyers and consultants with the energy companies that are, you know, the \$500 types, but for the utility consumers, I believe, they're in around that \$250, and there is so much coming through that they can't possibly keep up, and they can't do the job they need to do.

Now, I know the way the budgeting system works and the difficulty you have with a meagre budget to increase or double – it would probably take at least a doubling – and that then, of course, increases your overall budget by so much. So if there was some way – and the only thing I can think of would be to form some kind of a DAO so those funds don't flow through your ministry. Just a suggestion, but somehow we have to find a way that they can get much more money. They're going to be performing an even greater role, and when we look at all the money that was spent on intervenor funding in the past by the REAs all going in and all those others, this is the way we've got to do it, but we've also got to get more money to them. So that was that one.

I was very pleased to hear your comment about the four-day turnaround at the land titles. That's right on. We need to keep that. With the decrease in activity, I think that's probably where your biggest reduction in income is coming as opposed to – well, value, of course, but I imagine that's staying pretty flat. It would probably be more on volume that you'll see it, so that's good.

There were some comments and discussion about FOIP. I'm really curious. What percentage of the cost do we recover through the fees? It usually runs only about 10 per cent, and so I get really nervous when I hear complaints about the fees. Quite frankly, why should the taxpayer have to pay for somebody to go on a fishing trip? I know that very often the question is so broad, and of course you've got to make absolutely sure that you do go and have a look at absolutely everything that's connected with whatever the issue is. We try to get those requests more focused so that you don't have to go through that.

10:00

Just one other question on PIPA. I'm not sure that it affects you at all. Through the service bank you maybe have some questions there, but I would think it would be more just the commissioner that is affected by that piece of legislation. If you could comment on it and how that ties into your ministry, I'd appreciate that.

Thank you.

**The Deputy Chair:** The hon. minister.

**Mrs. Klimchuk:** Thank you, Mr. Chairman, and thank you, hon. member, for your questions. I would say that with respect to your questions, starting at the beginning with the licence plates consulta-

tion, of course there will be a report that will be released, but I have to say that the majority of Albertans were not in support of two licence plates. That's the majority of Albertans speaking, and that's 33,000 Albertans speaking, so that's something that we need to take into account when we bring this forward through cabinet and caucus and all those things.

Your comment about the UCA was, I think, about the board money, how they manage their money. Because we're working through the governance and how to run that – and that's going to be through the fee structures that are put in place – I think we can't forget that the UCA money is industry money. In terms of how we decide what we need to do with it, we have to keep that in mind. But your comments are excellent because it's about ensuring that the UCA does the good job it needs to do.

I appreciate your comment about the four-day turnaround. I know the employees really appreciate comments like that because of how hard they're working, and hopefully they'll read *Hansard* and notice that.

With respect to FOIP I know that in 2006-07 the cost of administering the FOIP program in government was about \$5.8 million, excluding the commissioner's office and information services. For the same period \$90,600 in fees was collected, and \$5,200 was waived. So there's an example of the fees. We always need to keep in mind the fees that we charge. The Member for Lethbridge-East mentioned protecting the people that most need the service and waiving the fees and making sure that what we're doing is fair.

With respect to the Personal Information Protection Act, that is certainly under Service Alberta. This is our private-sector privacy legislation. It establishes clear, concise, and common-sense rules for private-sector organizations that collect, use, and disclose personal information in Alberta. We will continue to work with our provincial and federal counterparts to keep private-sector privacy legislation harmonized. This, again, goes back to a special committee of the Legislative Assembly which tabled its report in November 2007. PIPA is part of that, and that's something, with FOIP and PIPA, that I will most certainly be looking at. So I appreciate the member's comments.

Thank you.

**The Deputy Chair:** Any other members wish to speak?

If no one wishes to speak, I'd now invite all officials to leave the Assembly so that the committee may rise and report progress.

The hon. Deputy Government House Leader.

**Mr. Renner:** Thank you, Mr. Chairman. I move that the committee now rise and report progress and seek leave to sit again.

[Motion carried]

[Mr. Mitzel in the chair]

**Mr. Berger:** Mr. Speaker, the Committee of Supply has under consideration certain resolutions for the Department of Service Alberta relating to the 2008-09 government estimates for the general revenue fund and the lottery fund for the fiscal year ending March 31, 2009, reports progress, and requests leave to sit again.

**The Acting Speaker:** Having heard the motion, are you agreed?

**Hon. Members:** Agreed.

**The Acting Speaker:** Opposed? That's carried.

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

[Mr. Mitzel in the chair]

**The Deputy Chair:** I'd like to call the Committee of the Whole to order.

**Bill 6**

**Appropriation (Interim Supply) Act, 2008**

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

**Dr. Swann:** Thank you, Mr. Chairman. At my first opportunity to speak to Bill 6, Appropriation (Interim Supply) Act, 2008, I'm pleased to rise and make a few comments. This bill is really about meeting government needs to carry on their business from the end of fiscal 2008, March 31, to the budget period presently being proposed in the spring sitting, carrying over, essentially, the functioning of the ministries during this period of time between the two budgets.

I guess it raises the opportunity for us to talk about the role of government, about the timing and appropriateness of government business and budgeting and overall priorities for the government, how it is that we each year are faced with shortfalls and requests to approve not only the interim budget but, in this case, significant unbudgeted numbers.

I'll just quote for a few of the departments what some of these extra fees entail: for example, for Advanced Education and Technology a nonbudgetary disbursement of \$26,800,000; for Culture and Community Spirit a nonbudgetary disbursement of \$1.7 million; for Environment a nonbudgetary disbursement of \$1.1 million; for Finance and Enterprise \$11 million; for Tourism, Parks and Recreation a nonbudgetary disbursement of \$200,000; and for Transportation an extra \$1.1 million. Again, Mr. Chairman, it raises the opportunity to ask the questions: what is the role of government, and how are we fulfilling that and our fiduciary responsibility to the citizens of Alberta?

For me the role of government is surely to ensure that the well-being of citizens and the environment is protected and, fundamentally, to ensure that the economy serves those two primary purposes and that decisions made by government, whether within or outside the budget, see that as their fundamental priority. I guess one of the questions that we ask each year is: how are we managing the budget not only in the context of the full budget but, in this case, in interim supply? How are we managing the economy? How much profit is appropriate to a healthy society and one in which we honour the importance of equity and fairness and reasonable distribution of wealth?

One of the comparators that we've looked at repeatedly and that has been raised in this House is that of Norway, which in half the period of time, 15 years, has amassed savings of \$390 billion. During the same period we have added only \$1 billion or \$2 billion, very little in terms of the actual increase to this fund in dollar value. We've had twice as long, Mr. Chairman, and failed to provide even a shadow of the savings that Norway has received. Norway saves up to 78 per cent of its surplus whereas this province has spent 92 per cent of all its nonrenewable resource wealth over this 15-year period.

**10:10**

This government needs to look at a serious commitment to savings. Once again this year we've only covered inflation for the heritage fund. We would like to see at least a third of all surplus going into savings. This is a resource that is not going to be there

for our children and our grandchildren. How is it that a country like Norway can do such an amazing job at saving for the future and we are continuing to spend virtually everything that comes out of the ground?

Apart from the 35 per cent or so that we would invest in savings, we would also want to see at least that much for postsecondary endowment. We would want to see 25 per cent for an infrastructure and maintenance program and 5 per cent for the arts. My particular interests happening to be related to First Nations, the environment, and sustainable resources, it's clear that we have a long way to go to meet the kind of standards that the Europeans and most countries are achieving in terms of their land-use priorities, their zero-waste programs, their energy efficiency programs, and their investment in renewable energy.

They also have a serious commitment to monitoring and enforcement, and if we have a government that's serious about the environment and sustainable resource development, surely we need to give them the tools, the resources they need to do an adequate job of monitoring and enforcing the regulations that we do have. The examples in the oil sands this past week illustrate graphically how we haven't given these departments the resources they need to do the job. I for one want to champion these two departments, even discuss the possibility of them merging in order to expand their ability to stand up to the powerful energy lobby, the powerful business lobby that continues to want to develop this province at a pace that is totally unsustainable and has no basis for protecting future generations.

Other areas, of course, that we see as priorities include the human services, appropriately monitoring and managing and reforming the health system and doing proper outcome studies to show how this money is being spent in the health care system and what results we're getting.

Clearly, this is linked to all of these kinds of changes, and budgetary priorities are linked to a democratic system that has to work better for people and engage the citizens of Alberta in a more meaningful way. This, unfortunately, continues to be a serious deficit in this province, where citizens have disengaged and have lost a sense that they have any influence on this Legislature and on the public policy that we bring about.

While the issue here is interim supply, it's really a question of money management, and on a broader scale it's a question of commitment to the long-term well-being of people and the environment. In the context of the social programs that will maintain a stable and civil society, we see serious deficits in the area of supporting the most disadvantaged people, those either with mental or physical handicaps and their caregivers and those indeed who, like the single parent, simply do not have the resources to live in the highly inflated economy that we are struggling with today.

**The Deputy Chair:** I hesitate to interrupt the hon. Member for Calgary-Mountain View, but under Standing Order 64(4) I must put the question proposing the approval of the appropriation bill referred to the Committee of the Whole.

[Motion carried]

**Mr. Renner:** I move that the committee now rise and report Bill 6.

[Motion carried]

[Mr. Mitzel in the chair]

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

**Mrs. McQueen:** Thank you, Mr. Speaker. The Committee of the Whole has had under consideration a certain bill. The committee reports the following bill: Bill 6.

**The Acting Speaker:** Is the committee in favour of the bill?

**Hon. Members:** Agreed.

**The Acting Speaker:** Opposed? That's carried.

### **Government Bills and Orders Second Reading**

#### **Bill 1 Trade, Investment and Labour Mobility Agreement Implementation Statutes Amendment Act, 2008**

[Adjourned debate April 23: Mr. Mason]

**The Acting Speaker:** The hon. Member for Calgary-McCall.

**Mr. Kang:** Thank you, Mr. Speaker. I do not support TILMA. It was developed in a fundamentally undemocratic manner, and the government has refused a proper debate on it. We have genuine concerns about the impact of TILMA's measures on the various levels of government in Alberta, so we cannot support a bill that ties the province closely to TILMA, in particular making the province liable for TILMA-based rulings.

TILMA raises some major questions about democratic governance both in terms of how the deal was struck and the potential impacts of the agreement itself on democratic decision-making. In addition to its clear constraints on public policy TILMA contains many provisions that are open to interpretation, and the true meaning of many of these clauses will not be fully understood until the limits are tested by the dispute panel process, that enables the parties to the agreement, individuals, and corporations to launch complaints against governments and to be awarded compensation for violations.

TILMA requires government not to restrict or impair trade investment or labour mobility, yet by the very nature the government program with Crown corporations confines private investment within certain limits by providing some services that otherwise might profitably be provided by the private sector. Similarly, the government regulations often place limitations on private investment.

TILMA's dispute process will impact public policy as well. Private parties can receive up to \$5 million in compensation over any one violation of TILMA, but TILMA does not limit the number of complaints that can be brought forward against any specific government measure; thus, the potential cost to the government of violating TILMA is much higher than \$5 million.

It is not clear whether health services or public school boards are actually exempt from TILMA. While they are currently listed as being so, the intention of TILMA is that by April 2009 the following groups will have been brought under the agreement. So how does this affect the Crown corporations, government-owned commercial enterprises, municipalities, municipal organizations, school boards, publicly funded academic, health, and social services? These discrepancies exist in the government's own literature promoting the agreement; thus, on one brochure we see health and social services listed as both exempt, and forthcoming on the same page right now it appears that contracts, et cetera, made in these areas cannot be challenged under TILMA. But at the same time these groups and organizations must use the TILMA framework.

**10:20**

Business subsidies and investment distortions: what is allowed and what isn't is unclear and potentially wide reaching. What are the barriers associated with interprovincial trade? This is an area of law that is not well understood. There's no meaningful consultation with Albertans at any stage of the TILMA process. Who are these individuals on the panel?

TILMA is a radical solution to a problem Canadians have not yet identified. Trade agreements can have great benefits to businesses, consumers, and governments. Clearly, where unnecessary barriers to trade, investment, and labour mobility exist, we should work to remove them.

TILMA is potentially incredibly influential on future government behaviour. We, therefore, definitely need detailed discussions about it in the Legislature. If more and more policy areas come under its scope, as seems to be the intention, then this need becomes ever more important. So we need to have a transparent and accountable government. We need to know exactly which areas of the policy are to be included under TILMA. The agreement is not clear on this matter. What government policy is going to have to change? If none, then why have the agreement? If some, then what? Albertans need to know. All we are asking for is a debate here. Why are we not getting that?

With that, Mr. Speaker, I would like to adjourn the debate on Bill 1. Thank you.

[Motion to adjourn debate carried]

### **Bill 2 Travel Alberta Act**

**Mrs. Ady:** It's my pleasure to move for second reading the Travel Alberta Act.

This is a significant piece of legislation for Alberta's growing tourism industry. Travel Alberta is our province's tourism marketing organization, leading an industry that employs over 111,000 people and contributes more than \$5 billion to our economy. We have an obligation and an opportunity to ensure that this organization is well positioned to market our tourism asset in a very competitive environment. We want to continue to work with our tourism industry to create jobs and opportunities. The target for our industry as set out in the strategic tourism marketing plan is to build a \$6.5 billion industry by 2011. Passing this bill and allowing us to establish Travel Alberta as a legislated corporation with a strong marketing mandate is a key step towards that goal.

This bill is the result of extensive reviews and consultation. In 2005 we initiated an internal audit and other reviews to look at Travel Alberta and its relationship with its contractors. Consultant Don Leitch, a former deputy minister of Executive Council in Manitoba and a former Deputy Minister of Economic Development in B.C., was hired to review Travel Alberta's operation and business model and to recommend improvements. He outlined four options. Most importantly, he recommended that we adopt a different business model and establish Travel Alberta as a legislated corporation. I consulted with the tourism industry about their thoughts on this approach, and industry is supportive and enthusiastic about this change, and they are urging that this shift to a board governance model take place as soon as possible.

Before I highlight some key points about this legislation, I'd like to quickly review a bit of history. In 1996 the Alberta Tourism Partnership Corporation was created to market the province's tourism asset, but two years later the Auditor General raised concerns about accountability to government, and the contract was

terminated. There have been three organizations responsible for various aspects of tourism marketing. This created challenges in managing Travel Alberta.

With this history in mind, I want to highlight some important differences between the proposed legislated corporation and the Travel Alberta partnership of the 1990s. The first is predictable and reliable funding from the 4 per cent tourism levy. The 4 per cent levy allocated to tourism marketing and development replaced the 5 per cent hotel tax in 2005. This change was welcomed by industry. We now reinvest the funding generated by the levy to support tourism marketing and development programs and to partner with our industry to make this sector even stronger and more competitive.

With these resources Travel Alberta is beginning to compete on a more level playing field with other jurisdictions. In fact, other jurisdictions see this stable funding as one of our key advantages. The Travel Alberta partnership had approximately \$8 million for marketing, a fraction of the funding that we have today. Travel Alberta now has sustainable funding, and this will not change.

Our government will continue to provide annual allocations to the corporations to fund the business plan and marketing objectives that the minister approves annually. There will be an MOU between the minister and the corporations setting out funding, performance measures, and accountability requirements.

We will build in flexibility to ensure the proper balance between development and marketing to respond to global situations in any given year. In an industry so subject to global influence, it's important to have the flexibility to allocate more money to marketing when it is needed to increase our efforts to attract visitors or to boost development activities to meet new or changing visitors' expectations.

Another important difference between what was done in the past and what we're proposing now is that Travel Alberta will be governed by a board of directors with a clearly legislated mandate. The board will be accountable to the minister. The legislation provides for a board of no less than seven and no more than 11 members appointed by cabinet. The board will be recruited through an open and transparent process consistent with our government's commitment to improving board and agency governance. The board will be selected based on business competencies, including strategic planning, management expertise, governance skills, and experience in areas such as law and finance. Directors are not intended to be representatives of the tourism industry. The board will focus on the sound governance and management of organization, and as directors they have specific legal obligations.

We value the successful partnership we built with the tourism operators and organizations and the input they provided to tourism marketing strategies. We plan to maintain and strengthen that partnership. We will continue to seek industry advice through the STMC. The council is an industry-led volunteer advisory group. They're active, well-informed members in the sector with a vested interest in the success of Alberta's tourism industry. Their expertise helps us to identify and address potential challenges and opportunities. The STMC will now be established under the new legislation. This legislation provides for sound board governance and allows for continuing the essential partnership with the tourism industry.

Mr. Speaker, we value the work of the industry and staff at Travel Alberta that has led us to this success so far. We will be counting on them to implement this change and to help us achieve our goals for this sector. Tourism is an incredibly competitive industry, and Alberta's industry creates economic benefits and employment in every region of our province. Alberta needs to have a keen competitive edge and keep ahead of the competition, so Travel Alberta needs to be as agile, responsive, and effective as possible. This new corporate structure will get us there. Competing jurisdictions in B.C. and Manitoba have established similar corporations, which operate successfully.

Our shift to this structure will send a strong signal to the industry that we place a high priority on tourism in Alberta and its contribution to our communities. In Premier Stelmach's TV address last fall he highlighted tourism as being central to our future prosperity. Albertans are constantly looking ahead, learning what it takes to thrive, and applying the resources to ensure success.

Mr. Speaker, this legislation is good for Travel Alberta, and it's good for our province. I encourage all members of this Assembly to support Bill 2 and to help us create a stronger tourism industry in Alberta.

Mr. Speaker, I would like to adjourn debate.

[Motion to adjourn debate carried]

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

**Mr. Renner:** Well, thank you, Mr. Speaker. Having accomplished a significant amount of business this afternoon and tonight, I would suggest that we now adjourn the Legislature until 1:30 tomorrow afternoon.

[Motion carried; at 10:29 p.m. the Assembly adjourned to Tuesday at 1:30 p.m.]







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