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The Honourable Kenneth R. Kowalski, Speaker

Legislative Assembly of Alberta

The 27th Legislature

Second Session

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Legislative Assembly of Alberta

1:30 p.m.

Monday, May 25, 2009

[The Speaker in the chair]

Prayers

The Speaker: Good afternoon and welcome.

Let us pray. Renew us with Your strength. Focus us in our deliberations. Challenge us in our service to the people of this great province. Amen.

Hon. members and ladies and gentlemen and all present, we'll now be led in the singing of our national anthem by Mr. Paul Lorieau. I invite all to join in and participate in the language of one's choice.

Hon. Members:

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

The Speaker: Please be seated.

Introduction of Guests

The Speaker: The hon. Minister of Aboriginal Relations.

Mr. Zwozdesky: Thank you very much, Mr. Speaker. It's indeed a great pleasure for me today to introduce to you and through you some of the best and brightest students in the constituency of Edmonton-Mill Creek who happen to attend Jackson Heights elementary school. They were here last Wednesday, and they had such a good time that they came back again today. I'm delighted to have them here. They had some very interesting questions for me. I'll look forward to seeing them when they get back to their school. I'd ask the students and the parents and teachers who are here with them to now please rise and receive the accolades of the House. Welcome.

Ms Calahasen: Mr. Speaker, I know we are in between the time that they come in, but I thought I'd introduce at this moment a group of grade 6 students from E.G. Wahlstrom school in Slave Lake, which is about 250 kilometres north of here. It's rare that we get visitors, but it's so nice to see teachers take the time to bring their students in. They're accompanied by six adults and their teacher, Jane Zimmer. I'd ask that they stand – I do believe they might be here, but I'm not sure – and that this House give them a warm welcome.

The Speaker: The hon. Minister of Energy.

Mr. Knight: Thank you, Mr. Speaker. It's an honour for me to rise today and introduce to you and through you to all of the Assembly students from the Rosedale Christian school in my riding. They are accompanied by teacher Joshua Hunt and parents Mr. Rob Wohlgemuth and Mrs. Monica Wohlgemuth. This very attentive group of youngsters have been here, had a tour of the Legislature. I would ask that they rise and that all of my colleagues give them the warm welcome of this Assembly.

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

Mr. Snelgrove: Well, thank you, Mr. Speaker. It's my pleasure to introduce to you and through you to all members of the Assembly a group of special people responsible for the international award winning video *Our Workplace, Our Future*. The video was produced for the 2008 Premier's awards of excellence and was aired at the ceremony last fall. It was a very powerful production that highlighted our employees' contribution to our province and the impact the Alberta public service has on the lives of Albertans. From over 13,000 entries submitted around the world for a Telly award, this Alberta public service video received the highest, the silver Telly. Corporate human resources along with their production partner, Dynacor Media Group, are to be congratulated on this outstanding achievement.

Members of corporate human resources and Dynacor Media Group are in the members' gallery: Mr. John Kelly, Briar McGinnis, Janine Weber, Terri Dorn-Gromada, George Gromada, and Susanne Hunka. In addition to offering our thanks for their participation, we also want to acknowledge how important it is to have the external recognition for our employees within this province. I would ask them to please receive the warm welcome of the Assembly.

The Speaker: The hon. Minister of Service Alberta.

Mrs. Klimchuk: Thank you, Mr. Speaker. It's a pleasure to rise today to introduce to you and through you to this Assembly Mr. Bradley Moss. Mr. Bradley Moss is the artistic director for Theatre Network. Theatre Network is a society, a nonprofit charitable organization, which operates within the jurisdiction of Canadian Actors' Equity Association. Theatre Network is resident in the constituency of Edmonton-Glenora. Since its inception in 1975 the nonprofit society has prided itself on presenting plays about Alberta for Albertans and has not shied away from controversial subjects in the process. Mr. Moss just finished directing a very successful play called *Buddy*, which used some visually stunning camerawork and some very different approaches to theatre. It was a very successful play about perceptions of the world as Albertans see it from the centre of a small town. I would like to have Mr. Moss stand up. I'm thrilled that he was able to come spend some time with me. I know that he's looking forward to the excitement of question period. Could you please rise? Help me welcome Mr. Bradley Moss.

The Speaker: The hon. Member for Calgary-North Hill.

Mr. Fawcett: Thank you, Mr. Speaker. I can assure you that today I do have a guest to introduce. In fact, I have a couple. Sitting in the members' gallery is my constituency assistant, Kathy Holdaway, as well as my STEP student for the summer, Jeff Agnew. Jeff is the former president of the Students' Association of Mount Royal College. He is taking his degree in political science and history and is still a current member of the students' association. Jeff's family has a history of over a hundred years of residence in Alberta. Currently Jeff is also a member of the Alberta Council on Admissions and Transfer. I was hoping that the two of them could please stand and receive the traditional warm welcome of the Assembly.

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

Mr. Chase: Thank you very much, Mr. Speaker. I'd like to introduce to you and through you 69 students from University elementary school in Calgary-Varsity. The University elementary school is very tightly connected with the University of Calgary and

offers a special observation program for bachelor of education students. We have today 69 student guests, their teachers, and parents. The teachers who are accompanying them are Laura Mills; Chris Blais; Laura Smart, whose children I taught at F.E. Osborne; Patti Acorn; Heather Conellan; and Heather Wolfe. The parents who are helping this large group enjoy the hospitality of the Legislature are Naz Convery, Paul Kim, Rob MacLeod, Jennifer Eiserman, Yongzhang Li, Michelle Rosenberg, Janet Pelzer, and Nancy Bly.

Thank you, Mr. Speaker.

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

Mr. Mason: Thank you very much, Mr. Speaker. I would like to draw the attention of the members of the House to my 38 very special guests, who departed Beaverlodge at 6 this morning in order to be here today in both the members' and the public galleries. Included in the group is Andony Melathopoulos, president of the Friends of Beaverlodge Hospital. My guests are concerned that this government is failing to respond to the needs of rural Albertans and are here to state their concern over the future of the Beaverlodge hospital. The community wants the hospital to remain an acute-care facility, and they want the building to be upgraded. I would now ask all of my guests to please rise and receive the warm traditional welcome of this Assembly.

The Speaker: Are there others? The hon. Minister of Aboriginal Relations.

1:40

Mr. Zwozdesky: Thank you, Mr. Speaker. Four individuals are here with the group from Jackson Heights, and I'd just like to read their names into the record because the list was just given to me: teacher Melissa Bruins and parent helpers Terry Mahoney, Janet Caceres, and Chris Spracklin. If the four of you could quickly rise, we'll rerecognize you. Thank you very much for being here with our students.

Members' Statements

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

Tablings

Mr. Mitzel: Thank you, Mr. Speaker. Our parliamentary system is looked on as one of the best in the world. Engagement that is open and transparent is a facet that's the envy of many jurisdictions.

Last week a tabling was made by the hon. Member for Calgary-Varsity that was not checked for authenticity but was also defamatory and had absolutely nothing whatsoever to do with my job as an elected legislator in this Assembly. I thought long and hard about this and decided to look at this not as a personal affront, even though I believe it was, but with regard to the point of tablings in this Assembly.

Mr. Speaker, tablings are a function whereby any member of the Legislature can ensure that an item or an event that is germane to the government is on the record. This is also available for anything that is statutory in nature and is relevant to Alberta and Albertans, not to make a defamatory member's statement.

Mr. Speaker, the tabling by the hon. Member for Calgary-Varsity last Wednesday was neither of the above. This is not the first time that this member has tabled items as a way of making a statement. In fact, you admonished this member many times, including on April 16 and 23 in 2008 and on May 1, 15, and June 6 in 2007 to name a few. If the member was truly interested in helping this individual, how does the process of tabling an e-mail make this happen?

Mr. Speaker, I believe that many tablings are, as I mentioned, neither relevant or of a statutory nature and are about as stupid – I'm sorry; I apologize, and I withdraw that remark. I should have said: as smart as me standing here and asking to table the other half of my cheese sandwich that I forgot to finish last night.

Thank you, Mr. Speaker.

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

Nagar Kirtan

Mr. Sandhu: Thank you very much, Mr. Speaker. On May 17 around 20,000 people attended the Nagar Kirtan in Edmonton. This annual event gets bigger and better every year. The Nagar Kirtan is a Sikh religious parade. The one in Edmonton loops around the Mill Woods area in the month of Vaisakhi, and it takes about four hours to complete. We were joined by Member of Parliament Tim Uppal and my colleagues from Edmonton-Mill Creek, Edmonton-Meadowlark, Edmonton-Ellerslie, Edmonton-Gold Bar, and city councillors. The date of the Nagar Kirtan is one of the most important dates in the Sikh calendar, marking the Sikh new year and celebrating the creation of the Khalsa on April 14, 1699.

This parade is celebrated by millions of Sikhs around the world, and most major cities in Canada have a Nagar Kirtan each year as well. This parade is led by RCMP and city police escort cars, an RCMP police band, and Canadian and provincial flags. There were six beautifully decorated floats, and thousands of people participated in this celebration. As this parade continues from one gurdwara to another, some sing Sikh hymns, and others have a good time meeting new friends and sharing the laughter and conversation. There was a lot of youth participation in understanding the culture and the religion, and this parade really united our community.

I would like to thank everyone who participated in this parade. Those who organized all the details and floats, the business owners who provided the food and the cleanup all did a great job. [Remarks in Punjabi]

Thank you very much, Mr. Speaker.

Freedom of Speech

Mr. Hehr: Mr. Speaker, freedom of speech is the cornerstone of every liberal democracy in the world. Canadians have fought and died to protect this freedom. In his work on liberty British philosopher and parliamentarian John Stuart Mill wrote, "We can never be sure that the opinion we are endeavoring to stifle is a false opinion; and if we were sure, stifling it would be an evil still." Our ability to discuss controversial issues, to offer contrarian opinions, to speak out and defend the rights of even those whom society detests is perhaps the greatest philosophical invention of the human species.

Without freedom of speech there is no progress, no evolution, no ability for society to move forward. Over the course of the last number of years we have seen many cases here in Alberta that have gone before our Human Rights Commission that have stifled free speech, that have stifled the free expression of ideas. I believe this has been an affront to our democracy, an affront to our ability to communicate ideas.

We have seen cases where individuals have published their honestly held beliefs or made comment about religion when exercising their free speech in newspapers or magazines and have found themselves in front of a human rights commission. Accordingly, what I'd ask the government to do is return section 3 of our human rights legislation, the section that deals with free speech, back to its pre-1996 wording to give both individuals and the press gallery alike the ability to express their opinions without the legitimate fear of winding up in front of a human rights commission.

Mr. Speaker, people don't need to be protected from ideas as currently can happen under our human rights legislation. People should be able to express their honestly held beliefs about science, sexuality, religious belief, and other controversial subjects without having a fear of appearing before a human rights commission.

Thank you very much, Mr. Speaker.

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

Airdrie Centennial

Mr. Anderson: Thank you, Mr. Speaker. On September 10, 2009, the city of Airdrie will commemorate its 100th year as a community. We started as a small farming and ranching community and have grown into a flourishing city with numerous amenities, opportunities, businesses, and facilities. Although we are approaching a population of 40,000, we still maintain our small-town feel, that draws so many young families, entrepreneurs, and other to our city.

I would like to invite all Albertans to come and visit Airdrie this year, whether it's to see our Pro Rodeo from June 26 to July 1 or our parade on Canada Day, or if you like flying, the Canadian Snowbirds performance is on July 22. Our homecoming weekend and centennial day is on September 10. There are other events posted on our centennial website, at www.airdrie.ca/centennial.

I'm proud of my community and hope you will come and see what a great place my family and I get to live in. Thank you.

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

Child Care Professional Awards of Excellence

Mr. Rogers: Thank you, Mr. Speaker. On Friday, May 22, the government of Alberta recognized nine of the province's best and brightest child care professionals at the 2009 child care professional awards of excellence. These nine professionals contribute to the heart and soul of their child care community, and their talent, dedication, and innovation are essential to the success of child care in Alberta. The recipients of the award this year were Patsyann Sanftl from Athabasca; from Beaumont, Colleen Kwong; Dawn Wiseman from Blackie; from Canmore, Crystal Ryan; from Calgary, Maggie Tew and Helen Cameron; Laurie Knoll and Claudia Murga from Edmonton; and Suzanne Chivers from Namao.

I'm very pleased that our government has demonstrated its strong commitment to the child care sector through the implementation of the creating child care choices plan. Child care professionals are highly skilled individuals who are dedicated to making sure that our children are cared for in safe, stimulating environments. Every day, Mr. Speaker, they provide high-quality care to children and give families peace of mind, knowing that their children are in excellent hands.

I congratulate and thank the people who were mentioned for an award of excellence this year and thank the thousands of professionals working in Alberta who have chosen child care as their career.

Thank you, Mr. Speaker.

Oral Question Period

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

Parental Choice in Education

Dr. Swann: Thank you, Mr. Speaker. By placating certain interest groups at the expense of public education, this administration has made Albertans both angry and embarrassed. Ordinary citizens, parents, teachers, academics, and religious groups have all joined

together to support public education and oppose enshrining parental rights in the human rights code. To the Premier: why is the government unwilling to accept the voice of the majority and protect public education?

Mr. Stelmach: Mr. Speaker, the bill does protect parental rights. We believe that families are really the foundation of our society, and that's what we are committed to.

1:50

Dr. Swann: The Canadian Civil Liberties Association, whose goal is to protect freedoms, states that this legislation will, quote, promote a regime of religious intolerance. End quote. Why is the government protecting special interests at the expense of society?

Mr. Blackett: Well, Mr. Speaker, we have listened and will listen as a government. The intention of this bill was never to have undue fear, undue duress put upon any members of the teaching profession, any members of the school board. We have an amendment that we will propose and bring forward tomorrow that will make the wording clear, and to clarify what we intend to do, we will add a section which will state this.

The Speaker: We'll get to that later.

Dr. Swann: Again to the Premier. Our public school system is designed to impart knowledge; it is not designed to reinforce dogma. Why is the government persisting in its attempt to break down this core role of public education?

Mr. Blackett: Well, Mr. Speaker, obviously the hon. member didn't listen to the last answer. We have listened to the ASBA. We have listened to the ATA. I've actually had numerous conversations last week with the Canadian Civil Liberties Association. They have concerns, and we as a government are listening. We will make some amendments to make sure and clarify the intent of this caucus and this government. We will not put them in any undue circumstances. We will not cause them any undue pain, and tomorrow you will see that.

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

Surgery Reductions

Dr. Swann: Thank you, Mr. Speaker. This Premier talks about improving quality and reducing wait times yet is cutting the number of elective surgery procedures performed in Edmonton and Calgary and elsewhere. Elective operations are not optional. They are not frivolous procedures. They are medically necessary services, and they relieve Albertans of painful, disabling conditions. To the Premier: does the Premier understand that the consequences of deferring treatment are lost productivity, medical complications, and some elective patients actually becoming urgent patients?

Mr. Stelmach: Mr. Speaker, two weeks ago, when this question came up in the House, I did say that we're certainly aware of some of the surgeries that have been delayed, whether it be for hip and joint. We know that people may be living in pain during that period of time, and our goal, of course, is to improve access and the quality of care. The minister may have further detail on what he is planning to do with the situation.

Dr. Swann: Well, does the Premier realize that short-term savings and cutting surgery increase long-term costs?

Mr. Stelmach: Mr. Speaker, as I said numerous times, we are trying to find a balance in terms of ensuring that we have this good quality of health care that all Albertans enjoy, ensure that we sustain it well into the future, and we're working through a very difficult situation. Our revenue stream is down dramatically, but even – even – at the rate of growth that the province saw in its revenue, the costs surrounding delivering health care services far outstripped the revenue increases. We've got to deal with this, and that's why I've been asking all the health care providers to work with the minister and the Health Services Board to find a solution to it.

Dr. Swann: Well, Mr. Speaker, right now health reform has meant reductions in services, cutting of surgery, increased wait times that will spread throughout the province. How long will Albertans have to wait to see improvements in this area?

Mr. Liepert: Mr. Speaker, on the 11th of February of this year this particular member of the Legislature – and I quote from *Hansard* – said it's not “about spending more; it's about spending smarter.” That's exactly what Alberta Health Services is doing within its budget. Alberta Health Services has an increase this year of some 6 to 7 per cent. It has to ensure that those dollars are spent smarter than they have been in the past, and that's the review that's happening right now by Alberta Health Services. But I must emphasize that all emergency and urgent surgeries are not being impacted; we're talking about elective surgeries only.

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

Federal Financial Aid

Mr. Taylor: Thank you very much, Mr. Speaker. Here we have a government that constantly tells a worried population that we're better positioned to weather this economy than perhaps any other jurisdiction in the known universe. We've got enough to get us through, and those silly opposition politicians are just being alarmist about us not having saved enough. Then we have the finance minister in Meech Lake today asking for close to a billion dollars from Ottawa, including \$200 million in stabilization payments if she gets the chance. You know, it's time for the Conservatives to stop talking out of both sides of their mouth at once. To the Premier: did you do enough during the boom to save for the bust and reduce your dependence on volatile energy revenues, or did you not? Which is it?

Mr. Stelmach: Mr. Speaker, since 1993 this government has not only paid off a \$26 billion debt; we've set aside a \$17 billion sustainability fund. We've put money into endowments in postsecondary education, we've put money into the heritage savings trust fund, we've also spent close to \$40 billion on infrastructure, badly needed infrastructure, and at the same time, the last 10-year period, we made a net contribution of \$117 billion to the capital of Canada, Ottawa. I would think that Albertans did their part over the last 10 years.

Mr. Taylor: Mr. Speaker, have provinces don't ask Ottawa for stabilization funding. Isn't the Premier embarrassed by this appalling demonstration of fiscal incompetence?

Mr. Stelmach: I think the member has a few things mixed up. He's probably thinking about the equalization fund. The equalization fund is different than the stabilization fund. The way the stabiliza-

tion fund was set up many, many years ago, if your revenue drops, you know, more than 5 to 6 per cent, then you could qualify for the stabilization fund. I would say, Mr. Speaker, that just in the last fiscal period I think the net contribution to Ottawa was something like \$18 billion. Just in the last fiscal period \$18 billion net: that's what stayed in Ottawa. How much is it? I believe the whole national defence budget of the country of Canada is \$17 billion. So we probably could have bought our own army.

Mr. Taylor: Well, that's an interesting concept, and I must go there sometime. But for today, Mr. Speaker, this government is the rich kid that squandered its inheritance, and now it's a provincial welfare bum. Will the Premier commit to using any funding his finance minister does get from the feds, be it health transfers or this embarrassing need to ask for stabilization funding like we couldn't see an inevitable drop in energy prices coming, to fix the cuts his health minister is making to elective surgeries?

Mr. Stelmach: Mr. Speaker, the request by the minister is in two key areas. One is the stabilization fund, which is about \$220 million, and the other – and I believe we've been unfairly treated – is about \$200 per capita that should have come to us from the Canada health transfer fund. It didn't come to Alberta, and that's about \$700 million. So between the two that's close to a billion dollars. I think any Albertan that is ill and requires health care is in no way any different than someone in the Maritimes or in Quebec or in Ontario. We're just asking for fair treatment. That's all we're asking for.

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

Bitumen Exports

Mr. Mason: Thanks very much, Mr. Speaker. When this Premier first took office, Alberta was booming. Now the Premier is going cap in hand to Ottawa for a bailout. Because of this government's misguided policies Alberta is at risk of becoming a have-not province. Instead of the Premier asking for a federal handout, why doesn't he end the export of unprocessed bitumen to the United States and bring the jobs back to Alberta?

Mr. Stelmach: Mr. Speaker, once again the hon. member is a little behind the times. We're continuing to add value to about 700,000 barrels of bitumen in this province. He's talking about all these jobs that have vanished or have gone to the United States. There are pipelines that are being built. I keep reiterating to him that these pipelines will receive a much higher tariff by moving finished product as opposed to bitumen. So there are things under way to ensure that we keep adding to the amount that we upgrade because we are going to see continued investment in the province. We just had a good announcement today on another project that's been introduced by Exxon, and that will increase the number of barrels that we're producing and also increase the number of barrels that we're going to upgrade.

The Speaker: The hon. member.

Mr. Mason: Thank you very much, Mr. Speaker. Well, right in the Premier's backyard Alberta's Industrial Heartland Association has joined the outcry over this Premier's bitumen blundering. They want upgrading here, not in the United States. This is the Premier who once likened the sale of unprocessed bitumen to scraping the

topsoil off the farm, but under his watch every single upgrading project in Alberta has been cancelled except one. In the U.S. upgrader construction is booming. To the Premier: how long will you keep starving our economy while the Americans get rich upgrading our bitumen?

2:00

Mr. Stelmach: Mr. Speaker, for someone that talked about shutting down the oil sands, now all of a sudden he wants to keep everything here and add value to everything. You know, as I've said before, it looks like he didn't read my speeches during the campaign, but after the campaign he's finding them particularly interesting.

We do have a good plan in place to keep adding value to the bitumen that is produced in Alberta. We are endeavouring under the bitumen royalty in kind program, which will have a number of barrels that every Albertan owns that we can add value to. We're looking at other markets as well because I submit to this House that we cannot depend only on one market, the United States; we have to expand and look at other countries as well. So we're doing our part.

Mr. Mason: Mr. Speaker, the Premier knows that we never said that we should shut down the tar sands. The Premier is misleading the House.

The Premier's bitumen policy is threatening Alberta's economy. He's not even listening to his own constituents in the heartland who are demanding this government do more to ensure bitumen is upgraded in Alberta. To the Premier: given that Alberta's energy economy has stalled and your finance minister is asking for a federal bailout, why won't you act now to stop the export of unprocessed bitumen to the United States?

Mr. Stelmach: Mr. Speaker, as I said, we're adding value to about 700,000 barrels of about 1.2, 1.3 million production. That's what we've done in the past. We'll continue to do that, but as the production in bitumen increases, we also want to increase the amount upgraded here in the province.

We're working through a number of details. One of them, of course, is doing a cumulative environmental impact assessment because as we load more in the airshed in that particular area, we have to make sure that we're meeting all of our very strict guidelines. We also have to make sure that we have pipeline access and also an ability to ship that product once the value has been added to it. We also have to work with the other industries, the petrochemical industry, that are going to use a lot of the product as a result of bitumen upgrading. There's a lot of work going on, and I feel very confident it will not only increase the amount of bitumen upgraded but that we're going to add thousands of jobs in the petrochemical industry.

The Speaker: The hon. Member for Olds-Didsbury-Three Hills, followed by the hon. Member for Calgary-Varsity.

Rural Hospitals

Mr. Marz: Well, thank you, Mr. Speaker. Recent reports of several rural hospital closures in central Alberta have set off alarm bells throughout these communities. This would appear to defy all logic. For one thing, there would be no apparent capacity anywhere else for all these patients to go. Can the Minister of Health and Wellness assure Albertans that these rumours are just that, rumours and not public policy?

Mr. Liepert: Well, Mr. Speaker, I think what the member is referring to is a document that the Member for Edmonton-Highlands-Norwood and a few of his friends had released and

thought they had this revelation relative to rural hospitals. But the author of the working document himself has indicated that if they would have actually contacted him before releasing this document, he could have informed them that this was a working document with the former health region, that has now been deemed not to be appropriate going forward. I know it certainly caused a lot of unnecessary concern in residents of central Alberta, and I would just hope that going forward there would be more responsibility shown in that area.

The Speaker: The hon. member.

Mr. Marz: Well, thank you, Mr. Speaker. Can the minister share at this time: what is the plan for central rural hospitals like Three Hills and Trochu and Didsbury, which has recently been put on pause, which are full to capacity most of the time? The staff are working very hard to meet the needs of their patients.

Mr. Liepert: Well, Mr. Speaker, the reasons that many of these hospitals have capacity issues are twofold, I guess. Number one is that we need to ensure that in our acute-care facilities we are treating patients who really should be in acute-care facilities. We need to have a broader view of what our health delivery system should look like. We need to ensure that when these patients are being admitted, they are being admitted into the right facility. But equally as important is that we have the challenge of ensuring that we have the right workforce for those particular communities. That's part of the overall review that Alberta Health Services is currently undergoing.

Mr. Marz: Well, given that the services offered in any health facility are dependent on the level of training and the skills of the individual health professionals such as doctors and nurses, what is the minister doing to attract more of these health professionals to rural Alberta? The need is great.

Mr. Liepert: Well, you know, Mr. Speaker, the member actually hit on something that I think we have to address: doctors and nurses. What we need to ensure in health care in this province is that all of our professionals are working to full scope of practice. We have highly qualified LPNs who are underutilized. I believe we have many other professions, like pharmacists, who are underutilized. That's the whole initiative that we'll be re-examining through our Vision 2020 document to ensure that the right professional is providing the right level of service no matter where you live in this province.

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

Parental Choice in Education

(continued)

Mr. Chase: Thank you, Mr. Speaker. The parental opt-out clause has not been carefully thought out by this government. The lines that separate discretion and discrimination are not clear cut. Under the proposed changes a child can either be pulled out of a class or stay in the room and not participate. The clause is eerily silent on who gets to decide how a child will be accommodated. To the Minister of Education: if a parent chooses to pull their child from a class, who decides how that child will be accommodated? Will it be the teacher or the parent?

Mr. Hancock: Mr. Speaker, it'll be handled in the same way it's handled throughout schools in this province right now. Under the

mandated policy with respect to human sexuality education parents are notified when what we know as sex ed classes come up, and they have the option, if they wish, to have their child excluded. It doesn't happen very often, but it does happen. When it happens, the school provides another option for the child.

The Speaker: The hon. member.

Mr. Chase: Thank you. Again to the Minister of Education: given the shortage of teachers and classroom space, if a child opts out of a class, who will teach them and where will they go?

Mr. Hancock: Mr. Speaker, the hon. member would have people believe that there are going to be hordes of students leaving classes. That has not been our experience in Alberta, and we don't expect it to be the experience in Alberta.

Mr. Chase: If that is our previous experience, then why introduce Bill 44?

Who will instruct the remaining children when a teacher is busy contacting a parent to pick up their objecting child during a spontaneous class discussion on religion, evolution, or sexual orientation?

Mr. Hancock: It's been very clear in the discussions in the House and the discussions in public – and I think it'll be even more clear in the very near future – that this is not about spontaneous discussions. This is about a mandated curriculum. This is about teaching the curriculum, which includes religious instruction or religion, which includes human sexuality, including sexual orientation. This is not about spontaneous discussion. This is not about what happens in the schoolyard. All of those things are fears that have been raised by people who want to interpret this far more broadly than it's ever intended to be interpreted, and hopefully that'll be clear once this process is done.

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

Immigrant Nominee Program

Mr. Cao: Thank you, Mr. Speaker. The Alberta immigrant nominee program launched a family stream in June last year. My question is to the hon. Minister of Employment and Immigration. We're coming up to the one-year mark. What result has Alberta seen from this family stream compared to others?

The Speaker: The hon. minister.

Mr. Goudreau: Thank you, Mr. Speaker. We are nearing the one-year mark for the family stream, which generated a tremendous amount of interest. Visits to the Alberta immigrant nominee program section on our website have reached over half a million. This interest has translated into action, with another 4,800 applications received under this stream. In fact, on average we receive about 15 family stream applications per day. Processing these applications takes a little longer than other streams, but we have so far processed 279 nomination certifications.

The Speaker: The hon. member.

Mr. Cao: Well, thank you, Mr. Speaker. To the same hon. minister: if the family stream applicants are not required to have employer sponsorship, what measures are taken to ensure that they find a job and they are not on social assistance?

2:10

The Speaker: The hon. minister.

Mr. Goudreau: Thank you, Mr. Speaker. While the candidate does not have the job in place, the selection criteria are designed to ensure that that person is ready to join our workforce. They have to be between 21 and 45 years of age, have funds to support themselves after arrival. They need to have a certain level of postsecondary education, some work experience, and English language skills. The applicant must also have an Alberta sponsor who provides support for the newcomer while they are settling into their new job and location.

The Speaker: The hon. member.

Mr. Cao: Thank you, Mr. Speaker. To the same hon. minister. There is a recent rise in Alberta unemployment. Also, the need for foreign workers is in doubt, but recruitment outside Canada is still enticing people in foreign lands with, I could say, a false promise of work. What is our government doing to address this issue, that hurts people financially and the good reputation of Alberta and Canada?

The Speaker: The hon. minister.

Mr. Goudreau: Thank you, Mr. Speaker. That is a good question, but we need to plan for the long term. We know that the economy will pick up, and with our aging population we are sure that we'll be short of labour in the future. There are also still some labour shortages in certain occupations. A skilled worker in one field cannot necessarily switch to a different occupation without meeting certain educational or training or certification requirements. We are addressing this by enhanced training and offering more spaces in schools and attracting the right people at the right time.

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

Imperial Oil Kearn Lake Project

Dr. Taft: Thanks, Mr. Speaker. Well, as we all know, Imperial Oil today announced it is proceeding with its Kearn Lake bitumen mine. About three years from now the first stage of that will be producing over a hundred thousand barrels of bitumen every day. My question is to the Minister of Energy. Will he tell this Assembly where that bitumen is going to be upgraded?

Mr. Knight: Well, Mr. Speaker, that, of course, will be a matter to be determined by the proponent of the project. Now, there are a number of options, of course, available to them. I'm not exactly sure, but I would think that the member opposite would understand that Imperial Oil, it occurs to me, has a relatively large refining operation in the Edmonton area.

The Speaker: The hon. member.

Dr. Taft: Yeah. Thanks, Mr. Speaker. I am aware of that. Actually, it might interest the minister to know that back in my university days I had a summer job helping build it.

Then I'll pursue the minister's question. Is the minister aware of information that Imperial Oil is considering altering its Strathcona refinery or some other facility in Alberta to upgrade bitumen?

Mr. Knight: Well, Mr. Speaker, I think it's quite obvious by the announcement that was made today. It's public information. I think

I've got two or three different articles that indicate that the announcement has been made. The matter of the upgrading of bitumen in the province of Alberta is continually being addressed by this government and, most certainly, industry players. What I will suggest is that phase 1 – phase 1 – of the Kearl Lake project does not include an upgrader at Kearl Lake.

Dr. Taft: Yeah, well, we knew that. That's the point of the questions. Holy smokes, Mr. Speaker.

Alberta gets the largest share of environmental liabilities, including tailings ponds and an open pit mine. We should also get the largest share of the wealth which is overwhelmingly generated by the upgraders. This government approved Kearl Lake in 2007 in an order in council. My question is to the minister. Why did the government approve Kearl Lake mine without requiring some portion of upgrading here in Alberta?

Mr. Knight: Mr. Speaker, again, the way I would like to have that understood and answer the question is that Kearl Lake as a project will very likely end up at the end of the day producing somewhere in the neighbourhood of 340,000 or 350,000 barrels a day of product. In the initial mining operation, that's being developed by the proponent now, 100,000 to 110,000 barrels a day, that product will move someplace and very likely into the Alberta heartland. Part of that product may move to upgraders that are outside of Alberta. I would not be able to stand here today and say that every bit of the bitumen relative to Kearl is going to have the molecules adjusted in Alberta.

The Speaker: The hon. Member for Edmonton-Manning, followed by the hon. Member for Edmonton-Gold Bar.

Building Construction Review

Mr. Sandhu: Thank you, Mr. Speaker. The media has recently been reporting about concerns with stucco leaks in homes throughout the province. As a former home builder in the Edmonton area for 18 years I know that poor quality and workmanship can lead to stucco leaks, which can cause serious problems for homes. My questions are to the Minister of Municipal Affairs. Is the minister aware of the extent of the problem, and what is he doing to address it?

The Speaker: The hon. minister.

Mr. Danyluk: Well, thank you very much, Mr. Speaker. I am aware of some homeowner concerns with residential construction practices in Alberta. That's why my ministry very proactively looked into the matter. I asked my parliamentary assistant to consult with homeowners and stakeholders. We want to ensure that Albertans have confidence in the construction process. It is essential that the homes built in Alberta are built to the quality that Albertans expect and deserve.

The Speaker: The hon. member.

Mr. Sandhu: Thank you, Mr. Speaker. The next question is to the same minister. How will the minister ensure that the building codes are being properly enforced to make sure that tradespeople are not cutting corners and putting homes and homeowners at risk?

Mr. Danyluk: Well, Mr. Speaker, our building codes, I think, are some of the best in Canada. My parliamentary assistant, as I said before, carried out a broad review of the residential construction

practices. The review focused on inspection and enforcement, on construction industry accountability. It talked about consumer protection, about certification and skill development. The review examined ways to ensure quality of construction of new homes in Alberta.

The Speaker: The hon. member.

Mr. Sandhu: Thank you, Mr. Speaker. My final question is to the same minister. When will the government respond to that?

Thank you.

Mr. Danyluk: Well, Mr. Speaker, this is one of my ministry's and my top priorities that we are dealing with at this time. I want to thank all of the individuals that were involved for their valuable input, whether it be homeowners or the Home Builders' Association or the municipalities that were involved.

This does involve Service Alberta, Finance and Enterprise, Alberta Justice, Advanced Education and Technology. We are discussing with these ministries ways that we can make improvements, and we're also looking at other provinces. In the end, Mr. Speaker, we want to make sure that we get it right and address the homeowners' needs.

The Speaker: The hon. Member for Edmonton-Gold Bar, followed by the hon. Member for Edmonton-Strathcona.

Temporary Foreign Workers

Mr. MacDonald: Thank you, Mr. Speaker. The temporary foreign worker program has many flaws. The economic downturn has highlighted yet another. Along with thousands of other Albertans temporary foreign workers are being laid off, and many are not receiving the EI benefits they have paid for on each and every paycheque they earned. My first question is to the Minister of Employment and Immigration. Why are temporary foreign workers who are eligible for EI benefits not receiving them?

The Speaker: Hon. member, EI falls under the federal jurisdiction, not the provincial jurisdiction. I don't know what the minister is going to respond, but we're staying within the competency of Alberta here.

Mr. Goudreau: Mr. Speaker, maybe the only comment that I would add is the fact that we are working with the federal government to see if those particular issues can be resolved.

The Speaker: The hon. member.

Mr. MacDonald: Thank you, Mr. Speaker. Again to the same minister: given that temporary foreign workers are not only promised jobs but also the possibility of permanent residency when being recruited in foreign lands, how can the minister now explain to the workers who've been laid off that the program is working and protecting workers' rights when it has so clearly failed?

The Speaker: Well, once again, residency in this country is under the federal mandate, not the provincial mandate. If the minister has something to offer, go ahead.

Mr. Goudreau: Mr. Speaker, temporary foreign workers have the same rights as any other worker once they are in Alberta. When it

comes to the treatment of temporary foreign workers, we've taken a very proactive approach to it. We've added a couple of offices to help temporary foreign workers. We've established a hotline. As well, we continue to work with our federal government to see if we can make some changes to make things much better.

2:20

The Speaker: The hon. member.

Mr. MacDonald: Thank you. Again, Mr. Speaker, to the same minister: given that the minister stated that temporary foreign workers have the same rights and the same benefits as each and every worker in this province, why, when they are laid off and they have worked the number of hours necessary, are they unable to collect EI benefits? You're the minister of immigration.

The Speaker: Well, but that comes under the federal jurisdiction, hon. member, not the provincial jurisdiction. For the third time today, if the minister wants to proceed, proceed.

Mr. Goudreau: Mr. Speaker, I would really encourage the member opposite to ask his MP for that type of answer. They need to move forward.

The Speaker: The hon. Member for Edmonton-Strathcona, followed by the hon. Member for Red Deer-South.

Support for the Peace Country

Ms Notley: Thank you, Mr. Speaker. This government has abandoned the Peace Country, and residents want to know why government is turning its back on rural health care. The minister's plan to downgrade the Beaverlodge hospital will make the closest emergency room over an hour's drive from that area. To the minister of health: why can't the health minister be straight with these people and tell them once and for all what's going to happen to the Beaverlodge hospital?

Mr. Liepert: Mr. Speaker, I'll be straight with this member. There is no plan to downgrade the Beaverlodge hospital.

Mr. Snelgrove: There goes supplementary 2.

Ms Notley: Not so much because it hasn't quite worked out this way.

Now, this government continues to abandon the Peace Country. Displaced Beaverlodge patients may well end up arriving in Grande Prairie only to be bottlenecked at a crumbling facility this government has yet to replace. The only thing this government actually knows how to do up in the Peace Country is make empty promises. Again to the minister: why won't this minister come clean and admit that his repeated foot-dragging on the Queen E hospital is hurting the health care of Peace Country residents?

Mr. Liepert: Well, Mr. Speaker, unlike the two members of the opposition there who've gone to Beaverlodge once and may have stopped in Grande Prairie on their way through, we have a planned visit with the three MLAs for Grande Prairie in about a week's time, when we're going to discuss with the community what the plans are in Grande Prairie and how we can meet the needs of northwestern Alberta.

Ms Notley: Well, I suspect they'll tell you to start building their hospital.

Now, Mr. Speaker, it's not just in health care that this government has abandoned the Peace Country. They've turned their backs on farmers, too. Their latest attempt to kill the family farm strengthens Agricore at the expense of small producers, many of whom are still trying to make a go of it in the Peace Country. My question is for the minister of agriculture. Why is it that the minister is so committed to giving Agricore more power over their producer associations at the expense of the family farmer?

Mr. Groeneveld: Well, Mr. Speaker, I probably would need a little more information about where the hon. member is coming from. I have no determination to do anything to the small producers out there except put them on a better footing with the rest of the people.

The Speaker: The hon. Member for Red Deer-South, followed by the hon. Member for Calgary-Buffalo.

Watershed Planning and Advisory Councils

Mr. Dallas: Thank you, Mr. Speaker. At a meeting last week with Alberta's southern region watershed planning and advisory councils council members raised some concerns regarding future funding given the reduced government budget. My question is to the Minister of Environment. Is this government going to let its long-term environmental responsibilities fall by the wayside to deal with this short-term economic situation?

The Speaker: The hon. minister.

Mr. Renner: Thank you, Mr. Speaker. I'm glad that the member brought this question forward because nothing could be further from the truth. In fact, I have been working and speaking with a number of our WPACs, watershed planning councils, throughout the province, indicating to them that they are partners in our implementation of water for life. As a matter of fact, we just recently announced \$2.5 million in funding for both WPACs and the Water Council, so there's a clear commitment on the part of the government.

The Speaker: The hon. member.

Mr. Dallas: Thank you, Mr. Speaker. Obviously, times are tough and we're all feeling the effects of the global recession, but the important work of these councils must continue. My first supplementary is to the same minister. Last week this government announced funding for Alberta's watershed planning and advisory councils. Can the minister explain the changes in the funding from this year over last year?

Mr. Renner: Mr. Speaker, one of the things that is critical is that we maintain the corporate knowledge, that we maintain the core services that are provided by these critical organizations. As a result, we put in place a \$250,000 cap. Well, that will result in a slight decrease for some of the WPACs, the more mature and larger WPACs, but it will actually allow for some growth for some of the new organizations that are just coming on. Overall, the effect will be that we will maintain the capacity, we will maintain the strength that lies within these organizations so that when the economy starts to turn around, they'll be in a position to be able to pick up right where they left off.

The Speaker: The hon. member.

Mr. Dallas: Thank you, Mr. Speaker. To the same minister. Since the implementation of water for life five years ago, watershed

planning and advisory councils have built a knowledge and public understanding of Alberta's watersheds. Since the land-use framework seems to be the way of the future, what does that mean for the future of Alberta's WPACs?

Mr. Renner: Well, Mr. Speaker, I think the future of the WPACs is very strong. The work that the WPACs do, the watershed management that they do, is critical to the development of the land-use framework and the regional plans for the land-use framework. It's no coincidence that the boundaries for the land-use framework follow the watershed lines. That is not by coincidence. It's to allow the terrific amount of public and community-based input that's associated with our watershed planning to be incorporated and fed up into the land-use framework process.

Civil Recovery of Health Costs

Mr. Hehr: Mr. Speaker, the health minister has been front and centre in the media lauding his new approach to medical care in this province. Today I ask the health minister: who in the medical community was contacted before inputting the civil recovery for medical costs associated with Criminal Code violations?

Mr. Liepert: Mr. Speaker, in our particular caucus we have 72 members. When a department proposes a change in policy, we take it to caucus. Caucus is responsible for ensuring that their constituents are supportive of what we are proposing. That's the process we have always followed and will continue to follow.

Mr. Hehr: Well, nevertheless, as the hon. member knows, many of the people that use his services in the health system have mental health issues and addiction issues. They are also involved in the criminal justice system. Can you tell me how this is going to help our overall society by implementing this bill?

Mr. Liepert: Mr. Speaker, the member raises the issue of mental health in Alberta, and this province will stand on its record any day relative to what we do for mental health patients in this province. Our budget is some 600 million dollars annually for the treatment of mental health. We've announced a number of initiatives in recent weeks through our safe communities initiative to ensure that we have more beds available for mental health and addictions. I think our record speaks for itself.

Mr. Hehr: Well, I'm glad to hear the minister talking about his record, yet other people would have opposite views.

Nevertheless, somehow to get a mental health bed sometimes you have to plead guilty to a criminal offence. Now, this happens. In this bill if you plead guilty to a criminal offence, are you going to be able to get this mental health bed if your crime is involved?

Mr. Liepert: The member makes an accusation that I do not agree with, that in order to access mental health, somehow you have to plead guilty to some sort of an offence. I think that is, Mr. Speaker, just an absolute misrepresentation of facts relative to what we do for mental health in this province.

The Speaker: The hon. Member for Drayton Valley-Calmor, followed by the hon. Member for Calgary-McCall.

International Biotech Conference

Mrs. McQueen: Thank you, Mr. Speaker. My questions are for the Minister of Advanced Education and Technology. The minister has just returned from Atlanta, Georgia, on a mission for Alberta. Can

the minister tell us what has been accomplished on behalf of Albertans during that mission?

Mr. Horner: Mr. Speaker, last week the Premiers of several provinces and ministers from a number of provinces – from across Canada, really – all gathered along with industry representatives and federal Minister Clement in Atlanta to all represent their jurisdictions and the industries that they lead. We lead these missions to promote Alberta's knowledge-based industries, which are growing. This mission, in particular, helped profile Alberta's innovation capacity and the emerging life sciences and the technology that is related to that in genomics and a number of areas. The event itself attracts over 20,000 businesses and leaders from across the world.

2:30

The Speaker: The hon. member.

Mrs. McQueen: Thank you, Mr. Speaker. To the same minister. As the minister knows, two of my constituents from the town of Drayton Valley, Mayor Moe Hamdon and Manager Manny Deol, also attended. They had the opportunity to meet with the minister and the minister from Germany with regard to a bioenergy project they are working on. Can the minister elaborate on some of those details and how they will benefit both the community of Drayton Valley and Alberta?

Mr. Horner: Well, Mr. Speaker, the hon. member is correct. I would congratulate her, too, on her experience in bringing forward these types of collaborative ventures where it's not only American companies but international companies. I did have the opportunity to meet with one of the innovation ministers from Germany, and we witnessed the signing of a memorandum of understanding between Drayton Valley and the German group called CLIB, which is an organization network of biorefineries, another example that will show to the world that Alberta is a leader in alternative energies as much as we are a leader in environmental stewardship of the energy that we create. I would note that this is not just about agriculture. It's about forestry. It's about the biotechnology that we're going to be able to sell to the world, and Drayton Valley is going to be a hub for that.

The Speaker: The hon. member.

Mrs. McQueen: Thank you, Mr. Speaker. Finally, to the same minister: how do the initiatives that your department is working on reflect on the province's priorities and needs?

Mr. Horner: Mr. Speaker, if the hon. members across the way have read the bill that's in front of this House, bioindustries and biotechnologies are critical key components of the vision of the future for Alberta's economy this Premier has set out. I think attendance at these types of conferences and attendance in other global aspects to get Alberta's vision out there and to also showcase the talent and the expertise and the technology innovations that we're creating is an extremely important step in selling Alberta to the world.

The Speaker: The hon. Member for Calgary-McCall, followed by the hon. Member for Rocky Mountain House.

Building Construction Review

(continued)

Mr. Kang: Thank you, Mr. Speaker. Protecting homes from high-intensity residential fires is important, but it is also important to

protect homes from leaks and mould. Despite all the so-called consulting this administration does, time and again industry's concerns are not heard and not acted upon. To the Minister of Municipal Affairs: why did the minister stipulate that nonventilated soffits are to be used when builders already know that they will create mouldy roofs?

Mr. Danyluk: Well, Mr. Speaker, the hon. member opposite is talking about the high-intensity residential fires. The consultation on high-intensity residential fires was done with fire chiefs, was done with home builders, was done with the Safety Codes Council, with municipalities. These are some of the recommendations that came forward. In fact, this last Friday I did meet with representatives from all different parts of Alberta discussing where these code changes are and how they're working. The hon. member did make mention of one particular example. We had those discussions, and we're going to have some discussions very closely in the near future to make sure that if that recommendation is not working quite to where we see it should be, we will look at it.

The Speaker: The hon. member.

Mr. Kang: Thank you, Mr. Speaker. To the minister again: gypsum can develop mould when it is installed in inclement weather. This is Alberta. How does the minister expect builders to install gypsum boards only in dry conditions?

Mr. Danyluk: Well, Mr. Speaker, as I said before, when we had the consultation process with home builders, that discussion had taken place. This consultation had two aspects to it: one of them, of course, is the building process; the second one, ensuring that the building process provided safety for residents. We don't want to have another situation like the fire that took place in southern Edmonton. With consultation with all of the stakeholders: that is where those recommendations came from.

The Speaker: The hon. member.

Mr. Kang: Thank you, Mr. Speaker. These complaints are coming from the builders. If these complaints were not coming to us, I wouldn't be standing here asking these questions on the gypsum part.

To the minister again. When new houses become mouldy because of the recent changes to the building codes, who will foot the bill: the homeowners, the builders, or the taxpayers?

Mr. Danyluk: Well, Mr. Speaker, I want to express to the hon. member that safety codes, building codes, and fire codes are directions for building safe homes. If there are changes that are necessary, that is where we get our information. We get it from builders. We get it from the Safety Codes Council. We get it from municipalities. We get it from inspectors. We need to ensure that homes, the biggest investment for individuals in this province, are built to the quality that they deserve.

The Speaker: The hon. Member for Rocky Mountain House, followed by the hon. Member for Edmonton-Centre.

Red Deer Riverbank Erosion at Sundre

Mr. Lund: Thank you, Mr. Speaker. Yesterday in the town of Sundre there was a very large rally sponsored by the committee calling themselves Save Our Sundre. This committee was formed about a month ago to try to get the message through about the danger

of the Red Deer River jumping its banks and causing great damage in the town. My first question is to the Minister of Environment. As well as the number of people that were there, there was a lot of equipment loaded on trucks, and they were wondering why they couldn't go down and unload the equipment and start working in the river yesterday. What do they have to do to get permission?

Mr. Renner: Well, Mr. Speaker, I actually wish that they could begin the work immediately as well. However, there is an approval process that's in place. It's a necessary approval process. Our staff have been working with not only the town of Sundre but the rural municipality in that area to explain the process to them. The approval, that is under the Water Act, requires a detailed application be developed that would include an environmental assessment. Most importantly, that, then, would result in a public notification and a requirement that public affected by any work on the river would have an opportunity for input.

The Speaker: The hon. member.

Mr. Lund: Thank you, Mr. Speaker. I know that the minister has toured this particular spot himself, so he's seen the whole situation. Many people were asking me yesterday: why do they have to do these studies and the engineering when, in fact, it's so plain to see what needs to be done in order to stop the river from eroding the bank further?

Mr. Renner: Well, Mr. Speaker, it does seem quite obvious, and I can assure you that once this application has been filled out and the basic engineering has been completed, we'll work as efficiently and quickly as we possibly can to do that approval. But it's not as simple as it would seem. A river is almost like a living instrument. If you fix something in one area, the chances of having unintended consequences downstream or elsewhere begin to multiply. It's so important to ensure that we don't solve one problem by creating another.

The Speaker: The hon. member.

Mr. Lund: Thank you, Mr. Speaker. I spoke yesterday to a person that was from High River. Apparently, they've got much the same situation there.

My next question is to the President of the Treasury Board. This project is going to cost probably – it could be up to at least a million dollars. The town of Sundre just simply cannot afford to pay that kind of money. So to the minister responsible for Treasury Board: is there any provincial assistance available?

Mr. Snelgrove: Well, Mr. Speaker, we do allocate a great deal of money over the years to the different departments for various projects like this, but the Treasury Board does not determine nor do we approve individual projects nor funding for them. So without the support of the Minister of Environment or that department it wouldn't be appropriate to even approach Treasury Board for the spending as it would have to fit into our ongoing capital plan.

The Speaker: Hon. members, that was 96 questions and responses today.

Statement by the Speaker

Bill 43 and Potential Conflicts of Interest

The Speaker: I have some information that I have to convey to the House, and it deals with general advice that I have received from the

Ethics Commissioner. On May 21, 2009, late afternoon, I received a letter addressed to me in my capacity as Speaker, subject regarding general advice pursuant to section 44 of the Conflicts of Interest Act regarding Bill 43, the Marketing of Agricultural Products Amendment Act, 2009 (No. 2).

2:40

For the information of all members – I think it is timely information – I intend to read the letter into the record. I also intend to provide all members with copies of it.

It has been brought to my attention by more than one Member that some Members of the Legislative Assembly may have concerns regarding participation in Bill 43, the Marketing of Agricultural Products Amendment Act, 2009. I am therefore taking this opportunity to provide general advice to all Members under section 44 of the Conflicts of Interest Act.

Section 2(2) of the Conflicts of Interest Act requires that Members who have reasonable grounds to believe that they, their minor or adult children, or their direct associates have a private interest in a matter before the Legislative Assembly must declare that interest and withdraw without voting on or participating in the consideration of the matter. The full text of section 2(2) is noted below.

And I quote directly.

(2) Where a matter for decision in which a Member has reasonable grounds to believe that the Member, the Member's minor or adult child or a person directly associated with the Member has a private interest is before a meeting of the Executive Council or a committee of the Executive Council or the Legislative Assembly or a committee appointed by resolution of the Legislative Assembly, the Member must, if present at the meeting, declare that interest and must withdraw from the meeting without voting on or participating in the consideration of the matter.

The Ethics Commissioner goes on:

I was asked to review this issue in late April, prior to the introduction of the Bill. At that time, I advised the Member who raised the issue that Members who were producers affected by the Bill could vote on the matter. It was my opinion at that time that this was a matter of general application.

I have now had an opportunity to review Bill 43. It is my understanding that Bill 43 will allow for producers covered by the Bill to request a refund of service charges from the commission to which the producer is required to submit service charges. A request for a refund is a direct financial benefit and, in my opinion, is a private interest.

Under the Conflicts of Interest Act, a "private interest" is not defined. The Act states what a "private interest" is not. It is not an interest in a matter that is of general application or one that affects a person as one of a broad class of the public.

As noted, I originally considered that this matter was one of general application. However, not all producers may opt to request a refund and, further, as earlier noted, there is a direct financial benefit to those producers who do seek a refund. It is my view that this matter is not a matter of general application but is, in fact, a private interest.

I have advised that a private interest exists, in part, because I am mindful of the preamble to the Conflicts of Interest Act that sets a high standard of conduct for Members to ensure that the public can be confident that Members are acting in the public interest and not to further their private interests.

It is my advice that Members who have a private interest in Bill 43 should declare that interest and withdraw without participating in the debate or voting on the matter. That advice also applies where the Member's minor or adult child has a private interest and where the Member's direct associates have a private interest.

It was signed on behalf of the Ethics Commissioner by Karen South.

On Friday I discussed this matter with the Ethics Commissioner, and I asked him for further clarification. He corresponded with me

late Friday afternoon – that is, May 22, 2009 – and in a letter addressed to me, same subject:

This letter is further to my letter of May 21, with respect to the above-referenced Bill.

For clarification, as indicated in my May 21 letter, I had previously given advice to Members that, in my opinion, Bill 43 was a matter of general application and Members who were producers covered by the Bill could participate in the debate on Bill 43 and vote on it.

Those Members are therefore protected under section 43(5) of the Conflicts of Interest Act. They were acting in accordance with the previous advice given and no proceeding or prosecution can be taken against those Members. The advice contained in my letter of May 21 should be taken to apply from that date forward. It does not apply retroactively. In my opinion, Members who complied with my advice are protected and not in breach of the Act as of this [moment].

It's signed by the Ethics Commissioner.

So, in a nutshell, what this means is that we have before the Legislative Assembly tonight for committee review this particular bill. It has now gone through second reading. Some members who have participated in second reading are clear. That's not an issue in the eyes of the Ethics Commissioner. But members who will participate if it comes to committee tonight will have to declare that interest, and I've asked the Deputy Chair of Committees and the Deputy Speaker, who will be in the chair tonight, to raise that as the first issue when this bill does come up: to ask members that if they believe they're in a private interest, they must declare it. The procedure I outlined to all members in my memo of May 11, 2009, on this particular matter. So there are a number of hours which members have to review this matter in their own personal views. That's fine. They may contact the Ethics Commissioner this afternoon again for further information as well.

In 30 seconds from now we will go back to the Routine.

Members' Statements

(continued)

The Speaker: Hon. members, we're back to the Routine. We were on Members' Statements. I'll call on the hon. Member for Calgary-Mackay.

Integrated Training Program for Health Care Aides

Ms Woo-Paw: Thank you, Mr. Speaker. I had the honour of attending the graduation of the integrated training program for health care aides at the Centre for Newcomers in Calgary, where I met program graduates, all newcomers to Canada from a wide range of countries, who have completed four months of full-time instruction, including academic upgrading in English and science, essential workplace skills in communication, and life management skills like making and implementing plans, being accountable, giving and receiving feedback. They will now attend the health care aide program at Bow Valley College and after another four months of full-time instruction will move into jobs in extended care facilities, home care, and other positions requiring the health care aide certificate.

This program is supported by Alberta Employment and Immigration and is offered without charge to the participants. Integrated skills training addresses the needs of the local labour market and is offered in occupations where there is strong labour market demand. The graduation illustrates the value of services offered by Employment and Immigration.

The participants in this training have come from many countries – Africa, China, India, Venezuela, and the Philippines – with length of immigration from several years to a few months before the training began. Each of them has faced the struggle of learning a

new language and culture and finding connections and opportunities in an unfamiliar place. The graduates spoke about the anxiety they felt in making the transition to Canada. However, with the strengths they have developed through the training program, each of them is now able to stand before a group of friends and strangers and speak with confidence of their skills, plans, and dreams. They are proud they have the academic and study skills they need to attend a certificate program in a public institution. They are taking the first steps toward building a career in Canada and thus a role in the ongoing economic and social development of Alberta.

Thank you, Mr. Speaker.

Presenting Reports by Standing and Special Committees

The Speaker: The hon. Member for Edmonton-Rutherford in his capacity as chair of the Standing Committee on Health.

Mr. Horne: Thank you very much, Mr. Speaker. It is my honour as chair of the Standing Committee on Health to table today the requisite number of copies of the committee's report on Bill 52, the Health Information Amendment Act, 2009, introduced by the hon. Member for Leduc-Beaumont-Devon and referred to the Standing Committee on Health on March 17, 2009.

On behalf of the committee, Mr. Speaker, I'd like to acknowledge and express our appreciation for the support provided by staff of the Legislative Assembly Office. I'd also like to thank ministry officials from the government of Alberta Department of Health and Wellness for their diligent work with the committee. Sincere appreciation is also extended to the many Albertans who provided the committee with their written submissions and made oral presentations. Finally, I would be remiss if I did not thank my fellow committee members, representing all parties in this Assembly, who worked so well together over both the First Session of this Legislature and the current session to provide meaningful consultations and discussions in support of the review of this bill.

Mr. Speaker, the report recommends that Bill 52 proceed with amendments.

Thank you.

Presenting Petitions

The Speaker: The hon. Member for Grande Prairie-Wapiti.

Mr. Drysdale: Thank you, Mr. Speaker. I rise today to present a petition signed by approximately 4,000 Albertans from the Beaverlodge-Grande Prairie area urging the government to "maintain a full-service hospital in Beaverlodge which includes such services as acute care, palliative care and emergency health services."

Thank you, Mr. Speaker.

2:50

Introduction of Bills

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

Bill 208 Life Leases Act

Mr. Mitzel: Thank you, Mr. Speaker. I request leave to introduce Bill 208, the Life Leases Act.

This bill will set out the specific rights and responsibilities of life lease landlords and lessees.

Thank you.

[Motion carried; Bill 208 read a first time]

Tabling Returns and Reports

Mr. Griffiths: On behalf of my colleague the Minister of Infrastructure and MLA for Drumheller-Stettler I would like to table the appropriate number of copies of a petition that reads:

We the undersigned want it to be understood that we do not want the Dialysis Unit in the Hanna Hospital to be closed. It is important to patients who use it, to their families and to the aging rural community that we live in to have these services available to us.

Thank you, Mr. Speaker.

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

Ms DeLong: Thank you very much, Mr. Speaker. I rise to table petitions bearing the names of 96 Calgarians and two residents each from the communities of Blackfalds and Airdrie, Alberta. These petitioners are urging the government of Alberta to immediately provide Revlimid as a choice to patients with multiple myeloma and their health care providers in this province through public funding. I have the required five copies.

Thank you, Mr. Speaker.

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

Mr. Chase: Thank you, Mr. Speaker. I have four sets of tablings today. The first is a copy of the program for the graduating class of 2009 of Sir Winston Churchill high school, located in Calgary-Varsity.

My second tabling is a letter written to me by the Bow Valley Christian Church and copied to the Minister of Health and Wellness calling on the government to include marriage and family therapy under the Health Professions Act.

My third tabling, Mr. Speaker, is a letter written to me by a constituent and neighbour to my constituency office, Dr. Jeffrey Mellor, expressing concerns about Bill 52 and the potential infringement on the privacy of his patients.

My final tabling for today, Mr. Speaker, is a letter written by a constituent, Mark Hambridge, to the Minister of Health and Wellness, calling on the government to give more attention to the prevention of colon cancer through screening and, particularly, to decrease wait times for colonoscopies.

Thank you, Mr. Speaker.

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

Dr. Taft: Thanks, Mr. Speaker. A few quick tablings today. First, I have letters from Dr. Reg McCurry and Michael Longul regarding their concerns on health care coverage reform and delisting of chiropractic services.

Next I have a letter from Ivan Fair, voicing his concerns on the reduction in elective surgeries in Alberta hospitals.

Finally, I'm tabling letters from Lennea Oseen and Alison Dinwoodie, who have both written to express opposition to Bill 44 and the problems they feel such reforms would create.

Thank you.

The Speaker: The hon. Minister of Education.

Mr. Hancock: Thank you, Mr. Speaker. On the weekend last I had the opportunity of attending the ARA, the Annual Representative Assembly of the Alberta Teachers' Association, but today I have the privilege of tabling the 2008 annual report of the Alberta Teachers' Association and the requisite five copies.

The Speaker: Are there others?

Hon. members, a few minutes ago I read into the record two letters that I'd received from the office of the Ethics Commissioner, one dated May 21, one dated May 22, both entitled General Advice Pursuant to Section 44 of the Conflicts of Interest Act, Re Bill 43, the Marketing of Agricultural Products Amendment Act, 2009 (No. 2). I'm now going to table the appropriate copies for the library. As well, I've asked the pages to circulate to all members copies of both of these letters so that they'll have them for review prior to tonight.

Tablings to the Clerk

The Clerk: I wish to advise the House that the following document was deposited with the office of the Clerk: on behalf of the hon. Ms Redford, Minister of Justice and Attorney General, responses to questions raised by Ms Notley, the hon. Member for Edmonton-Strathcona, and Mr. Hehr, the hon. Member for Calgary-Buffalo, on April 22, 2009, in Department of Justice main estimates debate.

Orders of the Day

Public Bills and Orders Other than Government Bills and Orders Third Reading

Bill 203

Local Authorities Election (Finance and Contribution Disclosure) Amendment Act, 2009

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

Mr. Johnson: Thank you, Mr. Speaker. It's a pleasure to rise and move third reading of Bill 203, the Local Authorities Election (Finance and Contribution Disclosure) Amendment Act, 2009.

I'd like to begin by sincerely thanking all hon. members from both sides of the House for productive and thoughtful debate thus far on Bill 203. Through second reading and Committee of the Whole we were able to better examine what this legislation hopes to achieve and the means by which to achieve those goals.

Mr. Speaker, the objective of Bill 203 is to provide all Albertans, regardless of where they live, with minimum campaign finance and contribution disclosure standards in municipal elections, mirroring standards that already exist provincially. The proposal is to do so through several key provisions. First, Bill 203 would limit contributions to municipal candidates to \$5,000. This would ensure that all Albertans, regardless of their personal wealth, would be able to contribute meaningfully in local elections by supporting the candidate of their choice. This limit was designed to fall in line with the maximum contributions a provincial candidate and their constituency association could receive from a single donor over a typical term.

Second, Bill 203 would require all candidates to file complete and accurate disclosure statements with the municipality following the conclusion of an election. These statements would be made public, ensuring transparency for voters and protecting candidates from accusations or insinuations of undue influence from particular donors.

A third key element of Bill 203 provides clear direction for the handling of surplus campaign funds following an election. Should a candidate record more than \$500 in surplus campaign funds following an election, they must be directed to the municipality, who will hold the funds in trust for use in subsequent elections. This will protect the donors and ensure that donations to campaigns are used for their intended purposes, municipal election expenditures. Should

the councillor decide not to run in the subsequent election, the campaign funds held in trust may be directed towards a registered charitable organization. Failing that, they will become the revenue of the municipality.

The fourth key element is the outlining of prohibited corporate organizations for the purposes of donations. These are similar to those prohibited organizations already set out for provincial elections. They will include organizations owned in majority by a municipality or nonprofit organizations who receive municipal grants.

Mr. Speaker, several municipalities across Alberta have paved the way with implementing campaign finance and disclosure rules, and they should be commended for their efforts. Bill 203 was designed to build on these efforts to ensure consistent standards and consistent transparency throughout Alberta.

Members from both sides of the House addressed some very important issues over the course of second reading and Committee of the Whole. Some members suggested Bill 203 should take into consideration the possibility of extending its measures to school trustee elections. As a private member's bill I believe that its scope should be narrow and focused on its intended purpose, to ensure accountability in municipal council elections. I believe such a proposal could be brought forward in future legislation and would be a worthy idea for this Assembly's consideration at the appropriate time.

Furthermore, some members expressed the belief that Bill 203 should make financial contributions to municipal campaigns qualify for a tax credit. I also believe that this proposal could be considered in a future debate in this Assembly, but it does not address the central issue that Bill 203 seeks to address, which is accountability and transparency in municipal elections, and it would impact government revenues, something that is just not practical for a private member's bill to tackle.

I would like to again acknowledge the Member for Edmonton-Strathcona for raising the issue of fairness for trade unions and corporations in Bill 203. The member raised the fact that under the act a trade union and its locals are considered one trade union for the purposes of contribution and that that same restriction did not exist for corporations and those corporations associated with it. In Committee of the Whole this House approved an amendment that addressed that oversight as it was always the intention to mirror the provincial guidelines and ensure that fairness for all parties who participate in the local election process, from individual donors to corporations or trade unions.

Mr. Speaker, it's my hope that these measures included in Bill 203 will keep interest and faith in the local democratic process as high as possible. Ultimately, Bill 203 will ensure the same high level of accountability asked for from provincial and federal campaigns. For these reasons, I encourage my hon. colleagues to support this private member's bill, and I thank them.

Thank you, Mr. Speaker. I look forward to the remainder of the debate.

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

Mr. Taylor: Thank you very much, Mr. Speaker. It is my pleasure to rise in third reading debate on Bill 203, the Local Authorities Election (Finance and Contribution Disclosure) Amendment Act, 2009. I want to start out by extending my congratulations to the Member for Athabasca-Redwater for bringing forward a good piece of legislation. If we, in fact, pass it today in third, I think this bill

will do what he seeks and sets out to do with it, which is bring additional accountability and transparency to the municipal election process.

3:00

It brings minimum standards across the board, and they are minimum standards. I would like in many cases to see those standards be perhaps a little more stringent than they are, but at least it gives a consistency, a minimum consistency now across the board in local municipal elections, and I think that's a good thing.

One of the things that the bill does or seeks to do, which I think is important, is to determine and regulate what happens to surplus contributions. I remember the very, very first time that I discovered, I'll say – I don't know that I really discovered anything, but I sort of tuned into it and became aware of the fact – that in my city, Calgary, there really were no controls over that. You know, if an alderman decides to step down, retire, and not run again for city council, they can keep – or they could and still can until this bill becomes law, I guess – whatever surplus they have accumulated, that was left over from the last election and, I suppose, in some cases even in terms of donations that had gone on through their last term of office. I remember thinking to myself: well, that's certainly one way of getting yourself a pension plan, but it's not exactly the most open and transparent and accountable way.

I think that the regulations that this bill sets out around what happens to surpluses address an issue that needs to be addressed and address it in a fair and equitable way, I think, to the benefit of all the voters and all the taxpayers and, ultimately, to candidates and office-holders at the municipal level themselves. We do better by our constituents and by ourselves when we have to disclose.

I note with my four years and a bit of experience the huge gap that sometimes exists between what we do disclose, what is routinely disclosed and available to people, to our constituents, or, you know, anyone else across the province if they wish to go look for it and what they actually take the trouble to go look for. In many, many cases they don't know that it's there for them to find out if they want to go looking for it. It makes me think that perhaps we could and should do a better job of publicizing the rules as they exist already and the rules as they will exist for municipal elections and municipal office-holders under Bill 203, should it become law, because there are many people who do not know what our own situations are in this House, what their city councillors' situations are, what the situations of their federal Members of Parliament are, even though much of that information is there for public consumption as it is.

I think that in general this is a good bill. I, too, as the Member for Calgary-McCall brought up in committee debate, would have liked to have seen contributions to municipal election campaigns become tax deductible simply because they are at the provincial level and they are at the federal level. I understand the member's concern, two concerns really, one about keeping a private member's bill specific and clear and focused and straightforward, the other one being the concern around how a private member's bill would address the impact on government finances that would follow any attempt to make the contributions tax deductible. I don't know how we address that problem, then, other than to have the government bring forward legislation that would do that, and I would urge the government to do that should Bill 203 become law.

As well, my congratulations or acknowledgement or both to the Member for Edmonton-Strathcona for bringing up the issue of fairness and equity relative to trade unions and corporations. My congratulations to the Member for Athabasca-Redwater for addressing that concern with an amendment that passed in the House a week ago. I think that although it may not be perfect, it's a pretty darn

good piece of legislation. I know that I intend to support it when the vote is called, I assume, later on this afternoon.

With that, Mr. Speaker, I'll take my seat and let others join the debate.

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

Mr. Denis: Thank you very much, Mr. Speaker. I'm also pleased to rise today in this Assembly to speak in favour of Bill 203, the Local Authorities Election (Finance and Contribution Disclosure) Amendment Act, 2009. I have to first preface my comments by thanking the Member for Athabasca-Redwater for putting forth this good piece of legislation. And I have to say that it is Monday, and I am feeling okay, but I have to agree with a lot of the comments of my colleague from Calgary-Currie. The tripartisanship that we're seeing here shows what an important piece of legislation this is and how the Member for Athabasca-Redwater must be commended.

Now, of course, Mr. Speaker, Bill 203 has three main goals that could ultimately improve our democratic system. These include defining minimum standards for financial contributions during municipal elections, ensuring comprehensive and timely disclosure of campaign financial records, and setting a clear directive for dealing with surplus campaign funds.

Strengthening this province's democratic process requires in part the removal of barriers to accessing candidates' information. Provincial candidates already have to disclose their financial information to the public, so it makes sense to extend this transparency to municipal elections. As a result, Mr. Speaker, one of the positive effects of Bill 203 would be a greater public involvement in municipal campaigns. In fact, the greater accountability achieved through this bill would motivate more people to get involved with the campaigns and volunteer. Once people feel that the efforts are going towards a cause that they believe in personally, they may increasingly want to help and contribute to that cause financially.

Mr. Speaker, public participation in these elections enhances the very quality of our governance in this province. This happens because a greater public participation allows the public to have a stronger relationship with the municipal candidates, which in turn helps candidates to better represent their constituents. When people start a process, they tend to feel as though their involvement in the process matters, which in turn encourages them to volunteer. The election process is the foundation of our political system, and improving involvement in these campaigns is the first step towards enhancing our democratic system. In fact, a more democratic system goes hand in hand with greater accountability and transparency, which Bill 203 intends to accomplish.

Bill 203 is based on the principles of accessibility and integrity, which ultimately support the legitimacy of our electoral process. Elections must be accessible and responsive to the needs of voters, and that is my submission. Bill 203 does this by ensuring that the majority retains a vote in municipal campaigns. You may ask why I am talking about the majority when, of course, citation 1 in *Beauchesne* says that the principles of Canadian parliamentary law are "to protect a minority and to restrain the improvidence or tyranny of a majority." Similarly, it is my submission to this House, Mr. Speaker, that while we want to get away from tyranny of the majority, we also cannot have tyranny of the minority, where a few people, corporations, or unions, who may be wealthy in their means, can simply affect the whole outcome or governance of a campaign or election.

Now, without Bill 203 we run the risk of individual voices, again, taking precedence over the majority, as I mentioned. Funds can be a powerful, influential tool, Mr. Speaker. They're not a bad thing.

Of course, none of us would be here if it wasn't for contributions. But we also have to ensure that certain funds do not have an undue influence on our elections. Enshrining full public disclosure of any and all financial accounting in campaigns allows the public to have greater confidence in our political system and our candidates. Because the absence of rules involves speculation, imaginations can run wild if the public and contributors are unaware of how candidates actually spend their donations or how they obtain them. Bill 203 takes the unknown out of campaign contributions, reducing the possibility or appearance of mishandling even when none may exist.

Mr. Speaker, more and more we are concerned about public engagement and its apparent decline in this province. We have to get more people engaged in our elections so that they become more interested in who represents their views and opinions. Nowhere is this more important than in municipal elections, where we see the lowest turnout. A great way to do this is by disclosing more information to the public so that they know exactly how the campaign process works and how campaign funds are being spent.

3:10

Mr. Speaker, elected officials are accountable to the people who voted for them. They have to be open and they have to be transparent about their actions. A more accountable and open campaign process raises public confidence, particularly with those who otherwise might think their involvement did not matter or was of little importance. In this way another mechanism in Bill 203 that would help increase public participation in the democratic process is the limit on the size of campaign contributions, be they from individuals, corporations, or trade unions. This would limit and control the power that such funds could have in campaigns.

When candidates have to rely on a greater number of people to sponsor their campaigns, this allows individual contributors to play a greater role. This allows the individual contributor to feel more significant because his or her donation matters just as much as everyone else's. As a result more people will be inspired to donate, knowing that their contribution matters and is valued by the candidate. In this way we see that the increasing number of contributors has another positive effect on enhancing our democratic system.

Another approach to inspire more people to donate money is to set a clear directive for dealing with surplus campaign funds, which Bill 203 intends to do. The public are more likely to donate money once they are guaranteed it will actually be spent on a campaign and not a retirement policy, as the Member for Calgary-Currie indicated, and that surplus funds are donated to a municipal district or to a registered charity.

In addition, Bill 203 would allow contributors to be eligible for a tax credit which would benefit both candidates and contributors – I believe that there have been some changes that I have just been corrected on, and I apologize to this House. Contributors would be motivated to donate, knowing that they would receive part of this donation back in such a situation. I guess that's a matter to be dealt with on another day.

In short, this bill is a win-win situation. I've said to the Member for Athabasca-Redwater that I don't think he appreciates, probably because he's too humble, how important this legislation is to our democracy, realizing on a go-forward basis how this is going to impact our municipal democracy. Mr. Speaker, this is going to be a model for the rest of this country and maybe even internationally.

Thank you very much, Mr. Speaker.

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

Mr. Chase: Thank you, Mr. Speaker. I want to again take this

opportunity to thank the hon. Member for Athabasca-Redwater for putting forward Bill 203, the Local Authorities Election (Finance and Contribution Disclosure) Amendment Act, 2009. I pointed out in great detail why I support the member and the legislation that he has proposed. I also pointed out that while the federal regulations and restrictions on the amount of money that can be contributed to any candidate are of a stricter nature, this by far is the best we have at a provincial level. Therefore, applying it at the municipal level makes absolute sense. I also appreciate the support and enthusiasm of the Member for Calgary-Egmont for Bill 203.

It will be interesting given our by-election circumstances to see to what extent this bill could potentially be preapplied or at least the intent of this bill. It has been stated in the papers that Diane Colley-Urquhart, an alderperson in the city of Calgary, is potentially seeking the nomination for Calgary-Glenmore. If Bill 203 were to be applied voluntarily by her, she would donate the proceeds from her last campaign to a charity of her choice or possibly, as Bill 203 suggests, directly to the city coffers. To do less would be to go against the intent of Bill 203 and would fly in the face of the potential colleagues she attempts, at least, to join through a by-election process.

Again, I support the need to disclose completely, whether it be at a provincial election, as we already do, whether it be at a municipal election, as Bill 203 proposes to do, and I would like those same disclosure rules extended to any type of party leadership at the provincial level.

Wonderful legislation. Again I want to thank the Member for Athabasca-Redwater for putting forward this highly clarifying piece of legislation, which is truly transparent and accountable. I would hope that future members of this Assembly will take Bill 203 and its intent, when passed, into consideration. I guess they'll have no choice because at that point it will become law.

Thank you, Mr. Speaker.

The Speaker: Additional speakers? The hon. Member for Calgary-
Buffalo.

Mr. Hehr: Thank you, Mr. Speaker. It again is my privilege to rise in support of Bill 203, the Local Authorities Election (Finance and Contribution Disclosure) Amendment Act, 2009. The reason for my, I guess, zest in speaking to this bill is the fact that there has been so much unregulated raising of money for a municipal election. If you look at even the numbers and totals that were raised in municipal elections to run, for instance – I've heard up to a million dollars – for mayor.

I know that in my riding of Calgary-Buffalo, of the two candidates, John Mar, now alderman, ran a campaign of close to \$280,000, and Madeleine King, an incumbent alderman who ran against him, spent \$250,000. That's an inordinate sum of money, seemingly, to be raised by individuals who are seeking, really, to serve in the community. There are other situations, not just those, that point to the fact that an awful lot of money is given to people to run, seek office in municipal campaigns.

Without the ability, I guess, of there being some sort of limit on the amount given or some contribution guidelines for these people in positions of power, it leads to people being suspicious. I don't know whether there's any need to be suspicious, but I'll tell you what: over the last 100 years of municipal governance here in Alberta, given that there have been these sums of money at play, I would hazard a guess that there may have been one or two instances of maybe some influence being peddled with large contributions to a particular councillor. Now, that just might be my spider sense overacting, but that's sort of what I'd postulate before you.

What these rules and regulations will do is eliminate, hopefully, all of that if there was any or at least the rumour and innuendo around such financing. For instance, it's been long held – the rumour around Calgary was that the developers own city council. That was because, I guess, developers could write big cheques that were for unlimited numbers. Whether that is or is not true, that was some of the suspicion that came from constituents and people in Calgary. They'd look at decisions being made and often say: well, how can that be? Then someone, rightly or wrongly, pipes up: well, the development community pays for our elections here. You know, that was some of the suspicion that was aroused. I believe that this bill will clarify some of that, will allow some people to have more confidence in our civic elections and allow for the disclosure principle to happen by all candidates.

Again, just like the hon. Member for Calgary-Varsity said, I believe the disclosure principle should also go to all leadership candidates, those who win or not. It just eliminates that element of suspicion. Although there's probably no reason, it's human nature to sometimes say: well, why was this decision made? It leads us, you know, to make accusations, albeit probably unfounded, on just the simple fact that they are not disclosed. This may have happened a time or two unwittingly by our side in the fact that the current Premier has not submitted his full list of donors to his leadership campaign. We now have suspicions, probably wrongfully, over some of those contributions there. Nonetheless, this type of act by people wanting to go into public service will eliminate the suspicion that unnecessarily surrounds the current situation.

Just briefly, again, I'd like to applaud and commend the member for bringing this bill forward. I believe it is timely and much needed.

Thank you very much, Mr. Speaker, for giving me the opportunity to speak to this very important bill.

3:20

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

Mrs. Leskiw: Thank you, Mr. Speaker. It is a pleasure to rise today to support Bill 203, the Local Authorities Election (Finance and Contribution Disclosure) Amendment Act, 2009. The ultimate goal of Bill 203 is to help improve confidence in the electoral process. Significant elements of public confidence include citizens feeling as though they have had an opportunity to elect an individual who could satisfactorily represent them and that there is transparency in the election process, particularly with regard to finances.

Mr. Speaker, I believe that the components of Bill 203 would contribute to this objective. Changes proposed to Bill 203 would not only provide individuals with better access to information, thereby improving transparency, but would encourage new individuals to run for municipal office, which would help provide a wider range of nominees for the public to choose from when they vote.

Let me expand, Mr. Speaker. One of the components of Bill 203 limits the size of campaign contributions, a rule which all provincial and federal candidates running for office currently follow. In ensuring that contributions from a single source do not exceed a certain threshold, candidates would require endorsements from several individuals to raise the necessary finances to run an effective campaign. This is an approach that is fundamentally democratic. Candidates are capable of securing the confidence of more members of the public and would be capable of raising more funds. The candidates who secure the funds of more individuals would be in an optimal position to run a campaign with a higher budget. This could encourage new members of the public to consider running for office

because they would know that their competitors couldn't rely on being backed by just a few individuals. Furthermore, candidates would feel confident that if they chose to run, they would not be unduly influenced by large contributors.

Mr. Speaker, two other key components of Bill 203 are to ensure that all campaign contributions and expenditures are made public and that any surplus funds are either held in trust or donated to a charity. In addition to providing increased transparency, this element of Bill 203 serves to secure accountability. Candidates would benefit as donors would be more likely to contribute, knowing that if their funds weren't spent during the campaign, they would either be used to fuel a future campaign or donated to a charity or a municipality. Further, in knowing how the candidates manage their campaign finances, the public is able to evaluate whether they feel the money was spent diligently, which can be a testament to the efficiency of the candidates and contributes to their accountability.

Moreover, in ensuring public disclosure, Bill 203 would allow for new candidates to learn how much their rivals had spent on a previous election, perhaps an indication of how much a successful campaign could cost, which in turn would help them better evaluate whether they could be a serious competitor, and if they were to run against an incumbent, they would have the knowledge of how much money remained in trust from the previous campaign. All in all, the information that would be disclosed through Bill 203 would help new candidates evaluate whether they wanted to run and facilitate planning for the kind of support they need during their campaign.

Ultimately, I believe that Bill 203 will legislate changes that would encourage new members from the public to run for office. In turn, this would engage the voters as they would be better able to elect an individual who, they believe, accurately represents them. In fact, Mr. Speaker, I think several components of Bill 203 would allow for greater public engagement. For instance, limiting the size of contributions would ensure that single, modest donations would not be overshadowed by exceptional ones. Donors would be more likely to contribute as they would feel that their contribution was thoroughly important to the candidate in his or her campaign.

Again, it is fundamentally democratic. It would ensure that a single opinion expressed through a donation would not carry significantly more weight than the next. Moreover, Mr. Speaker, contributors and voters could rest assured that finances used to run a campaign were acquired through sincere and diligent means, with the candidate securing contributions from many different individuals or organizations. In addition, because Bill 203 ensures public disclosure of all campaign finances, contributors would know for certain how funds were spent, which would provide them with confidence in the system.

Further, Mr. Speaker, Bill 203 would make donations tax deductible, similar to provincial and federal politics, so individuals would increasingly be motivated to contribute. In addition to knowing that their donations would have an impact on a campaign, they would receive a portion of their donations back.

All in all, Mr. Speaker, Bill 203 would establish rules for municipal campaign finances that would benefit both the candidate and the voter. Candidates would have a more level playing field, all having to secure donations from many different individuals or organizations. Public disclosure of all campaign finances would benefit potential candidates as they would have the opportunity to research previous campaigns and candidates and assert how much an efficient campaign would cost, perhaps resulting in more individuals running for office.

[Mr. Mitzel in the chair]

Voters, too, would benefit, as they would have the knowledge of where the finances fuelling a campaign originated and would be certain that candidates are not being unduly influenced. With contributions becoming tax deductible and limitations being placed on their size, more individuals may feel motivated to make a donation.

In all, Mr. Speaker, I believe that Bill 203 would encourage engagement in local politics. For this reason I support Bill 203 and urge all hon. members to do the same. I look forward to the remainder of the debate.

Thank you, Mr. Speaker.

The Acting Speaker: The hon. Member for Edmonton-Ellerslie, followed by the hon. Member for Edmonton-Meadowlark.

Mr. Bhardwaj: Thank you, Mr. Speaker. It is my pleasure to rise and join the debate on Bill 203, the Local Authorities Election (Finance and Contribution Disclosure) Amendment Act, 2009, sponsored by the hon. Member for Athabasca-Redwater. This bill seeks to regulate the size of financial contributions, to create a standard framework for allocating surplus campaign funds, and to ensure full public disclosure of election revenues and expenses. In essence, the financial requirements in Bill 203 would parallel those found in legislation that currently guides provincial elections within Alberta. Ultimately, these measures would help ensure a high level of transparency and accountability in municipal elections.

This is not to say necessarily that municipal elections are neither transparent nor accountable. However, this bill intends to further strengthen campaign finance rules at the municipal level, benefiting both the electorate and candidates in a municipal election, and would encourage greater public engagement. For example, by creating a maximum for campaign donations, some candidates would no longer simply solicit significant donations from a small group of individuals. In doing so, the influence that individuals may have on candidates through financial contributions, and by extension the election, is significantly reduced. As a result, candidates would be less vulnerable to allegations of impropriety during an election or once elected.

In addition, ensuring full public disclosure of campaign finances allows the electorate to see who is donating to a candidate's campaign. This would allow them to determine what groups or individuals may be trying to forward their interests through campaign contributions. Also, this information would ensure that the voters could identify which candidate most accurately represents the issues that concern them. Mr. Speaker, these are just two examples of many benefits this bill would create in municipal elections.

3:30

I would also like to draw the Assembly's attention to how Bill 203 would be instrumental in engaging greater voter turnout in municipal elections. Mr. Speaker, we're all very aware of decreasing voter turnout experienced not only in municipal elections but in all levels of government. An example of this can be seen in the most recent federal elections, where voter turnout reached an all-time low of 59 per cent. However, this situation in Canada is not unique as other countries also experience lower voter turnouts. On average, voter turnouts in both the United Kingdom and the United States have been falling for the latter half of the 20th century.

There are many theories and explanations as to why voters are not showing up at the polls as often, and there have been many studies conducted on how societies can help encourage greater voter participation. However, given the many theories and research studies on the subject, the reality is that there is no one single

solution. Mr. Speaker, there are numerous contributing factors as to why individuals decide not to exercise their right to vote. When surveyed, those who chose not to vote cited many reasons for their decision such as being too busy, not interested, or simply not aware of the issues. It is this last reason in particular that I believe Bill 203 would help address.

Knowledge of local issues is paramount if the electorate is to become engaged in a municipal election, and by establishing a campaign contribution maximum, this would help pass on this knowledge. By regulating campaign contributions, individuals or groups would be limited in the amount of money they could donate to a campaign. Consequently, candidates would be limited in how much funds they could receive from individual donors. Rather than raising large amounts of money from a small number of contributors, they would be more concerned with increasing the number of campaign donors. This would likely give more influence to those individuals or groups who traditionally may not have the financial means to contribute significant funds to the campaigns. Given the need to expand their fundraising base, candidates would have to actively engage a greater segment of the voting population. In order to do so effectively, candidates may even have to increase the number of volunteers to broaden their fundraising efforts. Ultimately, we would see more Albertans more deeply engaged and knowledgeable about the issues in their municipality.

In short, all of these measures help to engage greater voter participation. This may also encourage more Albertans to seek municipal office. Individuals may be more willing to put their name on a ballot if they believe they have an equal opportunity to win. This equal opportunity would arise because the financial advantage experienced by those who rely on a small number of donors would be greatly reduced. This would result in a more even playing field for candidates in a municipal election. As more candidates enter a municipal election, the more competitive it may become. Again, this would result in more campaign-related activities and greater community engagement on the issues that affect the local level.

Mr. Speaker, there may not be a catch-all solution to address low voter turnout in municipal elections. However, I do believe that Bill 203 will ultimately lead to greater equality in municipal elections for both the electorate and candidates, resulting in improved voter turnout. It is for this reason that I'm fully supporting Bill 203.

Thank you very much, Mr. Speaker.

The Acting Speaker: The hon. Member for Edmonton-Meadowlark, followed by the hon. Member for Edmonton-Calder.

Dr. Sherman: Thank you, Mr. Speaker. It's a pleasure to rise today to speak to Bill 203, the Local Authorities Election (Finance and Contribution Disclosure) Amendment Act, 2009. Some of the fundamental aspects of a successful democracy include openness, accountability, transparency, and fairness. Just from my personal experiences as a newly elected member of this Assembly, I was impressed with the level of scrutiny and reporting with respect to reporting election finances and contributions and expenses. I rise in support of this bill because it works to enhance transparency in the election processes within our province. Further, it enhances consistency across municipalities by standardizing rules related to election contributions and finance disclosure. Consistency and transparency are integral to our democratic process.

Currently under the Local Authorities Election Act municipalities may pass bylaws that require candidates to prepare and disclose statements of all their campaign contributions and expenses. As well, the legislation allows for municipalities to define what should happen to unused campaign contributions. Because municipalities

have enacted independent bylaws under this legislation, these and other requirements vary from municipality to municipality. This variation is one of the challenges when it comes to ensuring consistency in accountability and transparency province-wide.

For instance, Edmonton's bylaw requires all candidates to file election statements itemizing contributions that exceed \$300 and identifying the donor. The donor may not be anonymous. In fact, under the bylaw if the candidate receives a donation that exceeds \$300 from an anonymous donor, they are required to attempt to identify the donor and return their contribution. If they are unable to identify the donor, they are required to give the money to the city manager so that it can be deposited in the city's general revenue fund. Edmonton's bylaw also requires that campaign surpluses be held in trust for candidates' future municipal campaigns. If candidates choose not to run again, they are required by law to donate the funds to a registered charity or to the municipality. In addition, the bylaw requires that all contributions and surpluses be disclosed publicly.

Mr. Speaker, Calgary has also passed a bylaw. However, several elements of the Calgary bylaw differ from those of Edmonton, which exemplify the variation that Bill 203 would address. For example, Calgary's bylaw also requires candidates to track campaign contributions and expenses. However, unlike in Edmonton, candidates in Calgary must disclose the names of an individual donor if their contribution exceeds \$101 rather than the \$300 in Edmonton. Furthermore, Calgary's bylaw does not make any specific reference to how to manage anonymous donations, as Edmonton's does. In addition, Calgary's bylaw, unlike Edmonton's, requires candidates with campaigns exceeding \$2,500 in either contributions or expenses to submit reports that have been audited by a recognized professional accountant.

So, Mr. Speaker, despite similarities in bylaws such as full public disclosure, there are many variations. That would be addressed in Bill 203, ensuring that municipalities are held accountable to exactly the same rules. In fact, there is greater variation throughout the province than those between the bylaws in our two largest cities. Red Deer, for example, also passed a bylaw regarding municipal campaign finance disclosure. It requires, like Edmonton's and Calgary's bylaws, that expenses and contributions be tracked and disclosed. However, in contrast to the two bigger cities, itemized lists of contributions need to be submitted for all donations that exceed \$100 versus the \$300 in Edmonton or \$101 in Calgary. Furthermore, following the election, Red Deer's bylaw requires that campaign surpluses be disclosed to the public and held over for a future election or donated to a charitable organization. This is similar to both Edmonton's bylaw and what is proposed in Bill 203 except that in Red Deer they do not have the option of donating it to the municipality.

In addition to these differences, Mr. Speaker, St. Albert's bylaw introduces even more variety among the municipalities. It requires candidates to have their finances audited not once but twice if their total campaign expenses exceeded \$2,500. This is similar to that in Calgary, which also requires large campaigns to be audited, however only once. Currently Edmonton's and Red Deer's bylaws do not require campaign expenses to be audited. Bill 203 would address these variations and can create a standard to ensure a consistent level of transparency in municipal campaign finance for every municipality across the province.

Mr. Speaker, it is evident from these bylaws that municipalities are working towards transparency and accountability, and that is a good thing. All four municipalities I have mentioned require that contributions exceeding a certain threshold are explicitly declared along with the name of the contributor. Bill 203 would simply

standardize this threshold so that there would be no variation. It would also ensure disclosure of campaign finances for all municipalities. Further to this, Bill 203 would establish a maximum contribution size for all donors regardless of whether they are an individual, corporation, trade union, or employee organization. It would also standardize directives regarding surplus campaign funds, ensuring that they were disclosed and held in trust for a future campaign or donated to the municipality or a charity.

3:40

Mr. Speaker, all components of Bill 203 are about ensuring the integrity of our democratic system and making certain that in municipal elections, like provincial elections, the rules are clear and consistent. In essence, Bill 203 would harmonize the rules related to municipal election campaign finances. Altogether, this consistency would ensure openness and transparency within all the campaigns and all the governments in the province.

For these reasons, Mr. Speaker, I stand before the Assembly today in support of the Member for Athabasca-Redwater and Bill 203. Thank you.

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

Mr. Elniski: Thank you, Mr. Speaker. I'm pleased to participate in the discussion today at second reading of Bill 203, the Local Authorities Election (Finance and Contribution Disclosure) Amendment Act, 2009, as proposed by the hon. Member for Athabasca-Redwater. Bill 203 seeks to implement standardized regulation on election contributions and financial reporting for local elections in municipal districts, counties, and cities across the province. Similar regulations are now common at the federal and provincial levels and have been implemented with the intent of providing information on campaign contributions to the electorate, therefore reinforcing the fairness and accountability in the electoral process.

Currently Alberta's Local Authorities Election Act does not specify mandatory reporting of the identity of campaign contributors, nor does it specify requirements for reporting and disclosing contribution amounts. However, Mr. Speaker, the act does allow municipal governments to enact bylaws for the regulation of campaign finances at the municipal level. The application section of the legislation reads as follows:

An elected authority may, by a bylaw passed prior to April 15 of a year in which a general election is held require that candidates prepare and disclose to the public statements of . . . their campaign contributions and campaign expenses and may prescribe how campaign contributions not used for campaign expenses must be used.

Through this act, then, the Alberta government allows for municipal districts to implement campaign finance regulation and related disclosure requirements as determined by their citizens and enacted by their officials. Thus far Alberta's three major population centres – the cities of Edmonton, including St. Albert and Strathcona county, as well as Red Deer and Calgary – have enacted bylaws that specify reporting requirements for municipal election campaign finance.

However, Mr. Speaker, the collective bylaws of these municipalities exhibit an assortment of regulation and a lack of consistency. For example, one of these municipalities has included in their bylaws all of the five main components that Bill 203 focuses on, being the total amount of campaign funding where the reporting is required, the amount of a contribution of which reporting is required, minimum expenses for reporting, how to deal with anonymous contributions, and, finally and significantly, how to deal with surplus funds.

For example, Calgary and St. Albert specify that campaigns not exceeding \$2,500 in their total budget do not need to report contributions or expenses while Edmonton, Red Deer, and Strathcona county bylaws provide no such detail. Regarding the expense amounts that need to be reported, Edmonton and Strathcona county specify an amount of \$50 or more while Calgary specifies an amount of \$101 or more. Red Deer and St. Albert do not specify any amounts.

In regard to anonymous contributions, Edmonton, Strathcona county, and Red Deer require that they be reported if the contributor's identity can be established. If identities cannot be established, then their bylaws require that the amounts be donated to the city or county for inclusion in their general revenue funds. Calgary and St. Albert have no such provisions for anonymous donations.

In regard to surplus campaign funds, both Edmonton and Red Deer require that such funds be held in trust until the future candidacy of the respective candidate while Calgary, St. Albert, and Strathcona county do not have such requirements pertaining to these funds.

Finally, Mr. Speaker, in regard to contribution amounts, each of the aforementioned municipalities – Strathcona county, St. Albert, Edmonton, Red Deer, and Calgary – specifies threshold contribution amounts where it is required that the size and identity of the contribution be reported. For example, Edmonton and Strathcona county require that all contributions of \$300 or more be reported, St. Albert requires that all donations greater than \$200 be reported, and Red Deer and Calgary require that all donations greater than \$100 be reported.

It is clear then, Mr. Speaker, that the aforementioned municipalities have included provisions in their legislation for some of the categories Bill 203 focuses on, but not all. I must emphasize the importance, though, of these municipalities leading the way in establishing campaign finance standards. It is proper and fitting that they have recognized the importance of such measures to improve the transparency and accountability of the election process. With Bill 203 we as a government can consolidate such efforts by standardizing the campaign financial disclosure requirements, providing clarity and leadership for all municipalities consistent with our duties to ensure a thriving democracy for all Albertans.

Bill 203 will harmonize the direction that municipalities have taken in campaign finance regulations, implementing changes that will be consistent with provincial and federal legislation that regulates election campaign finances and has largely been deemed a success. Such measures truly resonate with the electorate, Mr. Speaker, and I wholly believe that they are crucial to the vitality of the electoral process. In recognizing the merit of the election campaign bylaws that I have mentioned for Strathcona county, St. Albert, Edmonton, Red Deer, and Calgary, I believe Bill 203 focuses on all the right areas of the election campaign finances to ensure transparency and accountability for all Alberta voters.

I stand today to support Bill 203 and urge my fellow members to do the same. Thank you, Mr. Speaker.

The Acting Speaker: Do any other members wish to speak?

The hon. Member for Athabasca-Redwater to close debate.

Mr. Johnson: Thank you, Mr. Speaker. It's a great pleasure to rise and conclude debate on Bill 203, the Local Authorities Election (Finance and Contribution Disclosure) Amendment Act, 2009. In recent years both federal and provincial governments in Canada have elevated the discussion of how to make elections even more accountable and transparent to voters, and they have acted. In 2006 the new Conservative government fulfilled an election promise by enacting the Federal Accountability Act, ensuring the most open and

free federal elections in Canadian history. Here in Alberta the Election Finances and Contributions Disclosure Act governs provincial parties, constituency associations, and provincial candidates to ensure openness and fairness, that Albertans demand and deserve in provincial elections.

In recent years provincial governments across Canada have begun to debate how to extend many of these key provisions to the municipal level of government. This is because, as members know, provincial governments are charged with developing the regulations that govern the structure and functions of a municipality. Provinces such as Ontario, British Columbia, and Quebec have already enacted legislation to govern municipal elections, finances, and disclosure statements, and the objective of Bill 203 was to bring such legislation to Alberta. Numerous municipalities across the province – such as Edmonton, Strathcona county, even Red Deer – have already taken a lead on campaign finance and disclosure reform.

Mr. Speaker, all municipal councillors should be applauded for their hard work and dedication to honest and open government. Bill 203 builds on their efforts and will extend the same accountability demanded of provincial candidates to all Alberta municipal candidates. This will ensure certainty for municipal candidates across the entire province as to who is permitted to contribute to their campaign, how much contributors are able to donate, how surplus campaign funds may be used, and what reporting of finances is required. Because of these measures Albertans will feel an even increased confidence in the already high integrity of their municipal elections, and for these reasons I encourage all hon. members to vote in favour of Bill 203.

Thank you.

[Motion carried; Bill 203 read a third time]

3:50 **Public Bills and Orders Other than Government Bills and Orders Committee of the Whole**

[Mr. Mitzel in the chair]

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

Bill 205 Election Finances and Contributions Disclosure (Third Party Advertising) Amendment Act, 2009

The Deputy Chair: The hon. Member for Airdrie-Chestermere.

Mr. Anderson: Thank you, Mr. Chair. I'd like to stand and speak to Bill 205, the Election Finances and Contributions Disclosure (Third Party Advertising) Amendment Act, 2009. Yes, we definitely do need a shorter name for bills in the future. It's quite a mouthful.

This Bill 205, Mr. Chair, puts clear parameters around third-party advertising during provincial elections. One of the main thoughts in crafting this bill was to find that delicate balance between protecting free speech and the right of people to express their views during an election period. We want that. We want the free expression of views from all over the spectrum. That's healthy for democracy. We wanted to make sure that we balanced that right to free speech and the principles that that upholds with making sure that we had an even and balanced and fair election playing field, to make sure that the size of one's wallet would not unduly influence the outcome of the election, rather that the quality of an idea and its ability to foster public support and grassroots financial support from hundreds, thousands, even tens of thousands of voters would determine whether or not a third party's idea would be believed in and agreed with. That's the balance that we tried to strike.

There are many jurisdictions across the country and across North America and across the world that have laws governing third-party financing. We took a long look at those and decided on kind of a hybrid of many different ones, a more made-in-Alberta approach. The approach we took is that we would place third parties for the purposes of political advertising during elections on the same level playing field as political parties. The reason we wanted to do that is that if we were to use what other jurisdictions had used and put, say, a cap of a certain amount of money that a third party could spend on election advertising, then basically we'd be giving political parties the monopoly of speech during an election period, and that's not what we wanted to accomplish either. We wanted it to be fair. What we decided to bring forward was a piece of legislation that would place third parties on the same playing field as political parties.

For example, political parties have to go out and raise funds that they can use during elections. They can have \$15,000 in a nonelection year donated to their cause from an individual or a corporation, et cetera, or \$30,000 in an election year. We have now applied that exact same contribution limit to third parties.

Political parties have to set up election accounts for their party. The money goes into those accounts, it's accounted for, and then they can spend and purchase election advertising or campaign brochures. Whatever they want they can purchase out of that account. It's a transparent document that's registered with Elections Alberta. Well, now third parties will have to abide by those same principles and those same rules.

There's disclosure for political parties when someone donates over \$375 worth of contribution. Now third parties will also have to identify their donors who give in excess of \$375. That is another similarity between third parties and political parties that this legislation will create.

The most important thing that we've done, in my view, is that we have not capped election advertising spending. I think that's important. The reason is that let's just say that a third party comes along, third party A, and they come up with just a brilliant idea, but it's not an idea that caters to big interests or people that are wealthy or anything like that. It's an idea that has the support of a large percentage of the population but maybe not popular with the richer and more wealthy, well-to-do segments of society. Well, that group should be able to raise, in my view, the funds necessary to get their viewpoint across to the people of Alberta. That would mean that they would need to spread their idea to a large base of people because they would need little donations of \$10, \$20, \$30, \$40 in order to get their idea across to Albertans and be able to in their case hopefully sway the vote.

If they're able to raise, say, \$2 million or \$3 million or \$4 million or \$5 million from tens of thousands of different donors across the province, I don't think it's fair to say: "No. Sorry. I know that that's a great idea and so many people support it, but we're only going to allow \$150,000 of that \$5 million you raised to be spent on this idea." I think that is too restrictive. The federal government and the B.C. government went that way and capped the amount a third party can spend on election advertising. I don't think that that is the way to go, especially in Alberta, especially in a place where we believe in free speech and we believe that an idea should proceed or not proceed on its merits.

Those are kind of some of the thoughts that went into this bill.

I'd like to thank the Assembly for the debate. It's been a very healthy debate. I just hope that they would support this bill as currently written. Thank you very much.

The Deputy Chair: Do any other members wish to speak? The hon. Member for Calgary-Varsity.

Mr. Chase: Thank you very much, Mr. Chair. I suppose it's not terribly surprising that I might have a different opinion on an issue than the hon. Member for Airdrie-Chestermere. I appreciate his putting forward his ideas. The beauty of this House is the opportunity to exchange a variety of ideas.

For me Bill 205 is an act involving suppression as opposed to freedom of speech, of gagging as opposed to communicating. If a group feels sufficiently concerned about an issue, I think they have the right to promote that issue. I personally don't like attack ads. I would prefer to point out what should be done as opposed to, particularly, how badly something has been done.

I'll state for the record that when I first ran as an MLA in Calgary-Foothills in 2001, at the time I was not in support of provincial Liberal attack ads on the government. I believe that was a major factor that contributed to fewer Liberals being elected in 2001, the negative-style attack ads that are more frequently seen in federal campaigns. Whether the attack ad is a puffin flying over a would-be Prime Minister or whether it's the "you've been out of this country for so long" and "you're in it for yourself" types of ads, I don't believe negative ads contribute anything, whether they're from a third party or from a political party. However, I do believe that third parties have a right to establish not only what they believe is in the best interests of their particular membership, as may be the case in a union or an association, but what they believe to be in the best interests of Albertans as a whole.

4:00

I had the dubious honour of being a member of the negotiating subcommittee for local 38 of the Alberta Teachers' Association in 1993 and 1994. With regard to Bill 205, Election Finances and Contributions Disclosure (Third Party Advertising) Amendment Act, 2009, that year, I think, it would have been highly appropriate to have pointed out the effects on education of cutbacks, the effect of teachers being let go, class sizes increasing. Then in 1994 again I was a member of the negotiating subcommittee who brought back to my less-than-enthused membership the notion of a 5 per cent cut in salary and in operating fund support for education. Similarly, unions connected with nurses or doctors were very concerned about the cutbacks that were not just a year in length but lasted over a series of years and drove a number of professionals, both teachers and medical personnel, out of this province.

Now, at that point, if they so desired, they could have put forward arguments in favour of education, in favour of a strong health care system. But I'm not sure with Bill 205 if they would have run into difficulties. If in the future teachers want to point out the importance of having a full-day kindergarten, for example, or if they want to point out during an election that it would be very important to have half-day junior kindergarten – or what if teachers pointed out that the government needed to live up to its commitments during the last education discussion with regard to pupil-teacher ratios? Would Bill 205 prevent those issues from being raised? These are questions that I'm putting out there as well as concerns.

If there are limitations on the freedom of speech as opposed to an attack, does Bill 205 still allow for that same freedom of speech opportunity to be provided if you have a concern? Possibly it's the thought or the perception that rural hospitals may be closed. Say you're a member of the Health Sciences Association. Are you able on behalf of your membership to state, "We as a union are concerned about potential effects of closures of hospitals on not only our membership that serves those hospitals but on Albertans as a whole, whose health care is concerned"? Would that be, under Bill 205, a discontinued or a nonallowable process?

If a group of farmers, beef producers, got together and said, "We

think that there's a better way to market our beef; we think that age verification is important," during an election would Bill 205 prevent beef producers from pointing out something that is in their common interest? I am hoping that further on in our Committee of the Whole discussion somebody can delineate for me what is allowed in terms of promotion versus what is disallowed in terms of the potential view of attack.

The whole notion of Bill 205 limiting free speech concerns me. As I began, I am not concerned about sort of working on the negative aspects. Well, my personal view is that negative attack ads have the reverse, that they create a degree, a potential of sympathy for the individual being attacked as opposed to pointing out the lack of capabilities of those who are under attack.

I look forward to rising again in committee on Bill 205 following these clarifications. I'm hoping that freedom of speech, freedom of opinion, even freedom of assembly, which was denied to teachers at one point prior to the Learning Commission being set up – it was stated that teachers were not allowed to gather in groups of two or more to discuss the potential of a strike. That right of assembly was denied prior to the Learning Commission report coming out. So I'm hoping that that type of suppression is not the intent of Bill 205. I look forward to further debate and clarification, whether it be the hon. Member for Airdrie-Chestermere or any other member of this House. Whether they have come from a legal background or a professional background, it is of no consequence to me; I look forward to their input.

Thank you, Mr. Chair.

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

Mr. Denis: Thank you very much, Mr. Chair. I'm pleased to have this opportunity to also join the discussion on Bill 205, the Election Finances and Contributions Disclosure (Third Party Advertising) Amendment Act, 2009. I hope I got that right.

When I first was discussing this just with some colleagues, somebody suggested that either I or the government had no plan. However, Mr. Chairman, since the administration took office, our government has been steadfast in our efforts to implement measures to improve both openness and accountability. Bill 205 complements these measures.

In particular, I refer members here to section 39.2, which proposes guidelines for applicants who qualify to register third-party advertising accounts. Our government recognizes that new democratic reforms for these applicants as outlined in Bill 205 need to be thorough if they are to be, indeed, effective. Section 39.2 of this bill strikes a balance between setting appropriate registration guidelines for third-party accounts while upholding their rights to express perspectives on various issues.

Mr. Chair, I reaffirm that the intent of this legislation is not to impede third parties from voicing opinions but to establish guidelines to allow Albertans to know who's attempting to influence them throughout a provincial election. To achieve this, I submit that third parties that will incur expenses over the prescribed limit during an election will be required to register an account. However, we have limited some entities from sponsoring an account directly in an effort to restrict those groups that may present a challenge to increased disclosure and fairness.

I refer specifically to section 39.2(5) and its provisions that list those applicants who are restricted from registering. Some of those parties listed pose obvious conflicts of interest, while others are simply restricted in an effort to close potential loopholes. Pursuant to section 39.2(5) the list begins with provision (a), which denotes "numbered corporations." I believe that there are over 1.4 million corporations in this province to date, so this could be just any

corporation where people can't distinguish them. Now, as anyone with a marketing background will acknowledge, one disadvantage to having a corporation named by numbers only is that it provides very limited, if any, information about the identity of the business. Provision (a) exemplifies a key objective of Bill 205 in that it aims to inform voters. Prohibiting numbered corporations from sponsoring accounts sets a precedent that will encourage third parties who attempt to persuade voters to bare their identity.

Provision (b) will restrict any organization "that has not carried on business for one year prior to making its application" pursuant to this act. Additionally, part (c) further restricts "an organization whose primary purpose is to engage in political advertising" from sponsoring a third-party account. The intention of these provisions is to ensure that third-party political advertising is conducted in an open and a democratic manner. Through these provisions we are limiting avenues that could potentially allow third parties to exploit these accounts for political gain as well as to remain de facto anonymous.

4:10

However, some organizations will be restricted from operating in this capacity for other reasonable purposes. The restriction is set in place with provision (d), that "a registered charity within the meaning of section 248(1) of the Income Tax Act (Canada)" is not able to register an account. These organizations, such as nonprofits, collect funding in order to provide ostensibly benevolent services; therefore, realizing expenses for political advertising could potentially undermine their charitable causes. Now, Mr. Chair, we all know that this government offers very generous tax credits under our own tax code, and the purpose, I submit, for these charities, is exactly for that. It's for charities. It's not for a particular political activity. That's what this legislation goes through.

Building on provisions (a) through (d) inclusive within section 39.2(5), there are provisions for restricting political professionals and organizations from operating a third-party account. The provisions restrict the following individuals or entities:

- (e) a candidate for election;
- (f) a registered political party;
- (g) a registered constituency association;
- (h) a member of Parliament;
- (i) a member of the Senate;
- (j) a member of the Legislative Assembly.

Mr. Chairman, these individuals or entities, if allowed to sponsor a third-party account, would be in direct conflict of interest. Yes, I am aware of this. This is due to the fact these individuals and entities have other means by which they can advertise political messaging, so it may in fact not be appropriate for them to use third-party advertising mechanisms.

Indeed, I believe that we have before us guidelines for comprehensive registration and reporting requirements for third parties. Whether for the purpose of supporting or opposing registered political parties or a candidate through advertisements appearing in print, broadcast, or online, third parties pursuant to Bill 205 will now have a more accountable system in which to conduct their activities. Having third parties disclose information and adhere to these guidelines will serve to strengthen Alberta's electoral process.

Mr. Chair, Bill 205 will usher in a new level of accountability for political disclosure in provincial elections, and I urge all hon. members in this Assembly to stand in support of this legislation. I must also add my personal thanks to the Member for Airdrie-Chestermere for sponsoring such an excellent piece of legislation.

Thank you.

The Deputy Chair: Any other members wish to speak? The hon. Member for Calgary-*Buffalo*.

Mr. Hehr: Well, thank you, Mr. Chair. It is a privilege to rise and speak to Bill 205, the Election Finances and Contributions Disclosure (Third Party Advertising) Amendment Act, 2009. At least, I believe that's what we're on. It was a bill just introduced by the hon. Member for Airdrie-Chestermere. I've heard some of the debate that has gone on, and this is, in fact, my first time to speak to the amendments.

I appreciate the intent of the bill in that it attempts to sort of look at third-party contributions and maybe rein them in to a certain extent. Yet I think that in this situation it is better for us to err on the side of caution. I think this would be too much fundamentally an attack on freedom of speech.

As I mentioned earlier today in my member's statement, freedom of speech is the cornerstone of every liberal democracy in the world. Canadians have fought and died to protect this freedom, and in no small way should we be interfering with this right of citizens to take part in freedom of speech. We can see that now being, I guess, done in this manner, and I think it really is one of those situations where the government should not be deciding who or what or if anybody would want to comment on the status of the government, the status of whatever they'd like. The government should not be involved in regulating that speech or in any rules intended to be used for limiting that speech by third-party organizations. Now, it's fine to have rules and regulations for the people who are running for office, who are running in elections, or for limiting the amount of advertising, say, of a political party. That, to me, would be a fair and reasonable gesture. It would allow for a level playing field for people taking part in an electoral process so that the battle of ideas could truly be heard by constituents.

I don't believe that limiting freedom of speech in terms of third parties being able to comment on the democratic process is what we are here to do. If we take a look at some of the examples used by the hon. Member for Calgary-Varsity, it would have effectively eliminated many of our trade unions pooling together their money and contributing to advertising for what they full well stand for and believe in. I guess I say this is more of an attack on their individual freedom of speech than it ever would be for any government in power. Let's face it. Those individuals who have been part of a union have contributed to a fund, and I guess that if they disagree with what those funds are contributing to doing, they can full well quit the union and go work somewhere else. Needless to say, by limiting their freedom of speech, we are in fact taking away an avenue that they as individuals who have started to work together and bind together on how to organize their workplace and how they're going to take part in the political process – we are starting to interfere in that. That's something I do not believe should be happening: governments interfering in that process.

The hon. Member for Calgary-Varsity also brings up the fact that the teachers' union, the Alberta Teachers' Association, could have been stifled by this type of legislation should they have wished to advertise on the airwaves about the unfair and unjust cutbacks to education in the early '90s or if they wanted to talk about whatever it is the ATA, the Alberta Teachers' Association, would like to discuss. They should as an organization be allowed to use their resources collected by members in whatever fashion they see fit. This is a fundamental attack on their ability and their free speech rights as entertained under the Charter of Rights and Freedoms.

I also heard the earlier comment by the Member for Airdrie-Chestermere regarding freedom of speech, his suggestion or comment that his government is more in favour of freedom of speech than, say, other relative governments or other jurisdictions. But I'd challenge him on that opinion. If we look at this bill, at its core, it's a limit to free speech. If we look at the bill, what many

people have been calling for in the human rights and multiculturalism act is a return to 1996 protections under the human rights code as advocated by the Sheldon Chumir foundation. That isn't being followed up. Again, we're not moving to extend free speech in this province; we're looking to limit it, it appears, at every turn.

On that note, I have appreciated the opportunity to come up and speak for, I guess, civil rights, for the protection of democracy and individuals' or groups' rights to partake in advertising in elections – I believe it is a fair comment – for those organizations to use their funds to advocate for change or changes, whatever that may be. I thank you for the opportunity, for allowing me to speak at the committee stage. I guess that in the meantime and in-between time that's it for now.

Thank you very much.

4:20

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

Mrs. Leskiw: Thank you, Mr. Chairman. I'm pleased to rise today and join in the Committee of the Whole debate on Bill 205, the Election Finances and Contributions Disclosure (Third Party Advertising) Amendment Act, 2009. I would first like to commend the hon. Member for Airdrie-Chestermere for bringing forward a notable amendment to a very important piece of legislation. Bill 205 proposes to clarify the parameters of third-party spending for election advertising during provincial elections.

While this bill has many points worthy of support and discussion, I would like to focus my comments this afternoon on the term that is key to this amendment act, the definition of third-party advertising, found under section 39.1(1)(c) of the legislation. Bill 205 defines third-party advertising as "political advertising that appears during an election period and is placed by a third party." Mr. Chairman, I think everyone in this Assembly would agree that it is important to have a comprehensive understanding of a specific word and term prior to using it, especially when dealing with legislation. Ambiguity could create confusion, which, in turn, could detract from the intent of this bill. Therefore, the definition of third-party advertising in Bill 205 provides clarity as it contains three terms that are also defined under subsection 39.1(1).

Before delving into part (c), each of those terms needs to be explained as they are essential to understanding the meaning of the definition of third-party advertising. The first term I'd like to clarify is "election period." Under Bill 205 an election period commences the day the writ is dropped and concludes at the end of the polling day. Mr. Chairman, according to Alberta's Election Act the 14th day after the writ is dropped is nomination day, and 14 days after that the voting takes place. An exception occurs if the 14th day is a holiday, in which case the voting occurs on the next day that is not a holiday. Therefore, the election period in Alberta is typically 28 days, according to the definition described under section 39.1(1)(a) of Bill 205 and qualified by the Election Act.

The second term I'd like to touch on is "political advertising." We all know that companies advertise and attempt to entice consumers to purchase their products. Similarly, parties engage in political advertising in an attempt to sell a political platform or a candidate or to dissuade you from continuing to support your current candidate or platform of choice. According to Bill 205, political advertising means advertising "with the purpose of promoting or opposing any registered party or the election of a candidate, for which there is or normally would be a charge." Political advertising also includes advertising that takes a position on an issue a political party or candidate may be associated with, bearing some exceptions such as the publication of free news, editorials, and interviews, which are detailed in the legislation.

The final term contained within the definition for third-party advertising is “third party.” As detailed in Bill 205, a third party refers to “a person, including a trade union, employee organization, corporation and any other organization that would qualify for registration under section 39.2” Section 39.2, entitled Registration Requirement for Third Parties, outlines both the requirements for the third-party registration and details that must be included in an application for registration. Simply put, if a party’s advertised expenses are or are anticipated to be \$1,000, they are considered a third party and are required to apply for registration. That, Mr. Chairman, brings us back to the definition of third-party advertising.

Bill 205 defines third-party advertising as “political advertising that appears during an election period and is placed by a third party.” As you can see, the wording of the definition is comprehensive and straightforward, and since the three terms contained within the definition are also covered by the legislation, it leaves little room for confusion or misinterpretation. Accordingly, if you expand that definition and generalize it, third-party advertising essentially means advertising by a party whose advertising expenses to promote or oppose any registered party or candidate in an election are at least \$1,000 during the 28 days after the writ is dropped.

Clarity is key when dealing with legislation, and clear legislation is the foundation of transparent and accountable governments. This government is committed to transparency, Mr. Chairman. To this end, the proposed amendments in Bill 205, especially those contained in section 39.1(1), are vital to ensuring third-party election advertising transparency. I commend the hon. Member for Airdrie-Chestermere for bringing forward legislation that aligns with that ideal.

I fully back Bill 205, and I hope the hon. members of this Assembly will add their support to mine to pass this important amendment to the Election Finances and Contributions Disclosure Act. Thank you, Mr. Chairman.

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

Mr. Chase: Thank you very much, Mr. Chair. I very much appreciate the opportunity provided for the democratic process under the Committee of the Whole structure. It allows for a flow of ideas not permitted, for example, under second reading, where you have a 20-minute, if you’re leading off the debate, a 15- to 10-minute opportunity. The beauty of Committee of the Whole is that it allows for an exchange, a discussion, a collaboration. It’s interesting, for example, the support that all parties gave towards Bill 203. That’s a great example of collaborative efforts.

With regard to Bill 205, when I last stood up, I put forward a challenge. I put forward a request, and that was: can you show me or demonstrate to me or explain to me that Bill 205, the Election Finances and Contributions Disclosure (Third Party Advertising) Amendment Act, 2009, rather than allowing for a third party to have a level platform of opportunity to express views – what I said was: show me that this isn’t actually stifling the opportunity to put forward ideas that may be contrary to those of a particular party, most frequently contrary to the ideas of the ruling party.

Now, what I find interesting is that on the same Order Paper we have bills 203, 205, and 206. Bill 203 talked about tightening up regulations. After a fact Bill 205 does the same. It talks about tightening up the regulations for third-party advertising. On the record, I have no problem with the tightening up of regulations. The expectation that a third party would have to undergo similar divulging, accountability, transparency as the current political party: I have no problem with those ideas. However, as the hon. member who preceded me pointed out, the definition of what falls under

political advertising is not as clear as it might be. If you put forward a view in terms of “I’m looking for support for reducing the size of a classroom,” is that political advertising because it takes place during a campaign period, or is that simply a notion that I am upholding? So again I ask what falls under the idea of political advertising. Anything that happens within the writ period, whether it’s putting forward a positive idea that you would like to embrace: is that considered political advertising, or is it only, in Bill 205, some form of confrontational advertising? Is there a difference between positive and negative advertising, and how do you tell whether they’re political?

4:30

One of the best innovations that this government has brought forward in the last number of years is the idea of the all-party standing policy committees because, like the Committee of the Whole, there is an opportunity to combine efforts, to put our collective minds together and come up with something which is better through our Committee of the Whole or standing policy committee process than any individual, whether they’re the proposer, or proponent, of a bill or not. I would hope that in our continuing discussion over Bill 205, the Election Finances and Contributions Disclosure (Third Party Advertising) Amendment Act, 2009, somebody will come up and clearly demark for me, create the lines of demarcation between what is simply putting forward an idea that we would like to have considered and potentially adopted by a party, whether it be government or opposition – during an election period, is that putting forward of an idea considered political advertising?

That lack of clarification makes me a little bit suspicious or, at least at this point, withholding of full support for Bill 205 because I am yet to be convinced that Bill 205 promotes and acknowledges the need for freedom of speech as opposed to suppressing it. But I am pleased to see that the hon. member and mover of Bill 205, the hon. Member for Airdrie-Chestermere, is here and has heard my concerns and may wish to answer them. Does Bill 205 limit the opportunity to put forward ideas? How do we define political ideas? Are they strictly political because they’re brought up during the writ period? What allowances are there for freedom of speech within that writ period?

We have all experienced as we campaigned prior, of course, to the introduction of Bill 205 the public forums and the opportunity to debate, and we have all beat the bushes, some more successfully than others, in terms of raising campaign donations. Ideally, we wouldn’t need to worry about third-party advertising or limits on it as Bill 205 puts forward. We would be able to be champions for individuals regardless of whether they were members of unions or associations, whether they were mothers or fathers or students that were age 18 and older and had an opportunity to vote. Ideally, they would look at our campaign literature and they would say: this is an individual I can support. But the reality is that individuals and organizations have the right, at least prior to the passing of Bill 205, to put forward an alternative viewpoint, and if Bill 205 limits that opportunity for freedom of speech, then I see it as a regressive move.

I am looking for clarification. I will sit down, and hopefully that clarification can be provided.

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

Dr. Brown: Thank you, Mr. Chairman. I do have an amendment which I am going to propose be circulated.

The Deputy Chair: Okay. We’ll pause for a moment while the pages distribute the amendment.

Dr. Brown: Mr. Chairman, I move that in Committee of the Whole Bill 205, Election Finances and Contributions Disclosure (Third Party Advertising) Amendment Act, 2009, be amended by the addition of the amendment as circulated, which states that the following is added after section 39.4: 39.41(1), that a third party shall not incur election advertising expenses of a total of more than \$3,000 to promote or oppose the election of one or more candidates in a given electoral district, including by naming them, showing their likenesses, identifying them by their respective political affiliates, or taking a position on an issue with which they are particularly associated; and 39.41(2), that the limit set out in 39.41(1) only applies to an amount incurred with respect to a leader of a registered party, or eligible party, to the extent that it is incurred to promote or oppose his or her election in a given electoral district.

The Deputy Chair: Hon. member, what you just read is the amendment, or were you clarifying the amendment?

Dr. Brown: No. What I read is the amendment. Is there an issue with . . .

The Deputy Chair: Well, that's not what the amendment that we have says.

Dr. Brown: The amendment as circulated. Yes. I'm sorry. It's the amendment as circulated.

The Deputy Chair: Okay.

Dr. Brown: If I could just clarify that, then, for the record, Mr. Chairman.

The Deputy Chair: Yes.

Dr. Brown: It states:

39.41(1) Subject to subsection (2), a third party shall not incur political advertising expenses of a total amount of more than \$3000 during an election period to promote or oppose the election of one or more candidates in a given electoral division.

That's the extent of it.

Mr. Chairman, I do support the bill, and I commend my colleague and fellow member of the Alberta bar, the hon. Member for Airdrie-Chestermere, for bringing forth his bill. The thrust of his bill is to put limits on the amounts which any person or entity can contribute to a third party. However, I believe that a small amendment, that I'm proposing, would strengthen the bill and make it a stronger piece of legislation. I think that the amendment would level the playing field by limiting outside interference in local constituency elections. The proposal that I'm making is to add a provision that would limit spending in any one electoral district, for or against any candidate, to \$3,000.

This amendment, Mr. Chairman, tracks the provision already in federal legislation, and in my estimation it would prevent the perversion of a fair election by third parties and special-interest groups which might blanket a riding with ads or single out candidates for an overwhelming campaign. I would note that the limit of \$3,000, which I'm proposing in the amendment, is identical to the limit already in the federal legislation and that federal ridings are over three times larger than our provincial constituencies. So the amount is a generous one, in my estimation.

Mr. Chairman, I want to talk very briefly about what happens in the United States right now with respect to some elections. In the United States spending by third parties and special-interest groups

has been shown to be a real problem, and it is really a situation which is perverting democracy. It hasn't happened here yet, but I think that when we look to the south of us, we can see what might happen, where dirty politics become the norm, where huge sums of money are needed to fight very close elections, where Congressmen and Senators accept huge contributions from special-interest groups which, in turn, expect favourable treatment, where American elections have been influenced by big spending from third parties. These are known as political action committees. We haven't called them that yet in the bill, but political action committees in the U.S. spend millions of dollars to promote the interests of specific industries or business interests. They target specific candidates in specific ridings, often with considerable effect.

4:40

Mr. Chairman, as I've said, we haven't yet seen large-scale involvement of third-party interest groups in Alberta's individual electoral districts. However, the expensive attack ad campaign which was organized by certain labour organizations during the last election might be a harbinger of changes to come. If such resources were allocated against individual candidates in specific electoral districts, they could significantly affect the outcome of an election. Third-party interests with deep pockets and self-centred interests should not be permitted to manipulate the democratic process by buying up media space and attempting to push a certain political agenda against an individual candidate.

In Alberta we have no limits on campaign spending by candidates or by parties, and this amendment would not change that situation. Nothing in the proposed amendment alters the total amount which could be spent by a third party during an election in the province as a whole or in a given city or in a region. Nothing in the amendment restricts the amount which political parties can spend in any given electoral district. That remains unlimited. The amendment doesn't control the use of attack ads. The proposed amendment would not in any way control total spending, nor does it affect spending in specific areas, cities, or districts. Only as long as it does not single out specific candidates would those totals be allowed. The amendment only addresses limits on advertising for or against individual candidates in a given electoral district.

Mr. Chairman, the danger is that without some type of spending limit on third parties, a political campaign could become extremely one sided. Different political views could be prevented from having a fair airing. In my submission the danger lies not just in the influence of the election; I think the greater danger lies in the intimidation of members of the House or candidates for public office in taking strong stands or expressing their honestly held beliefs.

I think that right now in the United States, if we look at what happens with Senate and Congress elections down there, there is a chilling effect that these third-party spending campaigns have with respect to many of those controversial issues, whether they be for or against. [Dr. Brown coughed repeatedly]

Mr. Chairman, in view of my present situation, I think I'll sit down. I would urge members to support the amendment.

The Deputy Chair: On the amendment the hon. Member for Calgary-Varsity.

Mr. Chase: Thank you. I wish the hon. member a speedy recovery.

I'm honoured by the fact that the hon. member who's proposing this amendment to Bill 205 – I'm assuming we'll call it A1 – is a Calgary-Varsity constituent. I believe that we have a type of rarified air in Calgary-Varsity that naturally promotes good ideas. The hon. Minister of Sustainable Resource Development is also a Calgary-

Varsity member, and we all know some of the wonderful ideas with regard to sustainable development.

Speaking specifically to amendment A1, as I've stated earlier, I don't believe in slime politics or mud throwing. I believe in putting forward an idea that has merit on its own as opposed to tearing down one that doesn't. The reason I am here today is because the ideas I proposed were considered superior to those of the candidates who ran against me. What this amendment A1 is proposing is that no individual or third party has the right to basically slime or toss mud at an individual beyond the amount of \$3,000; in other words, "advertising expenses of a total amount of more than \$3000 during an election." I'm quoting from 39.41(1) of amendment A1, just to qualify the comments. Instead, we have the opportunity of supporting an individual for what they stand for and the ideas they put forward as opposed to spending money on attacks.

Now, during campaigns when I've had signs destroyed, I've said to the individuals who were apprehended: why did you not spend this time and this energy in terms of supporting an opposing candidate whose views you felt were closer in mind to yours? What this does is it eliminates or at least limits negative advertising, and the other side of that coin is, hopefully, promotes positive advertising. Work for the candidate of your choice. Financially support the candidate of your choice. Get positive as opposed to getting negative.

This afternoon as we further discuss A1, given the limited time we have remaining, I think you'll get a chance to see democracy in action because I have presented the pro side of the support for A1. I support the Member for Calgary-Nose Hill for bringing forward this amendment as I believe it strengthens the intent of Bill 205, and I look forward to other discussion, pro or con.

The Deputy Chair: The hon. Member for Airdrie-Chestermere to the amendment.

Mr. Anderson: Yup. On the amendment. I'd like to speak to the amendment from the hon. member. First of all, I'd like to point out the incredible contradiction in the argument of the Member for Calgary-Varsity. It's just mind boggling to me how he can stand and say that he's against Bill 205 because it restricts free speech, and then an amendment is brought forward to effectively restrict certain types of free speech, which he is for. It's like you were for the bill before you voted against it. Or I don't know.

Mr. Liepert: That's kind of typical.

Mr. Anderson: It's pretty typical. Exactly.

Anyway, we'll get down to the actual amendment here. I appreciate the amendment being brought forward, and I understand the spirit behind it, but I will not be supporting this amendment, and I would urge my colleagues not to support it, as well. I do so for several reasons.

The first is that it undercuts what I tried to do when drafting this and what I tried to do as I talked with different colleagues and different interest groups and stakeholders on this issue. There was a feeling that we had to get the right balance between making sure we protected free speech while at the same time making sure that we created an equal playing field for democratic participants, for third parties, for political parties, et cetera.

The way we went about doing that is by saying: okay, we're all going to be in the sandbox together, we're all in the election together here, so let's everyone play by the same rules. Whether you're a political party, whether you're a third party, if you want to advertise an election you've got to raise your funds in the same way that

everyone else raises them. You've got to get a whole bunch of grassroots support together to raise those funds and in relatively small donations. We're not talking about in increments of \$100,000 dollars or in amounts of \$1 million. You have to raise them in amounts of \$15,000 or less from many hundreds or thousands of people around the province, and then during the election we can use those funds to purchase advertising and to conduct campaigns, et cetera.

4:50

If we were to do this, if we were to limit the amount you could spend in any one constituency against a candidate to \$3,000, in effect we would be placing a rule and a restriction on a third party that a political party does not have to abide by. So there's an inconsistency there. What's good for one participant should be good enough for another. If somebody were to target a riding, if someone were to target, say, the riding in Calgary-Varsity, the Liberal Party could then target that riding as well in order to defend it.

Or if someone was targeting Airdrie-Chestermere and I needed some help from the Progressive Conservative Party, well, we would have the right to spend as much money as we wanted on that riding. We could spend whatever – \$100,000, \$150,000, whatever it is – to make sure that we were fairly defended against the attack of a third party who got their funds because they had an idea that resonated with hundreds or thousands of Albertans enough to raise a sizable sum of money. In other words, there might be some merit to that. That's part of the democratic process, and that's part of free speech. So I would say that this amendment undercuts the level playing field that we were talking about.

Secondly, I do think that logistically this will be a very difficult amendment to implement. Let's look at the amendment. It says, "a total amount of more than \$3000 during an election period to promote or oppose the election of one or more candidates in a given electoral division." One or more candidates: well, what does that mean? Let's say that there are three ridings in the city and you have \$15,000 that you want to spend on political advertising, does that mean you divide the \$15,000 by three? Then it's \$5,000, so that's over the limit, so you have to bring down the amount of money that you're using. It's a little bit vague, too. Are we talking about named candidates? Do you have to name these candidates or identify an issue that they're closely associated with? What does this refer to? I would say that logistically this would be a very difficult amendment to implement, and it is quite vague as to how it would work.

Thirdly and finally, we looked very closely at B.C. as well as the federal legislation. What B.C. and the feds did is they put in a cap. They decided they were going to cap at – I believe that B.C. is \$150,000; I can't off the top of my head remember what the federal one is. That's how much a third party is going to be allowed to spend in an election period. They have rules similar to this, where they then limit what can be spent in a local jurisdiction by a third party on election advertising. That's one way to go about it. That's one system.

My belief is, and I believe the majority of this caucus feels, that instead of the capped system, free speech is better served by not capping the amount that can be spent but by capping the contribution from each individual who is trying to contribute to an election advertising campaign to a certain fair amount so that no one person can dominate kind of the marketplace of ideas during an election just because of the size of their wallet. So you can't have somebody swoop in, give somebody \$2 million to do an election campaign, and so be it. If we had a cap system, then I would say that this amendment would work. But we're not going towards a spending cap system; therefore, this amendment doesn't fit into the legislation as it is before us.

I mean, that's basically it. I know our time is short here before we possibly vote on this, but I would say that this amendment is an unnecessary restriction on free speech. It treats parties differently from third parties, and it gives political parties a more dominant voice than they need. We have lots of means to avail us. We don't need to restrict free speech any more than this legislation already does and, I believe, appropriately does.

With this, I would urge my colleagues to vote against the amendment. But I want to say to the hon. member moving the amendment, Calgary-North Hill, that I do respect where he's coming from. I welcome debate on the issue and appreciate his bringing this forward, but I will be voting against the amendment.

The Deputy Chair: Hon. members, pursuant to Standing Order 8(1), which provides for consideration of motions other than government motions at 5 p.m. on Monday afternoons, I must now put the following question: shall progress on the bill be reported? All in favour, please say aye.

Hon. Members: Aye.

The Deputy Chair: Opposed, please say no. This motion is carried. The hon. Deputy Government House Leader.

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

[Motion carried]

[Mr. Mitzel in the chair]

Mr. Marz: Mr. Speaker, the Committee of the Whole has had under consideration a certain bill. The committee reports progress on the following bill: Bill 205. I wish to table copies of all amendments considered by the Committee of the Whole on this date for the official records of the Assembly.

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

Hon. Members: Concur.

The Acting Speaker: Opposed? So ordered.

Motions Other than Government Motions

The Acting Speaker: The hon. Member for Calgary-Fish Creek.

Monitoring of Home Electricity Usage

509. Mrs. Forsyth moved:

Be it resolved that the Legislative Assembly urge the government to require all electricity providers to notify local authorities of spikes in home utility usage that may indicate the electricity is being used to power the operations of an illegal drug facility.

Mrs. Forsyth: Thank you, Mr. Speaker. It's my pleasure to rise before this Assembly and open debate on Motion 509. I've talked to people before in this Assembly about how I've seen drug productions in my own neighbourhood. I can drive around Calgary, Edmonton, Red Deer, and any other community in Alberta and see houses that I know are being used to produce drugs. They're unmistakable. The place is just a tangle of wires running to lights, timers, and watering equipment. What are these wires carrying?

The answer is that they're carrying the lifeblood of any drug production operation, electricity.

I don't need to tell any of you who were recently driving through a snowstorm in May that Alberta's climate is not hospitable to the production of the plants associated with drug operations. This isn't some warm jungle in South Africa where you plant Mary Jane in the back 40, and she'll grow like a bad weed. No. To create this type of climate in Alberta, you need tons of heat, artificial light, and water, and the delivery of all these elements involves electricity.

Utility consumption rates are a very useful tool to identify houses that are involved in drug production. The average 2,000 square foot home in Canada consumes 1,000 to 1,100 kilowatt hours per month. With hot tub usage, et cetera, it can reach up to 1,500 kilowatt hours per month. The average grow op consumes 10 times this amount, around 10,000 kilowatt hours per month. So we're not talking about shades of grey differences here; we're talking about huge discrepancies that indicate something is up. In B.C. the trigger for reporting unusual utility consumption to police is 3,000 kilowatt hours, or about three times normal consumption.

Making it mandatory for electricity providers to alert authorities when these huge discrepancies occur will allow us to take action to stamp out drug production in Alberta. Mr. Speaker, drugs are like any other product. There is a defined process that they must go through to be produced, distributed, and consumed, and every step of this process endangers Albertans. Drug production in Alberta usually involves a clandestine operation located in a house, and this creates a whole host of dangers. It produces mould, which can lead to respiratory disease, exposes people to harmful chemicals, and, according to a study in B.C., increases the chances of fire by 24 times.

5:00

It would be reassuring to think that these operations were located out in the woods somewhere many miles from any neighbour. Well, actually it would be naive to think that way. These operations are often located smack in the middle of densely populated areas throughout the province. This means that many innocent families, children, and seniors are exposed to the dangers that I've mentioned.

Once these drugs are produced, they've got to be distributed. This involves a complex network of mules, dial-a-dopers, and street corner pushers. It also means heavy involvement from organized crime. Hardly a day goes by that I don't read about violence associated with organized crime in Alberta – a brawl between rival gangs, a body dumped there, a drive-by shooting, a beating because of a drug-related debt – and innocent bystanders like youth out at a club on a Saturday night or motorists on their way to the grocery store are sometimes affected. We need to take action to stop this.

Finally, after drugs are distributed, they are consumed by the buyer, usually someone who is young. Drugs have many awful effects on the body. They're highly addictive. They can cause cancer and respiratory disease, impair motor skills in the short term, and cause long-term congestive damages, and they can be laced with dangerous additives which can lead to sudden death. We were recently reminded of that sad fact when two young girls west of Edmonton died after taking ecstasy.

All of these dangers make it imperative to eliminate the drug trade in Alberta, and it begins with taking out production. It's pretty hard to distribute and consume something that cannot be made. Now, it's true that 90 per cent of drug operations bypass the electricity meter and steal electricity from the provider, and I've heard some argue that forcing utility providers to report spikes will accomplish nothing since they don't know about 90 per cent of cases where drug operations are consuming their product.

Well, a couple of points on this issue, Mr. Speaker. First, what about the 10 per cent the utility companies do know about? Would it benefit our communities if 10 per cent of the grow ops in Alberta were busted and 10 per cent fewer drugs made it to our schools? Secondly, advanced metering technologies are rapidly being developed. These technologies make it possible to use remote sensing to determine how much electricity is being consumed, no conventional meter necessary. So you can bypass all you like, but the provider will still know how much electricity is being consumed. I think that mandatory reporting combined with enhanced technology will really take the bite out of drug production in Alberta. This isn't to suggest that it will entirely stop the drug trade or that we should discontinue our efforts, but it's a practical step that will make it much more difficult to make drugs in Alberta.

I urge my colleagues to support this motion and make it more difficult for those who endanger Albertans by manufacturing drugs.

The Acting Speaker: Hon. members, before we proceed, may we have unanimous consent to revert to introductions?

[Unanimous consent granted]

Introduction of Guests

(reversion)

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

Mr. Snelgrove: Thank you, Mr. Speaker. I'll be very brief because I think this is a very important discussion to have here. I just wanted to introduce some guests we have from out in my part of the world, Ken Freimark and Kent Staden. Ken's business is in Lloyd. And Gerald Zagrosh is here to talk about some important discoveries he's making in health care. I'd just like to welcome them.

Motions Other than Government Motions

Monitoring of Home Electricity Usage

(continued)

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

Mr. Chase: Thank you. I want to commend the Member for Calgary-Fish Creek for attempting to get a handle on drugs. The hon. member led the crime and community task force that toured this province and came up with a number of recommendations that have since been implemented.

I, however, would rather see the amount of money that this would entail being put towards increasing feet on the beat, so to speak. Motion 509 is talking about the need to monitor, and I believe that type of monitoring could potentially better be involved with a greater police presence, an active participation in the community, improving local reporting in communities in terms of Neighbourhood Watch and so on.

I'm concerned that in casting a large net, there will be individuals potentially caught within the net who are law-abiding citizens. I know a number of individuals, for example myself at one time, where we didn't get into the hydroponic production, obviously, of an illegal drug, but we did have a number of lights in our basement for promoting the early growth of plants. Then we watered them in a very systematic nature. [interjections] Notice I am not saying illegal plants. I'm talking about flowers, just to clarify for those people who are getting excited across the way.

I am aware of the amount of electricity and the amount of water beyond the normal day-to-day usage that was required to keep those

lights burning in the evenings, the amount of extra water that was necessary to bring the seedlings to a mature point. I'm also aware that to try to make the transition from the basement to the greenhouse, we had to have heaters installed, and of course they were drawing more voltage. I can imagine the look on my wife's face or on my face if all of a sudden we had several well-armed individuals kicking down the front door of our greenhouse with the thought that the flowers we were growing were more of the smoking as opposed to the smelling kind. So I'm concerned about this.

It goes beyond the B.C. legislation. B.C. only required Hydro to pass on records on request. This is saying that electricity companies are to automatically provide this information. The potential, as I say, of the net casting and, rather than catching the big fish, getting some minnows is rather disconcerting to me. Does the member, for example, intend for power companies to pass on the information without there being a request from local authorities? Is this only under specific circumstances? For every house in the province and every local authority, how often would these reports be required? Daily? Weekly? Monthly?

In addition, we should bear in mind that with the new confiscation and civil forfeiture provisions, this kind of a move is a potential revenue maker for the government as seized drug houses can be auctioned off. Now, I have no problem with the profits of crime being seized and turned into a positive circumstance. I would like to put the marijuana growers out of business. I would also like to put the crystal meth manufacturers out of business, cut down on other types of illicit drug manufacturing which don't show up on the monitoring or metering of electricity. But does this take away the focus for police? Does this mean that police and local authorities would be driven to focus primarily on these operations, which, while serious, are not the full sum of drug dealing operations? We'd manage to shut down a greater number of marijuana grow ops – that's a good thing – but I would be much more concerned about, as I say, crystal meth and some of the drugs that have automatic, devastating, brain-damaging, immediate effects.

Now, how expensive would this policy be? The power companies will now have to process all of this information. Are we expecting them to, out of the goodness of their public-spirited hearts, not expect extra compensation for this extra observation? Are they going to then be passing it on? What would the cost of an inspection be? Would that be borne by the homeowner even if no grow op was found? Where are the electric companies going to find the resources and the individuals to do this extra monitoring and at what expense? Is the government prepared to provide this expense as opposed to requiring every electricity consumer in the province to be stuck with a marijuana grow op increase on their utility bill each month? People are having trouble paying the extra \$5 a month for the blue boxes. Can you imagine how they would jump up and down with regard to the marijuana grow op potential electricity spike adjustment to their bills?

5:10

What are the long-term impacts of such a policy? Doesn't this move grow ops into moving off grid or using a generator, for example? There are, from a camping point of view, quiet generators that very efficiently can provide this. We've seen examples, and the hon. member mentioned the Mayerthorpe circumstance. Well, in a situation like that, far from your neighbours, you could have a great big industrial generator cranking out the power you needed, and it would never show up on the electricity grid. There are similarly effective generators, auxiliary generators that organizations like hospitals use and so on, that can create a significant amount of power.

So while I support the idea of getting tough on crime, I believe the correct vehicle to be doing the toughening is our police force in cooperation with local authorities. If the government has funds that it can not only hire extra police to patrol our communities with the support of existing programs such as Neighbourhood Watch – in the rural areas they talk about Report a Poacher. Well, maybe we can talk about report a spiker. But for the hon. member to suggest that these electrical companies would be such good corporate citizens that they wouldn't tack on the extra costs of this monitoring is a concern for me.

I don't believe in the balance that if we only interrupt the lives of three families but we catch five crooks, that's a fair trade-off. We've seen the examples where the wrong door was kicked in or the wrong assumption was made, and we've got to do our due diligence. The best ones to provide that due diligence and monitoring are the police forces themselves. We have a number of sophisticated abilities that have been used by the military and by the police in terms of monitoring the amount of heat that is coming out of a suspected facility. It's not science fiction wherein they show the heat ramifications; they can penetrate into walls. [Mr. Chase's speaking time expired] Well, that's unfortunate. I ran out of power.

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

Mr. Anderson: Thank you, Mr. Speaker. It is my pleasure to rise and speak to Motion 509, the energy spike provider reporting motion, as sponsored by my colleague the Member for Calgary-Fish Creek. Motion 509 urges the government of Alberta "to require all electricity providers to notify local authorities of spikes in home utility usage that may indicate the electricity is being used to power the operations of an illegal drug facility." I would like to congratulate the member for bringing this motion to the attention of government. She's a lady that speaks tough on crime and actually does something to address crime as opposed to the members on the opposition benches.

Safety, as we know, Mr. Speaker, is extremely important to Albertans, especially the safety of our neighbourhoods and our children. We all know that illegal drug facilities are dangerous to have within our communities. The operators and occupants of marijuana grow ops can be dangerous people, and their homes are more susceptible to both extortion and home invasion. These grow operations are often linked to organized crime. Rival gangs may invade a grow op, which can lead to assaults, kidnapping, and the use of weapons not very far from where our children live, play, and go to school. They break into these operations to steal marijuana and put our families at risk just to make a quick buck. Oftentimes the operators will use traps to deter and obstruct intruders, which also can compromise the safety of our neighbourhoods and our children.

One of the Premier's five stated government priorities is to provide safe and secure communities for all Albertans to live in. To do this, our government implemented the safe communities initiative, in which a number of departments are targeting the problems of addiction as well as gang- and drug-related crime. If the government required electricity providers to notify local authorities of spikes in home utility usage, it would be a simple addition to our crime-fighting tool box. It would alert authorities to potentially illegal drug and gang activities within our communities, and it would do so at virtually very little cost to taxpayers.

I would like to draw attention to our neighbour to the west, British Columbia, which has implemented similar legislation and has had quite a bit of success with it. In 2006 the B.C. government enacted Bill 25, called the Safety Standards Amendment Act. This legisla-

tion gave local governments the right to request from electricity distributors information regarding residential electricity consumption within the government's jurisdictional boundaries. While the bill was intended to make communities safer, it also had a positive effect for electricity companies: it helped address the issue of electricity theft and the safety of electrical employees. So the success of the legislation in just that regard is encouraging, but even more encouraging, Mr. Speaker, is that in over a six-month period 88 grow ops were found in Coquitlam, B.C., with the information from electricity providers, and over a 13-month period 125 grow ops were found in Richmond, B.C.

I was going to say something about pot usage being a little bit more prevalent in B.C. than in Alberta, but I would digress. I would just say that there is no doubt that similar legislation in our province would definitely provide us with similar results. We would give our law enforcement officials one more way to track down dangerous and illegal activities while improving the quality of life in our neighbourhoods. I think it is fair to say that no one wants a drug house in their neighbourhood, and we must use every reasonable tool that we can to get these houses out of our communities. Again, this is a cheap way for the taxpayer, for everyone involved, a very simple solution that would have immediate benefit to our communities in making them safer and more secure.

For those reasons I applaud the Member for Calgary-Fish Creek for Motion 509, and I encourage all members of this House to support the motion. Thank you very much, Mr. Speaker.

The Acting Speaker: Any other members wish to speak? The hon. Member for Calgary-Buffalo.

Mr. Hehr: Well, thank you, Mr. Speaker. I, too, want to compliment the Member for Calgary-Fish Creek on 509, the electricity usage and grow op sponsor, because it does appear to be well-intentioned legislation. I would like to say that I probably would have supported this legislation should it have been drafted more according to what the B.C. legislation was. The legislation in B.C. . . .

Mr. Liepert: I thought you were a crime fighter.

Mr. Hehr: I am a crime fighter, Ron. I just forgot my cape today.

The legislation in B.C. asked hydro companies to pass along this information if requested. The difference in our jurisdiction is that this requires electric companies to actively just go about looking at people's electricity bills and submitting this information randomly to the powers that be. If we look at this, what we're saying is there is no opportunity for police to do, I guess, criminal investigations anymore, and that's the thing.

5:20

If you go ask the police officers in the city of Calgary, in I'd assume almost any jurisdiction in Calgary, "Do you know where the grow ops are in Calgary? Do you know the people who are dealing marijuana?" they'll say yes. Ask them that. I challenge the hon. member or anyone in this House to simply go ask their local police officer: do you guys know where the grow ops are? They'll tell you yes. Honestly, they will. Then the question is: why don't we then go follow up? Now, that's another question that I can't answer as well. But they seem to know where all the grow ops are. They seem to know where the people are dealing drugs. It's not this type of stuff that is keeping these grow ops going.

What happens is that when we're enabling this type of legislation, we're just not respecting good old honest police work, where they go

in if they know where the houses are. You've got to ask the question, "Why aren't they doing this?" and ask yourself, then, if the laws need to be toughened as to what happens if you find a grow op. I'd suggest, then, that if the laws were toughened and if they were enabled to lock them up longer instead of just a revolving door, this might actually happen, that this might actually have some teeth to it and allow for our police officers to actually go in and bust these grow ops on a more regular basis. They know where the dope dealers are and, in fact, where the people who are running grow ops are.

I think the other thing, too, is that when you're not having the police or the court get this information, you're opening up a severe, I guess, infringement on people's right to privacy. We're having a company that is doing business that is simply firing in, willy-nilly, spikes to electricity and simply just sending them in. There's no real police intervention in the process. It's simply a company who looks at records, doesn't do any investigation, and sends it on down the highway.

Maybe the people doing those things, they go tell their neighbour and say: "Hey, by the way, I just sent up this request. Do you know who had a spike in their electricity? It was the hon. Member for Calgary-Currie." You know, maybe he was, like the hon. Member for Calgary-Varsity, growing plants and watering flowers and all that stuff in his basement. I would hate to see this person from the company then besmirch the hon. Member for Calgary-Currie's good name. I know he's more of a birdwatcher than a plant grower or a flower grower. I just used that as an example.

Nevertheless, those are the reasons for speaking out on the bill. I believe our police know where these things are. I challenge anyone in this room to go ask them if they know who the people are with the grow ops, and they'll say yes. What they do after that – you'd have to ask them why they don't go bust them down.

Thank you very much.

The Acting Speaker: The hon. Member for Cardston-Taber-Warner.

Mr. Jacobs: Thank you, Mr. Speaker. I'm pleased today to rise to speak to Motion 509, energy spike provider reporting, sponsored by the hon. Member for Calgary-Fish Creek. I'd like to thank the hon. member for her tenacity and enthusiasm in trying to reduce crime in Alberta. I appreciate that very much. I'm supportive of Motion 509 for several reasons; namely, because it will tackle crime in our province and because I believe it will benefit consumers.

Mr. Speaker, drug-related crime impacts our society in many ways. It affects the drug user who suffers from an addiction and community members whose safety may be compromised while at the same time profiting traffickers and fuelling crime. For these reasons this government has shown incredible innovation and determination in addressing crime. For example, the Safer Communities and Neighbourhoods Act is particularly innovative as it provides a mechanism for the public to report properties that are possibly being used for illegal activities. Essentially the initiative builds on the foundation that the people living in the community know it best.

Motion 509 expands on this kind of innovation. It utilizes the fact that harvesting marijuana requires large amounts of electricity and that high residential electricity consumption can therefore be indicative of an illegal grow op. Based on these facts, Motion 509 works to collaborate with energy providers, engaging them to pass on relevant information to authorities.

One of the criticisms of this methodology surrounds the fact that many grow operators bypass the electricity meter in their home so as to remain inconspicuous as well as to avoid paying excessively

high utility bills. In essence, operators steal electricity. In light of this it can be difficult for utility providers to identify grow homes using consumption data. However, new technologies are being discovered that present alternatives to current measuring mechanisms. Mr. Speaker, these technologies are capable of accurately measuring how much energy is used in the absence of a traditional meter, ultimately making it very difficult to steal electricity. This will facilitate the discovery of properties that are using excessive energy. Therefore, requiring utility providers to report these occurrences to authorities would likely expose many, if not all, grow ops in the province.

That is why I'm primarily supportive of Motion 509. However, I'm additionally supportive because I believe that it will directly benefit consumers. Mr. Speaker, in addition to exposing homes that use electricity excessively, the information that is collected through these new technologies is sent wirelessly in real time to utility distributors. Essentially this means that for billing purposes no one needs to come to your home every couple of months to read the meter. By these means utility companies would no longer have to issue billing estimates to consumers. The bills would contain thorough and accurate consumption data. I consider this aspect of new metering technologies particularly appealing.

I frequently hear from my constituents about overestimated utility bills. This may not seem like a major issue because if a bill is estimated high, when the meter is read and shows less consumption, the subsequent bill will compensate the consumer. However, for individuals who have detailed financial plans or who are on a fixed income, like seniors, this kind of estimation can actually be burdensome. For this reason alone I would support the implementation of new metering technologies. If coupled with Motion 509, this technology can have a major impact on crime reduction in our province. Therefore, I would be happy to support Motion 509.

Thank you, Mr. Speaker.

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

Mr. Taylor: Thank you, Mr. Speaker. Well, thank God that motions only urge the government to take action on this, that, or the other thing. This is one of the most cockamamie, silly, stupid, ridiculous motions I think I've had the dubious honour to come across in the time that I've been in this House. [interjections]

The Acting Speaker: Hon. members, the hon. Member for Calgary-Currie has the floor, and he will address the chair.

Mr. Taylor: And the health minister, you know, if he's going to make life difficult for me in the next election, Mr. Speaker, might first want to learn what riding I represent and what the name of that constituency is. He doesn't seem to have a pretty good handle on that.

Mr. Liepert: You might not be there next time.

Mr. Taylor: I might not be. You never know. You might not be in Calgary-West next time.

The Acting Speaker: Hon. member, please address the chair.

Mr. Taylor: And maybe my constituency is going to be called Calgary-Centre. [interjections]

The Acting Speaker: Hon. members, let's have a little bit of order. The hon. Member for Calgary-Currie has the floor. Everyone else, please refrain from interjections.

Mr. Taylor: Mr. Speaker, I appreciate that intervention.

I'm being led to believe here that this draconian interference with people's privacy rights and civil liberties is being done in the name of consumer protection, so that my Enmax bill will go down. Is that the purpose of this? I find that a little bit of a stretch. I find it a little bit of a stretch that we are going to solve a problem – namely, the war on drugs, that we have been fighting now for probably 35, 40 years and losing . . .

5:30

Mrs. Forsyth: Because of people like you. [some applause]

Mr. Taylor: Thank you for the applause. Mr. Speaker, that goes precisely to my point here: there is absolutely no interest in solving the drug problem and every interest in limiting the freedoms of citizens of a democratic state in bringing forward a motion like this.

Look, give your head a shake, hon. Member for Calgary-Fish Creek. This is not going to solve the war on drugs.

The Acting Speaker: A point of order.

Point of Order Parliamentary Language

Mrs. Forsyth: Mr. Speaker, I'd like to quote *Beauchesne*. I'm sitting here very quietly, listening to some of the comments. "Stupid," which I think he mentioned, is in here.

Every person in this Assembly has the right to bring forward a motion or a private member's bill that they believe in. This particular motion that I have brought forward has been a year in the works with a lot of very reputable, good police officers in this province. I think that when we talk about "give your head a shake," I'm sitting here very quietly, listening to the hon. member so that I can figure out in my head where he's going on this particular issue. Mr. Speaker, if we may, would you get the fellow back on track?

The Acting Speaker: Hon. member, were you calling a point of order?

Mrs. Forsyth: Yes.

The Acting Speaker: Under what standing order, what citation?

Mrs. Forsyth: Unparliamentary language, Mr. Speaker. It's on page 148 in the offending words in *Beauchesne* 488 to 492. "Stupid" is one of them.

The Acting Speaker: Hon. members, the word "stupid" is unparliamentary. If the member would wish to withdraw that word, we can continue on.

Mr. Taylor: Thank you, Mr. Speaker. I will withdraw the word "stupid." I wouldn't want to use unparliamentary language when there are so many parliamentary words that can describe the pointlessness of this exercise, of this motion.

May I continue?

The Acting Speaker: Yes. Please continue.

Mr. Taylor: Thank you.

Debate Continued

Mr. Taylor: So let me put it this way. Hon. member, you're right. Any member of this House has the right to bring forward any motion that they believe in, as does any member of this House have the right

to debate that motion when they don't believe in it. That is precisely, Mr. Speaker, what I'm doing.

I don't believe that this is going to solve the war on drugs. If you want to start winning the war on drugs, Mr. Speaker, we have got to wrap our collective heads around the notion that we are going to attack demand, not the suppliers. As long as there's demand, there will be criminal elements in our society who will find ways to meet that demand no matter what it takes. The hon. Member for Calgary-Fish Creek knows this. The hon. Member for Calgary-Fish Creek has undertaken a number of very laudatory efforts, initiatives in the past to try and tackle the war on drugs from the demand side of things, I believe. This, I'm afraid, is not one of them.

Now, I have no problem with the notion that there may be from time to time reason, probable cause for the authorities to contact a power company and say: we want to see the electricity consumption records on 123 XYZ Street S.E. because we have probable cause to suspect that there's a grow op going on in that house. But, Mr. Speaker, we have warrants for a reason. This motion urges the government to simply set up an arrangement by which Enmax and EPCOR and every other power company that may ever come into the mix in this province are somehow required to notify the authorities every time there's a spike in home utility usage.

There can be spikes for many reasons. Certainly, running a grow op in the basement is one of them, and it's the worst possible reason because at the end of the day you have a house that is for all intents and purposes rendered unfit for human habitation which may yet go back on the market and be sold to some unsuspecting homeowner. I do not for a moment believe that our rules and regulations, if we're going to make rules and regulations around grow ops, governing what becomes of houses that were grow ops when they go back on the market are tight enough, as tight as they should be.

I think that if you want to deal with consumer protection, there's an area to deal with in terms of making sure that no grow op goes back on the market so that some young family comes along, buys it, and raises their family at great risk to the children's health and their own. That, to my way of thinking, is a real issue. But this notion that the state can order electricity providers to just go on a regular fishing expedition or to somehow undertake the role of Big Brother and notify the authorities every time there is a spike in electricity usage – look, I might be wrong. Maybe the hon. member who is the sponsor of this bill, maybe one of the hon. members opposite who has spoken in favour of this bill can sit down and enlighten me as to precisely how this would work – and I don't think they can because this is a motion; it's not a bill – precisely how they envision that this would work beyond new metering technology, which I heard the hon. Member for Cardston-Taber-Warner reference, so I acknowledge that.

But, you know, at what point does a residence become suspect? Is it a gradual increase over time in the usage of electricity? Is it a sudden increase that then is constant and prolonged? Is it literally a spike on the coldest night of the year, when it's minus 35? You know, what is it? Let's say that on the coldest night of the year the furnace conks out, but the electricity is still on. I recognize that sometimes furnaces conk out because of an electrical problem. But let's say that the furnace conks out, and the homeowners have a number of electrically powered space heaters. Is that reason enough to have the police or health inspectors from the municipality knock on their door in the middle of the night and then present them, as has happened frequently in the B.C. lower mainland, with a bill to cover the cost of the inspection, that can run into the thousands of dollars, regardless of whether there is any concrete evidence found in those inspections that there's an actual grow op taking place in that residence?

This may be well intentioned. I'm not even sure – and if the Member for Calgary-Fish Creek wants to get up again and call another point of order on me, then have at 'er – that this particular motion is all that well intentioned. It doesn't make sense. It ain't going to fly. It ain't going to work no matter how many people in this Legislature vote in favour of it. I suspect very strongly that, you know, if this motion passes, this is the last that we'll probably see of it because I think the government will quickly take a look at it and go: no, we can't go there. At least, I hope they would because to do otherwise, to require unasked this routine notifying of the local authorities whenever there's a spike in electrical usage in a particular residence, a requirement on the part of the provider that they have to provide this without anybody in authority asking for it, without anybody seeking a warrant, that's not drug enforcement. That's enforcement of a police state.

And the funny damn thing about police states – oh, I'm sorry. "Damn" is probably an unparliamentary word, too, Mr. Speaker, and I apologize and withdraw that. The funny darn thing about police states: you know, there are an awful lot of them in the world, including ones that shoot drug users and drug pushers but still have a drug problem. So you may be able to very effectively quash civil rights and civil liberties, but you can't quash the drug problem, not through police-state tactics.

This is badly thought out, and there is no way I can support this, Mr. Speaker. Thank you.

5:40

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

Mr. Elniski: Thank you, Mr. Speaker. It's a pleasure to rise today to speak to Motion 509, energy spike provider reporting, a motion brought forth by my friend the hon. Member for Calgary-Fish Creek. This motion urges the government of Alberta to require electricity providers to notify local authorities of spikes in home utility usages that may indicate the electricity is being used to power operations of an illegal drug facility.

Mr. Speaker, our province is committed to providing Albertans with safe communities to raise our families in, and one of the factors that greatly endangers this is the presence of illegal drug facilities. We made this promise to Albertans, and we need to follow through on this to the best of our abilities.

Whenever I talk about safety in our communities, I always think about Sherbrooke, a neighbourhood in my constituency, that expressed concern recently about a recovery house operating in their tight-knit community. After debate on the issue, Sherbrooke residents realized that the folks in the rehab facility needed a safe place to live, free from the addictions that threatened their rehabilitation and livelihood.

A lot of people came out to debate this issue, which made me think about the areas that may be of more concern to members of the community, issues like having an illegal drug house next door or across the street. But as important as helping these individuals in their recovery, it is equally imperative that we detect the houses in our community that are contributing to their addiction, the houses that are manufacturing illegal drugs and distributing them into our communities, houses that are hidden throughout many neighbourhoods across the province, and the houses that some people are too afraid to question or to report despite their suspicious activities.

Recently the government enacted the Safer Communities and Neighbourhoods Act, which provides a method for citizens who are concerned about tenants or residents who are using the property for illegal activities to voice their concerns to authorities. While this is breakthrough legislation, it may not mean that all drug houses are

found. Some are difficult to detect, which is why novel and innovative tools such as Motion 509 are needed. Ultimately, this is the kind of initiative that is likely to get these criminals out of our community, helping to put a stop to the illegal activities that threaten the safety of our neighbours.

Mr. Speaker, in addition to the issues of safety, illegal drug facilities could threaten the health and lives of nearby residents. Due to the large volumes of electricity and carbon dioxide needed, not to mention the carbon monoxide that is created, these operations could also greatly affect and threaten the safety of our communities. They increase the probabilities of fire, pose risks of infections, skin irritation, exacerbation of asthma, and increase the rates of upper respiratory disease.

Mr. Speaker, ultimately, the issue of grow ops is one that affects all Albertans, and it's one that we cannot stand by and let threaten the safety of our communities. We need to commit to keeping this government's promise of protection of the safety of Albertans every day. Motion 509 is another innovative way we can achieve this, and I would really like to thank the hon. Member for Calgary-Fish Creek for bringing this motion forward. I, too, had some concerns about how one initially measured electrical consumption, and my fears were laid to rest. I think it's a great motion.

Colleagues, I would urge you to support Motion 509 and commit to ensuring the safety of communities within this province. Thank you.

The Acting Speaker: The hon. Member for Calgary-Egmont.

Mr. Denis: Thank you very much, Mr. Speaker. I sincerely appreciate the opportunity that the Member for Calgary-Fish Creek has given us to rise this evening and spend a few minutes to add to the debate on Motion 509, regarding energy spike provider reporting. Now, as the motion is proposed, it urges the government to require electricity providers to notify local authorities – authorities – of spikes in home electricity usage that might indicate the electricity is being used to power the operations of an illegal drug facility.

Mr. Speaker, anyone who pays attention here knows my views relating to crime. Some of these people, with due process, simply belong behind bars – and I will state that over and over again – for all of the damage that they cause to our respective communities. This motion would further highlight the Alberta government's commitment to developing innovative ways to fight organized crime and to keep our communities safe.

As most of my colleagues – most – have probably noticed over the past year, again, as I mentioned, crime and organized crime are huge issues to me in my constituency and to all my constituents in Calgary-Egmont. I'm very happy to hear from constituents, including the Member for Calgary-Currie. My constituents and I recognize that the presence of organized crime in a neighbourhood often leads to increases in crime on all levels. I'm talking theft, violence, fires, other neighbourhood disturbances, and, as we saw on January 1 in my constituency, even murder. Mr. Speaker, I think that all Albertans will agree that keeping organized crime out of their neighbourhoods is a priority worth investigating.

With that said, Mr. Speaker, there is a clear link between organized crime and those illegal drug facilities, that this motion indeed intends to help detect. This last Friday I happened to run into someone who was a grade 4 student of my mother's, who now lives in Ottawa. He was in Calgary. He said to me: "I've never been involved in any drug issues whatsoever because I always think, what's behind that? What's behind the marijuana? What all is behind the cocaine?" What is it? It's organized crime. The more

demand there is for it, the more activity you're going to have in our communities. In fact, it's estimated that grow ops are operated and fuelled by organized crime 90 per cent of the time. It's clearly in the public interest that these grow ops cease to operate because of the impacts on criminal activity.

Not only do grow ops increase crime in the neighbourhoods that they occupy, but they also provide unavoidable health risks to the law-abiding neighbours of these drug facility operators. In fact, Mr. Speaker, an article written in the *Calgary Real Estate News* back in 2004 talked about the dangers to unsuspecting home buyers, again these unrecognized consequences of crime. Actually, I wrote the article. Those health risks include high levels of carbon dioxide, carbon monoxide, contamination from toxic spores and pollen from mature plants, contamination due to vaporized pesticides, fire hazards, and never forget also the black mould that often is part of the homes of unsuspecting buyers of these properties. These health risks obviously affect Albertans who have the misfortune of living in the vicinity of illegal drug facilities, not just the criminals who operate them.

Mr. Speaker, one of the government's key strategic goals is to promote strong and vibrant communities and reduce crime so Albertans feel safe. My vision of this province is one that the people of today and the people of tomorrow can continue to walk the streets safely without fear of organized crime. This motion is consistent with the commitment of this government's crackdown on criminals and criminal activity. For example, just last fall this Assembly passed Bill 50, the Victims Restitution and Compensation Payment Amendment Act, 2008, which established the process through which property and profits gained through unlawful acts are seized through civil courts and returned to the victims or used for programs that benefit the victims of crime. The Solicitor General and Minister of Public Security has continued his department's commitment to increasing the police force in Alberta as part of the government's three-year plan to add 300 more front-line officers and to ensure that people in this province are safe from organized crime.

One of the major criticisms of this motion that I hear is that it would invade the privacy of individuals. I posted this on my Facebook and Twitter moments ago. That was the main theme that came up. A few things to consider here, first of all, is that B.C. Hydro has a similar program, and they use a trigger point of 3,000 kilowatt hours, which is approximately three times the average home consumption, okay? On top of that, the Electric Utilities Act code of conduct regulation in this province permits utility providers to disclose information to law enforcement without consent in certain circumstances. This obligation of service providers to ensure public safety in relation to the supply of electricity may provide an additional basis upon which a service provider may disclose consumption and other information where the circumstances warrant.

As I mentioned, there are already provisions in the existing

regulations that allow utility companies to disclose information, and that, to my mind, speaks of due process. We don't want to go and start knocking down doors. Mr. Speaker, this is about public safety and crime reduction and crime control. Furthermore, there are also provisions to allow utility companies to report hazardous situations, which illegal drug facilities would obviously qualify as. This goes one step further and proposes suspicious consumption levels to be automatically reported, again, not to other individuals; this is reported to law enforcement officials. This motion as proposed would give law-abiding citizens one more tool in their fight against organized crime and bring our neighbourhoods and our families one step closer to enjoying the safe, healthy lifestyle they so richly deserve.

Mr. Speaker, the Member for Calgary-Currie talks about reducing demand, and I agree. This can be done through education. It's not a one-pronged approach. It's a two-pronged approach: reducing both demand and supply. My part in reducing demand – I've always wanted to say this – I've never inhaled, and I've never exhaled.

Thank you.

5:50

The Acting Speaker: Any other members wish to speak?

The hon. member to close debate.

Mrs. Forsyth: Mr. Speaker, thank you very much. I appreciate the opportunity to listen to the debate, and I really want to thank my colleagues from this side of the House, if I may, for their thoughtful, provocative thinking. I say that with all sincerity. I've been listening to the jibe back and forth from the opposition, and I'm thinking: God, they don't even know how to listen because we brought up in the Legislature the triple spikes used by B.C.

I want to close, Mr. Speaker, by thanking two people who have worked very hard on this particular motion with me. That's my researcher, Elizabeth Clement, and my Leg. assistant, Brock Mulligan. I have to send a special thanks to some of the police in this province that have helped me with this particular motion, provided me with all of their wisdom and their advice when they're dealing with drug homes, grow ops, and taking drug-endangered children who are in these particular grow ops out of the house.

I ask everybody in the Assembly to support this motion.

[Motion Other than Government Motion 509 carried]

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

Mr. Renner: Thank you, Mr. Speaker. Given the hour I'd move that the Assembly now adjourn until 7:30 p.m.

[Motion carried; the Assembly adjourned at 5:51 p.m.]

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