



Province of Alberta

The 29th Legislature
Fourth Session

Alberta Hansard

Wednesday morning, May 2, 2018

Day 23

The Honourable Robert E. Wanner, Speaker

Legislative Assembly of Alberta The 29th Legislature

Fourth Session

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Swann, Dr. David, Calgary-Mountain View (AL)
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Westhead, Cameron, Banff-Cochrane (NDP),
Deputy Government Whip
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Yao, Tany, Fort McMurray-Wood Buffalo (UCP)
Vacant, Fort McMurray-Conklin
Vacant, Innisfail-Sylvan Lake

Party standings:

New Democratic: 54 United Conservative: 25 Alberta Party: 3 Alberta Liberal: 1 Progressive Conservative: 1 Independent Conservative: 1 Vacant: 2

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Legislative Assembly of Alberta

9 a.m.

Wednesday, May 2, 2018

[Ms Sweet in the chair]

Prayers

The Acting Speaker: Good morning.

Let us each reflect or pray in our own way. May we remember to be deliberate but thoughtful, meticulous but patient, and determined but clear headed and evoke that respecting our differences and celebrating our diversity is what makes us stronger together.

Please be seated.

Orders of the Day

Government Motions

Election Commissioner Appointment

16. Mr. Mason moved:

Be it resolved that the Legislative Assembly concur in the report of the Standing Committee on Legislative Offices tabled on April 10, 2018, Sessional Paper 67/2018, and recommend to the Lieutenant Governor in Council that Mr. Lorne Gibson be appointed as Election Commissioner for a term of five years commencing May 15, 2018.

Mr. van Dijken moved that the motion be amended by adding the following after “May 15, 2018”:

and be it further resolved that following the passage of this motion the Election Commissioner’s salary be posted publicly on the website of the Standing Committee on Legislative Offices.

[Adjourned debate on the amendment May 1: Mr. Mason]

The Acting Speaker: Are there any members wishing to speak to the amendment? The hon. Member for Grande Prairie-Smoky.

Mr. Loewen: Thank you very much, Madam Speaker. Now, we’re here this morning to talk about the amendment to bring just a little bit more transparency and clarity to this Motion 16, that we’re dealing with here. It was interesting listening yesterday to the linguistic gymnastics of the government when talking about this amendment that we brought forward. I just want to read out here from a news article. What we’re referring to is Bill 32. It says: the role was created with the passing of Bill 32 in December; the law’s stated goal is eliminating so-called dark money, election campaign contributions whose source isn’t made public. Now, the Member for Calgary-Currie was quoted in this same article. He says: he’s going to be tasked with setting up an office and enforcing new legislation helping to root out dark money, that has plagued our electoral process for too long.

Madam Speaker, when I see this issue of rooting out the dark money in politics, I see that we have an issue here where we want to bring this gentleman that’s been hired, his wages, onto the sunshine list and have that brought in immediately. I don’t know if anybody else fails to see the irony of the fellow that’s hired to root out dark money and a government fighting tooth and nail to keep from having him on the sunshine list immediately so that Albertans can see what this gentleman is going to be making. Honestly, you just can’t make this stuff up. We sit here in this Legislature and we debate lots of different things, some stuff good but some of it pretty senseless. When you think that the person that’s here that’s going to be hired to root out dark money can’t make it onto the sunshine

list, as we would like to see right now – it’s all about transparency and clarity.

If that’s the goal, then obviously this is a pretty simple process. This position was just created. We’ve heard how they went through this expensive job listing process. They did it through the Christmas holidays. They’ve done all sorts of things, you know, in order to get this position taken care of. Of course, now we have this person that the government has selected, and now we want to find out just a little bit of information about what this person is going to be making.

Another thing that was interesting in listening to the government talk about it: “It’s, like, you know, you guys just want to target him. This is all about targeting this one person that’s been hired.” Well, Madam Speaker, I don’t understand. I guess that they’re suggesting that we want to target him so we can find out how much he’s making. The government says that we’re going to learn this information in June 2019. Does that mean that between now and June 2019 the government is going to choose to target him to make it public how much he makes?

Of course, I guess that would call into question – this government has talked about how it brought forward all this legislation about extending the sunshine list, making it more open, extending it so that more people fall under the criteria of the sunshine list. Obviously, I guess, by their definition of targeting, the government has chosen to target thousands of people. But that’s not the case. They want to use these words like “target” when we’re talking about one person, but obviously this is a sunshine list of a large group of people, and we have this opportunity to learn what people are making from taxpayers’ money. I don’t understand how they can suggest that we’re targeting one person while the government is targeting thousands of people based on that definition. It has nothing to do with targeting people. It has to do with transparency and clarity, and that’s what the sunshine list does. There’s nothing wrong with that, and there’s no reason why we should have to wait. They hide behind: well, the rules are that we can’t find out for a year.

Well, Madam Speaker, that’s what we do here. We make rules. We make legislation. We make amendments. We come up with different things to bring transparency and clarity to the people of Alberta. I don’t understand how this government can sit here and fight against something that’s so clear and so plain and hide behind regulations and rules and stuff like that like we’re not here to make regulations and rules. That’s what we do here. That’s our job. So I don’t understand that.

Now, there were some comments yesterday. You know, we were talking about this position as redundant, but of course the government has suggested that this isn’t redundant, that this is a brand new position, that this is so great and everything. I just want to point out that here in the job posting that the government put out for this job, it says:

As Alberta’s first Election Commissioner, you will be responsible for ensuring compliance with, and enforcement of, certain obligations of entities regulated by the Election Act . . . In this capacity, the Election Commissioner will be responsible for fully investigating complaints, levying administrative penalties, issuing letters of reprimand, entering into compliance agreements, and recommending prosecutions.

As this position requires you to investigate potential wrongdoings by political entities including candidates, political parties, and third parties . . .

It’s very interesting to see this job description.

We have been suggesting that there’s some redundancy here. Even the Chief Electoral Officer has been suggesting that there’s redundancy here. But I want to look through this list here:

“investigating complaints, levying administrative penalties, issuing letters of reprimand, entering into compliance agreements, and recommending prosecutions.” Has this not been happening in Alberta for the last 30, 40 years? So this is something completely new, that actually now somebody is going to be investigating complaints and levying administrative penalties? I don’t think so, Madam Speaker. I think this has been going on.

In fact, if I look back to the duties of the Chief Electoral Officer, they are to monitor compliance of political entities, including political parties, candidates, constituency associations, and most recently third-party advertisers. Elections Alberta is assigned the responsibility for ensuring filing, examination, and public disclosure of financial documents submitted by political parties, constituency associations, and candidates. Another large part of the finance regulation is enforcing the legislation relating to the collection of contributions, investigating complaints of breaches of the act, and applying administrative penalties or consenting to prosecution if warranted.

Madam Speaker, it seems very clear here that these things were going on before this Election Commissioner idea came along. I think that’s pretty plain. But, of course, this government wants to make it sound like they’ve come up with some new and great idea that’s never been thought of before. Well, that’s simply not the case.

We have lots of different issues here with this. This is a simple amendment, very simple. We are going to know eventually how much this person has been paid. All we want is that we want Albertans to be able to know that now. How much is this person going to be paid? There’s nothing hidden or secretive or dark about asking for clarity and asking for the sunshine to shine in on this. That’s what we’re asking. It’s very simple. This government: of course, they do verbal backflips trying to figure out how to make this sound like they shouldn’t do this. But, realistically, Madam Speaker, this is what we do here in this place. We come up with ideas. We come up with legislation. We make laws. We make regulations. We do all of these things here, and we have an opportunity to provide some transparency and clarity, and this government is doing everything it can to stop that.

It’s not about targeting anybody. It has nothing to do with that. Otherwise, the whole sunshine list is targeting people. It isn’t targeting anybody. This is simply asking for transparency and clarity. That’s what the sunshine list does. We have this opportunity to do this, but this government obviously wants to hide something, and I don’t know why. Why would they bother trying to go through all this trouble to hide something from Albertans? I just don’t understand this.

9:10

Now, during this whole process – I mean, this person may be well qualified. I understand that there were some other well-qualified people, too, so I’m not sure how the decision was made or how the people on the committee decided which person to choose. But, obviously, the person that they chose is somebody that had sued the government in the past. Now, I’m trying to understand why anybody would hire somebody that sued you in the past and actually lost. It was a wrongful dismissal suit of some sort. They weren’t actually dismissed; their contract ran out. Then they decided to sue.

I’m trying to run this through my mind here. One of the first warning bells that would go off for me: if I was sitting there looking at a group of applicants and I was looking at one that had sued the organization that I represent, the government of Alberta and the people of Alberta – when somebody sues the government, they’re suing the people of Alberta, too – and lost, had no grounds for the lawsuit. And here we are hiring that person.

Now here we are, and all we’re asking for is some clarity and some sunshine to shine in on how much this person is going to make. Simple. And what do we get? Any kind of obstruction that the government can possibly throw up. Madam Speaker, it just doesn’t make any sense. I don’t understand why this government just doesn’t pass this amendment. If transparency and clarity were what this is all about, it should be no problem.

Now, this Election Commissioner position was just created, and it was created in Bill 32, An Act to Strengthen and Protect Democracy in Alberta. As much as that sounds like a glorious name for a bill, to strengthen and protect democracy, here we have an opportunity to strengthen and protect democracy right here in this House by bringing forward this amendment and passing this amendment that will provide transparency and clarity to this part of this process, which is on how much this person is going to get paid.

Now, again, this government talks about how they’ve extended the sunshine list and made it so great and so large and encompassed so many more people and that they have been bringing all this transparency to government, but when we ask for one little portion of extended transparency, this government is fighting it tooth and nail, and it doesn’t make sense. Again, it has nothing to do with targeting this person. It has everything to do with transparency and clarity, which is the point of this. Now, Madam Speaker, this government, of course, quite often says one thing and does another, and this is another fine example of that.

Another example would be the carbon tax, that, of course, they didn’t campaign on. I guess that in that case they didn’t say anything – they hid it from Albertans – and then, of course, did a different thing, which was introduce a carbon tax, the largest tax increase in Alberta history. This government has a long history of saying one thing and doing another. It would be interesting to go back and list all the different things that this government, the members of the NDP Party and the NDP MLAs, railed against before they were elected, railed against previously. All of a sudden, once they’re in government, they just walk into it and say: this is great; we’re just going to carry on. There’s a long history there of saying one thing and doing another, and this is just another example of that.

Madam Speaker, I don’t understand why we’re going into such extended debate on this. This is very simple. The government should just say, “Yes, we’re going to help pass this amendment,” and away we go. Simple. They can pass the bill if they want. They already passed this thing in committee. They’ve done all that work already. They’ve got the majority. They’ve got control of this. All they have to do is come onside and say: yes, we want to have a little more transparency and clarity. But if they don’t jump onto something like this, obviously transparency and clarity are not the primary goal of this government and obviously not a primary goal of Bill 32, An Act to Strengthen and Protect Democracy in Alberta.

Madam Speaker, as we go along here, I hope that the government will listen and take our advice and bring this forward to Albertans so that Albertans can look at it. That’s who judges this. That’s who judges the work that we do in this House, Albertans. I think that if the government was to sit back and look at the polls, they would probably realize that Albertans aren’t behind them. The vast majority of Albertans aren’t behind them. Obviously, I know they’re going to try to do as much as they can to change that around before the next election, but they’ve got a long hill to climb. This would be one of those first steps on that hill that they could climb to bring transparency and clarity and maybe try to gain back some of the trust that Albertans have lost in this government. It’s pretty clear what’s going on.

The Acting Speaker: Thank you, hon. member.

Are there any members wishing to speak under 29(2)(a)? The hon. Member for Bonnyville-Cold Lake.

Mr. Cyr: Thank you, Madam Speaker. You know, when we start to talk about clarity and being able to understand what our public servants are making, I truly believe that this amendment is a good, wholesome amendment that's going forward. I would like to hear more about how you feel that this amendment will bring clarity and more accountability to government when it comes to public salaries.

The Acting Speaker: The hon. Member for Grande Prairie-Smoky.

Mr. Loewen: Thank you very much. Yes. Obviously, this whole process was brought about to strengthen and protect democracy in Alberta, and a part of democracy is informing the public of what the government is doing. In a democracy, if the people of Alberta don't know what the government is doing, then how can they decide whether they choose to support something or not? That's our job here, I believe. We're here to protect democracy. We're here to strengthen democracy. We're here to bring transparency and clarity.

I always say that if you want to make an informed decision about something, you need information. What's lacking here is this information. We've asked for this information to be brought forward so that the people of Alberta can see it, a very simple request. It's something that's going to happen eventually anyways. We're just going to speed up the process so that as we go into this new position, the people of Alberta have the information they need to decide if this is right or not. If they know how much this person is getting paid, if they know what this person's job description is, which is very much like, in fact almost identical to the Chief Electoral Officer's, then Albertans may decide the same thing, that they don't like this, and they'll have an opportunity to tell this government they don't like it. Unfortunately, what's going to happen is that if this is hidden, Albertans won't have the information to make an informed decision on this. I don't think that's right. I don't think that's what we're here for. I think we're here to bring the information forward.

In fact, that's what our goal is in opposition, to analyze what the government is doing, bring it forward to the people of Alberta, and then let them decide if the government is on the right track or the wrong track. Obviously, with the way the polls are right now, I think that the majority of Albertans feel that the government is on the wrong track, and that's very clear.

Like I say, this is a simple opportunity for the government to be transparent and clear as far as what is happening with this hiring, how much he's getting paid, what his job description is, and how it differentiates from the job of the Chief Electoral Officer. Once Albertans have all this information, they can decide what's right or wrong, and then the government can decide whether they want to follow what Albertans are saying about this. Other than that, the people are kept in the dark. You know, we're talking about dark money, taking the dark money out. Well, like, bring some sunshine to this money, then. Simple.

We can bring this forward – we can give the information to Albertans – so that Albertans can make a decision on what they think about this process, the portion of Bill 32 that brought in the Election Commissioner position, created this new job, ran through an expensive job listing process through the Christmas holidays, which didn't make any sense at all. You know, it appears that this government had a candidate in mind and that they were going to ram this through no matter what, and they're not going to tell any more information on this if possible. Like I say, this is a fellow that

sued the government, that sued the people of Alberta. That alone should have set off warning bells to the members of government that voted to have this person in place.

9:20

If transparency and clarity are the goal here, we need to have the full information, the full information that Albertans can have to make an informed decision. This is something that we can take care of here. Again, we seem to be going on to a bunch of different things. We can see that this position is redundant. We can see, written right here, what the job description of the Chief Electoral Officer is, and we can see what the job of the Election Commissioner position is. They're the same. There's no difference.

It isn't like we've been sitting here for years without anybody investigating any complaints or dealing with any of the issues around elections and election financing. We've had that job being done, so this isn't anything new.

The Acting Speaker: Thank you, hon. member.

Are there any other members wishing to speak to the amendment? The hon. Member for Calgary-Greenway.

Mr. Gill: Thank you, Madam Speaker. It's my honour to rise and speak to the amendment brought by our colleague. I think it's an important amendment, especially when it's bringing transparency, taking the dark money out of politics. I think it sheds light on all those things that government always wanted to say and that they claim they do.

On the Alberta NDP's own website – I was actually searching right now – it says, "Moving Alberta Forward." Let me read it for you. I think it's very interesting, Madam Speaker. "The Alberta NDP is fighting to protect the things that matter to you and your family."

Mrs. Littlewood: Agreed.

Mr. Gill: Agreed. Thank you very much for heckling. If you agree, why would you not agree with my colleague and support his amendment? If you agree, then why would you not agree with transparency? Why would you not agree on this amendment? It's easier to put your head down and heckle.

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

Mr. Gill: Thank you, Madam Speaker. Sorry. I just had to answer that.

"The Alberta NDP is fighting to protect the things that matter to you and your family," but they will not protect this amendment. They will not protect, you know, having this individual's name added to the sunshine list before the next election.

I mean, the whole idea of Bill 32 is to take dark money out of politics. We have colleagues on this side of the House who spoke at length about the Chief Electoral Officer – Madam Speaker, I was on the search committee – on the public record, in front of the NDP members, and said that his office is totally capable of doing all the job description under Bill 32. So this position is redundant. If this government wants to take the dark money out of politics, let's support this amendment.

Every time we talk about salaries, the Finance minister and the front bench always brag about how they have changed the ABCs and, you know, brought more light to the sunshine list. You know, if that's the case, why can't we do it with this Election Commissioner? This government always claimed that they're making life better for Albertans and families, but, Madam Speaker, this office is going to cost \$1.5 million, maybe more, annually. We

never needed to create this office to begin with because, as the Chief Electoral Officer already said on the public record, his office was totally capable of handling every complaint and doing all the jobs.

It just bothers me. Like, why would we not support this simple amendment and make the salary available for Albertans, the very people we're trying to serve? Madam Speaker, we were all sworn in to do our jobs and to do our jobs to the best of our abilities on behalf of Albertans. By not supporting this simple amendment, what are we trying to hide from Albertans? Over 4 million people are looking to this House to do the best we can for them, yet the government wants to hide this information from Albertans. It just bothers me.

Like, I don't understand why we have hypocrisy here. At the same time, we're not surprised on this side of the House. We saw it with Bill 6. We saw it with the changes in the carbon tax. We saw it with the Finance minister. According to the 2015 election we would have been in surplus; yet we're on track to close to a \$200 billion deficit. We have seen this government misleading Albertans every step of the way where they can. So this doesn't come as a surprise to us. But at the same time, when the whole idea was that this bill was going to take the dark money out of politics, why are we not being transparent with Albertans? What are we trying to hide? What is this government trying to do? Is this some sort of, like, hidden agenda? I don't know. That's what we're trying to figure out. Why would this NDP government not support this simple amendment?

The Government House Leader spoke a little bit yesterday. Maybe he will stand up and give a rationale today, Madam Speaker, on why they will not support this simple amendment. We cannot get our heads wrapped around this simple amendment. This is, like, taking dark money out of politics? This is supposed to be this government's brainchild. So let's take dark money out of politics. Let's be transparent with Albertans. Let's show them where their tax dollars are going. I don't understand why we're not supporting this amendment. We've seen the redundancy of this office. We've seen the stigma that this candidate had. But that's not the point right now. The bill is there. The office has been established. The person has been hired. That's okay. I think we're well beyond that point, but now let's be transparent in that regard.

So I ask all the members of this Assembly – and I hope you're true to your constituents and not to your party ideology – to be honest with Albertans. Let's represent those who sent us here and support this amendment. Let's be transparent to Albertans, the taxpayers, who are paying every single one of our salaries here.

Thank you, Madam Speaker.

The Acting Speaker: Thank you, hon. member.

Are there any members wishing to speak under 29(2)(a)? The hon. Member for Edmonton-Centre.

Mr. Shepherd: Thank you, Madam Speaker. I appreciate the opportunity to respond to some of the questions and concerns that were brought forward by the Member for Calgary-Greenway, of course echoing some of the previous language and concerns that have been brought forward by other members of the opposition regarding this particular amendment.

Again, Madam Speaker, to be clear, we are not in this case as a government, on the government side, asking for any exception to the rules here. We are not asking for anything to be hidden. We are not asking for Mr. Gibson to be treated any differently than any previous individual who has been hired into the role of a legislative officer. Indeed, in this House on June 1, 2017, we introduced the motion to appoint Ms Marianne Ryan as the Ombudsman for the province of Alberta. No member of the opposition rose at that time

to introduce an amendment suggesting that Ms Ryan's salary needed to be revealed before June of this year though she was appointed and has been serving admirably in her role since her appointment last year and her swearing-in last July, which I had the honour of attending.

Likewise, on March 13, 2018, not that long ago – it should be within recent memory for all members of this House – we rose in this House and introduced the motion to bring Mr. Doug Wylie in as the new Auditor General. Mr. Wylie was sworn in this past Monday. No member of the opposition at that time rose to insist that there should be an amendment to ensure that Mr. Wylie's salary be made known to the people of Alberta before its due time as laid out under legislation in June of next year.

9:30

So when I hear members of the opposition, Madam Speaker, standing and claiming that there is no intent to target or to single out an individual, I have to ask, then, and perhaps I could ask this member: why is Mr. Gibson different from Ms Ryan or Mr. Wylie or any other officer of the Legislature that has been appointed through the due process in this place and has then been afforded, frankly, the protection of the law, which exists for specific purposes that were fully debated in this House before being enacted as legislation and which I do not recall hearing a member of the opposition speak against at that time?

Now, Madam Speaker, again we heard from the Member for Calgary-Greenway that he dislikes the fact that this position was created. He dislikes the fact that members of the government voted for this particular individual. This has been mentioned repeatedly by this member and other members opposite. My question then is: why does that continue to be brought up if that is not their reason for bringing forward this amendment? And if that is their reason for bringing forward this amendment, does that then not amount to targeting and singling out this specific individual for the reasons which they themselves have repeatedly outlined in this House?

Thank you, Madam Speaker.

The Acting Speaker: Thank you, hon. member.

There's still time under 29(2)(a). The hon. Member for Calgary-Greenway.

Mr. Gill: Yes. Thank you, Madam Speaker. I appreciate the questions from the Member for Edmonton-Centre. You know, he did actually bring up a lot of good points about why this search committee is being treated, quote, unquote, differently – I'm paraphrasing – than the other two search committees that we all served on together. Very valid and very good point. You know why, Madam Speaker? Because the two search committees that we served on together, the search for the Ombudsman and the AG, the committee worked on an almost unanimous vote. We did not have a split. But in this particular case we had a division and split from the beginning. We had Glen Resler, the Chief Electoral Officer, who came on the public record in our committee and – let me repeat myself again – said that his office is totally capable of . . .

The Acting Speaker: Thank you, hon. member.

Are there any other members wishing to speak to the amendment? The hon. Member for Bonnyville-Cold Lake.

Mr. Cyr: Thank you, Madam Speaker. I have to say that this is a good amendment. When we start looking at ensuring that transparency and accountability are first and foremost in the Alberta government, I believe that this a good measure of saying: let's find out exactly where our independent offices sit. I don't think it's unreasonable that when we create a new office, there's transparency

in that process. Now, we have government members saying that we are targeting. Well, absolutely we need to acknowledge that this is a new office. We need to be making sure that when it is set up, it is completely transparent for Albertans to see that it is functioning at what we would expect.

Now, I do have to say that I reference the NDP platform more than I should, but it is good to see where they were sitting on the 2015 election. Inside of that platform there's a quote from the *Calgary Sun* editorial board, March 31, 2015.

This good dog/bad dog treatment of Alberta voters by the PCs is transparent, predictable and insulting. But then again, for a party that feels democracy belongs to politicians and is lent out to voters when it suits them, this should come as no surprise.

This is in the platform. This is a quote. It's got a nice picture of the Legislature. What we've got here is a government moving forward with a brand new office, trying to bring more accountability to the election process. This is a good dog/bad dog process. They are trying to go out there and say: we want to be more accountable. Well, the opposition wants the same thing. We want to make sure that Albertans have fair, accountable, transparent elections. There is no doubt in that, but we may differ on how to get there.

At this point we've had some contention when it comes to the search committee. For those that don't understand how these search committees work, I had the honour of sitting on the search committee for the Auditor General along with the member that had spoken previously. What happened was that we put out the advertisement saying that this is what we are looking for in an individual. Then we take those resumé or people that are interested in these positions. We take that. We compile that into a list. We have an independent group, normally somebody outside of the process, more or less rate these individuals. Then what happens is that we as a group sit down and discuss who it is that we feel best fits this.

Now, that doesn't mean that we always agree. That's not what I'm getting at. But when we rush the process as it appears that we have done with this search committee, that is problematic. What happens here is that we end up with potentially somebody that doesn't fit what Alberta needs. I'm sure this individual is very qualified, but could there have been somebody better? I have to say that my time on the Auditor General search committee was very productive, and I'm very thankful on how that went with the government. We worked hand in hand. I truly believe that they were trying to find the right person as our next Auditor General. We worked as a group. Does that mean we agreed in that committee on every single point? No. But we worked through those through compromise. That is a functioning, well-organized machine that I believe worked well. We ended up with an Auditor General who I truly believe is going to work well for the next eight years.

Getting back to the amendment, what we've got here is an individual that we have put forward a request for a salary of this individual. Now, I for one would like to know where they sit. From what I understand, what we've got here is an announcement date of June 2019. That seems to coincide with our fixed election date. What is it that the NDP or this government is hiding? Why is it that they need to have that announcement after the election? What is it that we cannot disclose to the public on a brand new office? That's the key here. This office did not exist until now. This is the difference. This is not targeting that individual. This is saying: let's make sure that this office is performing the way we hope; let's make sure the costs are in line; let's make sure that we end up with what intention the government had to move forward with.

Good dog/bad dog, going back to this article. What we've got here is a government that's bringing forward transparency

legislation to try to bring in accountability to the electoral process, but when it comes to transparency to the actual wages of this new commissioner, what we're seeing now is a lack of transparency. I believe that what we need to do is we need to make sure that Albertans know. This is important because in the end without transparency, especially within the electoral system, we have problems.

9:40

Now, I would like to mention that the opposition is given the opportunity if they disagree with the findings of the committee to do a minority report. We've been through three search committees – and they can correct me if I'm wrong – but the other two search committees that were done, neither of them had minority reports. This is an important fact. This is something we need to understand.

In the minority report what we've got here is – and I'd like to state this for the record:

It became evident at our first meeting at the end of December that the government MLAs were determined to proceed in a reckless fashion by forcing the Legislative Assembly Office to compose a job posting and position profile for a brand new position in less than 48 hours.

That's shameful. It appears that we're rushing the process on an incredibly important position. I encourage everybody to get out and read the minority report because this is important.

It is important to show that we have not followed the appropriate procedure in order to hire this individual. It could be that had we not rushed this, this individual could have been completely endorsed by all parties in that committee. But what happens here is that we ended up deciding that it appears that there was one individual in mind. What we've got here is an individual who has had legal proceedings against the government of Alberta. We have an individual that clearly has experience with the Alberta electoral process. We have to balance. What is it that he's bringing to this office? We've got some concerns, but we also have clear ability to show that he has the capabilities to fulfill this role. When we've got these individuals before us, we need to make sure that we take the appropriate time and not rush through this.

Moving on, what I've got here in the minority report is:

We have long been disappointed in how members of the government caucus chose to conduct themselves throughout the entire search process.

This is in the minority report, again.

Now, I didn't find that with the search committee that I was on, and you're going to find that many of the members that were on the Auditor General search committee and this search committee are very similar. So what's changed? This is a good question. One was a very functional committee that worked well, in my opinion. A second committee with many of the same members suddenly falls apart and we end up with minority reports. That seems really strange to me.

For a government that is claiming that they are completely transparent on this, I don't see that that is a fact, in my opinion. Let's disclose what this individual is being paid. Let's discuss whether that is appropriate to the position. Let's also remember that our Ethics Commissioner, who I have incredible respect for, does not have a full-time position.

We have to make the decision on: is this a full-time job, even? We have to discuss: is it appropriate that we have an individual that is being paid a wage at a potentially higher number than the advertised range here? I've got the job posting in front of me. The salary for the position is \$152,818 to \$212,801. We don't know if that individual is even within the range. This is where it's making sure that we have clarity on where they are sitting in this process. If we are giving them an entire full-time wage and they only have a

quarter-time job, that is problematic. In the end, we are all responsible to the taxpayer for ensuring that they get the best value for the money that they are paying into the Alberta government, especially when we are running almost a \$9 billion deficit.

It is important that, again, we go back to the fact that when it comes to salaries, in this case a brand new office, an office that is newly created, that position gets added immediately to the sunshine list because we have no idea where they're starting at. We have no idea where this office is going. We have no idea what the typical year for this office is. It appears that we're going towards an election year. So what happens here? Will we be creating an office that duplicates an already existing office, Elections Alberta? Will we continue to see that these two commissioners are struggling to find out whose territory they're in? Who makes that decision?

When we've got a commissioner from Elections Alberta showing concern with the fact that we're moving in this direction, that is problematic. The question here is: are we going to be taking functions that are already done by Elections Alberta and duplicating those same things within this new office? I don't believe it's unreasonable to ask that question because in the end if this is just a make-work project, I don't believe that is what Albertans are looking for. What we are looking for is accountability, transparency, and a well-run government. It is hard for us to be able to go forward with this and not understand what this individual, whoever is taking this job, is going to be paid.

So I am going to encourage the government. Why are we not putting this immediately on the sunshine list? This needs to be something that we consider. This is not something that is partisan because I truly believe that we have seen two successful committees before all agree on process. Yet when we get to this one here, it appears that the process doesn't seem to be meeting what the opposition was hoping for. I really will challenge the government here. When we start to go off the rails with process, it appears that we are no longer trying to get all-party discussion on these things. That's where these comments start coming in as it appears that the government is starting to ram things through.

Thank you.

The Acting Speaker: Thank you, hon. member.

Are there any members wishing to speak under 29(2)(a)? The hon. Member for Edmonton-Centre.

Mr. Shepherd: Thank you, Madam Speaker. I appreciate the thoughts of the member that just spoke, and indeed I appreciated his participation in the process to find a new Auditor General. It was a pleasure to have him on the committee, and he made some excellent contributions. I think it is, in fact, a fantastic experience for any member of the Assembly that has the opportunity to be part of that process, to see how that works. Indeed, it's an honour to have that opportunity.

I did want to though address a couple of things that the member did bring up. He spoke about the fact that the Election Commissioner is not working full-time hours, and that, Madam Speaker, is true. She actually currently is working full-time hours, but that's on a temporary basis while she is currently setting up the new lobbyists registry and then will be returning to a portion of the full-time hours that she was earning earlier.

9:50

But I did want to clarify, in case there was any confusion with the comments that he was making, that no officer of the Legislature is ever paid a full-time salary for doing less than full-time work. If an officer of the Legislature is not working full-time – for example, say that they are at .7 or .8 – while they are given a particular salary

within their range, they would then earn .7 or .8 of that salary amount. So the Election Commissioner being hired at a full-time position, which is currently what was the will of the committee, therefore will earn the full amount of his salary. If his hours were to be reduced, the amount of the salary that was set would also be reduced according to the appropriate percentage. So I thought it was important to clarify that element for the record.

Now, I would also note that the member talked about the committee process being off the rails. Several times during the debate on this amendment, Madam Speaker, members opposite have pointed out that, well, the law may say one thing, but in this House we make the rules and we decide the regulations. Well, accordingly, in all fairness, that is also true of the committee. A majority of members of the committee determine what the process is and how quickly that process will happen.

So if it is appropriate for us to stand up in this House and say that, for the reasons that have been put forward by members opposite, it is a good reason to change the procedures that have happened for every other officer of this Legislature. Then equally so, Madam Speaker, if a majority of members of the committee wish to move in a different direction than they have in previous search committees for said officers, well, I suppose the same applies. As chair I act at the will of the committee, so if it's okay for a majority of members in this House to say that this officer of the Legislature should have his salary revealed before the due time set out in the legislation, then I suppose it was equally fair for a majority of members of that committee to decide that they wanted to move faster at some points than perhaps they had in previous search committees.

I can recognize again the concerns that were brought forward with that, and of course I am continuing with comments and questions as allowed under 29(2)(a), despite any complaints or concerns from across the aisle. I would just ask the member who had spoken if he feels, then, that if a majority of members in this House should have the ability to change the rules in this case, for reasons that they've put forward, whether or not one considers those reasons to be good, a majority of members of the search committee do not also have that same right regardless of anyone's opinion of whether that decision was appropriate or not.

Thank you.

The Acting Speaker: Are there any other members wishing to speak under 29(2)(a)? The hon. Member for Bonnyville-Cold Lake.

Mr. Cyr: Thank you. I've got something like 30 seconds left. I have to say that whenever you've got a search committee, it comes down to compromise. It comes down to making sure that you have the appropriate time to be able to make those decisions. And you know what? Government does have the voting ability to be able to push through anything they want, but I don't believe I saw that with the Auditor General committee. I believe that we were able to have constructive conversations to be able to debate what was before us, and the people that were before us, they deserved that. Each and every one of them took the time to put... [The time limit for questions and comments expired]

Thank you.

The Acting Speaker: Thank you, hon. member.

Are there any other members wishing to speak? The hon. Member for Calgary-West.

Mr. Ellis: Thank you, Madam Speaker. I'll try and be brief, of course, but I sort of just want to express my support to my colleague from Barrhead-Morinville-Westlock. You know, of course, he has the amendment here, which I will just read: "and be it further

resolved that following the passage of this motion the Election Commissioner's salary be posted publicly on the website of the Standing Committee on Legislative Offices." I think that is a very reasonable amendment.

I certainly have listened to the arguments on both sides. I believe that transparency is something that is vital to the success of any organization. I believe that, especially when this particular individual is going to allegedly have a huge impact on the electoral process in what his job is supposed to entail. Certainly, of course, the people of Alberta, leading up to the election in 2019, I believe, need to know not only who this individual is but the transparency of what this individual is getting paid. I do not think that is anything that is unreasonable.

I think a few points have been brought up regarding the concern that this individual sued the people of Alberta. I think that is something that also is of significant concern. I'm sure, as has been indicated in this House, there were probably many qualified people. You know, that brings me to, I guess, a thought process which is: did this government possibly specifically want this individual to be in this position no matter what concerns may or may not have been brought up?

That brings me to something that, quite frankly, I was thinking of as I was listening to the debate going back and forth here. As many of you know, of course, I was with the police service, and part of my training was to be a trained observer and a professional witness when the time called. You know, I remember sitting over on that side, Madam Speaker, and I remember the colleagues that I used to work with, and I see a lot of similar faces. That has to do with something which is called confidence, I think. I think that might be the parliamentary term. Maybe overconfidence.

There are probably 60-plus unemployed individuals that I used to work with. I've listened here, and as I listen to my colleagues from Calgary-Greenway and Barrhead-Morinville-Westlock, I think back to the PCs. There were individuals that they wanted, too, that they wanted to force through as well, and they didn't care what the opposition had to say. The people of Alberta saw that. They saw through that. They recognized that, and now those individuals are no longer here. So I think the individuals on the government side really need to sit back internally and reflect as to what is going on here not only in this Legislature but what's going on here in Alberta.

We have an individual here. I think this is a very reasonable amendment. What is this individual getting paid? We can talk about what those previous – I mean, I'll just say this. I had an opportunity to work with the Member for Edmonton-Centre. You know what? I had a great time working with him. You know what? I thought he was very fair and reasonable. I thought that what we needed to accomplish, we got accomplished. But, again, it goes back to what I was saying before. Something from somewhere, somebody from higher up says: "No. We want this individual. We want that person. So I don't care what you have to do. We're going to force this person through whatever needs to happen." Again, this occurred under the PCs. Is this occurring here? I don't know, but it certainly brings to question what is going on here. Why do we not want to have the transparency to reveal what this person is making?

10:00

I think the other concern, Madam Speaker, has to do with what the Chief Electoral Officer was saying, which is: hey, I'm capable of doing this job. Well, then, why the duplication? Why? Like, you know, we sit here and listen to the Finance minister talk about him saving money, or he's trying to do this, and they did some stuff with the ABCs, yet they've just created a position which is duplicative of something that the Chief Electoral Officer already has the ability and capability of doing. Again it brings it into question, right? If the

people on the government side don't realize that the people of Alberta are watching this, then they're sorely mistaken because there are 60-plus unemployed PCs right now that are going, "Ah, the government is watching, and the people of Alberta are watching," right?

I seriously may suggest that the government may want to reconsider their position on this for the sake of transparency, you know, for the sake of public trust. What is the secrecy here? Why would we not be able to know what this individual is making? I think that any time you have secrecy, it brings into question public trust, and without public trust you're not going to have a government. I can tell you that right now from first-hand experience of the very short six months that I sat on that side. I think my friend from Cold Lake brought up a good point. June 2019, after the election: that's when this is going to be revealed. That again comes into question: why? Maybe it says that in the legislation, right? Again, this is a reasonable amendment that is being brought forward, to sit there and say: "Hey, why don't we just be transparent with the people of Alberta. We'll release the information on what this individual is making." I think that's fair. I think that is reasonable.

As I've indicated before, this person is going to be an integral part of the election process. It's not like this person will have a silent role to play in the upcoming year. From my understanding, this person is going to be involved in nomination processes, I believe – right? – as well as, you know, all processes that are eventually going to lead up to the 2019 election. So again we have some concerns, of course, in regard to that, right?

Look, I mean, this is really about being transparent with the people of Alberta, letting them know that the Chief Electoral Officer really had the ability to do this role as well. I'll be honest with you, Madam Speaker. I just really question: what is this position that is being created, especially when, again, the Chief Electoral Officer and the money that is being put into that department are capable of doing the exact same job?

I just want to say again that I certainly support my friend from Barrhead-Morinville-Westlock and his amendment that he's brought forward, and I certainly hope that everybody in this Chamber considers supporting this amendment as well.

Thank you very much for your time, Madam Speaker.

The Acting Speaker: Thank you, hon. member.

Are there any members wishing to speak under 29(2)(a)? The hon. Member for Chestermere-Rocky View.

Mrs. Aheer: Thank you, Madam Speaker, and thank you to the Member for Calgary-West. I wanted to just ask a question, and I'll give a little bit of background. The government has been mentioning – I don't know – that there are some personal concerns here, I mean, to use the language of the Member for Edmonton-Centre, that we've singled out this particular person or that it's targeted or that it puts a chill on the ability to have discussions with people who are coming forward. I just wanted to say that I believe that I speak on behalf of our caucus that no matter who had been chosen for this position, I can guarantee that we would be asking in this same situation.

Specifically, you cited some very important pieces of historical things that have happened and the importance that we have to make sure that we relay information to the people of Alberta. It's one of the reasons that we're all here, right? I was wondering if you wouldn't mind speaking a little bit more to that, about the importance of – this wasn't a "who" decision. This is a "what," being the position itself, because as everyone knows in this House, we were not in favour of Bill 32 in any aspect.

The second piece, being that we have a responsibility, based on what our other member said, with respect to: this is a completely new office, so whatever processes might be there – we're not trying to break with process. This isn't part of the process; this is a new office.

Thirdly, we have a responsibility because we're concerned about redundancy, because Mr. Resler has told us that he's more than capable of handling this. If you could please speak to that a little bit with respect to why it is that we want this amendment to go forward.

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

Mr. Ellis: Well, thank you. Certainly, thank you to the Member for Chestermere-Rocky View. You know, I mean, certainly, my friends who were on the committee are what I would say are the experts on this side as regards not only this particular amendment but, obviously, the process that went forward in regard to this. Look, again, it goes back to transparency. There have been, over the last, we'll call it – I'll talk about the history, okay? There is a reason why the Progressive Conservatives are no longer in government after a long, long period of time. There are many reasons. I'm sure we can cite various reasons. However, when we really start to look at it, prior to 2015 – I would almost suggest that it's probably the last eight to 10 years – we'll say that the overconfidence, the arrogance really started to take place. From my perspective – again, the trained observer, the professional witness – they weren't listening. They weren't listening to the people of Alberta. When you're not listening, you're losing.

Then we see that not only were they not listening to the people of Alberta, but you had this sense of secrecy and questions. You know, I remember talking to our beloved friend Mr. Bhullar, right? He would tell me something, and I'd be like: well, that's reasonable, but why did you guys not articulate it? That's what I am observing on this side, which is the lack of articulation and explanation to the people of Alberta if what you are saying is indeed reasonable. I'm sorry, but I'm watching some of the same consistencies that occurred in the last decade of the PC government, which sadly appear to be occurring here. This is, sadly, a prime example of that.

No, to me, it wouldn't have mattered who this individual was. First of all, I question why we have this entire new role. However, if that is the will that needed to be forced through, I would certainly be supporting, no matter who it is, how . . .

The Acting Speaker: Thank you, hon. member.

Are there any other members wishing to speak to the amendment? The hon. Member for Cypress-Medicine Hat.

Mr. Barnes: Madam Speaker, thank you. Thank you very much. I rise today and offer my support to my hon. colleague from Barrhead-Morinville-Westlock's notice of amendment to Government Motion 16. It was moved that Government Motion 16 be amended by adding the following after "May 15, 2018":

and be it further resolved that following the passage of this motion the Election Commissioner's salary be posted publicly on the website of the Standing Committee on Legislative Offices.

Excellent motion, excellent attempt to increase transparency for 4.11 million Albertans.

10:10

Before I delve into the reasons why I think this motion is essential and why I support it, I'd also like to have a bit of a shout-out to commend my four UCP colleagues that sat on this committee and took the time and the effort to put together their dissenting report. Of course, those are, again, the hon. Member for Barrhead-Morinville-Westlock, the hon. Member for Calgary-Greenway, the

hon. Member for Airdrie, and the hon. Member for Chestermere-Rocky View, that, again, took the time, the effort, the courage to put this out to all Albertans, to let them know where they thought the process could have been improved, where they thought that some missteps were made along the way in the overall essential, you know, direction.

But I want to come back, Madam Speaker: why more transparency? Why is it essential that we all – whether we're in government or family or business or friendships, why is more transparency essential? The top three things, to me, are: first of all, it builds trust; secondly, it increases engagement in education with others that are involved in a process with you; and of course it increases our ability to measure, to measure the effectiveness, to measure the efficiency, to see if this is taxpayer money well spent in this case.

Madam Speaker, first of all, I want to talk about building trust. Governments everywhere have seen what their fate is when they lose trust with their electorate, have seen what happens when they start to do things too fast, behind closed doors, without proper consultation, with pretend consultation, many of these things that we've especially heard of this government being guilty of, more in the last year than when they were first elected, but it's their direction, that they're taking.

I want to talk about the benefits of building trust for a second. Madam Speaker, I want to tell you a specific example. In Cypress-Medicine Hat, almost down in the southeast corner, is one of Alberta's most successful Hutterite colonies, the Elkwater Hutterite colony. I've had the opportunity to have a couple of tours of it, and it is absolutely amazing how excellent these family farms are, how productive they are, how good they are at raising cattle, raising crops, how good they are at being environmental stewards, and just the other things that they have done off their farming operations, from their own water to their own electricity to the continuous improvement that this colony exhibits. God rest his soul, but it was run by John, now by Dan and Reuben, who have capably – capably – carried it on.

I went out for breakfast about three years ago, and I had breakfast with the entire colony. I said to John: "What's the secret? How are you guys so darn good?" He said: "It's simple. Absolutely everybody in this room knows everything. Everyone in this room knows what our overall goals are, what things cost, what we've hedged. Everyone is entitled to have complete disclosure, complete transparency." Again, Madam Speaker, I'm so proud to know that Dan and Reuben have carried this on, and they are absolutely as successful in that business as a group of families can be.

I would say to the government: why not copy a winning formula? Why not reach out to 4.1 million Albertans? Obviously, the Official Opposition has highlighted some serious red flags with this committee, with this process, with timing. I'm going to touch on that. I guess, you know, it's come up that maybe it is a coincidence that the salary will be finally disclosed in June 2019, one to three months after the fixed election date. Why not just take that right out of people's minds and agree to this motion? We're going to know anyway. Let's build trust. Let's build trust, Madam Speaker, with 4.1 million Albertans.

Again, I know that I've heard that in the last year especially this government is stumbling even more with their consultation, with their desire to do that, but for the good of Alberta let's start somewhere. Let's build some trust, and let's put this number out, put it out as many, many other Albertans are on our sunshine list. Of course, my colleagues have talked at great length about the benefits of more direct transparency and sunshine.

Madam Speaker, in addition to building trust, the second main benefit I can think of is how it increases engagement and education.

Unfortunately, in the greatest province in Canada, in the greatest jurisdiction and place to live in the whole world, we have some challenges. I was talking to people the other day who need some help and need some training who can't get through to anybody in Edmonton. They're wondering if it's because of the six hours that Medicine Hat is away from Edmonton or if it's government policy or if it's big, inefficient government. These are the kinds of things that I have heard consistently for six years in my constituency office.

Madam Speaker, it's even worse. We've all FOIPed things on this side. Many Albertans have FOIPed things only to have 95 per cent of it come back blacked out. And the cost. The number of times that people have come to me with an item that if the information could have been made public, transparent, as the hon. colleague from Barrhead-Morinville-Westlock is trying to do here – if that information could have come forward, we could have really engaged and educated 4.1 million Albertans to make our programs stronger, to make it easier to help each other. An Albertan told me the other day about how they had to face a financial outlay of \$4,500 to get some FOIP information that our tax dollars were paying for anyway, that our tax dollars were generating anyway. The \$4,500 was a hardship, so they didn't do it. Maybe it's just as well because 95 per cent of it would have been redacted anyway. That's the world that 4.1 million Albertans are living in.

What this side is asking for is one little simple – what is it? – 13 or 14 months earlier presentation of a number that we're going to be paying. I'm sorry; the taxpayers of Alberta are going to be paying. We're just asking for a little transparency, a little earlier disclosure. Based on some of the controversies that my other colleagues have talked about, this increased engagement and education would go a long, long way to help Albertans feel that they're getting some value for their tax dollars.

The third reason that transparency is crucial is that it increases our ability to measure. As hon. colleagues from Bonnyville-Cold Lake and from Calgary have just stated, in these circumstances especially this is crucial. Madam Speaker, this is a brand new office, a brand new position. My goodness, when I first started to make myself more aware of this in the last few days, to become aware that our current Chief Electoral Officer indicated – I think he said that this position was redundant because he and his staff could do the work.

10:20

At a time that we're running an \$8.8 billion operating deficit, a \$16 billion capital deficit, at a time that we have gone in just three short years \$56 billion in debt, let's start to care and think about the poor taxpayer out there who's working hard for his family, his community, and the people of Alberta. Let's start to be able to measure if we're getting value for taking the money away from people and families, at least what we're doing with it. The only way to truly measure something is if we have the information. You can't manage something if you can't measure it, and you can't measure it if you don't have the information.

It is that simple, Madam Speaker. This government in just their third year is once again closing the door, shutting the door not on us but shutting the door on Albertans, the 4.1 million Albertans that we represent as the Official Opposition. Our job is to hold them accountable and to get this information out to those 4.1 million Albertans so that they can determine if this government is doing the right thing with our hard-earned tax dollars.

One of the maybe smaller things in the dissenting report, but it rings true with what I'm saying: my four colleagues talked about how the government committee members were in a hurry and right at Christmas rushed out the advertisements, requiring an LAO

employee to come into the office on their holidays to make certain deadlines despite the Official Opposition's strong advice that this would be a waste of time, but apparently this good employee, this good person, did it.

Then the majority on the committee, the NDP appointees, the NDP people on the committee – in January the committee was asked to spend an additional \$20,000 for a second run of print advertisements because not enough applicants had been received at that point. There's no such thing as just \$20,000, Madam Speaker. This is \$20,000 that could have helped an Albertan, could have been left with Alberta families and communities. Like here today, it's another example of this government not listening. It's another example of this government just in their third year deciding that they know best, deciding that in spite of the fact that the Chief Electoral Officer said that this position and this office were redundant. He could have done it with his people and saved more than \$20,000 and probably been way more effective. He's totally been an excellent government official, and he's totally right there with this stuff anyway.

No, no. This government charged ahead. I'm not sure of the reasons why. I hope it wasn't out of ideology. I hope it is for the right reasons, to make our systems better for Albertans. But, Madam Speaker, charge ahead, charge ahead. It has been adequately and eloquently explained by colleagues as to what the difference was with this hiring compared to earlier hirings where the committee agreed with the process, where the committee was, point number two, involved and engaged and were part of the process, where building the trust actually happened amongst all committee members, opposition and government.

Here we have a situation, Madam Speaker, where we've obviously gone off the track right from the start. At Christmastime there was obviously disagreement and discussion about the best way to do this, which wasn't listened to, costing time and \$20,000 of hard-earned money.

The Acting Speaker: Thank you, hon. member.

Under 29(2)(a) the hon. Member for Edmonton-Centre. Go ahead, please.

Mr. Shepherd: Thank you, Madam Speaker. I appreciated the thoughts from the Member for Cypress-Medicine Hat. As usual he shared many of his usual concerns, not in any way to suggest that any of them are not appropriate or not focused. Indeed, I hear the concerns of his constituents. I'm not sure all of them were necessarily relevant to the Election Commissioner, but that aside, one thing that the member did bring forward is that he expressed some concern that some might interpret the fact that the salary would be released along with all other salaries on the sunshine list, to be clear, in June of next year and that June of next year could in fact be just a few months after the next election. So there was concern. I'm sure the member was not making any accusations there, but he expressed concern that some may interpret that in a manner to suggest that that was the government's attempt to perhaps try to hide this particular salary until that time.

I guess my question to the member, then, Madam Speaker, would be: is the member suggesting that when, years ago, government brought forward legislation that set up the rules by which the sunshine list would operate and indeed set out the date under which salaries would be released, government was in fact considering and thinking about the fact that a couple of years hence it would be looking at creating a position of Election Commissioner, that the process would be ending at a particular time, that a particular individual would be selected, and that in fact we would then also need to time that with when the next election would be and therefore

set the revelation of all public salaries for the entire public service to coincidentally line up with that fact? That seems to me to be a bit of a conspiracy theory.

Now, of course, it's not dissimilar from the regular accusation that's lobbed and has indeed been brought up in the House today, so I think it's fair to comment on, that we somehow knew in 2015, when all polls were stating that it was going to be a rout for the provincial Conservatives, that we would somehow form a majority government and that in the process of navigating that election and taking on that new stress in planning and everything, we sat down and planned out exactly what we intended to do in terms of finding a climate leadership plan and therefore had a hidden plan to institute the carbon levy at a time when we were not even convinced, Madam Speaker, that we would be sitting on this side of the House.

Now, I can appreciate the use of a bit of hyperbole, Madam Speaker, to make a point. Indeed, there are arguments which members opposite can make if they wish in regard to why this salary should be revealed. But to that member I would ask if he is indeed positing such a conspiracy theory because, frankly, it strikes me as a bit ridiculous. Perhaps the member would prefer to stick with arguments that would stray a little more within the realm of credulity.

Thank you.

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

Mr. Barnes: Sure. I'd love to respond and talk about it. Yeah. I just want to come back again to my four colleagues and their openness, their willingness to put out immediately at every step of the way the problems that they were having with the direction of the committee. The first sentence, Madam Speaker, in their dissenting report:

We have long been disappointed in how members of the government caucus chose to conduct themselves throughout the entire search process.

We have long been disappointed in how members of government caucus chose to conduct themselves throughout the entire search process.

It became evident at our first meeting at the end of December that government MLAs were determined to proceed in a reckless fashion by forcing the Legislative Assembly Office to compose a job posting and position profile for a brand new position in less than 48 hours.

We're going to set up an office that costs a million dollars, we're going to hire a person for between \$152,000 and \$212,000, and we're going to set the parameters for this in less than 48 hours? Well, it's no wonder that not a month later \$20,000 further had to be invested in the process, \$20,000 that perhaps . . . [The time limit for questions and comments expired]

Thank you.

10:30

The Acting Speaker: Thank you, hon. member.

Are there any other members wishing to speak to the amendment? The hon. Member for Lacombe-Ponoka.

Mr. Orr: Thank you, Madam Speaker. I rise to speak to the current amendment before us with regard to Government Motion 16. The motion is with regard to the appointment of the Election Commissioner, which is a brand new office, a brand new position, and the amendment that we're proposing is simply that the salary for this new position would be posted publicly, a very simple little request.

In order to speak to this, Madam Speaker, I would like to actually refer back a couple of times here to the election platform of the NDP caucus and the letter that prefaced the whole thing by the person

who is now our Premier. It says, "We can clean up the Legislature in Edmonton to have honest and open government that isn't all about gaming our democracy." I think that the reality here is that we need to take a careful look at the motion that's before us and consider the amendment because I'm about to show that there are so many ways that this is a concern and should be a concern for the people of Alberta. It just really does smack of gaming our democracy in too many different ways.

First of all, I'd like to suggest that my first concern is that we have here an appointment without full support of the all-party committee. There was an all-party committee that met on this. There was not full agreement on that. In fact, there was actually a minority report that was provided. If the government was really concerned about making sure that they were respecting all committee reports, the government would look at the fact that there was not a unanimous presentation from that committee, that in fact there was strong enough concern about it that an actual minority report was presented.

I find that interesting because the NDP campaign platform talks about cleaning up the Legislature, and then a little bit farther down on page 8 I read that "we will respect the independence of all-party committees." There is an opportunity here for the government to fulfill their election platform that they "will respect the independence of all-party committees" rather than just taking the partisan side of those who tried to push it through. So we have the government here actually pushing this through when there was significant dissent expressed from the very beginning of the report and tabled in writing. I think that that's one of the concerns about this and why I'm going to suggest that it, in fact, is a bit about gaming the system. That's what's happening here.

Secondly, this is also a new office that's been created entirely in duplication of an existing office. I mean, the Chief Electoral Officer has been very clear publicly on the record that his office is already handling this responsibility. They're already doing it. They have the capability of doing it. It won't cost anything more substantially. So you have to ask: why are we creating an entirely new office to do something that's already being fully covered and adequately covered by government? I'm going to suggest that it's partly about gaming our democracy for political gain.

There is excessive cost, then, as well with regard to this whole thing. We have a government that has not been able to exercise spending discipline. They promised us in their campaign that by now we'd actually be in a surplus position. Instead, we're delivered another multibillion-dollar deficit, and then we have expending going on here that is kept in secret, that's not open to the public, that's not being reported, that is just literally cloaked in darkness because they don't want to reveal it until just after the next election. If that's not gaming our democracy, I don't know what is.

Why does this need to be kept secret? Why does it need to be hidden from the people of Alberta? I think Albertans have a reasonable request there that they should be able to know, particularly from a government with an inability to manage their spending: what is the secret cost of this one going to cost Albertans as taxpayers? It's certainly not open. It's entirely about gaming the system in ways that I think are inappropriate.

Then if you go down to page 8 again of the NDP campaign platform, section 2.4, they talk about the fact that "we will ensure the Chief Electoral Officer can effectively investigate breaches of the Act." Well, now, that's a great statement to make, and I have no problem with that except that I wonder why there's a problem. There haven't been issues with the Chief Electoral Officer not being able to investigate breaches of the act. In a way this is a bit of a straw man problem that they've put up so that they can solve it. If the issue is with the Chief Electoral Officer not being able to do his

job, well, then, why not empower him? Why not give him the extra resources? Why do we need to create a whole new office with a whole new position that has raised a lot of questions, that has created a lot of concerns? Why not just allow the Chief Electoral Officer to effectively investigate and do what he's been doing? As I said, it's an imagined problem in which they want to appear to fix something in their campaign platform so that they hope they'll get elected again. This is a feel-good thing that is all about a pre-election movement, and the costs of it are not going to be revealed until after the election. It really does appear to be gaming the system.

[Mr. Sucha in the chair]

Then there's the issue of the fact that also in their election campaign platform, section 2.5, they claim they "will extend the sunshine list," but in this case they're not going to extend it. They're not going to make it public. They are going to keep it hidden. There are so many problems with this particular motion, and some of those, a lot of those, would be resolved by embracing the amendment that's on the table before us today. It would go a long way to establishing trust in the minds of Albertans and in the minds of the public. I think that if the NDP are concerned to try and win the next election by being open and transparent, as they claim they want to be, that would go a lot farther than ramming these kinds of things through in ways that are inappropriate.

We all know the last government went astray. It took them 44 years to go astray. It appears this government is going astray in the same way in less than three years. It's gaming the system for the next election in a very apparent kind of way. For a party that has wrapped itself in the cloak of honest and open government, transparency, cleaning up the Legislature, respecting all-party committees, this is really disappointing. It's really breaking the trust of Albertans. To be entrenched in this position when you have the opportunity to embrace an amendment that would really, really clear up a lot of the doubt and the suspicion and the questions – I find it extremely difficult to try and understand why they would continually resist this kind of a motion, that would actually create trust and open up transparency and honesty and openness.

I'm not going to rub salt in the wound. Albertans already feel that sting. I just want to say that this is a motion that would go a long way to support Albertans, to make things better for Albertans, to help them understand what the government is doing, and to create credibility and trust.

Thank you.

The Acting Speaker: Any questions or comments under 29(2)(a)? The hon. Member for Airdrie.

Mrs. Pitt: Thank you, Mr. Speaker. Thank you to my hon. colleague for the comments that he made. You know, we've had a lot of talk around transparency during this debate and the United Conservative Party's lack of understanding in regard to why the government is opposed to being transparent. There are so many questions to be raised from the government's opposition to such a simple amendment and providing that transparency.

What has changed in particular for this independent office of the Legislature is that it's new. This is something that's new to this province. This office hasn't existed before, and I think people would be very interested to have the full picture of what this office is intended to do. In addition to that, this is an officer that is very closely tied with elections in this province, obviously, and it would be in the public's best interest, which is what we are here to do and here to serve, to have that kind of information released prior to the next election.

10:40

I don't understand why the government is opposing such a very clear and easy way to transparency. It's not that hard. It's really not that hard. I think Albertans are going to be very disappointed to know that this government is not interested in transparency at all. It begs the question: what is this government hiding? What is this NDP government trying to hide by refusing to support an amendment that shows that they can be transparent? What is so difficult about that? Are they stacking the deck? Is that what's happening? Is this another piece that might make you believe that this government is taking steps to move things in their favour? Maybe. They could help disprove that theory here today by passing this amendment.

I wonder if my hon. colleague from Lacombe-Ponoka has any additional thoughts as to maybe why this government is choosing not to be transparent and what he thinks about this government stacking the deck.

The Acting Speaker: The Member for Lacombe-Ponoka.

Mr. Orr: Thank you, Mr. Speaker. Yeah, you know, it really is baffling, quite frankly, and it really does smack of gaming the system here. We have a problem that isn't really a problem that all of a sudden needs a solution, but we're not willing to be public and transparent about the costs of that solution, that there was not all-party committee support for. These are all things that the current government has championed themselves to be protectors of, and suddenly now they aren't. It really is an issue of public trust. What is hidden here? What is not being told to the people of Alberta until after the next election? Trust is the essential element of government integrity, of government respect, and of the trust of the people for a government. Without trust the people will not follow.

I learned a long time ago in leadership that you can't lead by driving people – you can't herd cats – but you have to inspire and lead and win integrity, win trust, and invite people to follow you. But they're not going to follow you into the dark. They're not going to follow you when there are all kinds of murky questions about this whole process and why it's pushed forward. What's the urgency of it? What's the disagreement over it? Why can't simple matters of it be made public?

These are questions that raise a lot of doubt in people's minds, and I just really do believe that government needs to do better than that. This government could, should do better than that, and it's puzzling why they won't in this particular case. As I said earlier, I mean, all governments defeat themselves, unfortunately. That's the way it is. That's where I see a government motion like this going, with all these issues associated with and tied to it and all the problems that are surrounding it.

Thank you, Mr. Speaker.

The Acting Speaker: Any other members wishing to speak under 29(2)(a)?

Seeing and hearing none, any other members wishing to speak to amendment A1?

[The voice vote indicated that the motion on amendment A1 lost]

[Several members rose calling for a division. The division bell was rung at 10:44 a.m.]

[Fifteen minutes having elapsed, the Assembly divided]

[Ms Sweet in the chair]

For the motion:

Aheer

Ellis

Pitt

Barnes	Gill	Schneider
Cyr	Orr	van Dijken

11:00

Against the motion:

Carson	Hinkley	Phillips
Connolly	Horne	Piquette
Coolahan	Jansen	Renaud
Cortes-Vargas	Kazim	Rosendahl
Dach	Kleinstauber	Schmidt
Dang	Littlewood	Schreiner
Drever	Mason	Shepherd
Feehan	McLean	Sigurdson
Fitzpatrick	Miller	Sucha
Ganley	Miranda	Turner
Goehring	Nielsen	Westhead
Gray	Payne	

Totals:	For – 9	Against – 35
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[Motion on amendment A1 lost]

The Acting Speaker: We are now on the original motion. Are there any members wishing to speak to the motion? The hon. Member for Chestermere-Rocky View.

Mr. Mason: No, Madam Speaker, I am standing.

The Acting Speaker: Oh, the hon. Member for . . .

Mr. Mason: Please, I would move that we adjourn debate.

The Acting Speaker: Hon. Government House Leader, what would you like to do?

Mr. Mason: I move that we adjourn debate.

The Acting Speaker: Having heard the motion by the hon. Government House Leader to adjourn debate, all those in favour, please say aye. Opposed?

Mrs. Pitt: Point of order.

The Acting Speaker: The hon. Member for Airdrie.

Mrs. Pitt: Sorry, Madam Speaker . . .

The Acting Speaker: Oh. We have to finish the vote.

[Motion to adjourn debate carried]

The Acting Speaker: Now there is a point of order. The hon. Member for Airdrie.

Point of Order Speaking Order

Mrs. Pitt: Thank you. Madam Speaker, a point of order. The Member for Chestermere-Rocky View was recognized before the hon. House leader, so I would ask that – I don't know what the procedure is now, but the Member for Chestermere-Rocky View was recognized before the hon. House leader.

The Acting Speaker: Anything else? No?

Mrs. Pitt: No.

The Acting Speaker: Hon. member, I did recognize the Government House Leader. The vote occurred; therefore, the debate is adjourned.

Government Bills and Orders

Second Reading

Bill 14

An Act to Empower Utility Consumers

The Acting Speaker: The hon. Minister of Service Alberta and Status of Women.

Ms McLean: Thank you, Madam Speaker. I am pleased to move second reading of Bill 14, An Act to Empower Utility Consumers.

The Utilities Consumer Advocate, UCA, was established in 2003 and since that time has established a proven track record in educating Albertans and helping them navigate natural gas and electricity issues. The UCA also acts as a mediator, provides practical solutions, and, if needed, refers utility consumers to other departments or agencies for additional assistance where appropriate. In the last year the UCA assisted over 24,000 Albertans over the phone seeking information or assistance related to their electricity or natural gas services while over 194,000 visited the UCA website. Over 5,200 of the total calls received involved the UCA providing trained mediation services to deal with consumer, service, billing, or disconnection issues arising between Albertans and their utility provider.

Madam Speaker, this legislation contains a few key enhancements for consumers that build on the great work of the UCA, that I would like to discuss. First, the legislation extends the Utilities Consumer Advocate's education and mediation mandate to include water in addition to electricity and natural gas utilities. As I mentioned, the UCA currently assists to resolve disputes between consumers and electricity and natural gas utility providers. However, the UCA does not have the mandate to become involved in water utility related matters at this time. We know that Alberta's water utility companies are well operated, well maintained, and very reliable. But sometimes consumers may occasionally find themselves in a dispute with their water utility company and need help, and it can be hard for a consumer to know the real cause or how to prove it when utilities are complex and the issues are so very technical.

Albertans have told us that this made them feel powerless, with nowhere to turn for help when a massive bill arrives, and their only options are to pay the bill or face disconnection. That's why I'm proud to say that this bill will empower Albertans by giving them a helping hand to resolve their billing issues. If passed, the bill would expand the mandate of the Alberta Utilities Consumer Advocate to create a one-stop shop for Albertans to resolve disputes with all their utility bills by increasing the UCA's role to include water, sewage, and drainage. Water customers would then be able to call the Utilities Consumer Advocate for help to resolve concerns regarding their water bills. This results in the consumer being put on more of an equal footing with the utility and reduces the stress of tackling these issues alone. In these cases, the UCA will act as a neutral third party, there to facilitate resolution between utilities and their consumers.

Madam Speaker, this bill will also strengthen the UCA in another important way. Building on the work by the Member for Wetaskiwin-Camrose – and I would like to thank him very much for his work in this area last session – these new provisions will authorize the UCA to provide important sources of information to Alberta's power and natural gas consumers. Right now, when a

consumer calls the UCA's contact centre and asks for help in choosing a power or natural gas provider, the UCA can tell them about the rates and packages that various companies offer in their area, both on the regulated side or the contract side. In addition, the UCA also has information readily available on its website regarding the number of times it has been contacted by a customer of a certain company. This information comes in the form of mediation reports listing the type of call or complaint received by the UCA, by company, for the last month. These reports are updated regularly and are available on the UCA website.

If this bill is approved, the UCA would be able to provide Albertans with richer and more detailed information on the state of compliance of a power or natural gas company. If this bill is approved, the UCA would be able to collect and aggregate compliance information from places such as the Alberta Utilities Commission and the Market Surveillance Administrator. As a result, the UCA will be able to provide greater details about the company's overall compliance record, including the number of complaints the company has faced, the number of investigations conducted, and any administrative orders or penalties that the company has incurred. Madam Speaker, consumers will benefit from this type of information being available because this information will be far more user friendly as the UCA will be able to summarize, aggregate, and present the otherwise technical details in a clear and straightforward fashion.

Finally, this improved accountability and increased transparency will create a strong incentive for providers of electricity and natural gas to improve their practices. In the end, it will be utility consumers that benefit from increased competitiveness in the market and allowing them to make more informed decisions when selecting a provider.

In closing, I would like to thank our stakeholders for their important input on this bill. We consulted with the Alberta Urban Municipalities Association, Rural Municipalities of Alberta, and various utility companies on this bill. They provided valuable insight into this bill. I'm confident this bill will empower utility consumers by giving them more support and information to make well-informed decisions.

I look forward to continued debate on Bill 14. Thank you, Madam Speaker.

The Acting Speaker: Thank you, hon. minister.

Are there any other members wishing to speak? The hon. Member for Bonnyville-Cold Lake.

Mr. Cyr: Thank you, Madam Speaker. I rise today to speak on Bill 14, An Act to Empower Utility Consumers. I must say that when this bill was brought forward by the Minister of Service Alberta, I had a mixed reaction. I had, first, a sense of relief because I know that the everyday Albertans like the ones I have the privilege of representing in Bonnyville-Cold Lake are facing economic challenges, and when their cost of living continues to rise, even paying basic utilities like heat, electricity, and water can be an obstacle. Albertans undoubtedly need relief, and I hope that in some small way this bill might be able to provide some for those who are struggling to get by and suddenly find themselves facing an exorbitant utility bill.

But, Madam Speaker, I must say that I was somewhat surprised to see this move by the NDP. After three years of sitting in this place across from the government benches, it's often seemed that the other side has had little concern surrounding the rising utility costs that Alberta families have been seeing in the last few years. In fact, it has been a more common occurrence to see the NDP put forward legislation explicitly driving up utility costs for Albertans. I am glad

to see that the NDP have finally taken and allowed for a short hiatus to bring this bill forward and listen to Albertans' concerns.

11:10

That said, I think it is important to stress just briefly the wider situation that Albertans face when it comes to utilities. Let's take a quick look at natural gas. In May of 2015, when the government was elected, residential gas rates in the province averaged around \$2.25 per gigajoule. Fast-forward this to the spring of 2018. The price Albertans can expect to pay for their natural gas is more than \$1 more per gigajoule. Now, of course, we Albertans understand the nature of the fluctuating commodity prices, but there is a problem here. The market price of residential natural gas has actually fallen, not increased. So far this year the market price has consistently averaged below \$2 per gigajoule.

"But what's the \$1 increase?" you might ask. That isn't the market price. It is the NDP price, the distorted price that Albertans are now forced to pay by this government. At the current carbon tax rate of \$1.50 per gigajoule, nearly half the cost of the residential natural gas price is a tax. That is shameful. An Alberta family that may face a \$100 bill for natural gas prior to the other fees and charges is actually paying \$45 in carbon tax. And the NDP aren't done yet. We already know that they have a plan to increase this cost by another 67 per cent. Plus – who knows? – given the chance along with their ally Justin Trudeau, that could easily be doubled or tripled in the future.

Now, Madam Speaker, I know that up in the ivory towers of the Prime Minister and the Premier \$45 a month does not seem like a whole lot of money. But for those struggling Albertans who are trying to get by, that is groceries for the dinner table. It is birthday gifts for their sons and daughters. To the ordinary Albertan it has a real – a truly real – impact. While we consider this bill, one that purports to empower utility consumers, let's keep in mind the challenges that consumers face every day, challenges that this government has made worse time and time again.

Moving on here, I want to dive into this bill a little bit more and explore the historical and future role of the Utilities Consumer Advocate. Members may know that the Utilities Consumer Advocate was originally created during the tenure of Premier Ralph Klein in order to provide residential and small-business consumers the opportunities for education, advocacy, and mediation in regard to their electricity and natural gas bills. This, of course, left out the third major household utility, which is water. This is a gap that this bill is attempting to address. The Utilities Consumer Advocate is engaged in mediation thousands of times a year, in the last fiscal year served more than 22,000 Albertans who had issues with their natural gas and electricity bills. Frankly, to expand their role to cover water bills is a measure of just common sense.

I think it is particularly important to point out that this legislative change does not come out of a vacuum. It is a legislation that addresses real problems that Albertans have faced. Some of the most extreme examples have received media coverage as well. Something as simple as a leaky toilet can end up costing thousands of dollars to unaware consumers in additional water charges. For example, last November Global News reported that a single mother from Fort Saskatchewan faced nearly a \$2,700 water bill for a residence that normally would have averaged less than \$100 per month. While these are not situations that every Albertan will run into and while it is extreme, it is important that we provide tools for those who find themselves in this kind of situation. These issues have caused problems for municipalities, which are the level of government most directly involved and responsible for the water utilities.

The city of Calgary announced in the fall that it would forgive and be absorbing the cost of abnormally high water bills. Since then Calgary taxpayers have paid nearly a million dollars to cover the issue, with a further estimated annual cost of \$1.5 million going forward.

I am glad that the minister has decided to bring this legislation forward now to try and provide tools to address abnormally high water bills, but I am sure that Calgary taxpayers and consumers would have appreciated these measures back in the fall, when the city decided to take action. Dare I say that the minister and the government of Alberta might have had their priorities out of order when they put their attacks on Alberta veterinarians ahead of supporting utility consumers.

But, as I said, at least the government has come to address this issue now. It is also important to recognize that while providing mediation and investigation services to the consumers is an important part of the solution to the issue, education is a priority. According to Enmax 37 per cent of the abnormally high water bills are due to leaky toilets and 29 per cent are due to undetermined causes. Providing consumers with more information will help to make people aware of causes, that will hopefully contribute to reductions in wasted water going forward.

I would also like to briefly go over the new public reporting measures that are new to the UCA's powers, not only for water but for the electricity and natural gas utilities. These are also useful in providing the public further information. We see this bill allowing public reporting on customer services and complaints, on compliance and regulatory issues, and other enforcement. This is a measure that will help to increase transparency on disputes and related measures that may arise.

That said, this comes back to the overriding concern about the effect that this government's policies have on utility costs for consumers. The most important measure that consumers need is transparency on the true and total cost of government policies on their utility bills. Now, while we are never going to see the NDP give the UCA the power to hold government to account on their energy costs, we in the opposition will certainly fill that role.

I already spoke about the burdensome costs of natural gas, that have been precipitated by the carbon tax, but I have not had the chance to address the disastrous electricity policy of this government and the effects that it has had on its consumers. From the debacle of the PPA agreements, or power purchase agreements, to the shutdown of our newest and most efficient coal-fired generation plants to the government's imposition of the so-called green energy fund, the actions of this government will have long-term negative effects on electricity bills for the ordinary Albertan.

The scary thing is that they don't seem to be done yet. Undoubtedly, this is an attempt to transition to a capacity market, which will hit the wallets of our ratepayers. What have they done to try to smooth this over? They have built in taxpayer subsidy rates to cap and hide the true costs. When you look at our electricity bills in this respect, they have really done the opposite of providing openness and transparency to the consumers.

Madam Speaker, I do plan on supporting this bill because on this side of the House we support Alberta consumers. That said, I am deeply concerned that this is a tactic of the government, trying to say that they are standing up for consumers to distract them while they are simultaneously hitting the pocketbooks of the average Albertan with every opportunity they have.

Thank you, Madam Speaker.

11:20

The Acting Speaker: Thank you, hon. member.

Are there any other members wishing to speak to the bill? The hon. Member for Wetaskiwin-Camrose.

Mr. Hinkley: Thank you, Madam Speaker. With Bill 14 we are making life more affordable for families by expanding the Utilities Consumer Advocate's free mediation services for water bills. Albertans told us that they have felt powerless when they were hit with unusually massive water bills and had nowhere to turn for help. We listened and are taking action by empowering consumers with free expert help that will mediate on their behalf and help them to resolve their water billing issues. The UCA has a proven track record for protecting natural gas and electricity consumers in Alberta and mediating on their behalf. Adding water, sewage, and drainage to their mandate makes it a one-stop shop for Albertans to resolve disputes with their utility bills.

We are also expanding the UCA's ability to report on how gas and electricity companies are performing so that Albertans can make informed choices when buying power or natural gas. Reporting would include quality of customer service, number of consumer complaints, details of investigations and penalties, and how well they are complying with laws and standards such as orders from regulators. We are beefing up the UCA's role in reporting so that Albertans can sign up for plans with confidence, knowing that their utility will serve them well.

My colleagues may remember that I introduced Bill 208 last session, pertaining more so to electricity and natural gas concerns. While the bill did not pass, I am pleased to see that its contents were not lost. The UCA already discloses valuable information that comes out of their mediation services related to common complaints. But with these amendments the UCA can provide information from a range of other sources to disseminate even better information to Alberta consumers, that will help make informed decisions. This information is already collected by various entities such as the Alberta Utilities Commission and the Market Surveillance Administrator. The information that the UCA will disseminate relates to consumer complaints, investigations, penalties, and compliance activities. For example, the UCA can now report on the performance of electricity, natural gas, and water utility providers and the state and level of compliance.

When compliance and service quality information is transparently available to the public, businesses have an incentive to improve their service and practices to retain customers and attract new ones. While much of this information is already publicly available, there is a difference between being available and accessible. Albertans lead busy lives, and much of this information is difficult to find. This makes it inconvenient to search out information from three or more separate sources when deciding on an electricity or natural gas provider. This is doubly true when the information is of a particularly technical nature. The UCA can solve these problems by collecting, aggregating, and explaining this information in a single, user-friendly location. This is great news for both consumers and utility providers, to provide the best and most competitive utility services for Albertans.

In closing, I'd like to offer my support for these amendments and to thank the hon. minister for ensuring that the contents of Bill 208 will not be forgotten. I do support this bill.

Thank you.

The Acting Speaker: Thank you, hon. member.

Are there any members wishing to speak under 29(2)(a)?

Seeing none, are there any other members wishing to speak? The hon. Member for Little Bow.

Mr. Schneider: Thank you, Madam Speaker. It's always an honour to rise in this House to discuss a bill that is before us and affects all Albertans. This morning is no exception, of course. This morning we're talking about Bill 14, An Act to Empower Utility Consumers. Now, this bill purports to provide transparency by performance reporting of the activities of electricity and natural gas providers so that consumers can shop in confidence. To me, I guess this means that the Utilities Consumer Advocate will now have the ability to publicly report performance of power and natural gas utilities. This appears, on its face, to be a good thing for consumers, a great step to take.

Now, the Utilities Consumer Advocate was set up by the previous government, with a mandate to educate, advocate, and mediate for Alberta's residential, farm, and small-business electricity and natural gas consumers. As the minister stated in her introduction to this bill, she said something along the lines that the Utilities Consumer Advocate has a proven track record of helping to educate and mediate on behalf of Alberta's natural gas and electricity consumers. That is lofty praise, certainly, lofty praise from a government that continues to take shots at the previous government at every turn. But I digress. This bill will further impress that mandate to include water bills as part of services provided by the Utilities Consumer Advocate. These mediation services are a free service, which, given the huge increase in disputes, is probably a good thing, Madam Speaker.

I guess what this now does is set up a kind of catch-all, a one-stop shop for mediation utility disputes, which is great. But I wonder about the underlying cause of these issues and whether these reports will address these issues so they don't continue to plague ratepayers. I mean, let's be honest. This government championing the fight against spiking utilities seems to go somewhat sideways from what we've seen in the last three years. After three years of this government being in power, they have seemed determined to do nothing but raise the cost of utilities for all those Albertans. They increased the rate of decommissioning our efficient coal plants, causing uncertainty in coal communities across Alberta and, well, making life less affordable for Albertans with the green-scheme-induced carbon tax, a tax that I always take the chance to remind everyone that they did not campaign on in the election of 2015.

So you'll forgive me if I tend to be somewhat skeptical about aspects of this bill. After all, this is a government that was taken completely by surprise by the power purchase agreements, when companies exercised their rights to walk away, as this government has made these agreements clearly less profitable. Hardly the stuff to be made confident by, Madam Speaker.

I suppose it's more than welcomed that after three years of steady increases to the cost of living for Albertans, the NDP do appear to be taking notice of the concerns of Albertans in regard to skyrocketing utility bills. I really hope that the government did its homework this time and actually engaged in meaningful consultation with municipalities on this bill as this is an area primarily of municipal responsibility. Let's face it. Municipal government is the grassroots government of Alberta, and, in my opinion, if things were operating right, these municipalities would be considered partners of the government of Alberta.

Let's face it. The consultation record of the government, I suggest, could best be described as spotty. I really hope that by expanding the Utilities Consumer Advocate's mandate to provide consumers with the information and tools that they need to understand and manage their utility bills – that can only be a good thing, in my opinion.

The problem I see is that if the government is unwilling to address the rising cost of electricity and natural gas to ratepayers, then it's

kind of a moot point that they're willing to address concerns surrounding water bills. After all, the carbon tax on everything made these bills increase. You have to wonder where it will stop. Maybe if Albertans support what we're doing over here on this side of the House, this tax on everything will stop sometime in 2019. We will wait and see how that plays out.

Now, consumers, at the very least, will have the Utilities Consumer Advocate to check up on and report their findings on things like whether a company has a record or a history of complaints, whether their record is compliant with current laws, of course, and standards and, equally important, that there will be an established record of customer service performance. I think that's important.

11:30

I guess this will be sort of a Better Business Bureau of utility companies, Madam Speaker. While your options for utility companies may be limited by geography, at least now there will be a historic account of these companies', let's say, transgressions, should they have them, that is. This will at least give some background if mediation between a ratepayer and a utility company has to occur. Anything that helps the little guy cannot hurt. The little guy is who we're all kind of looking out for as we create legislation in this House. We hope that the average, everyday Albertan in downtown Alberta actually gets a little help now and then.

Speaking of that little guy, what I'd really like to see, Madam Speaker, is for this government to stop hurting that little guy, the everyday Albertan. Especially after the January 1 increase to the tax on everything, the Main Street, Alberta, fella is beginning to hurt, as are nonprofits, school boards, food banks, and the list goes on. We've talked about all those things in this House before. Some of these things, certainly, this side of the House believes should have an exemption on them so that they can continue.

I recall a lady from the Sundre aquaplex, who would be from the riding of my friend in the front row, saying something along the lines that their operation is really being hit hard. She kind of talked about that. She said that it's not just that particular organization that's being impacted, it's the community as a whole. She said: our little organizations are what keep Sundre going, and without these facilities in the community, we wouldn't have a community, but because of the carbon tax, we had to increase our rates, but we couldn't increase them as much as required to keep up with the cost of the tax because the people that would be paying that would also be paying the carbon tax as well. In their opinion, they could not double-dip those people.

I suppose that if this government really wanted to help utility companies, they would slash their carbon tax and put a little more money back into taxpayers' pockets. Now, the U of C energy economist Jennifer Winter recently wrote that a \$50-per-tonne carbon tax will cost a typical Alberta household \$1,111 per year. Before the government starts yelling about rebates and making life better for Albertans, Madam Speaker, the Canadian Taxpayers Federation has already determined that 55 per cent of Albertans received no rebate cheque or, if they did, it was less than what that particular person would have paid in carbon taxes. So \$1,100 is a lot of money and, certainly, money that the little guy that's walking down Main Street, Alberta, could use.

While the government members may shake their heads in disagreement on what I'm talking about, I'm going to have to again provide an example of what some of this government has brought on to folks. Let's again take the example of the landowner too far from a natural gas line to provide inexpensive gas to heat his home and his outbuildings. Places like this exist in this province. His cost-effective and efficient solution to this was to use a modern, coal-

burning furnace. They are still available. It would seem that that would solve the problem, but not so fast. The government indeed decided to accelerate the phase-out of coal and then added in a carbon tax to fund the green slush fund. This cost-effective solution now spirals out of control. Instead of an economic solution for this Albertan that has no access to natural gas, this taxpayer now pays \$53.09 a tonne in carbon tax on stoker coal that sells for \$45 a tonne. Well, now, that is simply outrageous.

If making life better for Albertans is to simply burden rural farmers and ranchers with an ever-increasing carbon tax, if that was this government's goal, well, I congratulate you on your achievement. Now, this isn't my opinion. Remember the federal briefing note from January of last year, the one that showed that the national carbon tax will cost farmers \$3,705 on average when implemented at \$50 per tonne? Given the nearly 50,000 farmers in Alberta that run upwards of \$180 million a year, give or take – \$180 million – that's money that could be put back into the economy instead of back into the great green slush fund. I mean, it's been proven and written about many times. Any money that a farmer or rancher actually earns goes back into the economy and turns over several times, that same amount of money.

I don't like to be a cynic. I really want to believe in this bill. I want to support it. It really could be a positive step that this legislation will allow the Utilities Consumer Advocate to provide public reports on power and natural gas utilities. That could provide a degree of accountability and consumer confidence in the utility market that ratepayers desperately need.

As mentioned, this act will also now provide an outlet, a means, I would say, to settle water bill disputes. It may not solve all the myriad of problems, but it is somewhere to start as consumers will finally have an outlet for water bill disputes. It won't help water rate disputes as those rates are set by municipalities, but it can address billing issues. So mark one down for the little guy in Alberta.

Now that I think about it, there is also the added benefit of using an existing entity to rectify these disputes. After all, why create another agency when you have publicly stated that you're trying to reduce the number of ABCs in the province? I only wish that this government took this approach with other pieces of legislation. No need to hire additional bodies to fulfill this expanded mandate. It would be great if government did more of this more often. After all, it seems that the only jobs this government ever creates are in the public sector, so this is indeed a nice change of pace.

I guess the major flaw I see in the bill is that this entity, the Utilities Consumer Advocate, can't compel the utility companies that may be offside to change. What I mean to say is that if a company is a chronic offender and the reports of the UCA prove that, what power does this entity have to order utility companies to get better, to improve customer service? It's not that I don't think that information isn't valuable. It's just that if enough complaints are borne out, I guess we have to rely on these reports coming from the government for them to take action. Hopefully, this will be the exception and not the rule. Hopefully, things bear out like the government has said and the vast number of cases will be mediated in such a fashion that ratepayers are saved from erroneous billing errors and save themselves money in the end. That would be what I'd like to see continue to happen.

Madam Speaker, while I may be able to get behind this legislation, I can't help but have a healthy dose of skepticism. That being said, I look forward to more debate in this House to solidify the position of the minister.

Thank you very much.

The Acting Speaker: Thank you, hon. member.

Are there any members wishing to speak under 29(2)(a)?

Seeing none, are there any other members wishing to speak? The hon. Member for West Yellowhead.

Mr. Rosendahl: Well, thank you, Madam Speaker. It's always a pleasure to rise and comment in the House. I'd like to comment on Bill 14, An Act to Empower Utility Consumers. My colleagues have spoken about the ways in which the UCA, which is the Utilities Consumer Advocate, already assists Albertans with respect to their gas and electricity utility issues. I'd like to discuss, however, what these changes will mean to a typical Albertan. This bill ensures that Albertans with concerns about their water bill will have a new resource to access.

We're making life more affordable for families by expanding the Utilities Consumer Advocate's free mediation services to water bills. Albertans told us that they felt powerless when they were hit with unusually massive water bills and had nowhere else to turn. We listened, and we are taking action by empowering consumers with free expert help that will mediate on their behalf and help them resolve their water billing issues. The UCA already has a proven track record for protecting natural gas and electricity consumers in Alberta and mediating on their behalf on these issues. Adding water, sewage, and drainage to their mandate makes it a one-stop shop for Albertans to resolve disputes on utility bills.

11:40

As was stated already, the UCA was created in 2003. Sometimes disputes can arise, and disputes also can take on a life of their own, particularly when they have been going on for a long time. For example, prior to 2003 we had a gas company that went around in the community of Hinton and convinced consumers that they needed to lock their gas bills because the gas prices were going up. Many consumers ended up signing long-term contracts, locking their gas prices because of what they were convinced was going to happen with gas prices in the community. What happened was that they locked these in for five years at three to four times the going rate, and there was no way to get out of these contracts. It's unfortunate that this had occurred prior to 2003.

You can see how situations like that hurt consumers. This is why the involvement of the UCA is so important. As an impartial third party they can bring parties together and ultimately reach a fair resolution. I'd like to stress, however, that the UCA's assistance does not always end there. For example, many billing disputes or disconnections may result from nonpayment by the consumer. In this instance the UCA can also be a key link connecting an Albertan who is vulnerable or relies on services such as income support or programs through Alberta Works. Additionally, the UCA works directly with consumers and providers to prevent disconnection if that should occur and to help facilitate the reconnection of power or natural gas. From this, it's clear that the UCA can have a significant positive effect that extends well beyond a single dispute. This is another reason I'm pleased that more Albertans have access to the UCA.

Adding water to the UCA mandate is important. Put simply, there isn't a provincial organization in place that educates consumers about the water utilities. It helps them mediate water utility companies on issues such as unusually high water bills. With its experience and successful track record regarding mediating and educating consumers of natural gas and electricity, adding water utilities to the UCA's mandate is a natural fit. Plus, given that electricity, natural gas, and water comprise the three main utilities for most any home, it's practical to set up the UCA as a one-stop shop, as we already mentioned, to go to if they need help or information on all three.

Has there been demand? Yes. In the last year we've heard from Albertans that they want somewhere to go when they have an issue with their water bill. The UCA's contact centre received 179 calls relating to water issues, including billing, consumer service, disconnection, education, and metering. "Is 179 calls a lot?" is the question that can be asked. The UCA received roughly 25,000 calls for natural gas and electricity issues in the same time frame. We strongly believe that there are many other Albertans we haven't heard from simply because consumers don't routinely reach out to the UCA about water issues at this time.

The other issue that I want to bring forward is what's happening in the community of Hinton today, the fact that the community is going to be switching over to a new water system, and that concerns many of the residents. By the UCA looking after water issues, it will provide an opportunity for the residents to contact the advocate's office in the event that there may be disputes down the road.

I'm certainly in support of this, and I really think that this is something that the whole House needs to support. I've got to thank the minister for bringing this bill forward, and, like I said, I offer my full support for this bill.

Thank you, Madam Speaker.

The Acting Speaker: Thank you, hon. member.

Are there any members wishing to speak under 29(2)(a)?

Seeing none, I'll now recognize the hon. Member for Lacombe-Ponoka.

Mr. Orr: Thank you, Madam Speaker. It's my privilege to rise today and speak to Bill 14, An Act to Empower Utility Consumers. This bill adds water as part of the free mediation service to the already existing gas and electricity services that the Utilities Commission provides, and it also increases the public reporting and performance of some of the utility providers as well.

I am pleased to speak in support of the bill. I think it is an important bill, and it's brought forward to expand the Utilities Consumer Advocate's ability to accomplish these tasks for these three areas of utilities, as I've said, both power and natural gas and now water as well. I think it will be helpful for many consumers. I think that the goal of the bill should be to be able to have a respectful and co-operative market system functioning well, and hopefully it will contribute to that.

I must express, though, that while I'm in support of the bill and in support of the concept, I am somewhat wary of the intent of the current bill, mainly with respect to the fact that the current government has not had a very good track record of empowering or mediating for Albertans and hasn't done much to advocate for them in terms of the extreme cost increases to two of the utilities that the commission will be looking at, power and natural gas. It's good to protect water consumers, which needed to be added to the list, but at the same time for the power and natural gas consumers, while they're on the list of those that the Utilities Consumer Advocate will be able to speak for, the increases that they've experienced have been extreme.

You know, I find it interesting in one respect to note that while the advocate has received 179 calls with respect to water, the calls with regard to electricity and natural gas are 22,790. You try to put that into perspective a little bit. There's a massive, massive disproportion there in terms of the urgency and importance. Now, maybe that will balance out in the future once consumers know that they can call about water. We'll see. On the other hand, maybe it reflects the fact that the real pain being felt by consumers is actually in the power and natural gas area. We'll have to watch and see where that goes.

I guess I'm wary of the intent of this bill even though I am supporting it. On first look the bill does seem to serve a good purpose, and I think it will serve a good purpose. The reasons for my wariness or my concern are largely with regard to the fact that in the last few years both our Premier and the Prime Minister have said that while they care about consumers, they are also advocates of carbon tax increases and increases in the price of that. Their primary stated goal is to increase the costs of carbon-based energy. They claim these actions will help Albertans and Canadians – and I quote – make better decisions. Wow. That sounds pretty coercive, quite frankly, to try and force behavioural change by economic pain. Where I come from, if you inflict pain on people in order to make them do things – that doesn't strike me as very appropriate in any world, quite frankly.

11:50

Both the Premier and the Prime Minister have stated that their goal is to increase the cost of carbon, and the intent is to force us to make better decisions. It's in the areas of power and natural gas, that are affected by carbon, that the advocate has received by far and away, many times over, the largest number of calls. Obviously, there is pain there for Albertans. They are expressing it, and they're frustrated by it. There needs to be better advocacy for them.

I am wary of the track record of a government whose purpose is to increase the prices of everything, quite frankly, and now comes forward with an act that's supposed to protect consumers from price increases and from unexpected jolts to their bills and unanticipated costs, that they didn't know were going to be happening to them.

There have been a growing number of complaints, though, with regard to water. I admit that. It's been in the media: Calgary, Fort Saskatchewan, even in my riding. The little community of Ponoka has had a huge number of concerns voiced and raised, to the point of consumers trying to initiate some kind of public action to try and get some results on it. Much of this, of course, has been caused in Alberta by the move by many municipalities to move from just a flat monthly fee for the consumption of water to the installation of meters that measure the amount of water actually consumed and billed based on that metered reading and the change. With that change and that measurement of consumption, some people have, as has already been said in this House, received exponentially exorbitant bills, that really are a challenge to them.

I do give credit to the town of Ponoka, though, to the management there, where they have adopted a policy, in light of all of this and, quite frankly, in light of some public action, of actually trying to notify consumers when their consumption all of a sudden seems to be going up because the kids left a hose on in the yard and it's running day after day or because there's a leak in the toilet. It's amazing how much water over a period of 24 hours and then days and weeks will flow through a leaking toilet. In many cases the challenge here is that the consumers themselves need to fix the leaks in their system, and it creates these incredible jolts to their family economy. The town of Ponoka has taken the position that as soon as they notice a significant increase in water consumption, they've actually been calling the consumer and advising them, warning them that their bill is going to be going up and that they need to take a serious look at why all of this water is flowing through their meter.

I think that's a great demonstration of how a utility provider or water provider could in fact make a difference. The installation of new meters that register this make it possible. I would hope that something like that is in the spirit of this bill, quite honestly. I think we need to avoid a confrontational model as much as possible and try and find positive solutions, and that's a great example of it, in my mind.

I think it is important that we understand these things and that consumers do have, when conflicts do arise, a neutral third party that can mediate, that can take action and, hopefully, make things better. But as I've said, to go after the utility providers when the government itself is actually the primary driver of utility costs on two out of the three utilities that we're talking about here, driving the cost themselves and with no accountability to government about this, when obviously the massive number of calls to the utility advocate are with regard to power and natural gas over water, I think it's a bit disingenuous, quite honestly. It's trying to look nice, trying to sound great in front of the consumers' eyes while at the same time driving up the price of power and natural gas in exorbitant ways.

I mean, I'm speaking about our nonprofits struggling under the weight of carbon tax increases and power bill increases that are going to be coming through changes in our electricity system. We don't see government standing up and championing the protection of those bill increases for those people with regard to those issues because they're the ones who drove the costs up themselves. They're the ones who have pushed these costs. Why don't we see a bill to protect consumers from excessive increases in power and gas bills driven by government here?

Schools are facing the same thing. Many schools, school districts in the province are actually to the point where they're cutting back front-line services. Their reserves are gone. In my riding the school board is cutting in half the number of coaches for disabled students, cutting in half the number of social workers because their costs are driven so high, and it has a lot to do with the carbon tax increases and all that goes with it.

The Alberta milk industry, the dairy producers, I learned just yesterday, have taken the effort of compiling the data of all their members across the province. It's costing them \$2 million a year to the industry to pay just the carbon tax alone, driven by government, with no consumer advocacy for their benefit. And now we're going to offer them a few cents, maybe protection for some water, while at the same time we drive up the costs of the other two utilities, that are far more significant and far more serious. I don't think Albertans are going to see the glory and the wonder of this when they stop and take a minute and think about it.

Prices on almost everything we consume have skyrocketed, and there's no advocate now to hold the government to account for the cost escalation that they have pushed. I don't see the government recalling any of their legislation or implementing any new legislation to help direct the economy in a more positive direction. I'm sorry, but I find it a bit insincere when government wants to appear like the good guy, the good woman, whatever, on one-third

of the three utilities that everybody has to pay. I just think that there's an imbalance here. You know, it's one thing to try and be the superhero of consumer protection, but I think what we're seeing here belongs more in comic books than in the Legislature.

Every day it seems like we get a new piece of legislation from this government that it's brought in over the last few years, and the intent has the direct effect of raising the cost of utilities for everyday Albertans, continually pushing the costs for them. The job-killing carbon tax, the early phase-out of coal: all these things have hurt Albertans across our province. Why aren't we standing up and protecting them from these much, much greater utility cost increases than the water ones?

That's not to depreciate the need to protect consumers with regard to their water utilities. As I've said, I fully support that, and I will vote for the bill. It has a good value to it, and it has a good benefit, but it's small comfort in face of some of the other realities that we are facing with regard to utility realities and the utility experience of consumers in this province.

As I've said, the Utilities Consumer Advocate is a good tool. This expansion of it will create a space where consumers can go to get help when water rates are not being abided by. There is a wealth of good information that they can access that will help them navigate the system, someone to help them work their way through it. I also would hope, though, as I suggested earlier, that it does create a respectful and co-operative marketplace, that also the advocate will in some cases need to advocate on behalf of the utilities, because truthfully not every consumer is a victim. Sometimes the consumers themselves are acting wrongly, and I hope that there's a balance there and a fair and equitable justification for both consumers and the utility providers. I think that's important in order for us to have a respectful and co-operative marketplace that creates trust, that will create a good delivery of service for people, and that it will be positive all around.

I would say, though, in closing, as has already been suggested, that there really are no teeth in this bill. There's no opportunity for any kind of enforcement. That might be something worth looking at, particularly for utility providers that develop a consistent and an ongoing record of challenges.

Thank you.

The Acting Speaker: Thank you, hon. member.

Pursuant to Standing Order 4(2.1) the Assembly will stand adjourned until 1:30 this afternoon.

[The Assembly adjourned at 12 p.m.]

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