

Province of Alberta

The 28th Legislature Third Session

# Alberta Hansard

Tuesday evening, December 2, 2014

Issue 11e

The Honourable Gene Zwozdesky, Speaker

## Legislative Assembly of Alberta The 28th Legislature

Third Session

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Wildrose: 14 Albe

Alberta Liberal: 5

New Democrat: 4

Independent: 1

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# Legislative Assembly of Alberta

7:30 p.m.

Tuesday, December 2, 2014

[Mrs. Jablonski in the chair]

The Acting Speaker: Good evening. Please be seated.

## Government Bills and Orders Second Reading Bill 7

## **Chartered Professional Accountants Act**

[Adjourned debate December 1: Mr. McIver]

The Acting Speaker: The hon. Minister of Jobs, Skills, Training and Labour.

**Mr. McIver:** Well, thank you, Madam Speaker. I'll be brief now because I introduced and adjourned it at the last sitting. Ever so briefly, this is the bringing together of the CGAs, the CMAs, and the CAs, three separate organizations, into one. It's part of making sure that Alberta's accountants have job mobility, that we can attract the best and the brightest. This change has been contemplated and brought here in consultation and co-operation with the three accounting bodies and with their, I would say, unvarnished support in letters tabled in this House yesterday.

I hope that everybody, all my worthy and honourable colleagues, will choose to support this bill.

The Acting Speaker: Thank you, hon. minister.

The hon. Member for Cardston-Taber-Warner.

**Mr. Bikman:** Thank you, Madam Speaker. It's with pleasure that I stand to support this bill. After consulting with CAs in my riding and throughout the province as well as members of the association, it seems to me that it's a good example of what happens when we listen to the stakeholders and engage them and act on their recommendations and suggestions. So it's with full support that I give this my blessing.

**The Acting Speaker:** Are there any other members who wish to speak? The hon. Member for Edmonton-Calder.

**Mr. Eggen:** Thank you, Madam Speaker. I'm sorry. I think we're geographically the furthest away from each other, and I blend into the wall a little bit here. But I just wanted to very quickly express my support and the New Democrats' support for this bill as well. It certainly seems to be a logical and, probably, reasonable evolution of not just this legislation but the profession of accountants as well. I've heard unanimity of support for this from the outreach that we did. Fair play. That's the way we should do it. Certainly, the New Democrats will support this bill.

## The Acting Speaker: Thank you, hon. member.

Standing Order 29(2)(a). Are there any comments or questions? Seeing none, are there any other members who wish to speak to Bill 7, the Chartered Professional Accountants Act? The hon. Associate Minister of Aboriginal Relations.

Mr. Dorward: Thank you, Madam Speaker.

**An Hon. Member:** It's got a pretty good chance to pass. Don't mess this up.

Mr. Dorward: I know.

I stand in support of Bill 7, the Chartered Professional Accountants Act, brought forward by the Minister of Jobs, Skills, Training and Labour and MLA for Calgary-Hays. I'd like to thank the two previous ministers who worked on this file, the MLA for Edmonton-Castle Downs and the MLA for Calgary-Klein. As well, Madam Speaker, I'd like to thank the hard-working public servants in the departments of Jobs, Skills, Training and Labour and Justice and other departments.

Madam Speaker, the professional accountants of Alberta are presently governed by the Regulated Accounting Profession Act, likely the most advanced legislation in any province in Canada. The participants – the Institute of Chartered Accountants of Alberta, of which I'm proud to be a member; the Certified Management Accountants of Alberta, of which I'm proud to be a member; and the Certified General Accountants' Association of Alberta – are on the same page with this legislation. Imagine getting three boards and three groups of professionals, staff, committees, et cetera, on the same page.

This task was performed by the unification agency, led by Mr. John Carpenter, FCGA, CEO of the agency. I'd like to thank Mr. Carpenter, his staff, and the board of the agency, led by Greg Draper, CGA; Ruth McHugh, FCMA; and, recently, Curtis Palichuk, FCA. Madam Speaker, Mr. Carpenter will be retiring December 31. I'd like to thank him for his work. It's anticipated that Rachel Miller, FCA, presently the CEO of the Institute of Chartered Accountants of Alberta, will take over as CEO of CPA Alberta.

Madam Speaker, accountants are a regulated profession in the province of Alberta. As such, they're responsible for protection of the public interest, protection of the profession, ethical and professional conduct, licensing, levels of competency, education, standard setting, continuing professional development, discipline, regulation, advocacy, practice review, and scope of practice, to name a few.

Madam Speaker, this bill sets forth the framework for a pathway for the professions to come together. There are aspects of the responsibilities of the accounting profession that must still be met and will continue, in fact, for some time. I'm confident that that will happen, that accountants in Alberta will continue to move forward to be leaders in the accounting profession in Canada.

I'll be supporting this bill, Madam Speaker, and highly encourage all of my colleagues to do the same. Thanks very much.

## The Acting Speaker: Thank you, hon. member.

Standing Order 29(2)(a)?

## Hon. Members: Question.

**The Acting Speaker:** The hon. Minister of Jobs, Skills, Training and Labour to close the debate.

**Mr. McIver:** I'd just like to say thank you to my hon. colleagues, the members of the three accounting bodies that have asked to become one, and, of course, the tremendous staff at Jobs, Skills, Training and Labour, that tried to work collaboratively with all the different accountants across Alberta.

I invite all of my hon. colleagues to support what I think is a collaborative effort that is intended to make things better.

The Acting Speaker: Thank you.

[Motion carried; Bill 7 read a second time]

#### Bill 8

#### Justice Statutes Amendment Act, 2014

[Adjourned debate December 1: Ms Kennedy-Glans]

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

**Ms Kennedy-Glans:** Thank you, Madam Speaker. It's an honour to rise again in support of the Justice Statutes Amendment Act, 2014. As we discussed last night, this piece of legislation is very heavy because it amends so many pieces of legislation: the Court of Queen's Bench Act, the Estate Administration Act, the Family Law Act, the Limitations Act, the Notaries and Commissioners Act, the Oaths of Office Act, the Perpetuities Act, the Provincial Court Act, the Wills and Succession Act, and housekeeping matters with a few other acts.

I very much appreciate the support of all the colleagues in this room who have become pseudo-lawyers in an attempt to understand all the amendments to this legislation. I appreciate the support of lawyers and judges across Alberta. Making lawyers and judges happy across Alberta is our goal, and I am so grateful for your support in that work. So back to you, colleagues.

Thank you.

The Acting Speaker: Thank you, hon. member.

Are there any members who wish to speak on Bill 8, Justice Statutes Amendment Act, 2014? The hon. Member for Edmonton-Beverly-Clareview.

**Mr. Bilous:** Thank you very much, Madam Speaker. I'll keep my comments fairly short here. We understand that the purpose of this bill is general housekeeping in regard to language used in legislation, to make necessary clarifications or coming-into-force dates. We're in support of that because of the modernization of our legislation. We also support changes which address unintended problems or confusion caused by past legislation, and we want to ensure that we have the best quality legislation in this House.

The concern is that some of the changes introduced in the legislation are more substantial than housekeeping, which, again, tends to be the pattern that this government has followed. We'd like to focus on the Court of Queen's Bench Act and the Provincial Court Act as the proposed amendments do nothing to address the serious issue of access to justice in Alberta. We're concerned about access to justice and legal aid in two different regards, one, because this PC government has constantly underfunded legal aid; and, secondly, because many of the most vulnerable Albertans don't qualify for legal aid.

As an example, Madam Speaker, an Albertan working a fulltime job, making minimum wage is not eligible for legal aid because they make too much money. An Albertan receiving assured income for the severely handicapped, or AISH, is not eligible for legal aid. When it comes to access to justice, legal aid is extremely important, and unfortunately, there are too many people that simply don't qualify for legal aid and to therefore get representation in our justice system.

This legislation and the fact that many Albertans can't access legal aid is not only having an impact on those who can't afford representation, but it's having an impact as well on the court system, Madam Speaker. Again, I can go through – I'll save the specifics, but there are many examples where this PC government has chosen not to adequately fund legal aid.

### 7:40

We've been advocates for better access to justice. You know, the announcement by the Minister of Justice and Solicitor General in the fall of a one-time transfer to legal aid is not sufficient. There has been a major shortfall in funding, and we're predicting a need for about \$8 million a year because legal aid will have a deficit of \$15 million by 2016-2017, and they're going to have to either cut their services, reduce their services, or cut jobs. As a result, we're going to have more Albertans unable to access legal aid, Madam Speaker.

I'm just trying to move through some of my notes here, Madam Speaker. You know, in the Speech from the Throne this government made commitments to use taxpayers' dollars wisely and to achieve the best possible outcomes for money spent. Now, the government could have done this had they improved access to justice in Bill 8 and increased funding to legal aid.

Countless studies in countless jurisdictions consistently show the benefits and the savings that result in investment in legal aid. I'll give you a couple of examples, Madam Speaker. In the United States a 2007 study on Nebraska estimated the total benefit of legal aid at \$13.5 million whereas the cost was only \$3.4 million. Benefits included benefits awarded to litigants, benefits in cost saving to improve the quality of life, tax savings, and increased economic opportunity. In Texas for every dollar spent on legal aid there was \$7.42 in annual gains to the economy; a \$3.56 gain in output, or gross product; and a \$2.20 increase in personal income. And there are examples from Australia, from the U.K., and from New York as well that outline the benefits to investing in legal aid.

So it's very clear. Studies show time and time again that when we increase investment in legal aid, there is a net benefit not just for the recipients but for all Albertans. Madam Speaker, we support the modernization of legislation and understand the need for housekeeping legislation done through bills such as this one, but we want the best quality of legislation for Albertans. Again, we have concerns with the fact that the issue of legal aid is not being addressed.

Therefore, we will support Bill 8 reluctantly and, again, would very much like to see improvements to legal aid. Thank you, Madam Speaker.

The Acting Speaker: Hon. members, I've been asked to request unanimous consent to revert to introductions.

[Unanimous consent granted]

#### **Introduction of Guests**

**The Acting Speaker:** The hon. Associate Minister of Aboriginal Relations.

**Mr. Dorward:** Thank you, Madam Speaker. We have amongst us the 152nd Royal Canadian Sea Cadets, who parade at Headway School in my area. I was proud just now to meet them and have a selfie taken as well as a formal picture. I wonder if they could all stand with their leaders, please, and receive the warm welcome of the Assembly.

The Acting Speaker: Thank you.

## Government Bills and Orders Second Reading

## Bill 8 Justice Statutes Amendment Act, 2014 (continued)

**The Acting Speaker:** Reverting back to second reading of Bill 8, Justice Statutes Amendment Act, 2014, are there any other members who wish to speak on Bill 8 in second reading? The hon. Member for Calgary-McCall.

**Mr. Kang:** I'll be quick. Thank you, Madam Speaker. It's a pleasure to speak to Bill 8. It's a great honour. Most of Bill 8 is housekeeping amendments. The main changes are in regard to

the Family Law Act although much of Bill 8 is to make Alberta legislation consistent with the most recent versions of the *Alberta Rules of Court*, which were updated in the last five years.

At first glance, Madam Speaker, Bill 8 looks to be procedural in nature, with the proposed amendments to the Court of Queen's Bench Act, the Rules of Court Statutes Amendment Act, the Estate Administration Act, the Limitations Act, the Notaries and Commissioners Act, the Oaths of Office Act, the Perpetuities Act, the Provincial Court Act, and the Wills and Succession Act. Over half of the bill is supposed to relate to the *Alberta Rules of Court* and making the laws consistent with it. For example, Bill 8 proposes changing the use of the words from "with leave" to "with the permission."

As referenced earlier, the main changes in Bill 8 are within the Family Law Act, Madam Speaker. The government bills this as an access to justice initiative, and this involves four changes related to the child support recalculation program, keeping in mind, however, that this is different but related to the maintenance enforcement program, which is akin to a collection agency. The child support recalculation program assists parents with child support orders to comply with their legal obligation to regularly adjust their child support to reflect changes in income without going to court.

The government states that these amendments to the Family Law Act will increase program efficiency. This is akin to a diversion program so that fewer cases are heard by Alberta judges. In the case of adjusting child support orders to reflect income changes, this does help further the idea of reducing the burden on our courts, Madam Speaker.

Most of Bill 8 is housekeeping amendments. The main changes are in regard to the Family Law Act although much of the bill is to make legislation consistent with the *Alberta Rules of Court*. These are some of the housekeeping amendments this bill is trying to do, Madam Speaker. It's just a housekeeping bill. I think it will help to take the load off the courts and maybe will help speed things up.

With those comments, I'll be supporting the bill, Madam Speaker. Thank you.

## The Acting Speaker: Thank you, hon. member.

Standing Order 29(2)(a). Any questions or comments?

Seeing none, are there any members who wish to speak in second reading on Bill 8?

### Hon. Members: Question.

The Acting Speaker: The question has been called.

I would ask the hon. Member for Calgary-Varsity to close debate.

**Ms Kennedy-Glans:** Thank you, Madam Speaker, and thank you to my colleagues for your support on this bill. I'd also like to thank all the lawyers and judges in Alberta who contributed to improving these pieces of legislation: the Canadian Bar Association, the Law Society of Alberta, the Law Reform Institute here in Alberta, and the Chief Justice of the Provincial Court.

Thank you.

## The Acting Speaker: Thank you.

[Motion carried; Bill 8 read a second time]

## Government Bills and Orders Third Reading

## Bill 6 Statutes Amendment Act, 2014 (No. 2)

**The Acting Speaker:** The hon. Minister of Agriculture and Rural Development.

**Mr. Olson:** Thank you, Madam Speaker. I'm pleased to rise and move third reading of Bill 6, the Statutes Amendment Act, 2014 (No.2).

As stated earlier, this bill includes amendments to a number of acts that are the responsibility of three different government ministries. Those ministries are Agriculture and Rural Development; Municipal Affairs; Jobs, Skills, Training and Labour. The affected legislation includes the Safety Codes Act, the Workers' Compensation Act, the Farm Implement Act, the Farm Implement Dealerships Act, and the Dairy Industry Omnibus Act, 2002. These amendments will bring greater clarity, streamline processes, and ensure that the acts are aligned with other legislation to enable greater consistency and effectiveness in providing services to Albertans.

In closing, Bill 6 incorporates a number of changes that will ensure legislation is working as efficiently and effectively as possible. I'd like to thank all members who have contributed, and I encourage them to join me in supporting this bill.

Thank you.

### The Acting Speaker: Thank you.

Are there any other members who wish to speak in third reading on Bill 6? Oh, yes. There you go, blending in again, hon. Member for Edmonton-Calder. Sorry.

**Mr. Eggen:** It's okay. It's fine. Certainly, we don't ignore each other on the street, so we certainly don't ignore each other here either.

I just once again wanted to express that we spoke on this at great length at a different stage of this debate. Certainly, most of the sections of this bill are entirely innocuous and quite useful, right? It's just that, put together with that WCB provision, you know, that makes it impossible for us to vote for this.

Once again, if I could just put it on the record that any version of an omnibus bill really is not welcome here in this Legislature. We should refrain from doing so. If we want to make miscellaneous statutes legislation, then we can get together and agree on that and make things move a lot faster and more expediently.

That's all I have to say. Thanks.

#### 7:50

The Acting Speaker: Thank you, hon. member.

Are there any other members who wish to speak on third reading of Bill 6?

Seeing none, would the hon. Minister of Agriculture and Rural Development please close debate.

Mr. Olson: I'd like to call the question, please, Madam Speaker.

The Acting Speaker: The question has been called.

[Motion carried; Bill 6 read a third time]

The Acting Speaker: The hon. minister.

**Mr. Scott:** Thank you, Madam Speaker. Given that we've made excellent progress, I move that we adjourn until 1:30 p.m. tomorrow.

[Motion carried; the Assembly adjourned at 7:52 p.m. to Wednesday at 1:30 p.m.]

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