



Province of Alberta

The 28th Legislature
First Session

Alberta Hansard

Monday evening, November 26, 2012

Issue 23e

The Honourable Gene Zwozdesky, Speaker

Legislative Assembly of Alberta The 28th Legislature

First Session

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Xiao, David H., Edmonton-McClung (PC)
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Party standings:

Progressive Conservative: 61

Wildrose: 17

Alberta Liberal: 5

New Democrat: 4

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McDonald	Vacant
Olesen	

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Cao	Webber
Casey	Xiao
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Legislative Assembly of Alberta

7:30 p.m.

Monday, November 26, 2012

[The Deputy Speaker in the chair]

The Deputy Speaker: Please be seated.

Government Bills and Orders Second Reading

Bill 7

Election Accountability Amendment Act, 2012

[Adjourned debate November 22: Mr. Denis]

The Deputy Speaker: The hon. Minister of Justice.

Mr. Denis: Thank you very much, Mr. Speaker. I had adjourned debate. I had made my comments, 18 minutes of talk, close enough to 20 minutes. I am pleased to let the next speaker take his or her turn.

The Deputy Speaker: Thank you, hon. minister.

I'll recognize the Leader of Her Majesty's Loyal Opposition.

Ms Smith: Thank you, Mr. Speaker. Well, I'm pleased to rise today to speak in favour generally of Bill 7, the Election Accountability Amendment Act. We're very pleased that the government is bringing forward this legislation, but I think it's worth reminding the Assembly of why we're here.

I mean, when we were in the brief session in the spring Legislature, the hon. minister began by seemingly refuting that we needed to make this change to the legislation. I remember that at the beginning of this legislative session there seemed to be some confusion about whether or not the Chief Electoral Officer was actually permitted to release the results of his investigations when he found wrongdoing. I think, if everybody in the Assembly recalls, through that week we kept going back and forth and back and forth until, sure enough, a member of the chief electoral office went to the media and pointed out that, no, in fact, they believed they could not release the results of investigations and, no, in fact, they had never given the government the recommendation that the results of their investigations should be kept secret.

We were pleased that the government at that point announced the intention to go back and change this bad portion of the law, but I don't think that there should be anything that the Justice minister celebrates today. This is a portion of the law that never should have been implemented in the first place. That being said, we'll give credit where due, and we are pleased that we are now here debating eliminating this section of the law to give that freedom to the Chief Electoral Officer to be able to release the results of his investigations.

Let's also remember why we're here. I guess the minister has said that he's accepted something like 90 of the 101 recommendations that the Chief Electoral Officer has put forward. Many of those recommendations had previously come forward from the Chief Electoral Officer Lorne Gibson, who did not have his contract renewed. I think that's a stain on the government's record, the fact that we are now debating recommendations that probably should have been debated when Mr. Gibson was around to be able to take some pleasure in seeing them implemented.

Also, I think it's worth noting that there were some 19 files that Mr. Gibson had put forward with a recommendation to prosecute

that the previous Justice minister chose not to act on. I think it's a shame that we will never know what the results of those 19 investigations were and why he made the recommendations to prosecute.

Once again, I think that we're looking at this bill as a bit of a mixed blessing. We're glad that we're closing some of the loopholes. However, it doesn't go far enough. We believe that there are still some major reforms to this bill that are needed, and we think that there's an opportunity to do that.

Let me tell you what we have heard loud and clear from Albertans. First of all, they want to know that elections and governments aren't for sale to corporate and union interests. They want to know that contribution limits that are defined in law cannot be skirted around. They want to know that there won't be excuses like, "Well, gee, I didn't know the law applied to me" or "Well, gee, this was sort of standard practice at our organization even though it violated the law."

They want to know that illegal activity will be reported, and not just illegal activity that took place over the last three years; they want to know that all illegal activity going back a reasonable period of time is going to be corrected. They want to know that investigations, the results of them, especially when wrongdoing is found, will be revealed. They want to know that political parties that solicit illegal donations are also going to be punished, not just those who are giving donations to political parties. They also want to know that illegal donations will be paid back and that nobody is going to profit from illegal donations.

This is why we will be putting forward some important amendments to put elections back in the hands of hard-working Albertans and to make meaningful improvements to the elections bill that we have before us.

As written, Bill 7 does, actually, very little to improve accountability and transparency in our democratic institutions and practices. Hopefully, we'll be able to improve it dramatically before it passes. Let me just go through a couple of the things that the hon. members will expect to see from us as we debate this over the coming days.

First of all, for context – let's remember the context in which we're debating this legislation – the Chief Electoral Officer was asked to investigate a number of different potential violations of the bills. Back on July 9, 2012, Elections Alberta confirmed that they had opened 81 different investigations. As of that date they had found 37 illegal contributions that required them to issue some kind of fine or penalty in addition to 14 investigations where they issued a warning or censure to those who were involved. So we're looking at, out of 81 investigations, 30 which saw the individuals cleared and 51 which found that there had been wrongdoing. We'd like to know how many more illegal donations are out there. I think that you will find that as we learn more about this, especially when we see how this legislation plays out and what limits we ultimately end up with, you will probably see that there are far more than the 81 investigations that the Chief Electoral Officer has already gone into.

Let me start with where we began today. My caucus members the hon. Member for Lac La Biche-St. Paul-Two Hills as well as the hon. Member for Olds-Didsbury-Three Hills and I issued a policy statement on what we would like to see in this bill related to the treatment of corporate and union donations. We think there should be a ban on corporate donations. We know that there is, unfortunately, whether it's real or whether it's just perceived, a perception in the public that big money from big corporations can influence government decision-making. I think that we have seen a number of examples of this.

The example that we raised this morning that has caused a lot of concern to our members, particularly those in the south, is the awarding of untendered, sole-source contracts for major transmission line projects done through Bill 50. The value of those projects is several billion dollars. The value of the entire plan when it's finally fully implemented is somewhere in the order of \$16 billion. If you go through and you look at the Progressive Conservative donation book, you see that any number of transmission and power line companies as well as those who are involved in the power business have given significant contributions to the political party.

Now, we have tried and tried and tried. I know the hon. Member for Rimbey-Rocky Mountain House-Sundre has tried to make the argument about how this level of transmission build doesn't make sense. It didn't have any impact on the government side. That's what causes the public to wonder. If they make decisions that don't seem to make sense and you draw this line from all of these heavy contributions coming from corporations, is there a link? The perception is, I think, what is damaging the credibility of this government. The way you resolve that is that you put in place a ban on all corporate donations. Let's take the influence of corporate dollars completely out of the political process.

Now, we know that we would be harmed by that as well. We put forward the numbers today in our press conference. If this rule had been in place, sure enough, during this past election there would have been 160 of our donations that we wouldn't have received. Keep in mind that we have thousands of donations, thousands of donors, so this is a very small portion of our overall donations from an actual number of donations point of view, but it would have been a significant amount of money, \$750,000. So we know that in proposing this, we also would be impacted by it, but that's how strongly we feel that we need to go the extra measure to restore public confidence in the process, and this is why we would propose a ban on corporate donations.

Now, unfortunately, with the way the legislation, the amending act, has been written, at this moment the advice we're getting from Parliamentary Counsel is that we may be unable to put forward an amendment that would be able to ban corporate donations. We're hoping that we can find a way to be able to do this. I would think the government would make it a little bit easier for us. We've seen this before, for instance, with Bill 2, where the minister came in with a suite of additional amendments to be able to add to the list in Committee of the Whole. I would ask the Justice minister to consider doing the same, opening up this section of the bill so that we can have a robust debate about corporate donations and union donations. In the absence of that, we're going to still try to find a way to be able to amend the bill. Our reading of it at this precise moment is that we may not be able to do that.

7:40

That leads to my second point. We also issued in our policy statement today that we need to see a ban on union donations as well. This has been controversial for a number of years. There are many, many union members who hold a variety of different political viewpoints. Many will support the Progressive Conservatives. Many will support our party. Many will support the Liberals and the New Democrats. To have the union able to take dollars that are received through mandatory contributions – we do have a system where you have to pay mandatory union dues – and see a portion of those channelled to a political party which those rank-and-file union members don't support is something that has caused some controversy over the last number of years. Other jurisdictions are taking the lead on dealing with that.

We think that this is the reason as well why we'd like to see a ban on union donations, to be able to have that parity. If you're not going to have corporate donations, you shouldn't have union donations. You'd once again restore to each individual union member the choice of being able to support the political party of their choice rather than being forced to support causes that they don't support.

Again, as mentioned before, because of the way that this amending act has been written, it does not appear at this moment that we're able to put forward an amendment to ban union donations, so once again I would ask the Justice minister to consider, when we get into Committee of the Whole, putting forward this amendment so it can be debated and voted upon.

The third area of policy that we produced today was reducing the contribution limit. That would take us from \$15,000 during a nonelection year to \$5,000 during a nonelection year. The reason why we chose those limits is that we're cognizant that most people, when they're looking at elections law, are very familiar with the federal rules. At the federal level there's an \$1,100 limit on individual donations, a ban on union and corporate donations. But that contribution limit came into effect at the same time as they brought in a per-vote subsidy. We're not arguing for a per-vote subsidy. We don't think that taxpayers should be forced to support political parties. We think that it's our job to convince rank-and-file members of the public to support a political party. With that in mind, it does mean that we think there needs to be a tolerance for a higher level of individual contributions than what they have at the federal level but certainly lower than we have right now.

In addition, we recognized that during a campaign – the concept of this makes sense to us – that you would double the contribution limit because we all know that campaigns are a lot more expensive than running a political party in a noncampaign year. You've got additional brochures and lawn signs, advertising that you need to do. So we would like to see that contribution limit moved from \$30,000 in a campaign period down to \$10,000 for similar reasons.

Now, the unfortunate thing about this amendment as well is that based on the way Bill 7 has been written, this is also a section where Parliamentary Counsel is telling us that we would not be able to put forward an amendment because it is not currently in the act. But we would invite the Justice minister to bring forward an amendment in Committee of the Whole to be able to address this as well.

We have heard loud and clear from Albertans that they believe that these contribution limits are way too high, and they would like to see them lowered. They'd like to see a lower limit that is more in keeping with what they're expecting out of this legislation. What they're expecting out of this legislation is that we're going to try to remove the influence of large corporate donors and the perception that they have an influence on government decision-making.

I think it's been said before. No one is going to believe that somebody who gives \$5,000 to a political party is going to affect a politician's decision. I think everybody sees that. But once you start seeing \$30,000 contributions or 30,000 contributions multiplied out through a circle of friends and family multiple times so you have a \$430,000 contribution, that's where the line gets drawn with members of the public. I think that the way that you address this issue is that you bring the contribution limits down not only during a nonelection year but also in an election year, and I hope that the Justice minister will consider doing that when we get into Committee of the Whole.

The fourth area is closing the Katz loophole as I think it's been called. If it is the case – and I'm glad the Chief Electoral Officer is investigating the *Globe and Mail* report – that a single donor wrote a cheque to a political party for \$430,000 and then after the fact divvied it up between a variety of friends and family, co-workers, and business associates, that is quite clearly offside with what the elections law is supposed to do and is intended to stop. We think that we need to close this loophole so that it's incumbent upon the recipient of a large contribution to make certain that if they receive a large cheque, they have the background documentation to ensure that the legality of the Election Act is being upheld. We will be putting forward amendments to be able to address this loophole, and we are hopeful that the Justice minister will see to it for the integrity of the political fundraising process, the integrity of all of us who run for political office, ensuring that this loophole is closed.

Now, I was saying that having these lower contribution limits also impacts us as well. I gave these results earlier today. We did have 11 individual donors who had given us more than \$10,000 during the election. If these contribution limits had been put in place, that would have cost us \$120,000. In combination these proposals that we're putting forward would have impacted our party to the tune of about \$870,000 in the last election. Again, that's how strongly we feel that the public is demanding this kind of change. We are aware that this would impair our fundraising, but we believe that if everyone is willing to play by the same rules, this will go a long way to restoring the integrity in the process.

The next area I wanted to talk about was the issue of the connection that people perceive between the variety of public institutions that have come under scrutiny as a result of the Chief Electoral Officer's investigations. We've seen school boards, health regions, libraries, municipalities, housing management agencies, universities, and Crown corporations, whether it was Calgary Lab Services or whether it was ATB, all scrutinized and investigated as a result of what appeared to be illegal contributions. We don't know the result of those because we haven't actually seen the result of the Chief Electoral Officer's investigations yet.

But I think this is an area that has us most concerned because there is this perception among these various contributors that they believe they have to support a certain political party in order to be able to secure the grants that are coming to their agencies. We think that that is one of the biggest problems that we have right now, the perception that there is some kind of relationship or some kind of fear factor at play, some kind of intimidation at play, that all of these different agencies feel that somehow they have to give, especially to the governing party, in order to keep the flow of funds going. We think that this is an area which, once again, we hope to be able to address by seeing more transparency in the investigations. We're glad we're going down that route.

I would say that the concern we do have, though, is that part of the reason why this was not corrected when we first encountered this problem back in 2004 was a change in the legislation. It was made very clear that this kind of contribution was illegal, yet it persisted through 2005 and 2006 and 2007 and 2008 and 2009. I think the reason for that is because there have not been the kinds of prosecutions and investigations done by the Chief Electoral Officer. Prosecutions can play a very important role in educating people about what the law is. We haven't done these institutions any favours by creating a shroud of secrecy over the kind of contributions that have gone to different political parties.

This is the reason why we think it is vitally important that we go back a longer period of time to be able to address this issue. We

know, as I've mentioned, that in different years we have found evidence ourselves of contributions that appear to violate the Election Act. Unfortunately, the way this act reads is that the government would only allow the Chief Electoral Officer to go back three years. We think that's insufficient. We think that seven years would be a far better period to go back. There's a reason for that seven years. It's not just arbitrary. The decision in the tax code for the record keeping that you have to do to be able to justify the expenses that you have and the things that you write off is a seven-year requirement.

There seems to be some parity here. If people are required to keep their personal records of their tax contributions and tax receipts going back seven years, we think that that would be a nice parallel in this legislation, that we would also go back seven years, identify the areas where we did see illegal donations, and ensure that they are addressed. We think that three years is insufficient, and we're going to be putting forward an amendment to go back a longer period of time.

We're also disappointed at one of the recommendations that the government refused from the Chief Electoral Officer. There were a number, but there are a few that I'll mention in my comments here tonight. First of all, there was a recommendation by the Chief Electoral Officer that any entity, any corporation or agency that received one-third of its dollars from government funding would be added to the list of prohibited corporations. Now, of course, we've already said that our first option would be to ban union and corporate donations altogether, but in the absence of being able to get the government to agree to that, I think, accepting the Chief Electoral Officer's provision that any entity that received a third of its dollars from government would also be on the prohibited list.

7:50

There's a reason for this. We have to go back to the principle about why it is that public institutions are not permitted to give money to a political party. It's because we don't want to create a scenario where taxpayer dollars are being funneled through a public institution and then going back to fund partisan political activity. I think that what the Chief Electoral Officer was getting at with this provision is trying to create the same kind of parity. If you're getting a third of your dollars from a government entity, a department, a ministry, then it would make sense to treat that entity in a very similar way that you treat other public institutions.

We may even want to go further than that. We know that there are other companies who may not receive a third of their dollars, their total revenues, from government, but they receive a substantial amount of money from government, whether it's those companies who receive dollars through the venture capital fund or whether it's those companies that are invested in through AIMCo or whether it's those companies that receive dollars through the carbon capture and storage fund or whether it's those companies that have the bulk of their work contracted work with government.

The danger that we see and what we're trying to eliminate here is this idea that somehow the contributions to a political party have some impact on an individual entity being able to receive dollars or receive contracts. Again, we think that this could be cleaned up most easily by banning corporate and union donations, but in the absence of that we have to take a look at what kind of bar we want to set for what constitutes a prohibited corporation for the purposes of the Election Act and make that list public.

We believe that the principle should be that zero public dollars, zero taxpayer dollars, should be going to fund political campaigns through this mechanism of granting and then having it circle back. We already have a very generous political tax credit. That is the

way in which a person is able to get a portion of their contribution back for supporting the political party of their choice. That is a reasonable and appropriate way for people to be able to benefit from a contribution to a political party: getting a return of their own tax dollars. It's when you have taxpayers in general being forced to fund a political party which they do not agree with where we see the problem lies and why we need to see more rules around what constitutes a prohibited corporation. Again, we want to go back seven years.

We think that there's another concern with this legislation in that we don't have any guarantee that when fault is found, those dollars will be paid back. What we want to see is some guarantee that there is some follow-up done to ensure that an illegal contribution is returned so that no taxpayer dollars go to fund political parties.

The other area we're concerned about is that there doesn't seem to be any requirement of proof to be demonstrated that the fines have been paid. We know that the Chief Electoral Officer has the latitude to be able to impose administrative penalties, and it's fortunate that we're now going to see what kind of administrative penalties are being imposed, but we want to make sure that there is some mechanism to provide proof that these fines have been paid.

The next area I'd like to discuss is the issue of making the details known, and this is an absolute must. We're pleased that the minister has agreed, albeit in a limited way, that these details will be made known. It's totally reasonable, we believe, that as investigations are taking place, they take place with some confidentiality. We do understand that there is a potential for allegations to be not what they seem and that when you go in and you take a look at the actual details, you find that, clearly, no violations have occurred. That has happened, as I pointed out, in 30 of the cases. We'd love to know even which of the cases that were made public did not have any penalty levied against them. I think that there would be some value in knowing that so that we can clear the air on some of the allegations that were made public through the media and elsewhere. At the very least we need to make sure that the details are known of those entities that do violate the law and are found to be in violation of the law and the kind of fine or administrative penalty or censure that is levied against them.

We also believe that it's important for this information to be revealed as we go, issuing a press release as these investigations are completed so that we have the information, so that for those entities that are found to be in violation, it is made clear publicly right away what the fine was, what the penalty was so that the public can know. Again, it serves a really important educational role. We can't continue on for the foreseeable future with people saying that they don't know the law. The best way to encourage people to learn the law and know the law is for them to see that when violations occur, they are discovered quickly, penalties are levied, and it's made public.

The other area that we're interested in is that we want to see the Chief Electoral Officer able to release his recommendations when he is putting forward proposals for prosecutions. We are very concerned that the previous Chief Electoral Officer had put forward multiple cases where he felt prosecution should proceed, and they never ended up proceeding. If the Chief Electoral Officer, who is an officer of this Legislature, believes that a violation is so serious that it warrants prosecution, we believe that that should be made public, and if it is not pursued by the Crown prosecutor, then we need to understand the reasons why. We think that having this shroud of secrecy around that is not helpful in

trying to educate people about where the lines are in this legislation so that they can stay on the right side of them.

We're also very concerned that the Justice minister did not appear to take the advice of the Chief Electoral Officer when it comes to penalizing the party. We know that most people don't wake up in the morning and say: gee, I'm going to cut a cheque to a political party. That doesn't normally happen. There's a lot of call on our dollars. There's a call for personal and family obligations; there's a call for charitable contributions. The chances are that if somebody has given a donation to a political party, it's because there has been some solicitation. Someone has asked for that contribution.

The very idea that it is the donor who in all cases is going to be the one who suffers the fines and penalties and the public flogging seems to be imbalanced. We need to make sure that there are fines and penalties and censure on the political party who, quite frankly, should have a better grasp of the legislation and where the rules lie. We think, actually, that it's the political parties who are the most at fault when we see a series of illegal donations, and we think that penalizing the political party or the individual candidate is the more appropriate way of being able to have this balance in the legislation.

A related area that we're concerned about I think came out of a recent disclosure of tax receipts from a senior health executive from the Calgary health region, a \$300 purchase of tickets to, I believe, the Calgary-Elbow fundraising dinner. At the bottom of the receipt the political party had asked: who should the receipt be made out to? We think that there is a potential for there to be another parallel investigation from the tax administration because if an individual has received full compensation for a \$300 contribution to a political party and then, in addition to that, is getting a tax receipt made out in their name or the name of a colleague, we think that this is offside with what most reasonable people would think would be appropriate.

We think that there needs to be some language around this to ensure that this is an additional level of scrutiny that the Chief Electoral Officer goes into to make sure that not only are we not seeing illegal contributions from public institutions, but we're also not seeing illegal tax receipts going out to recipients who did not pay out of pocket to give money to a political party. We think that that's another area of concern.

Let me turn briefly to the issue of municipal election campaign financing because we recognize that that's kind of been smooched into this legislation as well. I think the government had initially started off thinking that the only legislation they would bring forward to change elections law was at the municipal level. I think we were thinking at that time that we would just see a change to a four-year term, but there is actually quite a bit of election law change in here regarding the financing for municipal elections.

As you can imagine, there are some mayoral candidates of some large cities that have already announced their intention to run once again for political office, and they are expressing concern about some of the provisions that are in the legislation. I am sympathetic to that, especially when you are looking at the large cities like Calgary and Edmonton.

8:00

The Municipal Affairs minister has already acknowledged that Calgary and Edmonton need to have a discussion about having city charters because the issues that you're dealing with when a city gets to be over 500,000 people, or over a million people for that matter, are quite different than in municipalities where you may have less than 10,000 people. I've spoken to many municipal council members who finance their own campaigns. Many of

them had very, very modest campaigns. But when you look at what happens in Calgary and Edmonton, particularly with the last municipal election in 2010, at least one candidate, and perhaps two, spent over a million dollars on those campaigns.

There is some argument to be made that the size of the city may require a different type of approach to election financing. The argument has been made – and we'll be talking about it as a caucus to see whether or not we can put forward amending language around this. I'm quite sympathetic to the notion that a city of a certain size, perhaps 250,000 people, should be given the latitude to pass laws that are even more stringent on the election side than what is prescribed in the provincial legislation. Since this is the way our municipal level of government operates at the moment, I think it's appropriate for the provincial government to pass legislation that governs municipal financing; however, I do think that large cities should be granted some latitude to be able to put in place their own election financing laws if they are over a certain population size.

I mean, I can imagine how we would feel here in Alberta if Ottawa came in and told us that they were going to set our election financing laws. If we are going to treat our municipalities as another order of government, if that's what the whole process is that the Minister of Municipal Affairs is going through, to establish that Calgary and Edmonton are truly another order of government with a sense of autonomy in their own right, then I think we have to start looking at ways in which we can provide that sort of latitude to those municipalities where because of extremely high campaign contributions and extremely high campaign expenditures they may require additional rules around how that operates.

At the very least, we have to make sure that we are not imposing election financing rules on our municipalities, particularly Calgary and Edmonton, that are more rigid than what we would have on provincial politicians. That, I think, is the big concern that we are hearing from those municipal leaders in the large cities, that they're feeling that some of provisions that have been put forward would never fly at the provincial level. The very idea that you couldn't start raising money until you've registered after the writ period drops makes it almost impossible, I think, for candidates, especially those who are not incumbents, to be able to raise enough money and put forward a campaign that would allow them to be able to be successful.

I think that what we would like to see here is an opportunity for someone who is seeking municipal office to have a similar type of approach as we have at the provincial level. At the provincial level each of us has a constituency association, so we're able to raise money throughout the year. From the moment that the campaign is over, we can start raising money again.

We believe that if we can create the same kind of approach, where a municipal candidate, someone who knows they want to run for municipal office in the next election, is able to register early, establish their official agent and their bank account so that they can raise money in trust throughout, this would create a parity in the way we treat provincial politicians seeking elected office and municipal politicians. I think it would also meet the needs of what we need to see in our two major centres.

As I say, because many smaller municipalities have candidates who self-finance their campaigns, having this restriction as it's written in the legislation of only being able to start raising money when you register may not be a big deal, but when you look at what's happening in Calgary and Edmonton, there is just no way that you can have a similar kind of restriction. Otherwise, you're going to, I think, impair the ability of every candidate to have a fair fight in those local races. It's important that we get this right

now because there are many politicians who are already announcing their intention to run.

I've got just a couple more, but one of the last major points that I want to raise is on the issue of a fixed election date. Now, we know that the Premier, when she was running for the Progressive Conservative leadership, did campaign on a fixed election date. I think that if we went back and we were to pull the quotes, everybody would have expected that we would have actually had a date in the calendar that was a fixed election date. It wouldn't have been unusual. Other provinces have done it. I think six provincial jurisdictions have done this. In addition, we already have it at the municipal level. We have a fixed election date. It's interesting that in making these changes to the different acts, nobody is messing with the notion of having a fixed election date at the municipal level, so there seems to be buy-in for that at the municipal level.

We just wish we saw similar buy-in at the provincial level. I think that when you look at the Chief Electoral Officer recommendations, this is another recommendation that the Justice minister rejected. The Chief Electoral Officer looked at the current legislation and saw that an election could be held between March 1 and May 31 and every fourth year following, but he proposed that we specify an election date. There were reasons for this, and he has some fantastic reasons here, which I'll read into the record.

I think that, actually, when you look at the rationale for the amendments, this is the one that had the longest rationale. First of all, he said that it "would increase openness and transparency by providing all stakeholders with an abundance of advance notice of the coming election." I can tell you that from my own experience in recruiting candidates, the fixed election window is helpful, but actually knowing what the election date is helps people to do better planning. They can figure out the period of time in which they need to take a leave of absence from work or wrap up their business affairs or wrap up some of their personal affairs to be able to run a campaign. To be able to have all of this information publicly available so that everybody knows what the exact date is would allow for all of us, every political party, to be able to have that ability.

It would also provide advance notice to electors, and that may promote participation. We hear every single time we have an election the pundits bemoaning the low voter turnout, the low outcome. I think in this last one we had 60 per cent voter turnout, which was higher than the previous one.

My riding of High River in some parts of town becomes a bit of a ghost town during the winter months, from January through to about May. If you actually knew when the election was going to be, many of those snowbirds would be able to either return home to vote or be able to register and ask for an advance ballot, or they would be able to do an out-of-province ballot. We would be able to get much higher voter turnout. But, again, you'd need to know when the election date is. I remember that there were some of my supporters who left before the writ was dropped and didn't come back until after it was over. As a result, many of them were unable to vote. Providing advance notice to electors, I believe, would go a long way towards increasing voter turnout.

The Chief Electoral Officer also said that "electors who plan to be away could make appropriate plans for participation," as I mentioned. "Political parties and candidates could prepare appropriately." He talks about how "election officers could make appropriate plans for participation, which could increase the number of persons willing to accept the key positions of Returning Officer, election clerk and administrative assistant."

When you think of the number of polling stations that we need to have in 87 constituencies and to have this constant concern

about how they're going to properly staff, how they're going to establish the location, the logistics of that take a lot of effort. To not know when that's going to occur and to have to do it at the drop of a hat is putting undue pressure on that office. If we had a fixed election date, it would make it a lot easier for them to do the recruitment and establish all of those administrative details.

Elections officer training could also "be scheduled well in advance, but near enough to the election to avoid the need for refresher courses." Once again, the Chief Electoral Officer could see a benefit of having a fixed election date so that he was able to do this rather than have a window of three full months in which he would have to try to recruit people.

People's lives change. You may decide that you might want to do this work on an election, and then if it doesn't happen for two or three months, you might change your mind. If you actually knew when the election date was going to be, it would make that training that much easier. It says that "returning officers could serve candidates and the public more effectively, by establishing offices in advance of the election period." Once again, for those who are travelling out of town, being able to know where the advance polling station is going to be in advance because of the actual dates being known is another way that you'd be able to increase participation.

8:10

"Cost savings may be achieved, since the delivery and installation of necessary supplies and services could be planned well in advance, thus avoiding express delivery surcharges and holding charges for reserving necessary equipment and services until they're required." We're clearly putting additional pressure on this office because they're trying to make contingency arrangements, not knowing which of the three months is going to be chosen for the election date. We would be able to reduce costs if we had a fixed election date.

"Administrators of schools and other facilities often used as polling places could plan their schedules to facilitate their use on Polling Day." This is clearly creating some problems for our public institutions, which are the hosts of most of our polling stations, and the Chief Electoral Officer believes that this would help resolve some of that if we actually knew what the date would be.

"This would also be consistent with election legislation in other jurisdictions, including BC, New Brunswick, Ontario, Canada, and [he points out] Alberta municipalities." So this is not an unreasonable request, and I think that it is something that – as we're looking at moving to a four-year election window for municipalities maintaining a fixed election date, it's a perfect opportunity for us to consider doing something similar for our provincial office as well.

I'll end on this point. I think the big problem that I think we've seen with the election legislation as it stands and the fact that we have seen so many violations of the Election Act – and we see this in a number of different ways – is that it seems that after 41 years in power the PCs don't know the difference between appropriate work that they're doing as government and appropriate work to do as a political party. We constantly see in the Progressive Conservative Party and the government that there's a blurring of these two lines.

The fact that they don't seem to know the difference is very interesting because the approach of the Legislative Assembly Office with the opposition parties is quite different. We have all on the opposition benches faced the scrutiny of the LAO when they perceive in any way that the materials that we're producing

or the actions that we've taken potentially cross the line into partisan activity.

I remember that our website didn't get funded when I was the unelected leader because they demanded that my face be taken off the website. They demanded that my name be removed from press releases. These are the kinds of things that we've experienced on this side, so we know on the opposition benches how seriously the LAO takes this division between partisan political activity and the work that we do as elected representatives. I think that after 41 years, though, the governing party has not had the same level of scrutiny. I think some bad practices, quite frankly, have slipped into their behaviour.

Fortunately, we have this legislation before us. It allows us to go through, identify the issues, hopefully close some of the loopholes, and be able to give to Albertans a piece of legislation that I think will restore their confidence that the governing party does actually know that there's a line between legitimate elected activity and partisan activity. But this legislation won't do it as it stands. We believe that we need to go through and make a number of amendments, many of which I've spoken about this evening. I'm sure my colleague from Lac La Biche-St. Paul-Two Hills and my other colleague from Olds-Didsbury-Three Hills will go through a number of others.

Let me just summarize the main things that we believe this legislation needs to do. We need to address the issue of corporate and union donations, and we need to ban them. We need to make sure that there are rules in place that have more strict contribution limits and also that they cannot be skirted around. We want to make sure that illegal activity is reported and not just for the last three years, going back to the same period as the requirement for maintaining tax records. We also want to know that the results of all of these investigations will be revealed, including confirmation that the fines have been paid back and that the illegal donations have been paid back because I think Albertans are really looking for some certainty that taxpayer dollars are not going to be used and funnelled back to support partisan political activity.

When we put forward our package of potential amendments for this bill, we hope that the government gives due consideration. Many of them have been endorsed already and proposed already by the Chief Electoral Officer, so there is that extra level of validation, and we think that a number of things have been missed from this current legislation. We hope to be able to make the amendments so that we can improve this bill and restore the confidence of all Albertans.

Thank you, Mr. Speaker.

The Deputy Speaker: Thank you, hon. leader.

I'll recognize the hon. Minister of Municipal Affairs.

Mr. Griffiths: Thank you, Mr. Speaker. I thought I'd take the opportunity since the hon. opposition leader made some comments about amendments to the Local Authorities Election Act to clarify some of the confusion that might have come on. Now, we had a limited time to do consultations for the Local Authorities Election Act. As the member well knows, the election was over in the spring, but it was incumbent upon us to do appropriate consultations with members of the public and locally elected officials because any changes that would take place for the next municipal elections, which are scheduled for the third Monday in October of 2013, need to be made this fall so that municipalities have appropriate time to incorporate those changes and those recommendations.

There is one phrase I heard the hon. opposition leader say. She was concerned that we were imposing regulations locally elected

officials would have to follow that we would not accept ourselves. I want to clarify that in the changes that we made, the most significant changes, every single change we made, I had a couple of guidelines going forward. Given the limited amount of time that we had for consultation, I would only bring forward into this legislation things that were approved and supported strongly by members of the public and by locally elected officials.

The second principle I had, Mr. Speaker, was that we would impose nothing on locally elected officials that we didn't already have imposed or would be willing to take on ourselves at the provincial level.

The first change that we made was to move to four-year terms. As everybody who has worked at a municipal council knows, both the Association of Municipal Districts and Counties, AAMD and C, and AUMA passed resolutions asking the province of Alberta to move to four-year terms. I know that I've heard some people suggest that you're not going to get as good a democracy by having elections every four year rather than every three years, Mr. Speaker, but you yourself were in municipal politics and everyone in this room – and there are many of them – who has been in municipal politics knows that you can be a more effective elected person when you have a four-year term, where you actually get to work for a few years if you're trying to get a good job done.

Now, municipal councillors who were serving for three years typically came in in October – and they still will – to approve a budget that they had very little opportunity to work on. They went forward for a year and a half before they started to get ready for the next election, which didn't necessarily give them the ability to do long-term planning for their municipality. A full four-year term will allow them, actually, to be more effective municipal leaders than ever before. On top of that, it saves millions of dollars just moving the election to a four-year term so that you have three elections every 12 years instead of four, and that's taxpayers' money that we're saving.

Another one of the requirements, Mr. Speaker, was that the signatures on the nomination form – it seems probably a bit strange to consider that the returning officer when they received a nomination form had to accept that form whether it was appropriately filled out with the requisite number of signatures or not. Anyone who knows the legislation knows that that didn't make much sense. If you have a required number of signatures, you have to entitle the returning officer, give them the power to not accept a nomination form that's not appropriately filled out with the requisite number of signatures. A very simple change.

The idea about voter identification. We have many larger municipalities that do utilize voter identification, Mr. Speaker, and we're not changing that. All we're saying going forward, just like under the provincial guidelines, is that if you are not on the voters list, you will have to provide some form of verifiable identification to demonstrate who you are. It's not a very encumbering requirement to make.

As well, Mr. Speaker, we're requiring potential candidates to register with the municipality. Now, I know the Leader of the Official Opposition suggested that this really bound the hands of people who are seeking nomination because they weren't allowed to fund raise until they'd registered, but this registration is intended to be one page that you sign at the bottom that says: hey, I'm going to check into running. I'm sure the Leader of the Official Opposition would support me on this. If she looked at the legislation, she would realize that the previous system, before this legislation was introduced, only required a candidate that was running to file papers and disclose what they did with any money that they raised from the point they filed their actual nomination papers forward, not any time before.

8:20

Many candidates in municipal elections just like in provincial elections start to run or start to explore that years in advance. If they don't have to declare how much money they raised, what it went towards, what they did with it and then don't file nomination papers because they decide not to run in the first place, the public will never know what they did with that money. All this is is a one-page form that they will sign at the municipal office that says: I intend to run. Then they will have to disclose the money they raise, what they do with it. Even if they don't file nomination papers in the end to run, the public will still be able to see what they did with that money, Mr. Speaker. That's just openness and transparency and accountability so that the public knows.

I have to say that for 99 per cent of people who are considering running for municipal councillors, this won't be an issue, Mr. Speaker. As the hon. member noted, in many municipal elections we're not talking about small campaigns that are self-funded or that only use a thousand or \$2,000 to run. We are talking about some very substantial campaigns. The public has a right to know how much money is raised and what it's spent on, whether the candidate runs or not, because they are using funds.

Mr. Speaker, another change that we made was surplus funds. The law already says that if a candidate decides not to run again – so come the next election they just don't enter the race – they are required to donate either to the municipality or to a charitable organization any funds over \$500. Well, we heard a lot of members of the public say: "What difference does it make whether it's over \$500 or under? Why would any candidate who doesn't run again be allowed to keep an amount just because it's under \$500? It was money raised and intended for an election, and if they don't run again, it should not go into their pocket." So we simply reduced the threshold to zero. Any money left over in a campaign fund when a candidate does not run again must be donated to the municipality or to a charity of their choice.

Mr. Speaker, you would think it would go without saying that when a candidate decides not to run again, they would be obliged to clear up any campaign deficits, but that has not been a requirement in the past. Just like it is with us, it's going to now be required of municipal candidates that if they don't run again, they cannot carry debts anymore. They must clear them up.

Finally, Mr. Speaker, the issue about campaign reporting. If a candidate runs and does not file final disclosure statements, they will not be eligible to run in another municipal election. It seems like that would be obvious, but again that hasn't been the case in the past. In fact, we do have the requirement at the provincial level. I do believe one of the hon. member's Senate candidates across the way was disallowed from running in the Senate election because he did not properly file his disclosure statements. That's a good system. It prevents people from circumventing the law. And it's going to now apply to municipal councillors.

Mr. Speaker, these are good changes to the Local Authorities Election Act, and I ask all members to support them through the end of second reading. Thank you.

The Deputy Speaker: Thank you, hon. minister.

I'll recognize the hon. Member for Olds-Didsbury-Three Hills, followed by Edmonton-Gold Bar.

Mr. Rowe: Thank you, Mr. Speaker. I rise today to speak to Bill 7, the Election Accountability Amendment Act, 2012. Albertans have been waiting quite some time for these changes, so it's great to finally be discussing this subject. I want to take this opportunity to thank the hon. Minister of Municipal Affairs . . .

The Deputy Speaker: Hon. member, if I may just pause. I'm sorry. I omitted Standing Order 29(2)(a) after the last speaker, and that is available. You wanted to speak on 29(2)(a), hon. member?

Mr. Dorward: Yes.

The Deputy Speaker: Proceed, then. We'll reset the clock for the hon. Member for Olds-Didsbury-Three Hills.
Go ahead.

Mr. Dorward: Thank you, Mr. Speaker. I guess in the mode of saving paper and possibly some amendments, with regard to going back on donations, I actually want to agree with the MLA from Highwood. The tax rules absolutely could be followed in this regard. However, the rules are very clear with CRA. It's three years, not seven years, that in present legislation, you know, would be acceptable.

It's not seven years, Mr. Speaker. It's three years, which is exactly what the legislation is right now and exactly what the legislation should remain in the future. As the good member said, I would totally agree with that as a benchmark. Three years is acceptable.

Thank you very much.

The Deputy Speaker: Are there others under 29(2)(a)? The hon. Member for Little Bow.

Mr. Donovan: Thank you, Mr. Speaker. Now, the Minister of Municipal Affairs brought up some ideas there about the four years and the timing on that, and I agree with him on that. One of the conversations I had with some constituents and some elected officials was that if they made the election – instead of October they bump it into April, May. Then it conflicts with some agriculture issues and whatnot, but if they got elected in the spring, that would give them about four or five months to know what the budget is like for the fall. I totally agree with them. When I got on council when I was 19, you got on in October. All of a sudden you're trying to pass a budget in December, and it was a lot of numbers tossed at you fairly quickly.

You know, that's a thought, I guess. I just wondered what his thoughts were on if they alternated in the spring a little bit just to make a little bit more time.

The Deputy Speaker: The hon. minister.

Mr. Griffiths: Thank you very much, Mr. Speaker. Very good questions, actually. I considered much of that the same, and in a lot of discussions with members from AAMD and C and AUMA the same questions were brought up. If an election was held in April, you could hopefully miss the risk of lower turnout because of snowfall or inclement weather, but then you get close to a challenge that many members of AAMD and C in agricultural jurisdictions would face in being busy in the spring.

Mr. Speaker, we did put that on the public survey, and I did solicit some feedback from councillors. We did very deliberately decide that we were going to focus on things that were publicly supported and supported at the municipal level. The majority of people checked off an "I don't care" box. For the rest I would say it was about 2 to 1 that still supported keeping elections in October.

This is something that I think the discussion has only begun on. It came in a short amount of time, and after the next municipal elections, when we do deeper consultations on potential changes to the Local Authorities Election Act, I believe this will be an issue that will be further discussed, and we might get some more

consensus. It might still be in October, but I anticipate we'll have 90 per cent, actually, check off one or the other rather than "I don't know" next time. I'm sure it will continue to come up.

The Deputy Speaker: Under 29(2)(a) the hon. Member for Lac La Biche-St. Paul-Two Hills.

Mr. Saskiw: Thank you, Mr. Speaker. The hon. member mentioned, you know, the fact that someone can raise money in that interim period. I'm assuming it'd be through a trust fund, that the money would be held in trust. Do you have some idea of whether it'd be the municipality that would manage those trusts accounts, or would you have the province deal with that?

The Deputy Speaker: The hon. minister.

Mr. Griffiths: Thank you. That's a good question, too. That would be something that would be up to the individual municipality. When someone fills in their nomination papers and submits that, then they set up a campaign account. I would assume that when they file the form with the municipality, the municipality would have requirements on how that money would be accounted for. The point is that it will be accounted for and publicly disclosed, which I think is very important.

Mr. Saskiw: Thank you.

The Deputy Speaker: The hon. Member for Rimbey-Rocky Mountain House-Sundre.

Mr. Anglin: Thank you, Mr. Speaker. To the hon. minister also. He made the comment about the four years versus three years. I'm in favour of the four years, and I think it can save money, but I would like to know if the minister could comment on the issue that for really small communities the cost of a by-election is really no different than the cost of an election. Some of the criticism or concern was that going to a four-year term might increase the number of by-elections. My comment or my question would centre around this one size fits all. I know our hon. leader here talked about, you know, the cities being able to have flexibility. I was just curious as to the minister's opinion on some cost-saving flexibility for the smaller communities so that they don't have to go through that same type of expense if the number of by-elections goes up. I'm not sure if that's been thoroughly investigated, so if he has a comment, I'd love to hear it.

The Deputy Speaker: Hon. minister, you have 15 seconds.

Mr. Griffiths: Thank you very much. No, we didn't consider it, Mr. Speaker. One, the concern would be with too much ambiguity when you've got municipal elections going on at all different times. We have heard the issue about more by-elections going to a four-year term, but we've had just as many comments that we'll have more committed councillors, so we could have fewer by-elections anyway.

The Deputy Speaker: Thank you, hon. minister.

The Member for Olds-Didsbury-Three Hills. We'll restart the clock from zero. You may start again. My apologies. Thank you. Please proceed.

Mr. Rowe: Thank you, Mr. Speaker. Yes. As I mentioned, Albertans have been waiting quite some time for these changes, so it's great to finally be discussing this subject here this evening. I did want to take the opportunity to thank the hon. Minister of Municipal Affairs for the opportunity to sit down with him and

discuss some of these issues prior to coming here. I very much appreciate the opportunity to do that, so thank you very much for that.

As you know, Bill 7 amends three different acts. I will begin my remarks on the changes being made to the Local Authorities Election Act, a piece of legislation that I am familiar with. Some of the hon. members here will know that prior to being elected to represent the riding of Olds-Didsbury-Three Hills in this Chamber, I served as a local councillor for and then as mayor of the village of Beiseker. Over that period I also had the pleasure of sitting on the board of directors for the Alberta Urban Municipalities Association. Now I am honoured to serve as the Municipal Affairs critic for the Wildrose Official Opposition.

8:30

The Local Authorities Election Act sets out the election processes and procedures for municipal elections as well as school board elections. As the level of government closest to the people we need to make sure we have good processes in place around the way municipal elections are held. A significant change Bill 7 will make to the local authorities act is extending the municipal terms from three to four years.

In the Wildrose we believe that the best people to solve problems are those closest to the challenge. In my role as Municipal Affairs critic I often hear from locally elected officials who support increasing municipal terms to four years. In fact, many municipalities have been calling for this change to be made for quite some time. By extending municipal terms to four years, people elected to municipal office will have more time to settle into their role and familiarize themselves with the budget cycle, which often begins soon after an election is held. Generally federal and provincial elections occur every four years, and municipalities would like a similar time frame. Another point to note is that more time in between municipal elections also means fewer municipal elections. Elections are quite expensive, so an extended term limit will also translate into fewer costs to the taxpayers, always a positive thing.

By extending municipal terms to four years, Bill 7 is making a change that Alberta's municipalities have been asking for, and I and my colleagues are very supportive of this measure.

A proposed change in Bill 7 that I am quite concerned with is the addition of section 147.21(1) to the local authorities act. This section reads: "No candidate may accept campaign contributions, including the funds of the candidate, unless the candidate is registered under this Act with the municipality in which the candidate intends to run." This change would actually make the rules governing municipal elections more stringent than provincial elections. One reason why this is so concerning is that if municipal candidates are unable to raise any money until an election is called, it will be a huge advantage to incumbents.

Another reason for concern is that the candidate registration usually occurs one month before election day or, in other words, when the writ is dropped. So how will candidates be able to spend money on campaign items that need to be ready to go as soon as the writ is dropped, like campaign signs, campaign office space, advertising, and so on? Is each municipality going to decide how and when candidates must register? Will that be flexible? If so, this information and how this will be accomplished must be made public.

This is somewhat mitigated by clause (6) in that same section, that states: "This section does not apply to a candidate if the candidate's entire election campaign is funded exclusively out of the candidate's own funds up to a maximum of \$10 000." Now,

that mitigates it for most of the smaller communities, villages, and small towns, but it does place a very large onus on the larger campaigns. As was mentioned earlier, Edmonton, Calgary, the bigger cities can spend \$500,000, a million dollars on a campaign. You can't do that in that 30-day period. So if the minister can explain that, that would be great.

I sincerely hope that the government has thought this addition through, and I will be listening closely to my colleagues opposite who are speaking to Bill 7. If they can't answer these questions, we need to do some work in this Chamber and make sure that before Bill 7 is passed, these concerns are addressed and are made very clear.

Bill 7 is also proposing changes to the Election Act. When I read through the proposed changes, I was quite disappointed to see that no move has been made to set a fixed election date. Mr. Speaker, do you ever hear stories of people complaining about fixed election dates? Never. What you hear about is people calling for fixed election dates, and this certainly includes people in Alberta. Alberta has set an election season for provincial elections, but in the Wildrose we believe that we need to go one step further and set that fixed election date. Having an election season of three months allows for the government to manipulate the timing of an election for their own advantage, just the same as having no fixed election date or season does.

In the last decade we have seen many more jurisdictions in Canada move to implement fixed election dates. British Columbia, Manitoba, New Brunswick, Newfoundland, Labrador, Ontario, Saskatchewan, and the Northwest Territories all have fixed election dates. Earlier this month the government of Quebec proposed legislation that would establish fixed election dates in their province. Even the federal government has legislated a fixed election date for national elections, and I think it is fair to say that Canadians were happy with this change.

The government had the perfect opportunity to propose a fixed election date in Bill 7, a bill that is already opening up several different acts to make changes to municipal and provincial election rules. It is unfortunate but not surprising that the government passed up the opportunity to act on something Albertans are asking for just to keep a political advantage for themselves.

Bill 7 will also make changes to the Election Finances and Contributions Disclosure Act, but unfortunately there are more notable omissions than additions to this act. For example, the government rejected the recommendation of the Chief Electoral Officer to include corporations that receive more than a third of their revenue from government as prohibited corporations. The government doesn't seem to realize that zero public money should go to political campaigns, and the only way to ensure this doesn't happen is to add corporations that receive a substantial amount of public funds to the list of corporations that are prohibited from making political donations.

This government also rejected the recommendation of the Chief Electoral Officer to be able to levy fines against recipients of illegal donations. The Chief Electoral Officer needs the muscle to put a stop to illegal donations, and the only way to do this is to make the political parties responsible for their donations. It is unacceptable that Bill 7 does nothing to address this.

Another glaring absence in Bill 7 is that it does not propose any measures that would assure the public that illegal donations will be repaid, nothing in Bill 7 that would allow the public to be notified when illegal donations are returned, so the public will never know whether or not illegal donations are returned. How

can the government put forward legislation like Bill 7 with such glaring omissions on election accountability issues and still continue to call themselves transparent?

Speaking of transparency, Bill 7 says that the Chief Electoral Officer may release details of investigations in the last three years. Real transparency would make it mandatory to release this information. Albertans deserve nothing less than full disclosure. The results of investigations should automatically be released to the public rather than being at the discretion of the CEO.

Mr. Speaker, we are going to be spending a lot of time on Bill 7 over the course of this week. I have given my thoughts on its contents, and I am looking forward to hearing the comments that my colleagues have. There are some good measures in here, but there are also a lot of things that we need to improve upon. Albertans expect real, concrete steps to be taken on elections accountability, and my colleagues and I will be here in this Chamber, late into the night if need be, to ensure that this government does what Albertans are asking them to do.

Thank you, Mr. Speaker.

The Deputy Speaker: Thank you, hon. member.

Standing Order 29(2)(a) is available. The hon. Minister of Justice.

Mr. Denis: Thank you very much, Mr. Speaker. I recognize 29(2)(a) is for both questions and comments. I just have some brief comments. Then I'll give the Member for Olds-Didsbury-Three Hills some time to respond. I want to respond to a couple of his comments but also the Leader of the Opposition's comments.

I heard a comment from the Leader of the Opposition that she agrees that we should not go to a per-vote subsidy, and I agree with that. I don't think that the public should be paying for us. We should actually have to go and raise money ourselves, and I think that there's wide bipartisan support on this one.

I have to correct one comment. The Leader of the Opposition indicated that the previous Justice minister had elected not to prosecute. Mr. Speaker, that actually is false, with no disrespect to the Leader of the Opposition. We don't live in a province or in a country where I or whoever else as the Justice minister could simply walk in, tell the prosecutors: listen, go and charge person X or person Y. Prosecutions and investigations are fully independent. So that was actually incorrect about the previous Justice minister.

I also wanted to address the corporate donations issue that the Member for Olds-Didsbury-Three Hills had talked about. It's very interesting that his party has benefited from over a million dollars of corporate donations, that I would suggest may not even exist today. They were happy to accept all of these corporate donations, and I don't suggest that they shouldn't have, but now all of sudden they want to ban corporate donations at this point. I don't know what the intent is there, and I'm not going to go afoul of the rules. I will leave that to other members to actually go and decide.

Now, Mr. Speaker, in my May 29 letter to the Chief Electoral Officer at no time did I put any restrictions on his comments. He did not recommend any increases or decreases to contribution limits. He did not recommend banning any corporate or union donations. I think that's what we should follow.

8:40

I just wanted to indicate as well that the \$15,000 limit that goes from an individual union or corporation to an actual political party, that actually has been unchanged since 1982. The Chief Electoral Officer indicated that last week on the radio. If you

actually go and just look at the inflation since that time, the factor is 2.313, which means that a \$15,000 donation in 1982, if you whittle that down, is \$6,485.08. That was my 2 cents as well.

In conclusion, I also wanted to just indicate that under this bill we are indicating that there is a 10 times . . . [interjections] Mr. Speaker, again, under 29(2)(a) you don't have to offer a question; it is also comment. The fines also go up by 10 times. [interjections] Again, in case you didn't hear me over the boos and catcalls over there, it is 10 times that the bill increases the fines. We're serious about compliance under the Election Act, Mr. Speaker.

The Deputy Speaker: Thank you, hon. minister.

The Member for Olds-Didsbury-Three Hills to respond.

Mr. Rowe: Well, I won't respond for the comments that our leader had made, but I will respond to one comment, if you will, and that was the corporate donations. I believe our suggestion here is that only corporations that receive public money would be exempt from corporate donations.

The Deputy Speaker: Any others under 29(2)(a)?

Then I'll recognize the Member for Calgary-Buffalo, followed by Edmonton-Beverly-Clareview.

Mr. Hehr: Well, thank you very much, Mr. Speaker. As always, it's a privilege to rise and get to speak in this House as a member of this honourable Assembly. This is speaking on the Election Accountability Amendment Act, 2012. I must say at the outset that I was hoping for a little more from this government on a number of files. First and foremost, I was looking for some movement on contributions to election campaigns in terms of the amounts and the like. I was also looking for some more specificity around openness and transparency, the ability for the Chief Electoral Officer to have a wider leeway both in what he does and what information he can bring to the general public, and some other minor comments around a fixed election date and things of that nature.

I recognize that this act has tried to pull together numerous references to various statutes that have been organizing our elections and municipal elections in this province for a number of years. To be frank, the method in which it has come in front of opposition parties makes it awfully difficult for us to (a) get to the bottom of the bill in a timely fashion and (b) to actually offer any serious amendments. The reason why I say that is because it appears that the fashion and the way this bill has been amended leaves very little wiggle room for you to actually put suggestions in through amendments and offer broad-based changes to what is being offered.

I say that because, for instance, if we move into some of the substantive measures like contribution limits, it doesn't appear from looking at the act that this section is actually being opened. So to get a discussion about that in an amendment is going to be very challenging. Nevertheless, we're going to attempt to do that.

That gets me to, I guess, looking at this Election Accountability Amendment Act, 2012, in more of a broad sense. We all know that elections in this day and age can attract a wide source of donations and can tend to come from generally wealthier citizens or corporations or unions. If we look across the country, there is no doubt that Alberta has the highest contribution limits of any of the provinces out there. In my view, that is not necessarily something to be proud of. In my view, bringing in changes that would allow for the average Joe and Jane Albertan to get the same recognition, the same ability to contribute to the politicians of

their choice has merit. Let's face it. Whether we like to admit it or not, money influences politics.

Mr. Donovan: No.

Mr. Hehr: Yes, hon. member, it does.

We see this in play, and I guess it's easy to look down to our American cousins to the south. There is no doubt that the billions of dollars spent on that election came at a cost. It came at a cost where governors or people who accepted that money will now be expecting to receive phone calls from various donors, various corporations, various interest groups that expect those elected legislators to have to take their considerations maybe more validly than others.

[The Speaker in the chair]

If we continue to deny that fact, I think we're burying our heads in the sand. If we don't admit to ourselves that money can and does influence politics, well, I think we're just ignoring the obvious. In my view, given that Alberta has the largest contribution limits, I think that should have been changed. For instance, if the hon. Solicitor General, who is putting forward most of the changes in this act, would have bothered to look, there's excellent legislation across this country on governments who have actually taken openness and transparency as well as electoral finance reform to heart.

One is Manitoba, that in a recent report by an organization was found to have the best provincial legislation of any of our provincial Legislatures. There they have very clear principles for their elections officers to follow, very clear principles on donation limits of only up to \$3,000, only from individuals – no union, no corporation donations – and some very forward-looking stuff of that nature that really allows us to be open, transparent, and accountable. That's what's disappointing. There is oftentimes much good legislation that's already been written, much good legislation from other people who watch and study democracy and the influence of money on various jurisdictions and how to eliminate this practice from happening, where jurisdictions have acted in a proactive, honest, and forthright fashion and actually changed the legislation to something meaningful. Manitoba would have been a good place to start.

Another jurisdiction where, in my view, the hon. Solicitor General could have gone is to our federal government, which I believe in 2004 or 2006 introduced some real changes to the contribution limits to our federal parties, and that's the \$1,100 limit per man and woman in this great country to contribute to political parties. In my view, it eliminates the influence of money, the influence of the powerful, the influence of corporations, the influences of unions in our political decision-making. It frees us up to do work in the public interest as we're not beholden to any individual or group for the financing of our election campaigns.

Frankly, I was very impressed with the fact that the Wildrose has come on the record as saying that they, too, are in favour of no corporate or no union donations. I think that is a bold pronouncement by them and one that I agree with and have agreed with for a long period of time. I will not be one of the people who sits in this Chamber and denies that money influences our decision-making, whether it's on a local campaign or an MLA's campaign or a provincial government campaign.

8:50

Simply put, the necessity to raise money and the like behooves us to answer phone calls from different people in different forms and fashions. I'm not saying that it's right, but we all know it

happens, and that's why we need legislation that actually sets a tone for what the Alberta populace should expect. It should expect that everyone has an ability to contribute to political campaigns but that they don't have an ability to contribute too much.

It was my hope that Alberta would move forward in some fashion on this part of meaningful election accountability, but it looks like we're going to have to wait for another day. That, to me, is disappointing for this government has known that people have made this observation about Alberta. They have called it the wild west of electoral financing, and it appears that, beyond some window dressing, that is going to continue. Really, if you don't deal with the contribution limits, you're not really dealing with a whole heck of a lot.

You know, bringing in comprehensive election finance limits would solve a lot of this problem. If mistakes were made along the way, it would not impact the election very much. If Mr. Katz hadn't misread the donation and given six cheques from his family and friends and the like, as it is alleged to have happened, it would have totalled \$6,000, not \$430,000. You see, just by limiting those contributions, you allow for those things to be open and transparent and not have any one individual or group have too much influence. In my view, that's missing from the act, and it is highly disappointing.

Moving on, I thought we could have done a better job in firming up, actually, an official fixed election date. The last election has come and gone. We know that was under a new circumstance. We had a new Premier, who ran on giving a fixed election date. The Premier sort of got there, and I thought she could have gotten there all the way by just picking a date and leaving it at every second Monday in April or something of that measure.

We would have known, and we wouldn't have had this silliness of having an election season, and I think it would have gone a long way to trying to assist not only political parties but voters in this province to know when they vote. I think it's an excellent system that we have in municipal government, where now every four years they will know that they go to polls on October 3. I think that has allowed for people to understand that, and I think it will pay off in the long run in getting people to vote in that election. By the way, while I'm talking about that, I agree with the change to four years on municipal councillors. I think it's a change that will lead to better government at that level, will allow aldermen and alderwomen to do their jobs without having to worry so much about the next election being right around the corner, and will lead to better results at our municipal levels.

I think another change that is absent is that the list of prohibited corporations does not include corporations that are funded through grants from the government. Actually, in the former Chief Electoral Officer's view, he wanted to expand this definition to include a corporation that received more than one-third of its operational funding in any calendar year through the government of Alberta. I think that would have been a wise move that would have addressed some of the concerns by many members of this House in question period on government-funded agencies simply kicking back into the political party of the day who's running the province, which, really, in my view, is something that shouldn't be countenanced in this day and age, and changes should be made to ensure that that temptation is minimized and the like.

Those are my initial comments, Mr. Speaker, but I will hope that as debate goes on, we all consider the fact that money does influence politics, that money does affect our ability to do things that are necessary in the public interest. It is my greatest hope that even for the government it would free you guys up to do some things maybe that you feel queasy about or feel beholden to

certain interests because they fund your elections. I think it would help.

The Speaker: Hon. members, Standing Order 29(2)(a) is available, and let's remember the cautionary note I gave on November 21. Let's not consume all the time with one speaker only if possible. Let's exchange in some fruitful dialogue.

The hon. Member for Livingstone-Macleod.

Mr. Stier: Yes. Thank you and good evening, Mr. Speaker. I just noted the hon. member's comments, and I know that he has considerably more experience than myself. As a bit of background to this, today our party called for a ban on corporate and union donations. I was wondering if he had seen any other examples in his experience where perhaps these corporate donations or union donations may have affected previous campaigns.

Thank you.

Mr. Hehr: I think common sense would indicate to us that it has. Alberta has had a reputation as being the wild west of election financing. In my view, it continues to this day with \$30,000 contribution limits in any calendar year. We exceed the contribution limits of any jurisdiction across Canada, and if I'm in error there, maybe the Minister of Human Services can tell me where I'm wrong. Nevertheless, there are very proactive government bodies out there. Like I mentioned before, Manitoba has election limits of \$3,000 per individual there, with no corporate, no union donations. Our federal government has no corporate, no union donations, \$1,100 limits per individual. I think those are examples of responsible fiscal contribution limits.

I don't know. I'd like to hear the hon. Minister of Human Services' comments, maybe on whether he can compare our current election financing limits to theirs and explain to me how theirs aren't more responsible to the public perception of democracy. In my view – and maybe I'm going to be proven wrong – in anyone's estimation it is more responsible. It eliminates the perception that money influences politics. I think it's more than a perception, Mr. Speaker. I think it's a fact. If we can eliminate that from happening, that, to me, would be worth while.

The Speaker: The hon. Member for Lac La Biche-St. Paul-Two Hills under 29(2)(a).

Mr. Saskiw: Thank you, Mr. Speaker. As the member has been here for quite a while, my question is: has there ever been a circumstance where there's just a seemingly outrageous type of decision that doesn't make any sense that you could potentially attribute to corporate donations or any type of influence that way?

Mr. Hehr: To be honest, I guess that if I'm asked, I'd look at the influence that our oil and gas sector may have on our elections, okay? I can't specifically look at that, but I look at the amount that we collect in royalties, the amount that we seemingly leave on the table in that regard. I look at the way that we seemingly do not want to have our own Alberta energy company when we have 14 national oil companies in this province currently, you know, digging up oil, making lots of money, sending money home to their countries, and doing quite well at it.

9:00

You know, with some of these decisions I wonder if it's because of who's footing the bill on paying for the elections. Now, I could be wrong, but I'm a suspicious man, and I think some of the public is suspicious about that as well. That's why we need to

bring in, actually, no corporate, no union donations, actual limits on what it is. I think it would free the government up to do what decisions are in the public interest. They may well be right now, but it's like the Caesar's wife rule. You know what I'm saying? Caesar's wife can not only be pure; she must be seen to be pure. I think that would be a good thing for governments to remember, especially when we talk about election finance limits.

There are many good examples out there. Look at the good examples. Don't just try and come up with something on your own. Oftentimes learning from other jurisdictions is not a sign of weakness but a sign of common sense and a sign of an ability to look where things are working and look where people have studied democracies and given criticisms of them and looked for other ways to do things, how the rules and regulations could be written better.

Thank you.

The Speaker: The hon. Member for Edmonton-Beverly-Clareview, followed by the Minister of Human Services.

Mr. Bilous: Thank you, Mr. Speaker. It's my honour and privilege to rise today to speak to Bill 7 in second reading here, regarding our Election Accountability Amendment Act. I'd like to begin by saying that Albertans have been calling for reform to our election financing for some time now. I've been hearing this from voters at thousands of doors that I've knocked on to speaking with colleagues from this House from other parts of the province. I'm happy on the one hand to see that there is some reform coming. Unfortunately, there are a number of flaws with this bill that I will attempt to illustrate.

First and foremost, the fact that this bill has been written without the consultation and input from all of Alberta's political parties is a flaw. You know, it's unfortunate that the minister seems to think that sending some briefing notes is the same thing as a consultation with genuine input from different political parties. However, they're quite different. It's important to note that election laws are really fundamental to our democratic process here in Alberta and in all democratic countries and regions, and our election laws cannot be based solely on the interests of one political party or in this case of the Progressive Conservatives alone.

It's interesting to see that, first and foremost, parties on the opposition side of the House are calling for a ban on all corporate and union donations. This is something that the NDP has been calling for for a long, long time. In fact, for decades we've been calling for the ban of corporate and union donations. Elections should be decided by the voters, by Albertans, not by special interests or by dollars. We all know that dollars influence elections but also can sway elections, so much so that other jurisdictions have recognized this undue influence and have banned them. We have examples from Manitoba, Nova Scotia, Quebec, and even our country as a whole. Canada federally has a ban on corporate and union donations. It's time for Alberta to follow suit.

Contributions need to come solely from individuals. You know, it needs to be clear that we need to take big business and big dollars out of politics. The amount of influence that corporations and unions can exert in our elections is not just shocking, but it's actually taking away from the democratic process. In order to ensure that we as elected officials and as candidates who are running in elections are acting on behalf of individual Albertans and only in their interests, not in the interests of the big companies and unions, both of them need to be banned.

Second of all, we need to lower the contribution limits. Alberta has, actually, the highest contribution limits of any jurisdiction

within Canada. During an election year political parties and candidates can actually receive up to \$40,000 from a single contributor. Now, I don't know about you, Mr. Speaker, but most people in my experience, in my lifetime (a) cannot afford to contribute \$40,000 in any year and, second of all, I mean, it's basically giving some people an elite pass while others and the rest of Albertans who cannot afford it are not on the same playing field. It also gives certain political parties, you know, an advantage, and it makes the average person's, the average Albertan's contributions less significant. It takes away from their voice, their ability to contribute.

Albertans are talking about real electoral reform when we're talking about political contributions. The Alberta NDP are talking about lowering this limit to \$3,000. I mean, we released that on November 15. That's something that we've been talking about. Federally it's even lower than that. It's \$1,200 a year to each party and \$1,200 to associations and candidates. This is something that when it's coupled with the initial amendment of pulling out corporations and unions as far as their ability to contribute to political parties and we put a limit on individual donations, we're now levelling the playing field for all political parties, for all candidates.

You know, it also makes candidates go out and work harder because now your contributions are – you're relying solely on individuals. You're going to visit individuals asking for reasonable donations as opposed to phoning up a few of your bigwig friends to issue \$100,000 cheques or several hundred thousand dollars. So that's something that is absolutely necessary if we want to reform our elections financing.

The third thing that needs to come into this bill is a limit on campaign expenses. Again, Alberta, interestingly, is the only province that does not have campaign expense limits. Political parties at the moment in Alberta are able to spend an unlimited amount of dollars on an election campaign. You know, following the same line of reasoning as my first two points, if we want to ensure that our system remains democratic, that we have a fair playing field, we need to place limits on how much political parties can spend, and this needs to be reasonable. The Alberta NDP is calling for a limit of a million dollars for political parties, and we're talking about adjusting this to the consumer price index as well. This piece should be included in this bill.

In addition, there isn't at the moment financial limitation on leadership campaigns. Leadership campaigns should be governed by the same rules as elections themselves. Donation limits, reporting rules should apply to all candidates for party leadership. Any kind of donation to a leadership candidate should also be regarded as a contribution to the political party, which essentially it is.

9:10

Fifth, some of my colleagues on this side of the House have spoken to fixed election dates, which I think is absolutely crucial if we want to ensure that all parties have an equal opportunity to begin their campaigning and to start off on the same foot. You know, it's interesting. I've spoken to colleagues and friends to the south of us in the United States who also find it equally absurd that the governing party can choose when the election is called. I give this example often. It's like a teacher in a classroom who gives all of the students a whole bunch of candy and then says to them, "Now, who is your favourite teacher?" Well, who do you think the students are going to say? I mean, as my friends on the other side of the House will remember, there was an election not too long ago where folks were issued Ralph bucks right before the

election, which seemed to please some voters. In a sense, I think that if there's a fixed date, all parties can plan.

Other points have been raised. We can ensure that the folks working for the elections are, first of all, properly recruited, that there's an open and transparent process, that they're properly trained. I think that would ensure the election would run a lot more smoothly. It seems a little absurd that we have no fixed dates, you know. At best the Premier took a half-step forward and gave us an election season.

Yet for many folks who are considering running and becoming an elected official, this unknown period of time is a barrier, and they're unable to really campaign to the point where they can put in the appropriate amount of time to have a legitimate shot at getting elected. You know, as many people in this House will recognize, campaigns are much longer than the 28 days of the actual election, and serious candidates have to start much sooner than that. Without a fixed election date you're pretty much guessing on when it's going to be called, and again this favours the governing party.

The last point I'd like to bring up is about some of the recommendations that were first of all brought forward by the CEO, Chief Electoral Officer. Many of them have been shot down or rejected. You know, I find it interesting and frustrating that, first of all, in this piece of legislation, this bill, the Chief Electoral Officer can only go back three years. Alberta New Democrats feel that this is not long enough to go back into the past to look at illegal donations and really scrutinize what's transpired. There shouldn't be a time limit on how far back the Chief Electoral Officer can go. This begs the question: what is the party on the other side of the House hiding, and why do they want to limit it to only three years instead of opening it up to a much broader time frame?

I think as well that it's frustrating that there have been 19 charges of illegal donations yet still zero prosecutions. I think folks in Alberta are frustrated with our current system, with the fact that there are illegal donations or accusations of illegal donations and proof of illegal donations, yet there's been little to no action on them. You know, that's unfortunate because many voters in our great province are getting quite frustrated that you have examples of wrongdoing, yet they're going unpunished. Nothing is being done about them.

If we want to restore faith in our democratic system, I think we need real electoral reform in this province in all of the areas that I've mentioned, from banning corporate and union donations to lowering the contribution limits that individuals can make to putting a cap on the total spending of a political party, which, again, will level the playing field between all of the parties, as well as putting these same rules in place for leadership campaigns.

I think that there could be potential for this bill with some serious amendments, that we will be putting forward once we move into committee, but these things need to be flagged. There are serious concerns. This is another example of a bill that the Minister of Justice and Solicitor General can speak very highly about, yet when the rubber hits the road and we look at the details of this bill, it doesn't go nearly far enough to ensure, first of all, that financial contributions are within reason, that we can go back to Albertans in good conscience and say, you know, that we have done our best in this House to level the playing field to give everybody the same starting point and take away these unfair advantages that some in the House currently hold.

So I'll ask the minister and the members from the other side of the House to seriously consider the amendments that parties on this side of the House are putting forward in order to ensure that

our system is fair and that we're restoring and ensuring that democracy, first and foremost, is our number one goal.

Thank you, Mr. Speaker.

The Speaker: Hon. members, 29(2)(a) is available. The Minister of Justice.

Mr. Denis: Thank you very much, Mr. Speaker. I see that another member rose, so I'll be brief in the interests of democracy. The Member for Edmonton-Beverly-Clareview has raised a lot of good points. I've got to say that he's also a really good speaker. I could probably use some lessons from him when it comes to the rate of speech.

He talked about the interests of one party. Well, I have to agree with his sentiment, but that's where the agreement ends. On May 29, again, I wrote the Chief Electoral Officer and said: "avoid arbitrary amendments passed in the Legislature." So my submission to this member and to all members of the House here tonight is that the bill is largely based on what the Chief Electoral Officer had to say. We're accepting 90 of 101 amendments. It's not about what this member thinks or what I think or what any other member thinks. It's what the Chief Electoral Officer thinks is fair.

Secondly, I just wanted to mention again that we are increasing penalties up to \$10,000 under the administrative level. Again, it is not up to me or anyone else here to direct any prosecution. That is up to the actual individual prosecutor. They don't report to me, Mr. Speaker.

Lastly, I just wanted to allow the member to comment here. If you reverse to page 4 of Bill 7, the second paragraph, section 4 is amended at (2.1), indicating that

the Chief Electoral Officer may from time to time meet with representatives of the registered political parties that are represented in the Legislative Assembly concerning the election process or activities under this Act, the Election Finances and Contributions Disclosure Act or the Senatorial Selection Act.

This is a recommendation, Mr. Speaker, that we believe should be accepted. It allows him to consult with other parties.

I also wanted to mention again that, of course, I've met with that very member, and I've asked him, if he has amendments, to please give them to us beforehand so we can actually consider them.

So I'd like to know what this member thinks about this particular section that we would recommend the Assembly accept.

The Speaker: The hon. member.

Mr. Bilous: Thank you, Mr. Speaker. I'd like to thank the minister for his question and compliment as well. You know, I think it is positive that the government has accepted several recommendations from the Chief Electoral Officer. As I stated previously, I don't think this bill goes quite far enough in several areas. I can appreciate that the fines have been increased, but I think, you know, part of the problem is contributions and how much individuals can give and the loose parameters that are in place in this province at the moment.

Again, speakers other than myself have indicated that Alberta, first of all, allows for the highest amount of donations. Our limits are very, very large. Again, many Albertans are not going to be able to contribute near the maximum, which means, then, that you're only allowing certain individuals coming with certain wealth to be able to contribute, which therefore gives unfair footing. If every donation, every dollar, had to be raised by individuals alone, we would see a very different-looking map in the province of Alberta.

9:20

As far as the minister's question, you know, I think that a consultation with the Chief Electoral Officer as far as processes and suggestions is a nice gesture, but it's what we're debating right now that's going to become law that will decide how elections and election financing are changed, so I would have liked to have seen this consultation happen long before this bill was ever drafted.

Thank you.

The Speaker: The hon. Member for Little Bow.

Mr. Donovan: Thank you, Mr. Speaker. I just wanted to ask the member: when you spoke of candy from a teacher, would that have any ties to, say, schools or overpasses or any kind of infrastructure before an election, do you think?

Mr. Bilous: I'd like to thank the Member for Little Bow for that question. You know, the purpose of that is, again, that if we want to truly make our system as democratic as possible, there are certain things that we need in place. One of them definitely is fixed election dates and cutting down the possibility of either incurring favour or having to return favour. Again, you know, I find it very interesting that when tens of thousands of dollars, if not hundreds of thousands of dollars, from individuals or groups are handed over, they don't come with some kind of exchange.

The Speaker: The hon. Minister of Human Services.

Mr. Hancock: Thank you, Mr. Speaker. I just want to comment very briefly on a few comments. I'll start with the last. I find it actually quite appalling that when we get involved in these discussions about election finances, contributions, and disclosure, there's this immediate assumption that somehow people who fund the democratic process expect a quid pro quo. I've been involved in running in elections and running elections and campaigning in elections for almost 40 years. I can honestly say to this Legislature that I have never, ever considered the fact that somebody has contributed financially or as a volunteer to a campaign as in any way buying favour or buying policy. I think it really brings the whole process into disrepute when you start from that assumption. This idea that people are all crooks and that we have to have legislation in place to keep them honest is absolutely absurd.

We all come to this as honest people. There are some dishonest people in society for whom you need rules and regulations and for whom you need to bring down the strong arm of the law, but the fact of the matter is that most people come to the political process with an intent to do good. We can disagree on what doing good means. We can disagree on the right or wrong of what is a positive thing for the province. But I would challenge members to actually have a change of concept in mind if they come to this House, if they come to this process believing that people are bad and need to be constrained by the law in order to do the right thing.

The fact of the matter is that we have an open Election Finances and Contributions Disclosure Act, which says that for every donation over \$325 – and when this act is passed, if this act is passed, it will bring it down to \$250 – the donor must be disclosed. So it's open. Everybody can know who makes the contributions. That is fair. That's reasonable. The public knows who is financing elections and why.

In terms of the amounts, Mr. Speaker, \$15,000 during the year or \$30,000 during an election for a party, a thousand dollars for a constituency, \$1,500 during a campaign are not excessive amounts. I can tell you that on a number of occasions doing

fundraisers in my particular constituency we have had to return contributions. Why have we had to return them? Because you don't know when the contribution is made whether somebody has made contributions in other constituencies. If they add to up to more than five constituencies at over a thousand dollars, they're running afoul of the act, so the contributions have to be returned, which then goes to other aspects, this automatic assumption that people make that they somehow uncover these nefarious things happening all the time, when really what's happening in most of those circumstances, if they would simply look at it, is exactly the same thing as the reference of the Leader of the Official Opposition. You have to actually have a look back sometimes to see what's happened.

For example, somebody buys a table at my lobster boil one year. That will probably be a thousand dollars, and then they might go to some other event and purchase a table at that event. I might say that the tables that they purchase at my lobster boil are no more expensive and, in fact, are considerably less expensive than similar tables that they will buy at many fundraising activities for charitable agencies in our community. There are people who will support charities and who will support candidates and who will support members of the Legislature who they think are doing a good job, and they're not asking for anything, Mr. Speaker. Never once have I been asked for something because somebody made a donation. I can tell you this. If somebody did ask me for something, that would probably be the last time we had a chat because I am not for sale. I don't think anybody in this House is for sale.

This process requires financing. It requires citizens to step forward in a number of different ways. Some of us step forward to be candidates and give our time and our effort and, yes, forgo income that we might otherwise earn so that we can participate in this way. Others support us as friends and people who believe that we're good people. Others support us because they believe the party is going in the right direction. Nobody finances a campaign so that they can get a specific political action, and to suggest otherwise I think is really just drawing this down into disrepute. So I wanted to start there, Mr. Speaker.

I also wanted to indicate that one of the reasons that this bill was brought forward this year arose out of some allegations last spring that there were investigations made and the Chief Electoral Officer could not report on the results of his investigation and that he ought to be able to report. We all agreed that he ought to be able to report. His legal advice, I guess it was, must have indicated that the language of the act as it exists now didn't allow him to do that because when the act was changed – previously the only option that the Chief Electoral Officer had was to investigate a complaint and then refer it for prosecution.

Now, we've been through the ground already, but I'll say it one more time. Prosecutors make decisions to prosecute based on whether they think it's in the public interest and whether the evidence, if proved, would result in a conviction. There are two tests that they use. There is no political test in it whatsoever. It's entirely independent of the political process, and it must be. Prosecutors will determine from time to time whether something is in the public interest, and as a result, many of the things – and I know this from the occupational health and safety side. Sometimes it's difficult to get minor things prosecuted because they have other things to prosecute.

So the act was changed. The Chief Electoral Officer was given other tools: the ability to reprimand, the ability to levy an administrative penalty. Unfortunately, the language wasn't clear enough to say that in those cases he could then disclose just as it would be disclosed if a charge was laid.

We're perfecting that by saying that, yes, absolutely he should be able to disclose, that in fact he must disclose at any time that he has issued a reprimand letter or an administrative penalty. That fixes that particular problem. You won't hear anymore, I don't believe, of things being referred for prosecution and no action taken. My assumption, and I think it's a valid assumption, is that those are relatively minor matters which prosecutors determine not to prosecute. That fix in the act actually makes a very important change which will require the Chief Electoral Officer to publish on his website the names and the incidents with respect to where he's found wrongdoing and where he's issued a reprimand or an administrative penalty. Those two things are, I think, very necessary to mention.

People have mentioned fixed election dates. I challenge them to show any place where a fixed election date has improved democracy. There was mention of south of the border. We've seen what happens with elections south of the border, how the focus is on constant fundraising and constant electoral process and much less on what's good for the people. People mentioned that civic elections are on a fixed election date. Is there any place where we have a lower turnout for election than at civic elections? I think not. Fixed election dates are not the panacea that people bring forward with respect to elections.

9:30

The Leader of the Official Opposition suggested that they were in some concern because they didn't believe it was appropriate for them to be able to bring forward an amendment to remove the ability of corporations or unions to make donations, and she suggested that we do it. Well, if it's not within the purview of the act, it's not within the purview of the act, and therefore an amendment is no more in the hands of government than it is in the hands of the opposition. I wanted to mention those things.

The last thing I'll mention is this question about three years' prosecution. Under section 52(3) of the existing act there is a limitation on prosecution. "A prosecution under this Act may be commenced within 3 years of the commission of the alleged offence but not afterwards." That's the provision in the act. If you change that provision, you're creating offences retroactively, which is something that's really frowned on in the parliamentary world, creating a retroactive offence that you can then go back and charge somebody for. That three-year limitation is in the act already. It makes sense to make those three years the three years for disclosure. It's not a question of covering anything up or hiding anything. It's a question of being parallel to the offence provision which is already in the act. You wouldn't want to change the offence provision in the act. Nobody goes back and creates a new offence retroactively and then goes and charges somebody for it. That's ridiculous. Mr. Speaker, the time frames are set out for a purpose. They're parallel to the time frames that are already there and make it clear that anything that's happened after that the Chief Electoral Officer can disclose.

There are a number of other things that I'd speak to, Mr. Speaker, but I think that I'll leave it there. I want to do one further thing, and that is that under Standing Order 49(2) I would move that this question be now put. There are new members in the House, so allow me, after making that motion, to say this. It does not mean that we're going to vote on this bill right now. It's called calling the previous question, and every member will have the ability to speak to this bill in second reading before the question is put. But what it does is preclude somebody bringing in an amendment which would send it off to committee or hoist it or do something else. It does not forestall debate. It does forestall antics,

and thus, Mr. Speaker, I have moved that the question now be put under section 49(2).

The Speaker: Hon. members, I would encourage you to visit Standing Order 49(2), which covers the issue of: “The previous question shall be in the following words.” The question has now been put by the Government House Leader. You may also want to visit Standing Order 18, which I think the hon. Government House Leader alluded to. I’ll just read it to you quickly so that it’s clear where we’re at.

Mr. Saskiw: They shut down democracy.

The Speaker: Lac La Biche-St. Paul-Two Hills, just so we’re clear, under debatable motions it states, “Motions that are debatable include every motion,” and that includes “for the previous question.” Essentially, the rotation can start all over again. We follow the same rules: 15 minutes of speaking time, 29(2)(a), and at the end of all of that, depending upon how many people want to speak, of course, then the question on second reading of Bill 7 will be put.

That having been said, are there any speakers to this?

Mr. Donovan: Just a question. So there’s no 29(2)(a) from before? Just as clarification.

The Speaker: I’m sorry. You’re asking for clarification of . . .

Mr. Donovan: Standing Order 29(2)(a), where I get to ask a question.

The Speaker: Yes, proceed. You have something about the speech he just made?

Mr. Donovan: Yeah. I was just wondering if that’s still possible.

The Speaker: Okay. Proceed.

Mr. Donovan: Thank you, Mr. Speaker. It looks like I must have touched a nerve over there. Never at any point did I say that anybody in this House is a crook or anything. I was merely asking the colleague from the party to the left about where he was going on that. I’d just like to clarify that never at any point did I think that anybody is a crook. I’ve brought up in numerous speeches in here that I think we’re all here for the right reasons. I, too, have been in politics for 16 years, and I never did have to raise money for a municipal election I was in because there wasn’t that big of a drive for it.

Again, I’m not at any point trying to point fingers about what a government does or doesn’t do before an election. I was merely tossing what we call a puffball, I believe, over to a colleague so he could finish explaining one of his thoughts.

The Speaker: The hon. House leader.

Mr. Hancock: Thank you, Mr. Speaker. Well, I certainly appreciate that clarification, but I think it’s fair to say to all members that the things we say in here matter and that when we toss around aspersions lightly, it sticks to all of us. We have a number of different rules that have been put in place over the years, the Conflicts of Interest Act and others. When I was Minister of Justice, one of my colleagues asked me what the Conflicts of Interest Act said about a particular matter, and I said: “I don’t know. I haven’t read it.” And he looked at me amazed. I said: “I don’t have to look at the Conflicts of Interest Act to know how to

act. I don’t do anything I don’t think my mother would appreciate reading on the front page of the paper.”

You know, we come to this House as good people with good intentions to do good things. Every time we talk about writing rules to protect the people from us, we diminish the status of the House and we diminish the work that we do. I’m not suggesting that we shouldn’t have an Election Finances and Contributions Disclosure Act. I’m just saying that we shouldn’t start every debate by suggesting that everybody is a crook.

The Speaker: The hon. Member for Calgary-Buffalo, followed by Calgary-Shaw.

Mr. Hehr: Well, thank you, Mr. Speaker. It was a very nice speech by the hon. minister. Nevertheless, I think part of the discussion is around our finance limits and, unless I missed it, the fact that there is a general public out there who expects some reasonable limits on financial donations. For instance, if you can believe what happened, with Mr. Katz giving \$430,000 to a political party, in the form of cheques or not, there has to be . . . [interjection] Whether he’s going to go ask the Premier for a favour, who knows? Whether he’s going to ask you for a favour? You’d clearly not care. You would tell him to go pound sand, and I believe you when you say that.

Nevertheless, there is a perception out there in the general public that politicians are bought. I realize we feed into that, but I think the general rule is that we should be trying to do election finance reform that actually eases the public’s discontent with politicians and that perception of money influencing us. My question: does the minister see the need for us to assure the public that money is not influencing us even though we know full well it never does?

The Speaker: The hon. Government House Leader.

Mr. Hancock: Thank you, Mr. Speaker. No, I think most of the angst that comes up – I’ve never had a regular constituent approach me and say: you’re receiving money, and you’re going to be biased by it. That’s never been a problem for me, and I raised some of the largest amounts of any constituency in the province year after year after year. Nobody has ever said to me: you’re biased by the fact that you’re receiving this money. It’s never been a problem.

Where it becomes a problem is when people assume that the law has been broken and then continue to talk on that assumption. You raised the name of a particular citizen in the House just now and said that he gave \$430,000. Well, the law doesn’t allow him to give \$430,000, so I think the assumption should be that he didn’t until somebody investigates that and shows that he did.

That’s the way I would make the assumption of this rule, and that’s the way I think most Albertans – most Albertans get upset when you assume that they’re guilty before they’re proven guilty on anything. I mean, .05 is a perfect example of that. The only objections I had to .05 – not the campaign against drinking and driving. Everybody agreed to campaign against drinking and driving. What they complained about was the potential that they might be considered guilty before they had a chance to be heard. Yet day after day in this House we have opposition members who are assuming people are guilty before they’ve taken it to the appropriate process for an investigation and before a result has been determined. It’s absolutely inappropriate to say that Mr. Katz or anyone else gave \$430,000. The law does not allow it.

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

Mr. Wilson: Thank you, Mr. Speaker, and thank you to the minister for his comments. I just need to mention that perception is reality . . . [The time limit for questions and comments expired]

The Speaker: Hon. Member for Little Bow, you were on the list. Was that for 29(2)(a)?

Mr. Donovan: Yeah, it was.

The Speaker: Okay. In that case we'll go to the hon. Member for Rimbey-Rocky Mountain House-Sundre.

Mr. Anglin: Just for clarification, Mr. Speaker, are we back to the bill? My request was to speak on second reading of the bill.

The Speaker: The motion that's just been put is with respect to the question being now put. However, that entitles you to speak not only to the motion of the question being put but to the bill itself. You're welcome to enjoy the time you have.

9:40

Mr. Anglin: Mr. Speaker, I always enjoy the time I have, so I will speak, then. Thank you very much.

One of the things that hasn't been asked yet is the whole purpose of the amended act, this bill that's been brought forward. It is the purpose of the existing laws that we have. I want to speak to what's going on. The whole purpose here is to ensure fairness, to keep order, and, most importantly, to preserve the integrity of the democratic election process. The question that is not being answered in my mind is: how does this facilitate those three points, particularly the integrity of the democratic election process?

The bill, overall, is something that I favour, particularly the principle of the bill. If we make the process fairer, if we ensure that the integrity of the system is not just intact but maybe enhanced and also in keeping order in the election process, there are a number of things that concern me, and some of the hon. members picked it up. It has to do with the perception. It's not necessarily the allegations that are made. It's the perception in the public so that the public has confidence that the process is fair and just.

It's interesting. The hon. Minister of Justice brought up a point. I'm not sure – I'd have to go back in the *Hansard* to hear how our leader responded – but I can basically testify to the fact that there were situations where the Chief Electoral Officer chose not to elect to prosecute in instances of forgery, false filings, and illegal loans. Luckily, it's not against any party here. It was submitted to the Chief Electoral Officer, and the Chief Electoral Officer has the right not to pursue that. Now, under this new law the Chief Electoral Officer must at least give in writing that they're not pursuing any type of prosecution.

Where I think this act falls short is that, in my mind, what should happen here is that the Chief Electoral Officer must prosecute whenever the evidence is there that is prosecutable. Basically, what it does is provide, keep consistency with the integrity of the system. That is really important. Some of the members talked about that when they spoke about: if there were illegal donations, are those donations going to be forced to be given back? This is really important in this whole process.

Speaking on the issue of fixed election dates, like many of the members who have just spoken, I certainly favour that. It does a number of things. We're seeing the value of fixed election dates in other electoral districts or jurisdictions, and I see no difference here. It has that value. We find that, basically, in the system of municipalities, how they can plan, particularly with their election

staff, which is generally their municipal government staff, who handle all the elections. Being able to plan on that exact date is economic in many ways.

But I do want to speak about the whole issue of money and the influence of money. Now, the fortunate part of being here in Alberta and being Canadian is that there is a limited role for money, but anyone who watches elections certainly saw what happened across the border, which is a real perverse system of how money influences elections. We always have to be on guard against that. Those are some of the allegations that have been made here. To make light of it doesn't do the argument justice. It is truly something that we have to worry about in dealing with any electoral process, to make sure that money does not influence it.

That's a tough situation because we all have to raise money for our campaigns to conduct an election process, but certainly corporations and, I know, equally unions – and I am opposed to both being involved in the electoral process because this is truly something that is for the individual. Only individuals are allowed to vote. If you look at the corporate interest – and I've always liked this because there have now been a few authors who have referred to it – if a corporation was diagnosed as a person, they would be diagnosed as a psychopathic, sociopathic, and antisocial personality disorder.

The function of a corporation is to enhance its wealth. In some cases corporations have been found at fault for looking at the law and stepping over the line on the simple premise that it was more profitable to violate the act, whatever act they were violating, as long as the penalty was less than the profit. Human beings don't necessarily act that way. Human beings have morals or some sort of moral compass or standard. As a matter of fact, the corporate entities that generally do are governed by the individuals that are running the corporation, who could easily be replaced, and then, all of a sudden, you lose the moral standard or the moral compass.

The other thing that I think is troublesome – and unions have been alleged to be guilty of this – is using members' money to donate to an election campaign which the members themselves have not agreed to, or they may actually oppose those certain individuals. Well, the same is true of a corporate entity, particularly large corporate entities. Their investors, who purchase stock, may or may not necessarily agree with what the corporate entity is actually doing to try to influence an election.

Now, if you look at our process, there is enough there to warrant concern by the general public. It doesn't mean anyone is guilty. It doesn't necessarily mean that there's been a violation. The perception alone is enough to diminish the public's confidence.

I will use a particular example. In the example of the company AltaLink, who is the recipient of a massive transmission line contract that was not tendered, management were not only donors to the party in power, but they were also lobbyists for the original act that gave them that advantage. I have to tell you that they employed some very qualified people to act on their behalf full-time, all the time for a couple of years. Whether or not that was successful, that's a matter of interpretation. But it doesn't change the fact that they engaged in it. I have to tell you that for many of the landowners who were involved in dealing with that issue, their perception is a reality. They believe it did influence the system. It's their confidence that was reduced, not necessarily enhanced.

When we look at corporate donations, that's just but one example. There are lots of examples that anyone can draw upon, particularly when corporate entities get involved in lobbying, where they spend lots of money to try to influence politicians. The hon. members will clearly state, you know, that they were never

influenced, but that doesn't change the public's perception of the matter.

It is, in my opinion, important that we do a couple of things when we look at increasing our electoral standards and passing this act, and that is that we increase the public's confidence in the integrity of the system. We should listen to all the criticism that has been levelled at Alberta, whether it's justified or not, and evaluate it on its own merits. The fact is that even if something is false and that criticism keeps coming up and keeps coming up, it should be looked at as to: how do we deal with this one particular issue in our electoral process?

Certainly, donations fit into that, whether there's any wrongdoing or not. One of the things that I see in our system is that if anyone accepts a donation, if they were held accountable and responsible, if the donation was not a legal donation or, in other words, they could be subject to a fine, now you would have balance on two sides of the equation, one from the donor, who, if they intended to do wrong – or maybe they didn't intend to do wrong. They just thought they were acting in good faith and did not understand the law. But if it's incumbent upon the candidate not to accept that or suffer penalties, that's significant. That throws another check and balance into the system.

Now, I'm not looking to throw people in jail or make criminals out of them. What we're trying to do is make sure that the process itself is not only just, but it is actually something that all across Canada we could be the model of the democratic process. That, I say, would be something that would be a shining star on Alberta.

We have issues that must be addressed, and it is significant in many ways. One of the things I did touch on with the hon. minister earlier, and it did come up, and it's unfortunate we didn't have an opportunity to – we're counting down, so what I'll do is that I'll sit down, and I will be rising later.

Thank you very much.

9:50

The Speaker: Hon. members, Standing Order 29(2)(a) is available. The Government House Leader.

Mr. Hancock: Thank you, Mr. Speaker. I'm just wondering whether the hon. member would acknowledge that his experience is the same as mine and that is that usually it's the people who have the weakest arguments in any particular presentation who resort to nefarious allegations of bad practice because they can't win the discussion on the strength of their arguments.

The Speaker: The hon. member.

Mr. Anglin: Thank you. I think that's a valid point. What I will say is that if it's nefarious, the answer would be yes, but if it's factual, then we're on a different playing field. So there are two levels to look at what has been stated or said. Clearly, I firmly believe and I've always conducted myself, particularly in the field of transmission, that if you stick with the facts, that helps you better in the argument, but if you basically get into the allegations and the personal attacks without any premise of the facts, then it is something of an indication of a weak argument. So I would concur on that.

The Speaker: The hon. Minister of Justice.

Mr. Denis: Thank you very much, Mr. Speaker. You know, this member talked about the facts while, I guess, pounding the facts. I'm sorry, but I'm going to pound the law for a minute here. I just want to correct a particular statement he had made about the process for infractions under the act.

The process is that if the Chief Electoral Officer finds that there is an infraction, he can levy an administrative penalty, which is typically a fine. Under this new act the maximum fine goes from \$1,000 to \$10,000, obviously a 10-fold increase.

Another thing that he could do is give a letter of reprimand, which is basically: don't do that again.

The third thing that he could do is refer it to a prosecutor. Where I must correct this member, with no disrespect to this member, is that the decision whether or not to prosecute is totally independent and is totally based on where the prosecutor would actually like to go. I have no say in that. This member has no say in it. Mr. Speaker, nobody has any say in that here. It's fully independent. So it's not the Chief Electoral Officer that decides not to prosecute. It would actually be the prosecutor, which, again, is fully independent.

The Speaker: The hon. member, briefly. I have one more question.

Mr. Anglin: I appreciate the comments. My comment was that the Chief Electoral Officer does have to make the recommendation when it's reported to the Chief Electoral Officer. That's what I was trying to point out. The recommendation was never made to a prosecutor to actually refuse in my example. That's what I was saying when I said that this would strengthen the confidence of the law if there were solid evidence, and that was what I brought forward, cogent evidence. To me in any type of civil or criminal – now, I'll use criminal because I had some experience there. If there really is a crime and there's evidence of it, you want that prosecutor. [interjections] Well, I mean, you want that prosecutor, right? That's justice.

It's the same true on civil offences, particularly with elections fraud. I'm not accusing anyone of elections fraud, but I'm saying that if it shows itself and is cogent evidence, in my mind what helps to give stability to the system is that it shall be or should be prosecuted as long as the evidence is there. I see shaking of no. I tell you I'm not saying that you throw people in jail. The statute is still correct. There can be a letter of reprimand. There has to be something versus nothing at all.

This act does address it partially. At least this time if evidence is submitted, there is a letter that's brought out to the person making the submission saying they're not going to pursue it. That's partial in my mind. But when there's cogent evidence of significant wrongdoing, there needs to be justice in the sense that we've got to maintain the integrity of the system.

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

Mr. Wilson: Thank you, Mr. Speaker. I'm wondering if the hon. Member for Rimbey-Rocky Mountain House-Sundre can comment on the motion on the previous question that has actually been put forward at this point?

The Speaker: Hon. members, there's some clarity here if you wish to . . .

Mr. Anglin: Well, I took the liberty to speak just to the act because I wasn't fully up to speed on the motion, so I'd rather speak to what I'm fully up to speed on.

The Speaker: Are there others? The hon. Member for Lac La Biche-St. Paul-Two Hills.

Mr. Saskiw: Thank you, Mr. Speaker. The Government House Leader had referred to the fact that, you know, the act only goes

back three years, but the fact of the matter is that the Chief Electoral Officer has found illegal donations going past that date. What's your opinion on whether those illegal donations going to a specific party should actually be made public so that everyone can see that?

The Speaker: Hon. member, did you wish to comment?
Are there others, then?

I have Lac La Biche-St. Paul-Two Hills on the list now to speak to the motion, followed by Banff-Cochrane.

Banff-Cochrane, did you wish to go instead?

Mr. Casey: Maybe just a couple of brief comments, Mr. Speaker.

The Speaker: This is to the main motion now or the bill?

Mr. Casey: To the bill.

The Speaker: Yeah. Well, you can speak to the main motion and to the bill at the same time.

Mr. Casey: Okay. Thank you. I think it's time we sort of think about the accusations flying back and forth across the floor here. There seems to be an understanding and an implication here that only Conservatives take contributions from corporations, and that's simply not true. There also seems to be an implication that every time we take a contribution from a corporation, that somehow compromises us and compromises that corporation by simply making that contribution to us.

There was also a suggestion that contributions made by organizations were somehow inappropriate because their members hadn't had a chance to decide on that. If I look at the opposition's contributions quickly – and I mean very quickly – I see that they've had a contribution from a hotel/motel lodging association. They've also had contributions from contractor associations. They also have had a \$10,000 contribution from a national brewers' association whose headquarters happen to be in Vancouver. They've also had personal donations of \$60,000 that obviously came from a husband and wife team. Yet all of that is just perfect and okay because it was them collecting the money. But if it was us, it would be a crime.

We would be told that we had somehow accepted illegal donations, somehow we had stepped out of line, somehow those people that legitimately donated to our party somehow had done something illegal. Those are exactly the words that are used in this House time and time again with anybody associated with donating to our party. This act covers both sides of this House, and both of these parties and every party in this House accepted corporate donations. The sheer matter of accepting those donations does not compromise any member, nor does it compromise the party because they were done within the law. If they weren't done within the law, then leave it to the people that make those decisions to decide that.

But I do think it's gone beyond what is reasonably – reasonably – an argument in this House, that individuals in the opposition have somehow become judge, jury, and executioner when it comes to making those determinations. I just want to make it clear, Mr. Speaker, that with a very short time of going down the list, there is no difference between who contributed to us and who contributed to the opposition.

If we could get to speaking to bill instead of throwing accusations back and forth, that would be a miracle for all of us.

Thank you.

The Speaker: Hon. Member for Banff-Cochrane, I'm so glad you suggested it because I was just about to point to the bill while you were speaking to help you out. But you got there on your own.

Standing Order 29(2)(a) is available. Lac La Biche-St. Paul-Two Hills, please.

Mr. Saskiw: Thank you, Mr. Speaker. I just have one question. You know, we talk about allegations of illegality. The Chief Electoral Officer has found 39 illegal donations to a particular political party, where there were donations from a municipality or donations from a school board or donations from a university or a donation from a college. They have found illegal donations. We're not making this up. The opposition is not the judge, jury, and prosecutor; it was the Chief Electoral Officer that was.

10:00

All we're suggesting is that perhaps this should be made public. When someone has been found guilty of making an illegal donation, that should be made public. That is the case in every other jurisdiction in North America. It is made public.

The second part that we were talking about is that it should be made public that any illegal donations are repaid. Currently under the law the Chief Electoral Officer does not have a positive obligation to actually disclose that the illegal donations have been repaid. I ask the hon. member if that is fearmongering or something like that. This is a very simple concept. If someone has made an illegal contribution, it should be publicly disclosed, and all illegal donations should be repaid regardless of which party it is.

The Speaker: The hon. member.

Mr. Casey: Thank you. Since, Mr. Speaker, you reminded me that we were talking to the bill, I will talk to the bill. The bill does exactly that. It requires that those investigations are made public and that they are done in the public, and the results of those investigations will be made public to everyone. This bill is doing exactly what the member asked it to do.

Thank you.

The Speaker: Thank you.

Are there others? I have Little Bow, followed by Rimbey-Rocky Mountain House-Sundre.

Mr. Donovan: Thank you, Mr. Speaker. I had run out for a second, but the Member for Banff-Cochrane had started to talk about donations and who had had more and whatever else. I mean, I'm not sitting here trying to swing the biggest one around, but I think we clearly beat that party. We're not blaming the government for that. We're saying that if we pull out the donations like that, I think that helps everybody. We'd actually be the ones that would lose the most out of it. I just wonder where the member had come from on that idea that we're always pointing at the government. We're not doing that. I think this is to make it level for everybody. It gives you a chance to catch up.

Mr. Casey: Well, I don't think I dreamt it up. I heard your leader tonight stand up and do everything but accuse us of robbing the bank. I mean, I think it's fair to say that it's very clear that the implication across the floor for the last five weeks has been that somehow someone has decided that a donation of \$430,000 was illegal before anyone had the chance to review that and come to a decision on it. It's been said at least 10 dozen times in this House and responded to exactly the same way by our ministers, that that is simply something for the Chief Electoral Officer to investigate

and determine. When that determination is made, then there will be a result, but until then don't use it as a hammer every time someone stands up.

The Speaker: The hon. Member for Rimbey-Rocky Mountain House-Sundre, followed by the Government House Leader.

Mr. Anglin: Thank you, Mr. Speaker. I'm currently reading a book entitled *The Best Way To Rob a Bank Is To Own One*, so I won't go down that path with the ATB.

Mr. Casey: Excuse me. You're an owner in that as well. I just thought I'd point that out.

Mr. Anglin: I know that. The book – it doesn't change.

I'd like it if the member would comment. One of the issues here is – and we acknowledge this – that if we were to get this provision passed, I think all parties would see where they would not get corporate donations or union donations or whatever. But there is a microscope that is always on the party in power more so than any other party for the simple fact of the perception that money would influence, not that it necessarily did, but that it could or would influence.

That's the perception that the public has that the opposition parties don't necessarily suffer from because we are not the party that can actually vote and make those decisions, ultimately, in the end. We are not the governing party. The real concern here on the perception side is that it influences the decision of cabinet or the government itself, and that is where the public derives that perception. Going back – and the member can comment on this – what I used was an example had nothing to do with a party here and referred to continually the integrity of the process.

The Speaker: I have the hon. Member for Lac La Biche-St. Paul-Two Hills next, and that's all I have.

Mr. Saskiw: There'll be more, Mr. Speaker.

The Speaker: Proceed.

Mr. Saskiw: As the Wildrose Justice critic I'm pleased to be able to rise here today and speak to the Election Accountability Amendment Act, 2012, Bill 7. However, I'm not so pleased with the content or, rather, the lack of substantive content in this act. To fully understand how this act came about, it is helpful to look at the events leading up to Bill 7, and for my constituents it hits home.

Last year a CBC investigation revealed that a municipality in my constituency of Lac La Biche-St. Paul-Two Hills had made significant and ongoing illegal donations to the PC Party. From this investigation, it became clear to my constituents and, indeed, all Albertans that the PCs have blurred the lines between government and party, with municipalities stuck in the middle, and they broke the law consistently over a number of years. The PC Party solicited heavily for these illegal donations with the implication that if the municipalities and other prohibited corporations didn't pay up, funding would dry up. This put municipalities, colleges, and other prohibited corporations in a tight spot. In fact, in my own constituency an e-mail from the CEO talked about the fact that they needed a cabinet minister in power and the fact that they had to get behind that.

The subsequent issue that arose in my constituency is the fact that despite a political party illegally soliciting donations, the fine was actually levied on the municipality. Not only did the municipality have taxpayer dollars go to a political party, the fine

itself was, again, paid by those ratepayers, and most people in my constituency find that particularly egregious.

Further, news reports revealed that this problem was not confined just to Lac La Biche-St. Paul-Two Hills. It was a seemingly deliberate and methodical means of raising funds, more or less expropriating the taxpayer, by the PC Party. To be clear on this, government MLAs and cabinet ministers demanded that prohibited corporations pay up or they would be made to pay or their institutions and municipalities might suffer. This is wrong, wrong, wrong. Not many people thought the Alberta government, embarrassed by scandal after scandal after scandal, would have made – many Albertans thought they would actually have put forward something that would actually fix the problem going forward and rectify past wrongs.

In my constituency and as Justice critic I've heard time and time again that the laws regarding political donations need to be strengthened so that this never happens again. This government has commended itself in bringing forward Bill 7, but let's please hold the applause. It seems that while pretending to respond to the ongoing scandal of illegal donations to the PC Party, Bill 7 does nothing, absolutely nothing, that could in any way be interpreted as putting an end to the illegal donations solicited and accepted. Bill 7 does nothing to make political parties caught red-handed pay back the money they accepted.

This seems like a bizarre concept in a modern democracy, that if someone makes an illegal donation, there doesn't have to be proof that that illegal donation was in fact repaid. That seems to be a very basic principle that should be outlined. There are no provisions that penalize political parties that do this. The onus requirement is less on the political party and more on the donor rather than the donee, and I think that's something that has to change. Nothing in the act is indicating that it would punish repeat offenders like one particular party which seems to rely on illegal donations for its lifeblood.

Wildrose is calling for full disclosure and evidence that illegal donations have actually been repaid. After several MLAs pocketed the money from the no-meet committee, it is particularly important to enshrine into this law that parties don't keep illegally raised money. There was and still will be no deterrent to the PC Party accepting illegal donations with Bill 7, because this law doesn't include anything to make the party pay back the illegal and, if not illegal, unethical donations it accepts.

Basically, the PC government has made off like a bunch of bandits in the night with the wallets of hard-working Albertans. This is what you see with ratepayers. Their tax dollars are going to individual political parties. This is wrong. The PC government rejected the Chief Electoral Officer's recommendation to levy fines against parties that have received illegal donations, and that raises the question about what it will take for this government to follow the rules. Unfortunately, this is only the beginning with Bill 7.

10:10

Bill 7 fails to act on the recommendations of the Chief Electoral Officer to add corporations which receive a third or more of their revenue from the taxpayer to the prohibited donors list. One has to question why that type of common-sense recommendation was rejected by this government. Zero public money should go to political campaigns. The only way to ensure that this doesn't happen is to add that these partially publicly funded corporations are added to the prohibited corporations list. However, if a party receives significant funds from corporations which take a ton of taxpayer money, then it's no wonder that this government would not follow the CEO's recommendation.

The bill says that the Chief Electoral Officer may, not must, release the results of investigations. It's in the permissive, not the mandatory. I think that's an amendment that this government should strongly consider and that has been talked about very recently. Investigations should be released automatically to the public once there's been found to be a wrongdoing. There's absolutely no justifiable reason to make such a power discretionary on the Chief Electoral Officer.

Furthermore, Bill 7 would only allow the CEO to release going back three years. Many cases that have come up over the past year involved illegal donations going back much further. There are many examples of that. We saw that a current executive of Alberta Health Services had actually expensed donations going to the PC Party. That occurred more than three years ago, yet this government apparently finds it acceptable to allow those donations and the consequence of the investigation, the resulting penalties, to be kept secret. One has to question why they wouldn't just go further back.

If there is evidence, if the Chief Electoral Officer actually knows that there have been illegal donations made, it should be made public no matter how far back it goes. This is not a case of retroactive legislation going backwards. It's just shining the light on previous wrongdoings and indiscretions.

An Hon. Member: That's the definition of retroactive.

Mr. Saskiw: Apparently, there are certain members that don't understand the difference between retroactive and retrospective, but I'll continue on.

Many cases that we've seen are clear-cut. There's evidence. There are invoices. Of course, those cases have been referred to the Chief Electoral Officer. But if those cases of illegal donations are more than three years back, which there are thousands and thousands of dollars going illegally to the PC Party more than three years back, that will not be made public. Any investigations into those illegal donations will not be made public. Second, of course, there will be no publication of whether those illegal donations have been repaid.

Next, after some media out there reported that there was a \$430,000 cheque that went to one political party, it's at least an appearance that this could potentially influence a party. When one-third of a political party's donations essentially come from one person or entity, I think that the public is right to be forgiven thinking that that could influence public policy. I know that the hon. Deputy Government House Leader has talked about the opposition talking about a presumption of being influenced by donations. I don't make that case whatsoever. But I think that if there's a perception, if a third of your donations come from essentially one entity, there has to be a problem there, especially if that entity is asking for public funding.

The problems with Bill 7 don't stop there. Bill 7 continues to allow corporate and union donations. In today's age the public just doesn't feel comfortable with unions and corporations potentially exercising undue influence on the electoral process. Apparently, this government is quite comfortable continuing to rake in cash from union dues and contributing to the politicization of unions and to letting corporations influence the electoral process. Albertans think differently. Bill 7 virtually ensures that scandals could occur in the future.

Going back to the issue of corporations, of course we've seen federally that they have banned corporate and union donations and they've put a cap of \$1,100 per individual making donations. The sky hasn't fallen. We've seen a process where I think there could

be no argument that there's any type of influence coming from a person making an \$1,100 donation to a federal campaign.

Of course, that donation limit is quite low because there was previously a per-vote subsidy that was instituted federally. That's why the Wildrose is still suggesting a reasonable limit for individuals going forward but certainly not something to the extent of \$30,000 in a campaign period or \$15,000 during a normal calendar period. We're suggesting \$5,000 during a nonelection year and \$10,000 during a campaign period.

You know, I guess in the numbers you can see why there is such resistance on the other side to go this route. In the last election it just seems unbelievable, to show how rotten the core of a certain party is, that for donations under \$375 there was only \$68,000 that was raised for the PC Party. It's just incredible how far the party has dropped away from its grassroots members, when you see that type of stagnant growth on a low donation level. Of course, that just emphasizes why such a large donation of \$430,000 may have just saved the party in the last election.

If this government had listened or consulted with the municipalities, it would have heard that they want more control over their electoral process. Large urban centres have unique needs. We must have faith in our municipalities to govern themselves on some things, but this government doesn't think so.

Finally, Bill 7 could have fixed another problem, a broken promise by this government to create a fixed election date. Now, the Government House Leader talks about how the opposition is talking about a fixed election date and how that won't help the electoral process. But, in fact, it was his own leader, the Premier, who in her leadership campaign specifically promised a fixed election date. There are reasons for that, and those reasons I think are very well expressed in the Chief Electoral Officer's recommendations. Some of those reasons are more openness and transparency. Here's an opportunity for this government to actually take a recommendation from the Chief Electoral Officer to create a more open and transparent government, and what do they do? The first thing they do is reject it.

The second reason is that I think it helps with participation in the political process. If you have families or businesspeople, you know, they have to govern their lives, and to have no certainty on when an election is going to take place, it is very difficult for them to organize their affairs and get engaged in the political process. I had the opportunity to recruit candidates. It's very difficult in some cases to get both men or women with young families if they don't know when exactly the election is going to be. So I would hope that the government would strongly consider a fixed election date, strongly consider taking the recommendation of the Chief Electoral Officer.

Part of those recommendations, the rationale for a fixed election date, also included the reduced costs of having a fixed election date. As this government at least talks about being fiscally prudent, one would hope that they would take such a common-sense recommendation going forward.

It's not surprising, I think, that most of the substantive amendments of the Chief Electoral Officer have not been accepted, but it's disappointing. We saw that a former Chief Electoral Officer had previously put forward substantive amendments, and the Premier, who was then the Justice minister, rejected each and every one of them. Over a hundred recommendations, and the Premier simply ignored them. As a result, it's not surprising, I guess, that that individual's contract was not subsequently renewed. Perhaps he was overstepping his boundaries by putting forward positive recommendations that would potentially shed light on the PC Party and this government.

Mr. Speaker, there are a bunch of minor changes that I think the hon. Justice minister . . . [Mr. Saskiw's speaking time expired]

Thank you, Mr. Speaker.

10:20

The Speaker: Standing Order 29(2)(a) is available. Calgary-Shaw, followed by the Minister of Justice.

Mr. Wilson: Thank you, Mr. Speaker. I'd like to ask the hon. member if he can comment on the feedback we consistently seem to be receiving regarding the three-year limitation. As a lawyer I'm wondering if he would have an idea as to how we could make this legislation either retrospective or retroactive in order to look beyond the three-year limit imposed in the current legislation?

The Speaker: The hon. member.

Mr. Saskiw: Thank you, Mr. Speaker. I guess what I see when I talk to constituents about this legislation – I get many calls on it. When I talk to them and they hear that the legislation only goes back three years, so any illegal donations that were actually found – this isn't an allegation; there have been illegal donations found, proven by the Chief Electoral Officer – when they find out that those are not going to be made public, when they find out that either the fine, the reprimand, or the putting forward of a prosecution of those illegal donations isn't going to be made public, when they find out that the question of whether or not those illegal donations have been repaid is not going to be made public, they are understandably quite frustrated with this government.

The Government House Leader had mentioned that there are cases – the Chief Electoral Officer can shine light on the previous three years. Well, why not go back seven years? If there have already been cases that have been found where illegal donations have been made, why would you put a time limitation on that? You know, most businesses – obviously, with the Income Tax Act, which is the area that I practiced law in, you have a certain time period. You have generally seven years to retain documents. One would expect that that's the type of general limitation period that we should have. Have it go back to at least 2005. I'd even go one step further. If there are donations before 2005 in which the Chief Electoral Officer has found, has evidence, that an illegal donation has been made, that should be made public.

In no modern democracy, in no democracy in North America is there a case where illegal donations to a political party are kept secret. There's just no case of that, and there are reasons for that. The public has a right to know when someone has made an illegal donation. The public has a right to know when someone has accepted an illegal donation, when someone has illegally solicited an illegal donation. I think that one has to question – you know, we're not saying that this is perhaps deliberate, but the way that this has been set up, where there's the avenue to easily go back beyond three years, yet the government is refusing to do that, it strikes me that there's just something to hide. If there's nothing to hide, let it go back seven years. What's the big deal? The evidence is there. If the Chief Electoral Officer has the documents, let it go back seven years.

Now, I don't know. You know, this bill was delayed for a significant period of time. Potentially, the new revelations that were put forward in question period as well as just recently with respect to a senior executive of Alberta Health Services and the fact that these reimbursements of political donations were beyond the three-year period, maybe this is why this is the type of legislation that has come forward. When the Chief Electoral Officer was questioned in a committee earlier by the Member for

Edmonton-Strathcona, I think he made it quite clear that it was not his recommendation to just go back three years. It was not his recommendation. I don't see why it would be. If the evidence is already at the office of the Chief Electoral Officer, one would expect that he would be more than willing to put forward these instances of illegal donations.

The question of limitation. Clearly, retroactive legislation generally isn't allowed under the Charter, I guess, unless other extraordinary measures are taken, but the idea of retrospective legislation is commonplace in every other jurisdiction. I'd expect the government to look at going beyond the three-year limitation period and going back much further, whether it's seven years or even further than that if necessary.

Thank you, Mr. Speaker.

The Speaker: Thank you.

The hon. Minister of Justice.

Mr. Denis: Thank you very much, Mr. Speaker. I know that the hon. Member for Lac La Biche-St. Paul-Two Hills used to practise in the area of income tax law, and like me he shares the comments about the necessity to save money. No one has talked tonight about the issue of income tax enumeration, which B.C. has employed and estimates to save them \$25 million per election. The federal government says . . . [Mr. Denis' speaking time expired] Oh, I guess I'm cut off.

The Speaker: The hon. Member for Calgary-Shaw, followed by the hon. Member for Edmonton-Beverly-Clareview.

Mr. Wilson: Thank you, Mr. Speaker. It is a pleasure to rise to speak to Bill 7. You know, unfortunately, as we see all too often, this government seems to do one thing right and then a couple of things wrong. As one of those examples I'm just going to briefly speak to this motion on the previous question. It can be found in the *House of Commons Procedure and Practice* in the chapter called The Curtailment of Debate. You know, the hon. Minister of Justice has said in good faith that he wants to invite amendments from all three opposition parties so that we can have a robust and fruitful debate. Yet a motion like the one on the previous question just simply sets up the government to be able to invoke closure on this bill later on this week.

[The Deputy Speaker in the chair]

Mr. Hancock: It does nothing of the sort.

Mr. Wilson: That's not the intent?

Mr. Hancock: It doesn't do anything of the sort.

Mr. Wilson: Okay. Well, it just seems as though it's unfortunate that on a matter of democratic reform the Government House Leader would play a procedure like the motion on the previous question to move debate along in that manner.

Regarding the bill specifically, we see once again that government has selective hearing. They once again are failing to see and take the necessary action to follow through on their commitments. Mr. Speaker, when all of the opposition parties are raising similar concerns, it should be a clear signal to this government that they've made a mistake. However, once again we see this trademark PC arrogance showing with a refusal to listen to the Chief Electoral Officer and his recommendations.

My colleagues and I on this side of the House have issued a call for a ban on corporate and union donations. This is a major step in ensuring fairness in our electoral system. Democracy belongs to

the people of Alberta, not the corporate and union pals of the government or any other party.

We also issued a call for the lowering of donation limits. As it stands, an individual or company can donate a maximum of up to \$30,000 during an election year. Now, I know that that is roughly half the cost of one of the government fleet vehicles out there, but it's far more than what the average, everyday Albertan can afford. What this ends up creating is a perception, not necessarily the reality but the perception, that campaigns can go to the highest bidder.

In the case of this election the reality is that there was an alleged donation of \$430,000. I do not believe, hon. Government House Leader, that any one of your members would personally invite that or find that personally okay. I do believe that every one of you that sits in this House and every one of us that sits in this House has the personal integrity to understand that that is wrong. The problem is that it's unethical, and if it did happen, Albertans have a right to know.

I do think that, as the hon. Government House Leader likes to say often in this House, when somebody does something wrong, it reflects poorly on all of us, as does this case. If 20 per cent or 25 per cent or 28 per cent of a party's political donations, a party that ends up forming the government, come from one source, the perception is that that can be essentially influence peddling. It may not be, but the perception is there, and it's real. I just think that it's something the government should take into consideration when we raise it. It's not that we're coming out here and saying that every one of your members solicited this money and that every one of you is now bound to do something for it. I don't think that any one of you probably knew that it happened until it broke in the *Globe and Mail*. The unfortunate reality is that we're here now.

Now, the independence of the Chief Electoral Officer needs to be strengthened, especially given how the last electoral officer was sort of bullied out of his office and, you know, the Standing Committee on Legislative Offices did not renew his contract. Now, yes, he is an officer of the Legislature, but that is a government-majority committee. I do believe they decided that they were not going to renew his contract.

Even though the Minister of Justice and Solicitor General likes to talk about how the Chief Electoral Officer can make recommendations, what he fails to mention is that his government doesn't like to actually follow all of the recommendations. In some circumstances 90 out of 101 would be pretty much a resounding success, as some members opposite have relayed. But it does fall short of the hype provided as we were waiting for this legislation to be tabled. There have been a number of cases of illegal donations that have been made public recently, and I think we all know which party the lion's share of these donations have gone to. This bill still fails to make those automatically public, and nothing in this bill ensures that Albertans know whether or not the illegal donations have actually been repaid.

10:30

Mr. Speaker, while we're on the topic of disclosure, which is something that this government trumpets as part of its open and transparent mandate, the bill says that the Chief Electoral Officer may release the details of investigations that have taken place over the last three years. Nowhere does it say that he must make these investigations public. Now, in the committee that we had on Friday, the Chief Electoral Officer confirmed that he has evidence of illegal donations back to 2005. Nowhere does he recommend to this government a three-year time frame. That three-year time frame was something that was either put in by the minister that sponsored the bill . . . [interjections] I look forward to engaging

with you on Standing Order 29(2)(a), hon. Government House Leader, when that comes up, as to where that came from.

The reality is – the Chief Electoral Officer confirmed this at the committee – that he did not recommend that. That means that that number was arbitrarily put in there either by current legislation or it was put there by the minister or cabinet or the Premier.

Now, as well, Bill 7 still fails to follow through on the Premier's promise to have a real, fixed election date. Promise made; promise broken. Instead, we're left with a flexible election window that leaves the decision up to the government of the day, leaving the advantage to the government of the day and denying Albertans the certainty of an election. Fixed election dates do work. They were recommended by the Chief Electoral Officer as far back as 2006. Our municipalities have had elections on the same day every three years, likely soon to be every four years, and the world has not come to an end.

The Chief Electoral Officer suggested the cost to taxpayers was around \$350,000 a month leading up to the April election as they had to secure office space and staff for this election when they thought that there was a potential that it could happen in the fall. That's \$350,000 a month taxpayers of Alberta were on the hook for just because this government decided that it was going to play politics with an election date, despite the fact that the Premier had actively campaigned on not doing so, clearly, because of the advantage it offered.

Mr. Speaker, there are many loopholes that need to be closed. There are some glaring omissions that need to be addressed. I'm sad to say that I doubt the PC government is going to be able to admit that they've made an error and that they will refuse to make the changes that are needed to make this a better piece of legislation. Again, the Justice minister has suggested he will in good faith look at the amendments. I certainly hope he does.

One of the pieces that was inserted into Bill 7 that was not a recommendation – it must have come from the Justice minister – was the quarterly reporting by local constituency associations. I really would encourage the government to reconsider this, not only because of the increased volume that it's going to have on our Chief Electoral Officer, who is already busy enough as it is, but because that's 348 filings annually. It makes sense from a party perspective, but from a local CA perspective, that are generally run by volunteers, this is going to have an impact on every single one of our ridings. It's just an unfortunate reality that you decided to stick it in there. There's no added benefit or value to Albertans to having this every quarter.

Now, Mr. Speaker, my colleagues and I in the Wildrose and in all opposition caucuses are working hard to listen to our constituents, to stand up for Albertans and represent their views here in Legislature. As a result, I know there are other aspects of this bill that are good, that are a step in the right direction, positive steps regarding postsecondary students, where previous homes or campus residence can be where they vote. Better access to voting for youth living away from home is definitely something we can all agree on.

Mr. Speaker, I think we know that there is a difference between talking the talk and walking the walk. I came here to do what I said I was going to do and to say what I was going to do. I wasn't going to oppose bills needlessly for the sake of opposing them, and you've seen that. We've passed many pieces of legislation that were solid, good pieces of legislation. We've had a couple that we found contentious. That is democracy. I, unfortunately, cannot say the same about some members from the other side as we propose our amendments.

Mr. Speaker, we need to respect democracy, we need to represent our constituents, and we need to make decisions in the best

interests of all Albertans. With amendments and corrections and by listening to our constituents, I know that we'll be able to do that with Bill 7. However, without ensuring that we make the best possible piece of legislation, we will be doing a disservice to our constituents and to Albertans. I know the PCs have some issues with numbers, and maybe that's why we can't balance the budget, but we all know that they have a majority in this House. What that means is that they really don't have to listen to Albertans and make some changes, and there is only so much that the opposition can do. We will do everything that we can to try and add teeth to this legislation and implore the PCs to listen to their constituents as well as the opposition and the Chief Electoral Officer to make sure that this is a piece of legislation that is strong and accomplishes exactly what Albertans want and the Minister of Justice has promised it will do.

I will close with this, Mr. Speaker. We all need to remember that we came here as part of a democratic process. We came here because our constituents put their trust in us, and they put their trust in us not only to represent their views but also to uphold and strengthen the democratic process that we're all a part of.

With that, I'm looking forward to the ensuing debate and the hopeful passage of amendments that will truly strengthen this bill.

Thank you.

The Deputy Speaker: Thank you, hon. member.

Standing Order 29(2)(a) is available. I recognize the Minister of Justice.

Mr. Denis: Thank you very much, Mr. Speaker. Just a quick question to the Member for Calgary-Shaw. I appreciate his comments on the record. As part of the new elections act, if it is passed, we will be doing income tax based enumeration. The people will check off a box if they want to be on the provincial list of electors. The federal government has had an 84 per cent compliance here. On the same token, B.C. has instituted a similar process which indicates a \$25 million savings per election. I'm just wondering if that's something that he supports.

Mr. Wilson: I'm not sure I fully understood the question. If you could please clarify.

The Deputy Speaker: The hon. minister.

Mr. Denis: Thank you very much, Mr. Speaker. Just to clarify, there is a section in the Election Accountability Amendment Act, Bill 7, that allows for enumeration by way of income tax. So when you file your provincial income tax, you tick off a box: do you want to be on the provincial list of electors? It's very similar to what the federal government has done since approximately 2006. Basically, my assertion is that you get a better election list for less money and less people knocking on people's doors and annoying them. Lord only knows, there's enough of us that do that. I'm wondering if this is something that this member supports.

The Deputy Speaker: The hon. member for Calgary-Shaw.

Mr. Wilson: Thank you, Mr. Speaker. I do believe that amendment makes sense. I think that it does require a little bit more looking at, but I would generally be in support of that. Yes.

The Deputy Speaker: Are there others? I recognize the Member for Edmonton-Beverly-Clareview.

Mr. Bilous: Thank you, Mr. Speaker. I'm very appreciative of the opportunity to speak to Bill 7. For the most part I want to clarify certain comments I made earlier about which it seems that the

hon. House leader had gone a little bit on the defensive, insinuating that the amendments that the New Democrat caucus will be putting forward are a tax on either individuals or others. The truth of the matter is that what we're trying to do is to strengthen this bill in a number of areas that I think and that Albertans have told us will help to strengthen democracy. So we're definitely not on the witch hunt for individuals. I think there should be an improved process if illegal donations are made. However, I'm not going to go down that path for the moment.

I'm just talking about how Albertans and individual voters are the ones who decide elections. If we truly want to democratize our process further, we should be bringing forward or strengthening or lowering the limitations on how much individuals can donate, political contributions. All of us in the House here, obviously, have to do a certain amount of fundraising in order to afford everything from office space to signs to printed material and advertising.

However, by lowering the limit that individuals can make, it forces all candidates to go out and cast their net even wider as far as relying on the grassroots for funding because they're forced to go to more people. As opposed to making 10 phone calls for \$30,000 or \$20,000, candidates are forced to speak with hundreds if not thousands of individuals, soliciting a much lower and more reasonable amount that the majority of Albertans would be able to contribute.

10:40

You know, I can think of many people who have donated to my campaign, and there is no way that they could afford more than a few hundred dollars, never mind thousands of dollars. Lowering the limit to even \$3,000, it's still a significant amount of money to get from any individual. Again, looking at reasonable solutions here, if the government of Canada – let's just say all of Canada – has a limit of \$1,200 per person, I'm not sure how it is so offensive to the governing Tories here that going down to even a few thousand dollars is just outrageous in their opinion.

We look at many other jurisdictions across the country, and it's smaller contributions which then force candidates to go out and talk to more people as opposed to relying on the big donors. I think another way to strengthen democracy is implementing election campaign expense limits so that on the whole parties can't spend an innumerable amount of money on an election, keeping the amount reasonable so that we're relying on more people. A figure that the Alberta NDP is putting forward is a million-dollar limit for spending by a political party, which, when we look at other jurisdictions across the country, is more than reasonable.

Adding to all of it is banning corporate and union donations. There definitely is a sentiment amongst many Albertans that business has no place in financing political campaigns. Again, I'm not pointing the finger at anyone. Alberta New Democrats, as is widely known, do receive donations from unions. In order to level the playing field for all parties, we're not calling for a ban on just corporate donations. We're calling for a ban on all union and corporate donations, which would ensure that every political party has to go to individuals as opposed to going to certain businesses or organizations or unions and asking for the big cheques.

I think it's safe to say that all parties in this House would stand to lose a significant amount of donations if that was enacted. Again, as opposed to just a self-preservation mentality, you know, members on this side of the House are looking at what is best for Alberta, what is best for democracy, and how we ensure that all parties are playing on a level playing field. I find it quite interesting that you have three different parties on this side of the

House, covering the full range of the political spectrum, yet unanimously calling for a ban on corporate and union donations.

The only party that seems to be opposed to this is the party in power and, in my opinion, the party that stands to lose the most because when you look at where the bulk of PC donations have come from, it is not from grassroots members; it is from the larger donations coming from corporations. I mean, personally, I just interpret that as the Tories being scared of getting the legs knocked out from under them. Meanwhile, most Albertans see this as a step in the right direction. Like I say, level the playing field, and accept an amendment that three out of the four parties in this House are calling for.

I don't think it's that absurd. We're trying to strengthen democracy. We're trying to increase voter turnout. We're trying to reinstall in the public a trust and confidence in the work that we're doing. I think that, as other members have pointed out, there is a perception amongst many Albertans that politicians or parties are influenced by donations. I'm not making any accusations, but I'm saying that in order to quell that sentiment and to send a message to all Albertans that – you know what? – if it's the voters that elect the politicians, then it should also be only the voters who can put dollars toward politics and politicians and political parties. I think that would send a strong message to all Albertans that we are truly trying to strengthen the fabric of democracy in this province.

Again I will call on the government members to seriously consider amendments that are going to be put forward this week calling for a ban on corporate and union donations, looking at limiting donation amounts that individuals can contribute along with putting some limitations on leadership campaigns. It seems a little odd that we're putting some limitations on actual campaigns during general elections, yet there are very few limitations on leadership campaigns. It's quite surprising to many Albertans when we learn how many dollars are spent on leadership campaigns. I don't have the numbers in front of me to look at the Tory leadership race from last fall; however, I know that there was a significant amount of dollars spent.

We've touched on fixed election dates. I think that, again, making our elections as predictable as possible for Albertans will help to increase our voter turnout. I think it'll also help to restore faith in our democratic system. I mean, it does seem a little odd that the governing party gets to decide on a whim or whenever is convenient for them when the election is going to be called as opposed to giving all parties the same footing, a level playing field where everyone knows within the province exactly when the election will be called and can prepare in response to that.

I look forward to the debate that's going to be following on this bill. I think that there are amendments that need to take place if we want this bill to truly reflect the interests of Albertans and what we've all been hearing at the doorstep, for those of us that go regularly door to door, about how we can improve our democratic system and elections in the great province of Alberta.

Thank you, Mr. Speaker.

The Deputy Speaker: Standing Order 29(29)(a) is available.

Seeing none, I'll recognize the next speaker, the Member for Little Bow.

Mr. Donovan: Thank you, Mr. Speaker. It's interesting. Say we sit here tonight and we debate lots of things on Bill 7. I guess we always try to find the positive in things. I'm not here just to be a naysayer to all the ideas that are part of this bill.

In saying that, I guess there are a couple of things that I think I agree on with the Premier of this province. As she stated back before she became the Premier, one of her things was to commit to

calling elections every four years on a set date. I quote. She said that Albertans are supportive of this idea, and several other provinces have already used this; they understand the issues that are coming, and they don't believe that any political party should have an upper hand in managing the political agenda by picking the date accordingly. She was also touting the idea, some other ideas in here, of electronic voting and stuff like that.

I guess the thing to me is that what one says and what one does afterwards are quite a bit different. This was on September 23, 2011, before she was Premier, telling people what they basically wanted to hear in this province. It was great of her to do that because she had travelled around the province in her leadership campaign to become the Premier of this province, to become the leader of the governing party at the time. It's funny what people will say to get elected. It was quite good, actually, to hear that she was listening to what people said because it's renowned in this article that I'm reading here, that I'll table tomorrow, which I'm sure I'll have to do because I quoted from it now.

She had the mindset and the foresight when she went around the province and she was actually listening to Albertans on what they wanted when she wanted to become the leader of this party that runs the government now. I think it's key. I mean, we're talking just over a year ago. I don't think there's been a 180-degree change in what Albertans wanted. I think it was very clear: fixed election dates. I mean, obviously, that's what she heard as she toured around. I actually got to hear her in High River one day, and it was interesting. I mean, it's interesting when somebody starts with what I think is probably a good idea, hearing what Albertans wanted, and we bring up a bill to do that, and then the question always arises: is that what people want? You know, they come back to that. It saddens me.

10:50

We've had that process where at one point we actually listened to what Albertans wanted. We campaigned on what Albertans wanted. The Premier of the province did that. She went around, and she listened to the people at the time. Now when things start to get whether you want to call it dug out our looked at, however you want to go about saying it, then the question comes back: do people really want four years? I kind of kicked it around, and, yeah, all the Albertans I talked to wanted a fixed election date, and they want it so that they know that the government – and these are her own words. What happens is that the government has the upper hand by not saying the exact date. That's kind of a card up the sleeve if you're a card player. I just find it quite interesting, you know, at different times of the year what people will say or different years depending what their position is for power. I always worry about that, I guess.

We talk about credibility in this House, and we talk about that, you know, obviously, people aren't crooks and they can't be bought. I never try to assert that. I put a spin on it once in a while, get some blood pressure climbing here and there, but that's not my intent. I guess I just sit there and wonder sometimes, you know, year to year what people say and what they come back with. I get that you have to go out and listen to what constituents want and ratepayers want in this province because things do change. We can't go back five years or four years to what people wanted to what it is now because, I mean, times and places are different.

Some of the pros of this act – and I'll give that to them, you know. If this goes through, are we going to let some people that are younger work at some polling stations? In my riding it becomes a challenge a lot of the time to find people to work at these.

My colleague from Calgary here talked about the money that was spent by not having a set election date, by Elections Alberta having to set up in different places, rent spots and have them ready for when the writ was dropped. To me, that's just wasted money. If we went to a fixed election date, these are things that can be identified so that we let people go out, and they know. Elections Alberta – I mean, that's the key one there, your tax dollars and mine in there – can actually set up shop, and they don't have to spend upwards of half a million dollars renting locations that just sit empty until the writ is dropped.

Very frustrating when you talk to people that were working. Again, I'm not sure about the urban centres, but in the rural ridings it's a challenge to find people to be in that because it's a very thankless job. It's not what everybody lines up to come and do. So when they do that, you know, they're putting their lives on hold because they don't know when they're going to be called, when the election is going to happen. To me, it's a financial thing as much as anything.

Public illegal donations to be repaid: I think that horse has been beaten more than adequately in this Assembly right now. You know, how much money people can donate to an election, whether it be a corporation or personal, I think is kind of key. In 2010 I believe the city of Edmonton had quite a few people running to become mayor. Then everybody discloses all their stuff, which is great. You could really see the difference in a couple of different campaigns of big corporate donors – donors. [interjection] You can't go wrong with a big sandwich.

When you have the big corporate donors, you can see that they backed one person because the finances showed that that particular candidate had lots of \$5,000, \$2,000, \$5,000, \$1,000 donations and very, very few under the hundred-dollar donation mark, I mean, almost limited. Then another candidate that was successful, I'd say, pulled back from the grassroots side, had way more donations that weren't at the \$5,000 mark. It's interesting. If you're ever bored, go scan the spreadsheet of one person. Literally, it's just \$5,000 written down the right-hand side of donors. The other, of one of the candidates, anyway, was \$250, a thousand dollars tops, and it bounced all the way along there.

To me, that's interesting. If we go back to that, I don't think it would hurt anybody where your maximums are. I'm not going to sit here and drag people through what they did or didn't donate and make sure that the loopholes are closed. It's always nice to hear that the member who is the Solicitor General, who's bringing up this bill, is looking to hear inputs and have some backing on that.

One of the other ones, that my colleague from Calgary here also talked about, was the CAs having to do their quarterly donations and to make sure that that's done. I think that's going to be an onerous task on Elections Alberta themselves and on the CAs. The 87 people in here know that for most CAs it's all volunteers. You know, to get a strong CA can be a challenge sometimes, and sometimes it's not a challenge. I guess I'm new at that end of it.

I mean, I sat on the previous MLA's constituency board for a number of years, and I enjoyed it, met lots of people on it. But, in all honesty, there weren't a lot of meetings for it just because it's hard to get people out and to donate. If you start putting the task on them that they're going to have to do quarterly financials, I'm not sure what we'd gain out of that, in all honesty, if, say, it was 348 extra filings in a year with 87 candidates. Again, I guess you take that to the ones that didn't win also. To me, I'm just not sure if we really gain a lot out of that other than that it gives everybody a warm and fuzzy feeling.

A couple of my notes on that. The one that I guess drives back to me would be the straight election dates, making them fixed. It's not often you can quote me, but I agree with the Premier on this

one. She said a year ago that these are things that Albertans told her they wanted done, and I think those are things that we should follow along with. It's nice that we're following along with the election officer's ideas. They came up with 90 out of 101, I believe. Correct? I mean, it's a start. That's 90 per cent. That's pretty good where I come from.

Would I like to see some changes? Yeah. You know, the big one is the corporate donation limits and the fixed election dates.

With that, I'll wrap up my conversation. Thank you, Mr. Speaker.

The Deputy Speaker: Thank you, hon. member.

Standing Order 29(2)(a) is available.

Mr. Young: I heard lots of protest about the three-year limit on looking at investigations, and then at the same time they're protesting the quarterly reporting. I get that quarterly reporting is onerous on our volunteer organizations, but isn't it more prudent to be more frequent and be up to date on the donations rather than wait for it on an annual basis and then continually try to do a historical review and catch the historical stuff as opposed to keeping up on the donations in a more timely fashion?

The Deputy Speaker: Thank you, hon. member.

The hon. Member for Little Bow to respond.

Mr. Donovan: Thank you. I couldn't agree with you more. The historical is a great way to find out what happened. In all honesty, if any CA from here on in was to take illegal money and not understand where it should have come from, I guess I'd have a real hard problem believing people didn't know if it was legal or not legal. I guess it's been beaten around in the media. It's been beaten around this House a ton. I think people pretty well know, you know, that the towns, the MDs, the counties, the odd school board here and there probably shouldn't donate to any legal entity of an elected official. It doesn't look good at any time.

11:00

Again, the quarterlies: I get that that could be, I guess, a question of whether it would work or not. To me, I think the yearly works on that end of it. In my constituency, for instance, we're not pumping in a lot of money every quarter, so it would be a lot of zeros and send it in. The question is: when you're asking your volunteers to do that, are you actually gaining value out of that? As far as the constituency level, I mean, that can be done. In my constituency, for instance, my CA board: we could head down the road, go have a pizza, and get that figured out one day. But the onus comes back to Elections Alberta. They're going to have all these extra filings – 348 is one number that's come out – that come to them every quarter.

I'm not on that committee membership, but my understanding is that Elections Alberta would like more money to be able to fund what they're doing because they're already in a challenge on that. I'm not sure that we'd be gaining anything by doing that for them. If there was something to be gained out of it, I'm always open to ideas, but in my vision right now I think it's more of a play on words to make everybody feel good about it. It's going to hinder Elections Alberta more than help them. Those are just my thoughts.

The Deputy Speaker: Thank you, hon. member.

Are there others under 29(2)(a)?

Mr. Young: Well, I've just been sitting in this House for a long time, hearing about all this stuff going back to 2005. I know many of us got elected in more recent years, and I'd rather bring the conversation on election issues to be more of a current one.

Quarterly reporting is getting the opportunity to – if those errors or omissions or misplaced donations happen, I'd rather have it exposed or reported sooner rather than later, rather than trying to look back seven years ago. Wouldn't you agree that a quarterly reporting to find out any kind of errors is better sooner rather than later?

The Deputy Speaker: The hon. member.

Mr. Donovan: Thank you, Mr. Speaker. I'll say no just to argue with you. In all honesty, I don't think it's going to help. I think we identify the ones that are coming in. I think that people have figured out in this day and age what they should or shouldn't have. I might not have heard your comment correctly. I assume you mean going back to 2005, not that you've been in this House since 2005. I missed that part. It's late in the night. I'm not here to quiz you on it.

I think the yearly is working. I don't think that's the discussion. I think it's whether people have identified what's a legal donation and what's an illegal donation, and in all honesty I think most everybody has figured out what an illegal donation is. I guess I could have the illegal donation in the 11th month of the year before you file. You're going to identify it just as quickly.

Again, I just think it's going to be onerous towards Elections Alberta to have to deal with all these filings every quarter, but

that's just my thought. I guess what scares me, too, is that you're going to have people that don't file their papers right. I know that there are members in this House that didn't get their Elections Alberta stuff filed right.

The Deputy Speaker: Thank you, hon. member.

Are there other speakers on the motion or the bill?

Seeing none, I'll call the question on the motion that's before us.

[Motion on previous question on Bill 7 carried]

The Deputy Speaker: The rules, hon. members, are that having dealt with the motion on the question, we will now call the motion on second reading of the bill.

[Motion carried; Bill 7 read a second time]

The Deputy Speaker: The hon. Government House Leader.

Mr. Hancock: Thank you, Mr. Speaker. I would move that the House adjourn until 1:30 p.m. tomorrow.

[Motion carried; the Assembly adjourned at 11:04 p.m. to Tuesday at 1:30 p.m.]

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