

Legislative Assembly of Alberta

Title: Wednesday, March 23, 2005

8:00 p.m.

Date: 05/03/23

[The Deputy Speaker in the chair]

The Deputy Speaker: Good evening. Please be seated.

head: **Government Bills and Orders**
Third Reading

Bill 2
Alberta Centennial Medal Act

Mr. Mar: Mr. Speaker, I'm happy to move third reading of Bill 2.

The Deputy Speaker: The hon. Member for Edmonton-Ellerslie.

Mr. Agnihotri: Thank you, Mr. Speaker. As I said in the previous debate of this bill, we fully support this bill because it provides a tribute to Albertans who have made a significant contribution to make our province a better place to live in, to raise our families in, and to work in. This bill is a one-time commemorative medal that will recognize the honour and extraordinary accomplishments of nominated Albertans during the province's centennial year.

The Alberta Centennial Medal Act seeks to award deserving Albertans who have contributed to our province in areas such as community involvement, leadership, volunteerism, or outstanding personal achievements. This is an act that has as its motivation the celebration of our centennial year.

Some questions were raised during second reading. I think the first one was surrounding section 4 of the bill. I'm still not clear what exactly are the criteria in determining who these individuals and organizations are. Especially, how will the government determine which associations, governments, and other organizations will be designated as having the ability to nominate a recipient? How will the government determine which individuals can nominate potential recipients? What is the process for this?

Other than further clarification around these issues, I can see no other provision of this bill that needs debate, Mr. Speaker. Alberta's Official Opposition fully supports this bill. Its motivation is based upon celebrating the province's centennial through personal recognition of extraordinary Albertans. The special men and women and youths who will receive this award will no doubt be worthy of this special tribute. We are not here to complain and whine. We fully support this bill and are willing to work with the ministry in celebrating our centennial year.

Thank you.

The Deputy Speaker: The hon. Member for Edmonton-Strathcona.

Dr. Pannu: Thank you, Mr. Speaker. I will be very, very brief. I just want to say that the bill has the NDP caucus support. I raised some questions during the second reading of the bill, and the minister was quite specific and addressed some of those concerns that I expressed. One of those I think he addressed by way of suggesting that some of those concerns will be taken care of in the writing up of the regulations, and if I recall correctly, he thought he'd be willing to share that information as that writing is undertaken or would certainly consult.

So with that, if I'm correct in my understanding and recalling of what the minister had to say on that day in response to my questions, I'm very happy to support this bill in its third reading.

Mr. Hinman: I would like to also thank the minister and to put the

Alliance caucus support behind it as well. I think that it's important in this centennial year that we do look back and . . .

Mr. Mar: It was unanimous?

Mr. Hinman: Let me check. Absolutely.

It's important that we look back and recognize the great citizens that have contributed to this province and the sacrifices that they've made here as they came and they settled this land and worked hard. I'm just excited to see these awards get put out to deserving individuals, and I think that it'll boost the morale of the province. It's just exciting to see such awards going out to special individuals that have contributed so much to our province.

Thank you.

The Deputy Speaker: The hon. Minister of Community Development to close debate.

Mr. Mar: Thank you, Mr. Speaker. In response to the hon. Member for Edmonton-Strathcona, I believe that what my promise to the House was at the time in second reading was that I would convey the transcripts of *Hansard* to the drafters of the regulations so that they might contemplate the comments made in this House while they were drafting the regulations. So I have done exactly that. The drafters have in fact seen the comments that have been made by hon. members here, most of which I think we've been able to accommodate in the drafting of the regulation, which is not yet complete.

Apart from answering that question, I thank all hon. members on both sides of the House for their kind comments in support of this bill.

[Motion carried; Bill 2 read a third time]

Bill 27

Appropriation (Supplementary Supply) Act, 2005

Mrs. McClellan: Mr. Speaker, it is my pleasure to move Bill 27, the Appropriation (Supplementary Supply) Act, 2005, at third reading.

The Deputy Speaker: The hon. Member for Edmonton-Gold Bar.

Mr. MacDonald: Thank you very much, Mr. Speaker. It's a pleasure to have an opportunity to participate in the debate this evening in regard to Bill 27. I was hoping to get an opportunity earlier to discuss this, but now is an ideal time.

I notice Bill 27 is slightly different than the supplementary estimates that were provided in the booklet form, certainly in regard to the reconciliation of adjusted gross amounts. When one looks at Bill 27, again we see money for the last fiscal year and lots of it, almost to the tune of \$2 billion.

Now, I'm curious: in the supplementary estimates that were presented and debated in the Assembly in the past couple of weeks what is exactly the reconciliation about, and why is it not included in the bill? Certainly, I have been looking at previous government budgets, and I see where there is no reconciliation publicly listed from one year to the next. Research in the Legislature Library indicates that previous Progressive Conservative governments had a reconciliation from one year to the next, but it's a practice that seems to have stopped, oddly enough, at least publicly.

Now, I was surprised to see, Mr. Speaker, that there is a reconciliation listed in the supplementary estimates, and I was astonished not to see it in Bill 27. We see in the reconciliation that is listed in supplementary supply, Agriculture, Food and Rural Development, that there was a transfer to the Department of Infrastructure and

Transportation listed. Children's Services is listed as a reconciliation. Community Development, there was a transfer to the Department of Seniors and Community Supports. Economic Development is listed. Education is listed. Energy is listed. Environment is listed, Executive Council, Finance, Gaming, Government Services, Health and Wellness, Human Resources and Employment, Infrastructure and Transportation, Innovation and Science, International and Intergovernmental Relations, Justice, Municipal Affairs, Restructuring and Government Efficiency received a transfer – and that in itself is interesting – Seniors and Community Supports, Solicitor General, Sustainable Resource Development.

The hon. members across the way can correct me if I'm wrong, but it's the first time I can recall or find a reconciliation of adjusted gross amounts listed this way in supplementary estimates.

8:10

Now, in regard to appropriation Bill 27 we are essentially adding on almost \$2 billion to the budget. Mr. Speaker, usually in June of each year the hon. Minister of Finance releases the government of Alberta's annual report, and the annual report details the revenue and expenses of the Alberta government in a number of categories including by ministry and by subject areas: supply and services, salaries and wages, travel and communications, et cetera. In September of each year the government departments release an annual report for each department. Each of these reports goes into greater detail than the government's annual report, but each report should contain the same basic information that is in the annual report. All of the annual reports provide Albertans with a good idea of how each department works and what kind of activities they endeavour to pursue.

With Bill 27 here we just have a general list. However, Mr. Speaker, these reports provide very little information as to exactly where the money was spent. For example, one department might claim they spent \$1 million on travel, but the annual report won't tell Albertans where they travelled to, how much was spent, or even who went. Now, that's no different than this bill we are discussing here this evening.

To answer the question, "Where exactly did the money go?" each May the government of Alberta releases the public accounts, also known as the blue book. The blue book lists selected payments made by the general revenue fund of the government of Alberta. It lists grant payments over \$5,000 in one category and in another supply, services, purchase of capital assets over \$10,000. Now, there's no such listing provided with this bill.

The public accounts document is prepared in accordance with section 17 of the Government Accountability Act.

The public accounts for a fiscal year shall include the following:

- (a) the consolidated annual report prepared under section 10,
- (b) the ministry annual reports prepared under section 14 . . .
- (c) any supplementary schedules, statements, explanations and financial statements that the Minister of Finance may require.

All three sets of financial statements make up the public accounts, so some time next year we will see where Bill 27 fits in this scheme.

Now, all three documents are interesting whenever they are compared. Upon comparing, Mr. Speaker, the amounts of grants and supplies and services listed in the annual reports with the amounts listed in the annual report, I have discovered in the past some inconsistencies.

Now, first one notices that the totals for each category do not match. For example, if we look at some of the past budgets, let's look at the figures for grants in the following table for the fiscal year ended March 31, 2002. It would be interesting to see how much of this money that we're discussing in Bill 27 is actually granted, Mr. Speaker, and how much is for supply and services. But for the fiscal

year ended March 31, 2002, in the public accounts \$13.5 billion was listed for grants, but the annual report has an amount of \$15.1 billion. I'm rounding this off, but the difference is \$1.5 billion. For the fiscal year ended March 31, 2003, public accounts states again for grants that there is \$13.6 billion. The annual report indicates that there's \$13.8 billion. That's a difference of \$271 million. As you can see, the total amount of grants that the government of Alberta has given within the same fiscal year differs significantly.

The significant difference raises for this member a number of questions. Why are the numbers so different, especially considering that the transactions took place within the same fiscal year? Is there an explanation for the difference? Who or which parties were the additional funds given to? Perhaps most importantly, how are Alberta taxpayers' dollars being used? Is this good or bad public policy? We need to know how the tax dollars really are being spent. When we look at this bill here this evening, we have no idea. No idea. [interjection]

Now, the hon. Member for Grande Prairie-Wapiti says that this is terrific, and I have to disagree, Mr. Speaker. I would say that these are very valid questions, and we need an answer. The Auditor General of Alberta and the Department of Finance are able to provide an explanation and a reconciliation for this discrepancy. The public accounts book is calculated on a cash basis, and the annual reports are calculated on an accrual basis. Accrual accounting means that income and expenditures are recorded when they are brought to account or a contract is signed and not when the money is received or paid. A payment shows up in the public accounts book when the cheque, as I understand it, has been cashed, and in the annual report when the contract has been signed.

This leads to even more questions in regard to this. Firstly, why don't all government financial statements use the same method of accounting? We have in this reconciliation a lot of the government departments but not all. We have none in Bill 27 here. Then, second, having financial statements that don't use the same accounting method creates unnecessary confusion and makes it difficult for the public to understand, and I will say that it makes it difficult for this hon. member to do my job and my obligation and my duty, which is to hold this government accountable.

Now, furthermore, if a reconciliation of the two documents is available, then why is it not made part of the public accounts book? The government's financial statements cannot be considered complete without a reconciliation between the two documents because without one, the government is keeping two sets of books. To put it another way, is this government practising an Enron style of accounting?

Additionally, there is a second, more troublesome layer to this problem in my view. When you examine each department individually, Mr. Speaker, it becomes apparent that the totals in the public accounts documents and the totals in the annual report document do not add up. Furthermore, the totals of each department are higher or lower by drastically different amounts. The comparison revealed no regularities, no uniformities, and led to more questions.

8:20

For example, for the fiscal year ended March 31, 2003, the public accounts book states that \$545 million was spent on supplies and services, while the annual report states that \$290 million was spent. That's a difference of \$254 million, or 47 per cent. At first glance Albertans have no idea how to account for the difference. Is it because money was transferred, because cheques were cashed late, because contracts in a given year went over budget? Or is it for some other reason entirely? These questions also have to be addressed whenever we discuss Bill 27, Mr. Speaker.

The bottom line is that a reconciliation between the two different accounts is required in order for the government of Alberta to prove

not only to this member but to everyone else that it is not practising an Enron style of accounting. Furthermore, Albertans need answers to these questions and reconciliations so they know exactly where their tax dollars are going. When we look at this bill, we have no idea where these tax dollars are going. I think it's unfortunate, and I think it is disrespectful to the taxpayers, and it is neglectful of this government to not provide a public accounting of all their finances.

Thank you.

Mrs. McClellan: You're saying this with a straight face?

Mr. MacDonald: You bet I'm saying this with a straight face.

Now, Mr. Speaker, I sent . . . [interjections] Yeah, you laugh. You've increased government spending from \$14 billion to \$22 billion, and you still have the same problems, whether they're with public education, public health care, or roads, or bridges. You want to close schools. You want to build casinos where we don't want them. I think you really should concentrate on building hospitals and maintaining schools and building schools on the edge of town and answering these questions.

Mr. Speaker, last summer I wrote the government and I wrote each respective ministry, and I have yet to receive a reply to my questions. These questions are as relevant now, when we're debating Bill 27, as they were last summer. [interjections] Oh, I'm going to look at my records and see exactly who I wrote to.

The Department of Justice is a shining example to you all. I think you should take the tour of the Ministry of Justice because it is one of the very few departments, Mr. Speaker, that in the fiscal year ended March 31, 2003 – John Carpay would be impressed with this. The total listed in the annual report for that department for grants: \$28,980,000. The total spent by the Department of Justice according to the public accounts: \$28,000,979, a difference of a wee amount of \$329,000, and that is excellent. That is excellent. But I'm sorry that is one of the very few departments where the amounts balance between what was in the annual report and what is listed in the public accounts.

Now, the Solicitor General . . .

An Hon. Member: Children's Services.

Mr. MacDonald: Oh, Children's Services. Oh, my gosh, Mr. Speaker. [interjections] The hon. member was not responsible, but for the fiscal year ended March 31, 2003, general revenue fund, details of expenditures by Alberta Children's Services: for grants there was, according to the public accounts, in total \$568 million spent. I'm going to round this off, Mr. Speaker. This is a unique department because you have both a ministry and a department: total for the ministry; total for the department. I'm sorry; the books do not balance. So perhaps the hon. minister could work very diligently in the new portfolio and ensure that whenever I review this next summer, they do balance and there's a true accounting to the citizens.

Thank you.

Mr. Chase: Last Wednesday in this House I sort of joked that having done seven pages on the interim budget, I would just simply reverse the process and start from page 7 and work back to 1, but in honour of my esteemed colleagues I felt it was important to write a different speech. This presentation deals with philosophy and process as opposed to specific budget items, although I do refer to a number of departments. Please bear with me, and if you have any questions or comments in the midst of the presentation, please let me know. Also, I noticed that my hon. colleague from Calgary isn't

here to check, but I am not packing *Hansard*. These are all my notes.

Tonight I want to look at the derivation of a number of terms as they apply to the budgetary process. To begin with, I want to examine the definition of the term "supplemental," which comes from supply, in this case additional supply. I also want to discuss the meaning of the term "liberal," which is used frequently in this House in a disparaging, derogatory, demeaning fashion, especially when referencing federal Liberals, who are referred to as – insert the adjective of your choice – cousins.

If you look up the word "liberal" in the dictionary, you might get the sense of free flowing, for example. A liberal outpouring suggests turning on the tap and letting it run. "Conservative," on the other hand, suggests holding back, saving for the future, which brings me in a somewhat roundabout way to our discussion on the supplemental budget tonight.

Words like "perception" can be deceiving and subject to misuse. A supplemental budget suggests money in a separate account, perhaps in Switzerland or in some offshore location. It also makes one think of socking away funds or going to the mattress. Alberta's bountiful natural resources provide this province with an unusual problem, and that is money management: a balance between spending, saving, and investing. It is here where the traditional definitions of conservative and liberal no longer apply.

An individual who fits the traditional conservative definition to a T was Alberta's first Conservative Premier, the Hon. Peter Lougheed. Mr. Lougheed shared the same financial approach of the Biblical Joseph, who is renowned both for his coat of many colours and for his conservation approach. Joseph advised the king to store away provisions against the day when famine might savage the land. Likewise, Premier Lougheed came up with the notion of the heritage trust fund. In good times he set aside a figure which approached \$13 billion. This princely sum was to be left to grow in the form of an invested savings account which would be there in times of shortage such as declining resource royalties.

Unfortunately, a different form of Conservative philosophy followed, one that appeared from a Liberal point of view to be liberal in that rather than allowing the fund to grow, as was the case with Norway's fund, a series of Progressive Conservative caucuses kept raiding the fund, which at one point due to poor investments dropped to \$11 million. About that point, the more conservative Liberals suggested the need for an additional savings fund, a notion that the liberal Conservatives readily adopted. In this case, the idea or philosophy was worthy of adoption.

Another Conservative notion that appeared to make great sense at the time, in 1992, was the idea of providing temporary relief to oil companies when the price of a barrel of crude dropped out of sight by reducing by two-thirds the royalties oil companies were required to pay. Unfortunately, from a savings investment point of view the royalties remain reduced and continue to be at the same percentage established in 1992, although the price of a barrel has risen from the basement in 1992 through the roof now in this year of 2005.

8:30

One of the offshore neoconservative philosophies that this government adopted as a quick fix was the New Zealand model courtesy of Sir Roger Douglas. Rather than coming up with a fiscal philosophy that was relevant to the Alberta resource-rich experience, the government saw an opportunity to dramatically reduce the \$23 billion debt that they had run up from being in the business of underwriting a series of bad business investments. However, rather than taking a cautious conservative approach, the government raced ahead with liberal abandon, cutting and slashing health care, public

and postsecondary education, welfare, seniors, AISH. Hospitals and schools were closed. Infrastructure was put on hold. Seniors lost their health and dental benefits, which they and I are very glad to see restored a decade later by this government.

A funny thing happened on the way to the slash-and-burn forum in 1994. Thanks to the recovery of the world price of a barrel of oil and the rising cost of natural gas, we recorded our first billion dollar surplus. This signal of a turnaround in our economy wasn't sufficient to stop the axe or the social program chipper. In the name of the Holy Grail of debt reduction school boards lost their ability to levy local property taxes, which provided them with the ability to address local issues and accounted for 50 per cent of the revenue. Also in the name of efficiency, an Orwellian code word for control, the number of school boards was reduced and health regions amalgamated. The salaries of all public employees were cut back by 5 per cent for the next five years. Kindergartens were cut back, and instead of fireworks to celebrate . . .

Mr. Herard: Point of order.

The Deputy Speaker: On a point of order, the hon. Member for Calgary-Egmont.

Point of Order Relevance

Mr. Herard: Thank you, Mr. Speaker. Standing Order 23(d) is one particular issue as well as relevance. We are in third reading, as I understand it, of a bill, and when we are in third reading of a bill, the debate has to be on the bill. In other words, it's no longer about what the bill should be, what it could be, what it should have been. It's what the bill is. I've really been enjoy listening to these speeches that the hon. member puts together, but I think that the hon. member has to learn that in third reading on a bill, he has to speak to the bill such as it is, not read some entertaining piece of literature that he's created. So, Mr. Speaker, I believe that you have to call this member to order.

The Deputy Speaker: Do you wish to speak on the point of order?

Mr. Chase: I've been trying to relate it to various departments. If you like, I'll literally cut to the chase, come to the conclusion, and hopefully you see the relevance.

The Deputy Speaker: I, too, have been listening and have been waiting patiently for you to tie this back to the bill, so if you would continue and speak to the bill.

Mr. Chase: Thank you. What I'm trying to get at is the whole idea of supplemental. I'd like to think that we could get a value to begin with so that we know an accurate amount, and therefore we don't have to add extra to it after the fashion. I hope you see this as relevant. It has to do with the Public Accounts Committee and perceptions.

Debate Continued

Mr. Chase: A week ago today I asked the question in the Public Accounts Committee as to what the dollar value of parks and protected areas was as we hadn't conducted a recent inventory. Therefore, we had no record of the infrastructure deficit or what supplemental monies were required to bring the parks and protected areas back to their past precut glories.

This past Thursday, Friday, and Saturday I along with the hon.

Member for Battle River-Wainwright attended a great parks and protected areas conference in Canmore, during which the hon. Member for Battle River-Wainwright presented a report on water strategies. In the sessions that we shared, I brought up the need for a water inventory so that we could track what supplemental budgeting was required to conserve and preserve the quality of this resource. While I don't want to commodify water as a sales item, I do believe we need to account for our water resources, which are depleting naturally and through man-made requirements.

I very much appreciate the members' patience, and I want to thank the Member for Calgary-Egmont for keeping me on track.

At this point I would like to adjourn debate on Bill 27.

[Motion to adjourn debate carried]

Bill 30

Appropriation (Interim Supply) Act, 2005

Mrs. McClellan: Mr. Speaker, it is my pleasure to move Bill 30, the Appropriation (Interim Supply) Act, 2005, for third reading.

The Deputy Speaker: The hon. Member for Edmonton-Gold Bar.

Mr. MacDonald: Thank you very much, Mr. Speaker. It's again a privilege to get to participate in the debate on Bill 30, which is essentially – well, I'll put it to you this way. It's like giving your teenage son an allowance before he shovels the walks. You don't know exactly what he's going to do first. This bill is no different than a teenager with their allowance. You have to make sure they do the right thing with it.

Now, this also could be considered an advance on that allowance, but we've got to look at how all this money is controlled, how it's accounted for. We were talking about that earlier, ironically, with Bill 27. When this government comes before the Assembly and asks for, actually, money to essentially run for the first three months of the fiscal year while they're sorting out the budget, that is considered a usual practice, but when you examine the public accounts of this government – and this bill is going to next year appear in the public accounts.

The public accounts is a very interesting document, Mr. Speaker. I was curious last year, when the Minister of Finance appeared before the Public Accounts Committee and was making a very eloquent speech about accountability, why the blue book is listed alphabetically from A to Z for not only grants but also for supplies and services. Why wouldn't it be like Bill 30 here? Why would it not be like Bill 30 and each department that has money would be listed? I realize that if you go through the public accounts books for grants and supplies and services, you will see an alphabetical listing and then you will see the respective department on the right-hand side of the page. But why couldn't it be listed by department?

Now, I didn't think for a minute: what's this government trying to hide? Why is it listed alphabetically? But I thought I would change that and do it by department. It took quite a bit of work, but there was no snow to shovel, fortunately, last summer, so we got at it, myself and a very capable and able researcher, and I was astonished with our results.

If we are to look at, for instance, Community Development – and Community Development is certainly going to get money in Bill 30. Community Development is going to get \$101 million. Now, if we look at the grants for Community Development, we see very worthwhile organizations. We even see the Beaumont municipal library board getting a grant, and it's good to see library boards getting grants. We see cities; we see counties; we see different

organizations. But there is a difference at the end, again, from what was stated in the annual report and what's in public accounts, and I'm still without an explanation to this. Now, this is in grants. Maybe supplies and services, Mr. Speaker, would be different.

8:40

We look, for instance, at Bill 30 and Government Services. Government Services is going to get \$17.6 million to get by on for a little while, and it's a relief to know that the utilities commissioner is not involved in that amount. Now, let's just have a look at this. You'll have to be patient with me for a minute. I just have home-made tags here. Through the general revenue fund, details of expenditures by Government Services – and this is Government Services alone. I would gladly give the Minister of Finance a copy of my work if she desires.

We start off with Government Services with an outfit called 1 2 3 PC Inc. A service was supplied, and the total amount was \$171,000. Now, we get down here to – and I believe these are information technology companies, but one doesn't have to go too far to add up significant tax dollars here. There's an outfit called Acrodex Inc., \$1.1 million. Never heard of them. There's BMC Software, \$355,000.

The Deputy Speaker: On a point of order, the hon. Member for Calgary-Egmont.

Point of Order Relevance

Mr. Herard: *Beauchesne* 459. Mr. Speaker, if anyone in this Chamber has been here long enough to know what the rules are in third reading, this hon. member should. I've been looking at the bill, and I've been looking for references to what he's carrying on about, and I find that all of that is totally irrelevant. This is not a forum for his complaints about what he's able or not able to do in Public Accounts. This is about an appropriation bill, and I would ask that you enforce the rules.

The Deputy Speaker: On the point of order.

Mr. MacDonald: Mr. Speaker, in defence I can't help if the hon. member, after all these years in the House, does not understand interim supply. I'm sorry. We were talking here about \$17 million which is going to be voted on probably tonight to the hon. minister's department, and we do not know how this money is going to be spent.

The Deputy Speaker: Are you speaking on the point of order?

Mr. MacDonald: I certainly am, and I feel very strongly, Mr. Speaker, that I'm entitled to continue.

The Deputy Speaker: Please do continue but continue speaking on the bill and keep your comments more focused to the bill.

Mr. MacDonald: Thank you.

Debate Continued

Mr. MacDonald: Okay. So for all those who are listening, Government Services is to receive in expense and equipment/inventory purchases \$17.6 million in this bill.

Now, where have they been spending the money, and why should we vote this amount to them? In the past they have spent, for instance, CGI Information Systems and Management Consultants, \$1.6 million. We see another computer services limited company,

close to \$500,000. We see Dell Computer Corporation, \$545,000. We see EDS Canada Inc., \$24 million. That's greater than the amount that is listed in the interim supply estimates. We see Global Direct Corp. getting \$3.6 million. We see IBM Canada receiving \$28 million. We see Imaging Solutions Ltd. receiving \$2.4 million. We see Intellex Systems Group receiving \$327,000; LogiCorp Data Systems Ltd., \$684,000.

An Hon. Member: Is Enron in there?

Mr. MacDonald: Now, the hon. Member for Grande Prairie-Wapiti said, "Is Enron in there?" No, we have to go back two previous fiscal years before we see an entry for Enron, but if the hon. member would like to see it, I could certainly find it and I will show it to him in due time.

Microserve business computer services received, Mr. Speaker, \$1.2 million; Oracle Corporation Canada, \$434,000; Neopost Inc., over \$2 million. This is all from one department. We are asked here in one line item, hon. Member for Calgary-Egmont, to provide Government Services over \$17 million in this interim supply bill. There is no detail here, but there is detail in previous public accounts documents as to where this money is going to wind up. You can shake your head, but there's an issue of accountability.

An Hon. Member: Sad.

Mr. MacDonald: It certainly is sad whenever this government is no longer accountable to the taxpayers. You bet it's sad, and I'm disappointed.

Now, information services, again: Rational Software Canada . . .

An Hon. Member: So move.

Mr. MacDonald: Now, Mr. Speaker, an hon. member says that perhaps I should move.

The Deputy Speaker: The hon. Member for Calgary-Egmont on a point of order.

Point of Order Relevance

Mr. Herard: *Beauchesne* 459. Mr. Speaker, there is absolutely nothing relevant about last year's public accounts and this year's Bill 30, Appropriation (Interim Supply) Act, 2005. Now, you know, it may be a lot of fun for some people to get up and make all these statements about last year, but it's got nothing to do with this year's bill, and I think we're here to try and do the business of this Legislature, not entertain people who want to read in all kinds of things that are not relevant to the discussion.

Please, Mr. Speaker.

The Deputy Speaker: I will read *Beauchesne* 459. It starts out by saying: "Relevance is not easy to define. In borderline cases the Member should be given the benefit of the doubt, although the Speaker has frequently admonished Members who have strayed in debate." I would say that there has been some straying from debate, and I would ask that the member focus more clearly on the bill instead of continually straying.

On the point of order, Calgary-Varsity.

Mr. Chase: Yes. Possibly I can help the Member for Calgary-Egmont to see the pattern that is trying to be achieved here. We get a series of one-line statements . . .

Mr. Herard: Mr. Speaker, is he speaking on the point of order?

Mr. Chase: I believe I am.

Mr. Herard: I don't think he is.

Mr. Chase: The point of order has to do with relevance, does it not?

The Deputy Speaker: If you wish to speak to the point of order, speak through the chair.

Mr. Chase: Sorry. I'm used to speaking to the person who brought up the problem as opposed to the protocol. Excuse me, sir.

What we're trying to achieve is not a series of rambling comments. We're given by this government a series of one-line items. We have no idea what these one-line items are. There's no justification for the items: \$17 million for this; \$24 million for that. We need the details, and this is our attempt to get out the details.

The Deputy Speaker: You asked to speak on the point of order, not to continue with the hon. member's speech, so I'll go back to the hon. Member for Edmonton-Gold Bar to continue his speech on the bill.

Debate Continued

Mr. MacDonald: Thank you. I will continue on the bill.

Now, Government Services has asked for \$17 million in this bill. Let's go to another department. We did Justice earlier. We can't do Restructuring and Government Efficiency because it's a new, expanded cabinet. Certainly, there are less government members in this term than there were in the last, but the cabinet grew, to my surprise, and it grew through Restructuring and Government Efficiency.

Now, Innovation and Science receives \$35.4 million; Education receives \$665 million; Energy, under \$60 million.

Economic Development, a small department, receives \$3 million less than Government Services. For a small department they get a significant amount of money, but I suppose the former Minister of Energy, Murray Smith, has to make sure that there's money in the bank whenever he gets his cheque. There has to be a lot of money in the bank because his cheque is pretty big. There are other activities going on with Economic Development that we could certainly talk about at this time, and that is the opening up of yet another trade office.

We're opening trade offices where 10 years ago a group called the Deep Six – now, the Deep Six were concerned about accountability and the wise and prudent use of tax dollars, and I'm disappointed that now we are not. I don't know if the Member for Calgary-Egmont was a member of the Deep Six. I forget.

Some Hon. Members: No.

Mr. MacDonald: No, but Mr. Smith certainly was. The Deep Six has become part of history. The flip side of that: there's a 180 degree turn from government efficiency, wise and prudent use of tax dollars, to trade offices in places like Washington, Mexico City. Perhaps the hon. Minister of Economic Development can fill us all in on where they are because we're opening them so fast, I can't keep up. You know, the envoy, I believe the former member in here is called: well, that's an expensive word for ambassador. A very expensive word. We'll see how all this works out here in a year or two, perhaps, with this new office in Washington and see what

happens. But we're spending a lot of money on that, and a portion of it would be coming, certainly, from this line item.

Now, Mr. Speaker, when we look at Bill 30 here, and we compare it to past government expenditures, and we look at how the accounting for other government expenditures worked, we can only ask ourselves how this money is going to be spent. Again, the hon. member is quite willing to participate in debate, in my view, but when we present this bill and ask for billions of dollars to carry us over until the budget is presented by the Minister of Finance and debated for a very short period of time publicly, you're asking for essentially a blank cheque for each one of these departments.

You, hon. Member for Calgary-Egmont, may not understand – I don't know – public oversight, but it is perfectly valid to ask questions as to how this money is to be accounted for.

The Deputy Speaker: Hon. member.

Mr. MacDonald: Yes, Mr. Speaker.

The Deputy Speaker: Could you direct your comments through the chair instead of debating with another member?

Mr. MacDonald: Certainly, Mr. Speaker. I apologize.

So when we casually look at this bill, and we look at all the amounts that are to be spent, Mr. Speaker, we should have the right, the duty, and the obligation to scrutinize each and every dollar. That's what one of our jobs is here. Not only should we spend money; we must spend it wisely, and we must be accountable for where it went. This system that is set up, that is currently employed by this government, in my view is not adequate. It is deficient, and it needs to be improved.

Now, the questions I've asked this evening: I expect and demand, respectfully, an answer. I have been waiting since last August for an answer. I have been waiting shorter than that, since September, from the respective departments where there have been deficiencies located, and it has been nothing but silence from the government benches.

In conclusion, I would like to say that in other matters that I have dealt with with the hon. Minister of Finance, correspondence has been answered straightaway, but with this matter it has not. I and the taxpayers of this province deserve an answer. Thank you.

At this time, Mr. Speaker, I would like to adjourn debate on Bill 30, please.

[Motion to adjourn debate carried]

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

[Mr. Marz in the chair]

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

Bill 5 Family Law Amendment Act, 2005

The Chair: Are there any comments, questions, or amendments to be offered with respect to this bill? The hon. Deputy Government House Leader.

Mr. Stevens: Thank you very much, Mr. Chairman. I'm pleased to rise to begin discussion in committee on Bill 5, the Family Law Amendment Act, 2005. I have tabled with the House amendments to the act that I'm introducing this evening. If they could be handed

around so that members will be able to follow along with my comments, which in large measure will relate to the House amendments.

My comments in second reading were extensive and in large measure dealt with the substance of the bill, so tonight I intend to speak principally to the House amendments and to questions or comments that were raised by hon. members in second reading. I think that the clearest way to deal with the House amendments will be to discuss them in terms of the original section as I go from the beginning to the end of the bill itself.

I will however make a couple of initial comments on the House amendments. First of all, as I said at second reading, the Family Law Act is a major piece of legislation, and we're committed to ensuring its successful implementation. We proceed with implementation activity, and as we continue to have the formal and informal consultation on the legislation, we are continuing to see ways in which the legislation can be strengthened. That is the reason I am bringing these House amendments in tonight to the amendment act.

The second comment that I have is that I would like to point out that a number of the House amendments change references to prescribed forms and procedures to words such as "designated" or "provided for" or "respecting."

9:00

If hon. members would look at section 107 of the Family Law Act, they will see that that section gives the Lieutenant Governor in Council the power to make regulations over a number of things, including procedural rules in subsection (I) and forms in subsection (m). All of the regulatory powers in section 107 are powers to make regulations respecting the matters specified. Only the powers with respect to rules and forms are powers to prescribe.

The problem with saying "prescribing" is that it is very specific. Every time a rule is to be changed or a form has to be tweaked, the request will have to be brought to cabinet and an order in council will need to be obtained. Members will appreciate that this is a relatively cumbersome process and that it's not necessary. The Department of Justice has existing processes such as through the Rules of Court Committee to develop procedures and forms and to make them available to the public. The department has advised me that it does not know why "prescribed" was used in the context of rules and forms but has asked that a more flexible regulatory provision be provided to allow the existing processes for developing rules and forms to continue to be used without having to run everything through cabinet.

Also, before I proceed to look at some of the other House amendments, the hon. Member for Edmonton-Glenora asked during second reading about implications of the marriage legislation before the House of Commons. I'd like to expand on the answer that I gave to the hon. member. Guardianship under section 20 of the Family Law Act pertains to the two natural parents of a child. Where one of the parties to the relationship is not a parent of the child, section 20 would not apply to that person, and the nature of the gender relationship wouldn't matter. Where one of the parties is not a parent but wants to be a guardian of the child, an application for appointment as a guardian would be made under section 23 of the Family Law Act. A more common approach would probably be for the nonparent to apply to adopt the child under the Child, Youth and Family Enhancement Act. Once an adoption order is granted, that person becomes the guardian of the child. There is no distinction made on the basis of sexual orientation under the Child, Youth and Family Enhancement Act.

House amendment A adds a new section 4.1 to the amendment act. Section 4.1 would amend section 12(5)(b) of the Family Law

Act, which is a section dealing with the consent form to be signed by the surrogate mother in a surrogacy situation. Rather than prescribing the form by regulation, we will provide for the form in regulation thus giving the increased flexibility to deal with this form that I spoke about earlier.

House amendment B would amend the proposed section 20(1) by deleting the words "or agreement to the contrary between the parents of a child regarding the guardianship of a child" and replacing them with the words "regarding the guardianship of a child." We wanted parents to be able to agree to include one of the parents as a guardian even if the necessary relationship or residency criteria wouldn't be met to make that parent a guardian automatically. In other words, rather than force the parents into a court application, they could agree to share guardianship.

As drafted, however, the section will have too broad an application. The parents would have the ability to enter into an agreement to make a third party guardian or to terminate their guardianship. Third party guardianship is dealt with by court order in section 23 and the termination of guardianship in section 25 with conditions to ensure that the best interests of children are protected. Rather than give parents a general ability to contract about guardianship, we are proposing to give them a limited ability to agree that both parents should be guardians. After deleting the general provision in subsection (1), we propose to add a more restricted agreement provision by adding a new subsection (5), which reads, "Despite subsection (3)(a), if both parents so agree in writing, both parents continue to be the guardians of the child even after the child begins to usually reside with only one of them."

At second reading the hon. Member for Edmonton-Glenora expressed some concern about the expression "substantially equivalent periods of time" in section 20(3)(b). That subsection provides that both parents are guardians if the child lives "with both parents or alternately with each parent for substantially equivalent periods of time." The hon. member gave an example of one parent working in the north and only being able to reside with the child for 25 per cent of the time. He wondered if that would be an equivalent period of time and if not, would that be a fair result.

This is an issue that was considered. We considered whether we should try to define what a substantially equivalent period of time was, but we felt in the end that no definition could sufficiently accommodate all of the situations and circumstances that will be sure to exist. The saving grace is the parents will be able to agree to share guardianship. If they can't, they will have to go to court. Over time courts will develop principles to apply when there is an issue about substantially equivalent periods of time, but there will always be some people that will need the assistance of the court in resolving that issue.

Section 6 of the amendment act amends section 21 of the Family Law Act. Currently the Family Law Act lists the responsibilities and powers of guardians together in section 21(5). The intention of the legislation is that guardians have certain responsibilities that are mandatory and that they have a number of powers that may be exercised in order to fulfill their responsibilities. To ensure that the difference between powers and responsibilities is sufficiently clear in the legislation, the proposed amendment separates the two. Responsibilities will now be found in subsection (5); powers will now be found in subsection (6).

During second reading an hon. member expressed support for the concept that all parents in Alberta should become aware that there are responsibilities and there are powers in the exercise of being parents. That is precisely the intent of this section. We feel that the amendments clarify as to what is mandatory – the responsibilities are mandatory – and what is discretionary. In order to fulfill the

mandatory responsibilities, the guardian has a number of discretionary powers that can be exercised.

Currently the exercise of powers is to be done in a manner consistent with the evolving capacity of the child. That remains unchanged although this is now placed into its own subsection, subsection (7). As indicated at second reading, this means that a guardian is expected to treat an infant differently than a five year old, a five year old differently than a 12 year old, and so on. The hon. Member for Edmonton-Glenora wondered how it would ever be enforced. For most parents and children it's just a reminder that one of the responsibilities of guardianship is to guide the child toward independent adulthood. Obviously that can't be done if a parent always treats a child as a five year old.

An example of enforcement, however, would be in the area of medical consent. The courts have developed a principle known as the mature minor principle so that a child who is under the age of majority but who is found to be mature and competent by a court can generally give his or her own medical consent to a proposed course of treatment. The general statement about exercising powers in a manner consistent with the evolving capacity of the child continues the ability of the court to determine whether a child is a mature minor. These types of cases do not happen very often, and they have to be determined by the courts on a case-by-case basis, but it is an important power to leave with the courts.

House amendment C would have section 7.1 added after section 7. Section 38(1)(c)(iv) allows regulations to prescribe who is an enforcement officer for purposes of enforcing an access order. This amendment would allow us to designate those persons rather than prescribe them, giving us more flexibility than is provided by a formal order in council.

9:10

House amendment D adds a new section 8.1 to the amendment act that amends section 65(1), (2)(c), (4), and (5)(b) by replacing the word "prescribed" with "provided for." These sections all relate to describing the type of financial information that must be disclosed for a spousal support or child support application. Subsections (1) and (4) relate to the disclosure of financial information by one party to another, and subsections (2)(c) and (5)(b) relate to the disclosure of financial information held by a third party pursuant to a court order. This is an example of something that we might wish to see in the Rules of Court rather than in a separate order in council regulation. It is an area where we would like to have greater flexibility.

House amendment E would see a section 11.1 added after section 11 of the amendment act. Section 11.1 would amend section 98 of the Family Law Act by striking out "prescribed" and substituting "provided for." Section 98 allows the court to require parties to attend any course or program prescribed by the regulations. An example is that the Court of Queen's Bench requires divorcing or separating parties to attend a parenting after separation course before their court action can proceed. This requirement is currently found in a practice note to the Rules of Court. We would like to continue to be able to use existing procedures for establishing courses and programs, and so would like to have the increased flexibility that the amendment would allow.

House amendment F strikes out the current section 12 of the amendment act and replaces it with the new section 12. The new section 12 amends section 107(1) of the Family Law Act by seeing a lot of different things which are quite detailed.

In conclusion, Mr. Chairman, I can advise you and through you to members of the committee that we are working with the legal profession and with the courts on many details involved in proclaiming the act of the magnitude of the Family Law Act. We will be

continuing that consultative process as we move toward proclamation, which we have tentatively set as October 1 of this year. I anticipate that as we move closer towards proclamation, and particularly after proclamation as we gain experience with the legislation, we will find other areas that have to be fine-tuned.

Those are the comments that I have tonight, Mr. Chairman, and at this time I would ask that we move to adjourn debate on this matter.

[Motion to adjourn debate carried]

Bill 18

Alberta Order of Excellence Amendment Act, 2005

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

Mr. Rogers: Thank you, Mr. Chairman, for the opportunity to speak to Bill 18. This bill proposes to amend the Alberta Order of Excellence Act.

Mr. Chairman, the Alberta Order of Excellence is the highest award that can be bestowed on any Albertan. Since 1979 there have been only 58 awards given in the 25 years of this award, with the current bill allowing only for a maximum of five awards per year. This Bill 18 proposes to amend the Alberta Order of Excellence Act to allow that in particular in our centennial year we will be able to award 10 recipients of this act.

Mr. Chairman, any concerns that this provision will water down the significance of this recognition I would suggest are without foundation as there is a very rigorous process that leads to the awarding of these awards and that is intended to continue.

So I look forward to any other debate on this bill, Mr. Chairman.

The Chair: The hon. Member for Edmonton-Ellerslie.

Mr. Agnihotri: Thank you, Mr. Chairman, for the opportunity to speak on Bill 18 again, the Alberta Order of Excellence Amendment Act, 2005. We fully support this bill. This is the highest honour the province can bestow on a citizen. I agree with the hon. member. I am really glad to support this Bill 18 that will allow 10 Albertans instead of five to be honoured every year. There are many great people in this province that deserve to be honoured by this award. We already have given the green signal to go ahead with this without any delay, so I don't want to say anything further.

Thank you very much.

Mr. Chase: I just briefly want to speak in favour of this bill as well. Again I refer to my teaching background. Many times a number of students are worthy of rewards through academic proficiency, through physical proficiency, but because of restrictive programming we're not allowed to recognize these students. Increasing the number of excellent Albertans is a wonderful idea, particularly in the centennial year, and I thank the member for bringing forward this terrific recognition legislation.

Thank you.

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

Mr. Rogers: Thank you, Mr. Chairman. I would thank the hon. members for their support, and I would move that we close debate on Bill 18, the Alberta Order of Excellence Amendment Act, 2005.

[The clauses of Bill 18 agreed to]

[Title and preamble agreed to]

The Chair: Shall the bill be reported?

Hon. Members: Agreed.

The Chair: Opposed? That's carried.

Bill 3 City of Lloydminster Act

Mr. Snelgrove: Mr. Chairman, it's always a wonderful opportunity to get up and talk about the wonderful city of Lloydminster.

An Hon. Member: Tell us about it.

Mr. Snelgrove: Well, now, I'd love to.

But also the wonderful thing is that occasionally we have a bill in front of us that really doesn't need a lot of debate. This bill is identical, with the exception of the names changed, that Saskatchewan passed last year to identify the need in the city of Lloydminster to work with its changes to the charter. This bill, with the exception of the provinces changed, has been there. It's been through the stages.

The reason that they need the change is because probably, Mr. Chairman, oh, 60 or 70 years ago there was much more growth on the Saskatchewan side, so as they developed the city, the growth was patterned after Saskatchewan acts. Well, anybody who's been to Lloydminster knows that now about 10 times the growth happens on the Alberta side. That's very evident, and an example would be that if they last year built 300 homes in Lloydminster, 290 would be built on the Alberta side. So they've started to adopt more and more of Alberta models to deal with these changes in their city.

9:20

An Hon. Member: Is this relevant?

Mr. Snelgrove: Yes, very relevant.

I will be interested to hear any of the comments from all hon. members and try and answer any questions they may have about Bill 3.

Mr. Chase: Just one sad commentary that the city of Lloydminster represents. It used to be that when you drove out of Saskatchewan and into Alberta, you could tell by the conditions of the roads, but as the critic for infrastructure that difference no longer exists. It's unfortunate. We seem to be following Saskatchewan's example rather than leading by Alberta's wealth.

Mr. Backs: Mr. Chairman, I'm pleased to speak on this truly important piece of legislation for the great Alberta and Saskatchewan city of Lloydminster. It is an important piece of legislation.

I have relatives all over western Canada, and travelling to see them and on occasional work opportunities, I've come to be in Lloydminster on a number of occasions. I can certainly remember a couple of times I stopped because of weather and overnights and other times where I've stayed a few days. Each time I've remarked on the warm hospitality of the good folks in Lloyd.

Mr. Chairman, Lloydminster has the advantage of being just far enough away from larger centres to develop its own unique community life. From the many performances at the Vic Juba theatre to the plays and such of the Lloydminster Blazers and all the activities at Lakeland College Lloydminster offers a vibrant community life to go with its many business opportunities.

Oil and gas service industries, agriculture, and the biprovincial upgrader are just a sampling of some of the economic drivers in the Lloyd area. I think the biprovincial upgrader has been an especially

fine example of co-operation in industrial construction as contractors and tradesmen from the Alberta side have often found substantial work there. Interprovincial mobility of labour can work, and I haven't heard much call for temporary foreign workers in that area.

I'll be brief, Mr. Chairman, but I must note a couple of interesting events upcoming in Lloyd. There's certainly the meeting of the Saskatchewan and Alberta provincial Chambers of Commerce there very soon. They will be meeting on Tuesday, May 10, through I believe to the 14th, and many people in Alberta and Saskatchewan are looking forward to that meeting.

As well, many people, I think, in Canada will appreciate the upcoming unique centennial hockey challenge, which is a centennial project for both Alberta and Saskatchewan. It's a unique concept where you get to see some of the best players in the WHL play a provincial competition between the best from Saskatchewan and the best from Alberta. To quote from WHL Commissioner Ron Robinson: we're fortunate that this game is a joint project of the Alberta and Saskatchewan centennial committees, and they're both going to be supporting the event along with the CBC in both their radio and television coverage of this event. It's expected to be quite historic for the local area. Many people will be attending that, and the eyes of the country will be on Lloydminster. It will also serve as a warmup for the city as it prepares to host the Allan Cup, the Canadian senior A hockey championship, from April 19 to 24. I look forward to this.

I support this bill, Mr. Chairman, and thank you for your time.

The Chair: The hon. Member for Edmonton-Gold Bar.

Mr. MacDonald: Thank you very much, Mr. Chairman. It's a pleasure to rise and speak briefly to Bill 3, the City of Lloydminster Act, at committee. Certainly, Lloydminster is unique in its relationship with both the province of Alberta and the province of Saskatchewan, and as I understand it, this legislation will be very compatible to what the province of Saskatchewan passed last spring.

Now, the city of Lloydminster received its operating authority from the Lloydminster Charter and the Lloydminster Municipal Amalgamation Act in 1930. The charter served as a municipal act for the city since it is situated on the border between Alberta and Saskatchewan.

There are many similarities, Mr. Chairman, between the Saskatchewan side of Lloydminster and the Alberta side of Lloydminster, but there are some differences too. Certainly, one doesn't have to go to Maidstone, Saskatchewan, to enjoy cheap automobile insurance rates. All the people on the eastern side of Meridian Avenue have much cheaper insurance rates for their automobiles than Alberta consumers enjoy.

In fact, this point was brought out I thought quite effectively by the hon. Member for Edmonton-Highlands-Norwood, who actually travelled to the city and compared auto insurance rates. Consumers enjoy much cheaper rates. I would think that if we're going to look at Lloydminster, we could also take into account not only the differences but the similarities, and we could enjoy almost as low an insurance rate in this province as the consumers currently enjoy in Saskatchewan with the public auto insurance.

Now, public auto insurance, Mr. Chairman, would be an ideal thing. Should we just bring it in entirely in the Lloydminster area? Should we start there? The hon. Member for Vermilion-Lloydminster says no, but I'm sure that the consumers there would say yes. They like to save a dollar as well as the next person. Perhaps if the government here were to implement public auto insurance and they were to implement it in stages, well, because of the unique situation in the city of Lloydminster it would be an ideal place to start. Ideal.

Surely we all notice the growth in the area, and sometimes I find it astonishing that members on that side of the House are so quick to condemn government involvement in economic development and economic planning. I was listening with interest in here the other night to a debate, Mr. Chairman, in regard to the \$100 million that was set aside for tar sands research over two decades ago and how that investment in research had paid off. It had paid off in enormous returns not only to the Treasury but to the citizens of this province. That was government involvement by a Progressive Conservative government. Certainly, there have been some other involvements that have not been nearly as successful. They have been downright first-class boondoggles. Some of them have been quite spectacular. The hon. member pointed that out in debate, and it was successful.

9:30

Now, another success story – and this was not without significant taxpayer loss by not only the province of Saskatchewan and the province of Alberta but also the federal government – which certainly worked out for Lloydminster and the surrounding areas, was the support that was shown for what was called at the time the Husky upgrader. That has certainly paid off locally, and that was a form of government help.

Now, certainly, whenever the Progressive Conservative government was in power in Ottawa – I'm not talking about the one in Saskatchewan where a lot of them wound up trying to cash their severance cheques at the provincial jail canteen, but I'm talking about the last government of Mr. Mulroney. There were some significant cabinet ministers from that area. If one went around North Battleford, I believe there was a Mr. McKnight. There was certainly Mr. Clark, and there was Mr. Mazankowski.

I drive out there to visit relatives all the time, and I see the lovely twin road, and I think to myself: thank you very much. You can get to Lloyd in two hours, and maybe some day I will visit my sister in Saskatoon. The total trip from Edmonton will be five hours, and I won't be breaking the speed limit.

So those are examples of government involvement that have helped an area, and I think this bill will certainly clarify some things for the city of Lloydminster. I think that it will continue to grow and be a very prosperous part not only of Alberta but certainly of Saskatchewan and will make a significant contribution to the entire economy of western Canada.

In conclusion, Mr. Chairman, I certainly would support this bill. It is interesting that things are developing in this way for the citizens of that municipal district. Hopefully, the government will at some point consider public auto insurance for the consumers of this province, and they too can enjoy the wonderful insurance rates that the motorists in Saskatchewan enjoy. So the citizens of Kitscoty will have the same rates for their insurance as those further east in Maidstone.

Thank you.

Mr. Snelgrove: This will be very brief. Mr. Chairman, I want to thank the hon. Member for Edmonton-Manning for portraying many of the showcase things we've got. The only one I don't think he said was the Western Premiers' Conference that's going to be held there on May 4 and 5, kind of an important thing for our area. But we appreciate the walking billboard. [interjection] Well, you've got to be sharp on these things.

The one thing I could agree with the Member for Edmonton-Gold Bar about the people in the Lloydminster area is that they do elect good politicians. There's no doubt about that. We've got to go with that one.

Also, to the hon. members, when I was a wee lad, there were

6,000 people on the Saskatchewan side and only 2,000 in wee, little, Alberta. Now there are 7,000 on the Saskatchewan side and 16,000 on the Alberta side. It's got to be that government insurance that's attracting them. Well, now, just a minute. I think it does have to be that government insurance that's attracted those 1,000 people in the last 40 years.

So I think it's fair to point out that, you know, 20 blocks this way of the border they've got a hundred million dollar shopping mall development and expansion. Twenty blocks on the Saskatchewan side: well, for the last 10 there's nothing, and then there's Travel Alberta. That's just an example of why we have the Alberta advantage.

I really do want to thank the hon. members for their most productive comments on Bill 3. Thank you.

[The clauses of Bill 3 agreed to]

[Title and preamble agreed to]

The Chair: Shall the bill be reported? Are you agreed?

Hon. Members: Agreed.

The Chair: Opposed? Carried.

Bill 7

Health Statutes Amendment Act, 2005

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

Mr. Mitzel: Thank you, Mr. Chairman. First off, I'm pleased to rise and address some of the questions related to Bill 7 that were raised by the hon. Member for Edmonton-Centre during yesterday's debate.

The member asked why miscellaneous amendments such as name changes and case changes in the names of the colleges were included in this bill and not in a Miscellaneous Statutes Amendment Act. These changes are clearly miscellaneous in nature and could have gone into a Miscellaneous Statutes Amendment Act. However, since other changes were being made to the Health Professions Act, it makes sense to group all of the changes to one act together in one amendment act. This streamlines the drafting process and is more easily tracked.

For instance, the question regarding the lower case of "the" was specifically requested by the colleges as the colleges want it that way for legal reasons so that the word "the" wouldn't be part of the official title of their organization.

The member asked why we were removing the terms "prescribe, dispense, compound." First and foremost, the terms "prescribe, dispense, compound" are not being wholly removed from the schedule as a restricted activity; they're being removed only from section 2(1)(h) with respect to vaccines and parenteral nutrition. This would leave the administration of a vaccine or parenteral nutrition as a restricted activity. Since vaccines and parenteral nutrition are scheduled drugs, the activities of prescribing, dispensing, and compounding are addressed in sections 2(1)(f) and (g).

The dispensing and compounding of schedule 1 drugs are further regulated by the Pharmacy and Drug Act and the Pharmaceutical Profession Act. Amending section 2(1)(h) serves to clarify and remove the conflicts.

Regarding protection of the term "specialist," the member was asking whether consultations occurred beyond the Alberta College of Pharmacists. Consultation with all of the health professions currently under or targeted to come under the Health Professions Act

have taken place in respect to all of the proposed amendments in the Health Statutes Amendment Act. The amendment makes the title of “specialist” a protected title. This will impact all health professionals governed by the Health Professions Act as they will not be allowed to use the title “specialist” with respect to health care provision unless they’ve been authorized to do so by the respective professional regulation. The amendment does not however force any profession to make such rules.

The Member for Edmonton-Centre asked whether the term “specialist” was being used inappropriately by some health professionals and what prompted the need to legislate this term as a protected title. This issue was specifically raised by the Alberta College of Pharmacists, who expressed concerns that pharmacists may claim to be specialists in a particular area of practice. This amendment was put forward to protect the public, and there was no negative feedback on it during consultation.

Regarding the nurse practitioner regulation and the registered nurses profession regulation, nurse practitioners will be regulated with other registered nurses under the registered nurses regulation of the Health Professions Act. This regulation is currently targeted to come into force in the fall of 2005. When the regulation is ready, an order in council will be issued to bring into force the relevant sections of the Health Statutes Amendment Act so that they will be brought into force concurrently with the registered nurses regulation. Therefore, there will be no gap time as the relevant repeals will be simultaneous with the coming into force of the regulation.

9:40

The registered nurses regulations of the Health Professions Act are currently being drafted in conjunction with the Alberta Association of Registered Nurses, the regulatory body for nurses in Alberta. The content of the regulations will be similar to all of the other health profession regulations in that they will reflect the association policies in the areas of registration, continuing competence, restricted activities, alternative complaint resolution, titles and abbreviations, and reinstatement. Because this is a regulation, it will not be tabled in the House. Once drafted and completed, Alberta Health and Wellness will present the regulation to cabinet for final approval, at which point it will become a public document.

In relation to the Member for Edmonton-Centre’s question about who was consulted on regulation development, Alberta Health and Wellness has facilitated the drafting process, providing drafting instructions to Legislative Counsel that reflect the policies and procedures of the Alberta Association of Registered Nurses. This is an ongoing process, with the association reviewing any number of drafts. The association is the regulatory association that licenses and represents over 26,000 nurses in Alberta.

As with all regulations under the Health Professions Act all stakeholders are consulted on their proposed policies to be reflected in the regulations. Once the regulations are in draft stage, all stakeholders are consulted again. In this case stakeholders include all health professionals under the Health Professions Act, other impacted government departments such as the Ministry of Advanced Education, and regional health authorities.

The member’s issues relating to workforce planning and the succession planning were noted and would be more appropriately addressed by the minister at a future time.

Mr. Chair, as the members who spoke yesterday indicated, Bill 7 is straightforward and deals with technical amendments. I ask the House to support Bill 7, the Health Statutes Amendment Act, 2005.

Thank you.

The Chair: The hon. Member for Calgary-Currie.

Mr. Taylor: Thank you, Mr. Chair. I want to thank the hon. Member for Cypress-Medicine Hat for his remarks and his answers to the questions raised by my colleague the hon. Member for Edmonton-Centre. I think those answers take into account most if not all of our concerns, and I would be happy to go ahead from this point.

Thank you.

[The clauses of Bill 7 agreed to]

[Title and preamble agreed to]

The Chair: Shall the bill be reported? Are you agreed?

Hon. Members: Agreed.

The Chair: Opposed? Carried.

Bill 13

Railway (Alberta) Amendment Act, 2005

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

Mr. Chase: Thank you very much. I just want to clear up any confusion from this afternoon that might suggest that I’m opposed to road or railway development, particularly as it relates to Fort McMurray. What I’m concerned about is that projects of the magnitude that would be required to either improve the road or add a rail link are going to cost billions of taxpayer dollars, and it’s very important to me that projects of this magnitude be discussed and debated within this House as opposed to behind closed caucus doors. These are the concerns I raised.

I’m hoping that should a road or a railway be considered in the future – and I have spoken in this House about the need for improvements in, for example, both highways 63 and 43 – I would look forward to twinning and improving those two major roadways. With regard to the railroad I believe the group that would benefit most from this road would be the industries associated with Fort McMurray. I’m not sure that there would be as great a benefit for the individuals living there.

Thank you very much.

[The clauses of Bill 13 agreed to]

[Title and preamble agreed to]

The Chair: Shall the bill be reported? Are you agreed?

Hon. Members: Agreed.

The Chair: Opposed? It’s carried.

Bill 4

Alberta Science and Research Authority Amendment Act, 2005

Mr. Doerksen: I just want to address some of the questions that were raised at second reading and make some comments here on Bill 4, the Alberta Science and Research Authority Amendment Act, 2005.

As I’ve said before, there are significant opportunities that exist in the province for both ICT and the life sciences. In establishing the life sciences, the research institute will provide strategic advice and direction, and that’s a logical, necessary step to ensure a strong, prosperous future for the province.

There were a couple of items that were raised during second reading. First of all, the long-term goals of both institutes will not only have a positive impact from an economic development perspective, but the institutes also have a key role to play in enhancing our quality of life and benefiting the public good. A good example from the life sciences would be in bioproducts. Not only will investment in this area spur the agriculture and forestry economies in Alberta; it will reduce the environmental impact of certain practices and ensure the sustainability of this important industry. For example, we'll be able to convert agricultural waste into new products such as straw-based fibre products and generate energy from animal waste.

With respect to the ICT institute our investment will not only facilitate the economic future of Alberta's ICT sector, but it will also help support the growth and sustainability of the ICT infrastructure that is so important as we work to develop new knowledge and technology solutions. It will build on the good work being done by the Alberta informatics circle of research excellence, also known as iCORE, and increase the ability to attract and retain world-class researchers. It will build on the work done by organizations like TRILabs and universities and their commitment to ensuring that we have the necessary infrastructure to remain a leader in ICT.

Under reporting issues, an item that was raised in second reading, the Alberta Science and Research Authority Act clearly outlines the reporting requirements for the three existing research institutes. Under the act the agricultural, energy, and forestry research institutes are accountable to the Minister of Innovation and Science and are included in the ministry's annual report. Additionally, each research institute is guided by a strategic plan and prepares an annual report of key activities and initiatives.

These strategic plans and reports are available in the publications section of the Innovation and Science website, which of course is at www.innovation.gov.ab.ca, as well as in the publications sections of the research institute websites. The Forestry Research Institute website is currently under development, but its strategic plan and the annual report can be found on the forestry research section of the Innovation and Science website. The information can also be obtained directly from the research institutes. This same model of accountability and transparency will continue with the ICT and life sciences institutes.

9:50

The issue of board appointments was also raised. Board members are appointed based on their knowledge, their experience, and their ability to further our innovation agenda. MLAs are important members of these boards as they are a connection to the government and to their constituents. The innovation agenda is just one component of a long-term plan for the province. It will help to create opportunities for all Albertans in many areas and help solidify our foundation for the future. That future includes building a thriving province in all aspects, from a strong research system to world-class health care and education to a rich social and cultural environment.

So, Mr. Chairman, in conclusion, I again encourage all members of the Assembly to support this bill and to move it into third reading. Thank you.

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

Mr. Backs: Thank you, Mr. Chair. All of the matters that have been referred to me on this particular bill by my colleague, the Official Opposition critic in this area, the Member for Edmonton-McClung, have been covered. The Official Opposition supports this bill, and I would like to just say that.

[The clauses of Bill 4 agreed to]

[Title and preamble agreed to]

The Chair: Shall the bill be reported? Are you agreed?

Hon. Members: Agreed.

The Chair: Opposed? Carried.

The hon. Deputy Government House Leader.

Mr. Stevens: Thank you very much, Mr. Chairman. At this time I move that we rise and report progress on Bill 5 and report bills 18, 3, 7, 13, and 4.

[Motion carried]

[The Deputy Speaker in the chair]

The Deputy Speaker: The hon. Member for Calgary-Foothills.

Mr. Webber: Thank you, Mr. Speaker. The Committee of the Whole has had under consideration certain bills. The committee reports the following bills: Bill 18, Bill 3, Bill 7, Bill 13, Bill 4. The committee reports progress on the following bill: Bill 5. I wish to table copies of all amendments considered by Committee of the Whole on this date for the official records of the Assembly.

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

Hon. Members: Agreed.

The Deputy Speaker: Opposed? So ordered.

head: **Government Bills and Orders**
Second Reading

Bill 19
Securities Amendment Act, 2005

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

Mr. Knight: Thank you, Mr. Speaker. I stand today to move second reading of Bill 19, the Securities Amendment Act, 2005.

As I explained during the introduction of this legislation, Bill 19 follows up on a commitment we made with the signing of the provincial/territorial memorandum of understanding regarding securities regulation last September.

Mr. Speaker, I would like to explain some of the history behind the agreement. Early in 2003 Canada's provincial and territorial ministers responsible for securities regulation agreed to work together to make important reforms to the existing framework. They set the goal of developing an improved framework that inspires investor confidence and supports competitiveness, innovation, and growth through efficient, streamlined, and cost-effective securities regulation.

Mr. Speaker, the legislation before us for second reading will facilitate the establishment of an innovative passport system for securities regulation, a key commitment in the memorandum of understanding. The passport system will provide market participants with a single window of access to capital markets, reducing complexity and costs. They will be able to do business across most of the country by dealing with only one regulator and one jurisdiction's rules. At the same time we are making it easier for businesses

to access capital markets across Canada. It is important we also ensure the highest standards of investor protection.

Bill 19 enhances enforcement and compliance through a variety of means, including more broadly prohibiting misrepresentation, fraud, and market manipulation. The legislation increases maximum fines and administrative penalties and provides the Alberta Securities Commission with the power to order those who benefit from illegal activities to forfeit their gain. It also prohibits the unethical practice of front running to ensure that those who provide trading and advisory services to Albertans put the interest of their clients ahead of their own or the firm when trading. In order to provide more consistent regulation across Canada, this legislation will further harmonize various provisions of the Alberta Securities Act with those of other jurisdictions.

Mr. Speaker, in conclusion, I would simply like to say that this legislation makes it easier to do business in Canada, while providing greater protection for investors.

At this time, Mr. Speaker, I would move we adjourn debate.

[Motion to adjourn debate carried]

head: **Government Bills and Orders**
Third Reading

Bill 27
Appropriation (Supplementary Supply) Act, 2005
(continued)

Mr. Chase: I will attempt to stay as focused as possible and just simply appeal that in order for opposition members and, I would suggest, government members to feel involved in the process and so that the public in general can at least be considered to be part of the

process and informed in a transparent manner, please in future supplemental budgets indicate where the money is primarily intended to go so that we and the public that we all represent in this House have a sense the purpose of the supplemental budget. If it's not completely clear to the people who have been elected to represent their constituents, I think the constituents that much further removed from the process must have a whole lot of questions themselves.

We have the wonderful circumstance in this province of having the money we need to carry out a variety of projects, whether it be education, health care, social welfare, regardless, but we need to know and the people need to know where that money is being spent and the justification for those expenditures.

Thank you very much.

[Motion carried; Bill 27 read a third time]

Bill 30
Appropriation (Interim Supply) Act, 2005
(continued)

[Motion carried; Bill 30 read a third time]

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

Mr. Stevens: Thank you, Mr. Speaker. We did some very good work tonight, and at this time I would move adjournment of the Assembly until 1:30 tomorrow afternoon.

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

