

Legislative Assembly of Alberta

Title: **Monday, May 16, 2005**

1:30 p.m.

Date: 05/05/16

[The Speaker in the chair]

head:

Prayers

The Speaker: Good afternoon.

Let us pray. At the beginning of this week we ask for renewed strength in the awareness of our duty and privilege as members of the Legislature. We ask for the protection of this Assembly and also the province we are elected to serve. Amen.

Hon. members and ladies and gentlemen, we will now participate in the singing of our national anthem. I'm going to call on Mr. Paul Lorieau, who is in the Speaker's gallery. Please participate in the language of your choice.

Hon. Members:

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

The Speaker: Please be seated.

head:

Introduction of Guests

The Speaker: The hon. Member for Lacombe-Ponoka.

Mr. Prins: Thank you, Mr. Speaker. It's my pleasure today to introduce four of my friends from the Lacombe-Ponoka constituency. They are members of the Wolf Creek school division. In the members' gallery we have Karin Engen, the chairman of the board; Kelly Lowry, the vice-chairman of the board; Dr. Larry Jacobs, superintendent of schools; and Joe Henderson, secretary-treasurer of Wolf Creek school division. I'd like to ask them to rise and receive the warm welcome of the Assembly.

The Speaker: The hon. Member for Red Deer-North.

Mrs. Jablonski: Thank you, Mr. Speaker. Today it's a pleasure and an honour to introduce to you and through you to members of the Legislature a group of 53 curious and clever students from Gateway Christian school in Red Deer. They're very excited to be here, and they will be watching us during question period. They're accompanied by their teachers Mrs. Carolyn Stolte and Mr. Jim Driedger. They are also accompanied by parents Mrs. Tracey Numrich, Mrs. Donna Strome, Mr. Clary Michael, Mrs. Sherry Glebe, Mrs. Cathy Nicolay, Mrs. Jackie Southwell, Mrs. Michelle Rance, and Mrs. Christine Schick. I would ask them to rise and receive the warm welcome of the Assembly.

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

Ms Blakeman: Thank you very much, Mr. Speaker. I'd like to introduce to you and through you to all members of the Assembly two people who are very important in my life and the lives of my colleagues; that is, two of our staff members.

We have with us Lori DeLuca. I'll ask Lori to stand while I say

nice things about her. She is from Edmonton, graduated from the University of Alberta with a bachelor of arts degree in political science. She was working for Health and Wellness as a research assistant, and she has now joined our staff as a research analyst. Lori is also involved with co-ordinating the annual World Partnership Walk in Edmonton to raise money for social development projects in Africa and Asia.

I would now ask Mark Leigh to also stand and join Lori. Mark was born and raised in Edmonton and received his degree in psychology from the University of Manitoba. Before joining our team as an administrative assistant, Mark worked with nonprofit agencies, group home shelters, and won the Alberta Fitness Leadership Certification Association leader of the year award for 2000.

So just two of our staff but ones that are very important to me. Please join me in welcoming them to the Assembly.

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

Dr. B. Miller: Thank you, Mr. Speaker. I'm very pleased to introduce to you and through you to all members of the Legislature the STEP grant student who is working in the Edmonton-Glenora constituency office for the summer, Peter Marriott. He is an expert on computers and an excellent writer. I would invite him to stand and receive the warm welcome of the House.

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

Mr. Backs: Thank you, Mr. Speaker. I'm very pleased today to introduce to you and through you to all the members of this Assembly three very active persons from my constituency office in Edmonton-Manning. One is Jane Walker, who does much of the casework and is an active constituency assistant. Please rise, Jane.

Also, Martha Wong, a volunteer who was very active in my campaign, who is an incredibly active volunteer in the community in many social issues and at church. Also Cecily Poohkay, who is the STEP student for the summer, a very accomplished individual who's worked in many volunteer activities, from raising money for the CNIB, working in Urban Manor, and many other activities. We look forward to your being with us in the summer.

I'd ask the Assembly to please welcome them and give their usual warm welcome.

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

Mr. Mason: Thank you very much, Mr. Speaker. I'm delighted to introduce to you and through you to this Assembly three bright young students who have been working with us in our constituency offices. Roland Schmidt has joined us in Edmonton-Strathcona as the STEP student, and he's also active as the co-chair of the New Democratic Youth of Alberta.

Suzanne MacLeod is my new STEP student in Edmonton-Highlands-Norwood. She is graduating with a bachelor of arts in anthropology from the University of Alberta and is going to study law in the fall at Aberdeen university in Scotland.

Our final introduction is Erica Woolley, who has been working in Edmonton-Strathcona as a social work student caseworker since January. We greatly appreciate her hard work for those needing assistance and wish her the best of luck in all her future endeavours.

I'd ask all three guests to now rise and receive the warm welcome of this Assembly.

The Speaker: The hon. Member for Edmonton-Beverly-Clareview.

Mr. Martin: Thank you, Mr. Speaker. It gives me great pleasure to introduce to you and the Assembly Dorothy and Harold Hall. Dorothy and Harold have been active members in the CCF/NDP for more than 40 years. They both attended the founding meeting of the Alberta NDP in 1962 and have worked on every single campaign since then. Dorothy and Harry lead an active lifestyle by participating in a number of sports, including golf, baseball, and curling. They're seated in the public gallery, and I'd ask that they rise and receive the traditional warm welcome of this Assembly.

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

Mr. Eggen: Thank you, Mr. Speaker. I'd like to introduce to you and through you to members of the Assembly Mr. Eric Musekamp. Eric is the founder and president of the farm workers union of Alberta, based out of Bow Island. This organization was established in 1999 and was created to raise awareness about the deaths and injuries that occur on farms throughout Alberta. Eric is in the public gallery, and I would ask him now to rise and receive the traditional warm welcome of this Assembly.

The Speaker: The hon. Minister of Infrastructure and Transportation.

Dr. Oberg: Thank you very much, Mr. Speaker. It's an honour and privilege to be able to introduce to you and to Members of the Legislative Assembly some guests that I have here today. They're the Golden Hills school board: Wilf Golbeck, Christene Howard, Dianne McBeth, who is the superintendent, Joyce Bazant, Paul Crown, Corey Fisher, Karen Harries, Sylvia Holsworth, Larry Maerz, and Christine Painter. I would ask them all to rise and receive the wonderful welcome of this Legislative Assembly.

1:40

The Speaker: Hon. members, I'd direct your eyes, please, to those present in the Speaker's gallery. I'm pleased to introduce visitor services staff and Legislature tour guides who are here today. You will have noticed that they have traded in their regular dapper duds for frocks of a more traditional time. They are wearing 1905 period costumes and will continue to wear them during our centennial celebrations. The period costumes were done by two groups in commemoration of Alberta's 2005 centennial. Rhonda Coates, theatre studies department of Red Deer College, made the costumes for the visitor services staff. Anne Hill, textile, clothing and culture, department of human ecology, University of Alberta, made the costumes for the tour guides.

I'd now ask Brent Francis, Karen Muhlbach, Keltie Troock, Janet Baker, and Meredith Shaw to rise. These are the costumes you'll see in our building for much of this year.

head:

Oral Question Period

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

Legislature Environs

Dr. Taft: Thank you, Mr. Speaker. The Legislature Building and Grounds are of defining importance to Edmonton and to the entire province, but for years now they've been left to decline. In the winter the skating rink facilities amount to a trailer and a couple of porta-potties. Year-round this area is scarred with parking lots and vacant buildings. This province and this city deserve better. My questions are to the Minister of Infrastructure and Transportation.

Given that the Legislature precinct is of profound importance to the city of Edmonton and the entire province of Alberta, what plans does this government have to revamp the lands and buildings surrounding the Legislature?

The Speaker: The hon. minister.

Dr. Oberg: Thank you very much, Mr. Speaker. That's an absolutely great question. We have taken the first steps already in that we have put out an RFP to take a look at three buildings which are presently housed on the Legislature Grounds: the federal building, which has been vacant for approximately 12 to 15 years, the Legislature Annex, as well as the Terrace Building. I agree with the hon. Leader of the Opposition that the Legislature Grounds have to be a showcase for Edmonton, have to be a showcase for Alberta. They have come under a state of disrepair. When we take a look at the exposed aggregate that is presently out in front of the Legislature, I do feel that that needs to be looked at. We're currently examining how best we can do that, but we have to do it in context of those three buildings as well.

The Speaker: The hon. leader.

Dr. Taft: Thanks, Mr. Speaker. To the same minister: can the minister tell us what stage the request for proposals has reached for overhauling the Legislature precinct?

The Speaker: The hon. minister.

Dr. Oberg: Thank you, Mr. Speaker. The request for proposals went out approximately a month to six weeks ago, and we should expect the answer by the end of June or the first part of July, with some things starting to happen in July, August, in that particular time frame. If you're wondering why the rush, one of the issues that we're looking at with the federal building is that there's a potential bill for \$250,000 on the roof if we choose to keep the federal building and work on it. So it's very timely that we look at the Legislature Grounds as a whole right now, and that's what we're doing as opposed to just doing some one-offs.

The Speaker: The hon. leader.

Dr. Taft: Thank you, Mr. Speaker. Specific to the power plant on the south edge of the grounds by the greenhouse, what plans are being considered for that site, that very old power plant?

Dr. Oberg: Well, Mr. Speaker, that's one of the things we're taking a very close look at. There are some questions as to whether or not there are some archeological issues in that particular area. We're taking a look at the power plant to see if it could potentially be relocated, exactly what can happen. Part of this RFP is to take a look at the Terrace Building, the Annex, and the federal building and to ensure that we come up with a solution for Edmontonians and all of Albertans so that we truly have something magnificent here at the Legislature.

The Speaker: Second Official Opposition main question. The hon. Member for Calgary-Varsity.

Government Aircraft Flight Logs

Mr. Chase: Thank you, Mr. Speaker. The Canadian Association of Journalists at its fifth annual code of silence awards, recognizing the

most secretive government agency in Canada, last Saturday night awarded this Alberta government first prize for denying access to public documents on the use of government planes to journalists and opposition parties until after the 2004 provincial election. My questions are all to the Minister of Infrastructure and Transportation. Will the minister tell this House and Alberta Justice lawyer Bill Olthuis which of his department's two flight log e-mails, the one prior to the election or the altered one after, is accurate?

Dr. Oberg: Absolutely, Mr. Speaker. This was brought to light in a public inquiry last week. What we saw in going back and asking the person who sent the actual e-mail was that there was a grammatical error. What the document said was, first of all, on or after, which really didn't make a lot of sense. She changed that to on or before November 25, which I believe was the date in question. The documents were received I believe on November 23 or November 24. This is very serious. If there was a document altered after it had been sent, it's a very serious charge. We went to the specific individual and asked her, and she said that she had made a grammatical error and subsequently changed it.

The Speaker: The hon. member.

Mr. Chase: Thank you very much, Mr. Speaker. As evidence of his ministry's pursuit of transparency and accountability will the Minister of Infrastructure and Transportation now release or post all flight logs from May 2004 to May 2005?

Dr. Oberg: Mr. Speaker, consistent with the FOIP legislation we'd be more than happy to.

The Speaker: The hon. member.

Mr. Chase: Thank you. I said flight logs, not manifests.

Again to the Minister of Infrastructure and Transportation: why did this government deliberately sit on the FOIP flight log request for six months before releasing it after the fall election? What else is this government trying to hide?

Dr. Oberg: Absolutely nothing, Mr. Speaker.

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

Energy and Utilities Board

Dr. Swann: Thank you, Mr. Speaker. The Alberta Liberals have learned that this Conservative government through the Energy and Utilities Board is proposing changes that would prohibit disclosure of information through freedom of information and privacy on large facility liability management programs. The EUB proposal would prevent any consideration of the public interest by the FOIP commissioner and would also prevent the public from any opportunity to examine information that may directly and adversely affect the public. My question is to the Minister of Energy. Why would the Energy and Utilities Board withhold important information from the public and weaken the FOIP process?

Mr. Melchin: Mr. Speaker, there may be some discussions at the present time. The Energy and Utilities Board is continually looking at their processes both with respect to what should be accessible to the public, intervenor status, and a whole host of things in the process. If there's a specific instance though, I'd surely be happy to look into that one.

The Speaker: The hon. member.

Dr. Swann: Thank you, Mr. Speaker. To the same minister: why would the minister change FOIP regulations which will mask the extent and liability for costs of reclamation and remediation concerns at oil and gas sites?

Mr. Melchin: Mr. Speaker, there certainly is no intent on the part of the government to see that the public wouldn't have information that they should be aware of. In respect of FOIP none of those changes have yet been made. At this stage it's just still consultation that's being held.

The Speaker: The hon. member.

Dr. Swann: Thank you, Mr. Speaker. Again to the same minister: given the EUB mission to base all decisions on the public interest, how will this barrier to information serve the public interest?

Mr. Melchin: Mr. Speaker, the EUB does have a policy, and that was continuing to take part. Those that would be directly or indirectly adversely impacted by any development would have a say. They would be able to bring those issues before the Energy and Utilities Board, and that will continue to be the policy.

The Speaker: The hon. Member for Edmonton-Highlands-Norwood, followed by the hon. Member for Vermilion-Lloydminster.

Sale of Social Housing Corporation Land

Mr. Mason: Thank you very much, Mr. Speaker. Last Thursday the minister of seniors confirmed that 927 acres of prime real estate in Fort McMurray were sold by the Alberta Social Housing Corporation to a private developer without a public tender. The purchaser of this untendered real estate is Timberlea Consortium Incorporated. Fort McMurray's booming economy makes this extremely valuable real estate, making its sale at below market value and without a public tender most unusual. My question is to the minister. Given that Timberlea Consortium paid only \$35,000 per acre whereas nearby comparable parcels were being sold for over \$60,000 per acre, why did the government sell this prime real estate in a cozy private deal rather than opening the sale to bids from other interested developers?

1:50

The Speaker: The hon. minister.

Mrs. Fritz: Well, thank you, Mr. Speaker. As you know, this question, as the member said, was before the House on Thursday. I did not say, hon. member, that there were 900 and whatever acres of land, that you've mentioned here. That's not accurate.

Anyhow, Mr. Speaker, I also mentioned that under the Alberta Housing Act we do through the Alberta Social Housing Corporation have the ability to sell land through a number of processes. Those do include a direct sale, a nominal fee sale, or through the tendering process. This land that this individual is talking about – I know that my predecessor in his wisdom when he did offer that land as a direct sale also first hired an independent appraiser to assess the value of the land. The value of the land was appraised at between \$15,000 and \$40,000, and that was depending on how soon housing could be developed in the area. Given that, the accusation about this being a private, cozy deal is completely untrue.

The Speaker: The hon. member.

Mr. Mason: Thank you, Mr. Speaker. Well, given that Timberlea Consortium paid less than the going rate for this parcel of prime real estate, will the minister now clear the air by immediately tabling both the agreement for sale and the appraisal reports, and if not, what is she hiding?

The Speaker: The hon. minister.

Mrs. Fritz: Well, thank you, Mr. Speaker. I'm not hiding anything. This was a legal sale, and there was an appraised value by an independent appraiser outside of government. I'd be more than pleased to table the legislation that would let you see that this is legal, and that might be helpful to you.

Mr. Mason: There's absolutely no reason to table legislation in this House, Mr. Speaker. We need to get to the bottom of this.

In addition to being untendered, why was Timberlea Consortium also given a preferential financing arrangement whereby the land was sold via an agreement for sale rather than the usual practice of the developer paying the total purchase price for the land up front?

Mrs. Fritz: Well, Mr. Speaker, I go back to my original point that this is a legal sale. It was done in the best faith and with the best intent for Fort McMurray to develop housing, and that is what is occurring on this land. There hasn't been any unusual agreement made. That seems to be the innuendo here from the member opposite. Perhaps, if you don't want the legislation tabled, you'll re-read it.

The Speaker: The hon. Member for Vermilion-Lloydminster, followed by the hon. Member for Edmonton-Rutherford.

Food Regulations Review

Mr. Snelgrove: Thank you, Mr. Speaker. Many of my constituents through their volunteer groups have expressed grave concern about the apparent new health regulations or their enforcement. These regulations threaten to close down community halls, through their potluck suppers or through their fundraising activities. It certainly has made them uneconomical. Many of these have been operating for generations or decades for sure. My questions today are to the Minister of Health and Wellness. Is it simply overzealous enforcement, or is the Department of Health and Wellness doing something different that categorizes these community halls or community groups as now unsafe or a risk to health?

Ms Evans: Mr. Speaker, throughout this session there have been questions and references to the manner in which we administer the regulations relative to food services under the Alberta Public Health Act. The only regulation that has changed changed the 1st of April. When there are six or more food handlers present in a facility, there must be somebody certified in sanitation and correct food delivery. When there are fewer than six, then, in fact, the person has to be not necessarily present but aware of the serving and looking after the service from that supervisory perspective.

Mr. Speaker, because of the issues that have been raised by many members about the consistency of the application of the rules, we have been working feverishly, I might add, on guidelines so that we can come out and ensure that there will be some consistency, which will hopefully rid us of some of the complaints that we've had of perhaps a too rigorous or unnecessarily harsh treatment of any of the

groups that have been providing adequate and healthy food service delivery.

The Speaker: The hon. member.

Mr. Snelgrove: Thank you, Mr. Speaker. To the same minister: could the minister tell us specifically what changes to the regulations she's contemplating that might make these not-for-profit organizations operate as they were before, and does it have any effect on farmers' markets?

Ms Evans: There are four categories of permitting that are done under this regulation: permitting of the facility itself, its operations, the farmers' markets as well as the construction of the facility. All I can advise is that we will be releasing to stakeholders a redraft of the regulations dealing with farmers' markets and dealing with the other areas of the regulations that have been problematic. My first hope is that the guidelines, once released, hopefully within the next two weeks, to all Albertans, will make a considerable difference in the way that the administration is conducted. Secondly, we will undertake a further regulatory review.

Just one more comment, Mr. Speaker. Our goal is to have some equity in the manner in which safe food, healthy food is delivered throughout Alberta, and we will still pursue that goal.

The Speaker: The hon. Member for Edmonton-Rutherford, followed by the hon. Member for West Yellowhead.

Whistle-blower Protection

Mr. R. Miller: Thank you, Mr. Speaker. Last month, within hours of the Finance minister saying that Alberta Securities Commission employees had nothing to fear, the director of administrative services was let go, allegedly because he was a whistle-blower. Now the minister is named in a \$1.3 million lawsuit filed last week. We have long called for whistle-blower legislation in this province, but never has the need been greater. My question is for the Deputy Premier. What is the government's reason for refusing to give all government employees real protection by implementing whistle-blower legislation?

Mrs. McClellan: Mr. Speaker, I'll answer the question in this way. It was raised that an employee of the Alberta Securities Commission was terminated, suggested that it was because he came forward with information. I said at the time and I repeat again that any employee that is terminated from their position has an opportunity to bring that forward. Indeed, that employee can and will do that.

Mr. Speaker, I have not experienced in 18 years here a concern from our employees in this government that they cannot come forward with their concerns. We hear from our employees at all times. We welcome hearing from our employees. I think the hon. member is out, way out, if he believes that the employees of this government don't believe they can bring their concerns forward.

Mr. R. Miller: Well, they keep coming to us.

Mr. Speaker, without whistle-blower legislation will the Minister of Finance admit that employees are not safe to come forward with the truth about human resource and enforcement irregularities at the Alberta Securities Commission?

Mrs. McClellan: No, Mr. Speaker, I certainly will not. As I indicated in my previous answer, employees can feel quite comfortable in coming forward if they have concerns in the workplace and,

in fact, do that, and they are dealt with. I would suggest that if employees come forward to the hon. member opposite, he would do that employee a service by making sure that the respective minister is aware of it. They can sit down together and deal with the issue. I'm quite happy to have the hon. member present when we discuss the issue if that makes him feel better.

Mr. R. Miller: I'm not so sure I want to be a party to that.

Mr. Speaker, to the same minister: given that the federal government has whistle-blower legislation and that now, as of July 1, public corporations regulated by the ASC must also have whistle-blower legislation, why is this government dragging its feet and not protecting its own employees who want to speak the truth?

2:00

Mrs. McClellan: I think that one of the issues, Mr. Speaker, is the aside: "I'm not so sure I want to be a party to that." The fact is that if you had a genuine interest in the employees and their well-being, you would do that.

The Speaker: The hon. Member for West Yellowhead, followed by the hon. Member for Edmonton-McClung.

Species at Risk

Mr. Strang: Thank you, Mr. Speaker. The attention that Alberta gives to species at risk is extremely important to all Albertans and a key part of our provincial commitment to care for our wild species. My first question is to the Minister of Sustainable Resource Development. What are the provincial wildlife managers doing to ensure the recovery of species at risk?

The Speaker: The hon. minister.

Mr. Coutts: Thank you very much, Mr. Speaker. Alberta has been working really hard over the last 30 years at protecting species at risk, and particularly over the last four years we have established a comprehensive recovery planning program that encompasses 15 recovery teams working on 18 particular conservation actions. Not only are those comprehensive actions handled in offices, but they are actual on-the-ground work as well. A key part to the made-in-Alberta approach, we feel, is having that on-the-ground planning process involve stakeholders and landowners because that's key to finding out the results. As well, as the hon. member knows very well, the Endangered Species Conservation Committee is a good example of Alberta's co-operative approach.

The Speaker: The hon. member.

Mr. Strang: Thank you, Mr. Speaker. My first supplementary question is to the same minister. Do Alberta's practices give due consideration to the protection of plant species?

Mr. Coutts: Mr. Speaker, it's important to note that our policy of conserving species at risk does include and extends to plants as well. Even though it's under the provincial Wildlife Act, there are provisions in the act that allow the capability of lists going to species at risk for plants that are either threatened or endangered. One of the plants that's been identified is the western blue flag, which is a wild iris that grows in southern Alberta. We're into our fourth year of implementing an action plan on that, and credit for that action plan goes to the people that are actually working on the ground as well as the landowners that get us in to see where the plant exists. We are also in the process of developing more specific regulations to protect plants under species at risk.

The Speaker: The hon. member.

Mr. Strang: Thank you, Mr. Speaker. My second supplementary question is to the same minister. How committed is your department to providing adequate resources to protect species at risk in the province?

Mr. Coutts: Mr. Speaker, species at risk are a top priority for myself, and as a result of that the department treats it as their top priority as well. We want to make sure that they can fulfill their role. Our recent budget allocations include a dedicated management specialist that will help focus on things like caribou, and we will also consider a number of new biologists that will help us with our species-at-risk management as part of their day-to-day job.

For the next hundred years we will make sure that Albertans are well served in terms of dealing with species at risk.

The Speaker: The hon. Member for Edmonton-McClung, followed by the hon. Member for Red Deer-North.

Government Aircraft Flight Logs

(continued)

Mr. Elsalhy: Thank you, Mr. Speaker. Following up with questions pertaining to the same issues surrounding the *Edmonton Journal's* FOIP request for Tory Air flight logs, I will ask the hon. Minister of Infrastructure and Transportation the same question posed by my hon. colleague from Calgary-Varsity. Why did this government deliberately sit on the FOIP request for six months, only to release the information after the election was called?

Dr. Oberg: Mr. Speaker, the FOIP inquiry that is presently going on is looking at all of these potential questions. They're looking at, for example, why it took so long to get the flight logs out. It's also looking at why exactly it took so long to get all of the information. It's presently before the inquiry, so I do not want to bias the inquiry and what is being said. There have been some irregularities, and the inquiry is taking a very close look at these irregularities.

Mr. Elsalhy: Thank you, Mr. Speaker. To the same minister: given that on October 27, 2004, only two days after the writ was dropped, the ministry granted itself a 30-day extension, what was the reason given to delay the release of that information? Again, why wait until after the election?

The Speaker: The hon. minister.

Dr. Oberg: Thank you, Mr. Speaker. I will give the same answer to the question. The public inquiry is looking into all of these, and I expect that they will come up with some answers very shortly.

The Speaker: The hon. member.

Mr. Elsalhy: Thank you, Mr. Speaker. My last question, then, goes to the Minister of Government Services. Access to information fees at the federal government level are an initial symbolic fee of \$5 and only 20 cents per page for photocopying. The recent *Edmonton Journal* request was at a cost of over \$900. Why does this government use the high FOIP request costs to limit access to information?

Mr. Lund: Well, Mr. Speaker, we believe that it's very important that we spend taxpayers' dollars wisely. The fact is that since FOIP was put in place, we have actually spent about \$52 million on it. On

the recovery from the costs that we have for the information – \$52 million cost, slightly over \$500,000 return.

The Speaker: The hon. Member for Red Deer-North, followed by the hon. Member for St. Albert.

Hantavirus

Mrs. Jablonski: Thank you, Mr. Speaker. Last Wednesday Alberta's provincial health office issued a warning to Albertans about the danger of contracting hantavirus after three cases were confirmed in central Alberta, including the tragic death of a single mother. The three cases of hantavirus involved members from the same family who were working together to clean out their garage, an activity that many Albertans do this time of year. My questions are for the Minister of Health and Wellness. Can the minister tell us what level of risk hantavirus poses to Albertans?

Ms Evans: Mr. Speaker, Dr. Karen Grimsrud, the Alberta deputy provincial health officer, advises that although the risk is relatively low, there are a number of factors. Since 1989, in fact, we've had 31 cases, nine of which have died. It's a sad tragedy. This year because apparently there are mice that have weathered the winter better, there is considerably more danger to be assumed. So at this time of year when people are cleaning out sheds and barns and sweeping things out, we're issuing some health warnings. Certainly, it's been tragic to note the deaths that have taken place in David Thompson.

Mrs. Jablonski: Mr. Speaker, my last question to the same minister: can the minister tell us if she plans to have an information campaign or post information on the department's website on how Albertans can protect themselves from contracting hantavirus?

The Speaker: The hon. minister.

Ms Evans: Thank you, Mr. Speaker. Certainly on the health website, health.gov.ab.ca, we provide advice. We are through the medical officers of health throughout the regions distributing more advice. We are providing additional public service messaging to advise people if they are going to clean out these kinds of places, not to use vacuums, not to sweep – they can spread it because it's an airborne virus – advising them to handle any mouse droppings, urine, or any other kind of evidence of mice, presumed to be deer mice, extremely carefully and to secure them in a way that doesn't further antagonize or spread the disease.

Mr. Speaker, this is the kind of thing that we are making mention of in children's authorities as well as through the schools and the regions.

The Speaker: The hon. member? Fine.

The hon. Member for St. Albert, followed by the hon. Member for Edmonton-Beverly-Clareview.

School Funding Formula

Mr. Flaherty: Thank you, Mr. Speaker. Dr. Russ Wiebe's analysis of the funding and costs of plant operations and maintenance in Alberta's schools report states: the funding formula has not kept pace with the real costs; in the year 2004-05 school boards collectively faced a \$21.3 million shortfall in their electricity and gas bills. School boards rely almost entirely on the provincial government for school facility operations and maintenance funding. To the Minister of Infrastructure and Transportation: is the minister's \$9.6 billion

investment in school buildings at risk because dollars are being shifted from the infrastructure maintenance to utility costs and to keep schools clean? Are school boards losing out?

Dr. Oberg: Well, Mr. Speaker, the short answer to the question about whether or not it is at risk is: no, it is not at risk. We are in the process of taking a look at the operation and maintenance for the school boards, and hopefully we will be doing something very, very soon on this.

The Speaker: The hon. member.

2:10

Mr. Flaherty: Thank you, Mr. Speaker. To the same minister: why are school boards in Alberta, specifically St. Albert, being penalized by the current funding formula?

Dr. Oberg: Mr. Speaker, the current funding formula, in essence, plays a lot on utilization, and the key behind this is that if you have two facilities that are 20 per cent full, perhaps you should combine them and have one facility and pay less for operation and maintenance. These are some of the concepts that are out there. I think they're very standard concepts.

We are looking, though, at a better way, potentially, for the dollars to be distributed. We're looking at a way that is not going to solve all of the problems for all of the schools and keep every school in the province open because there are some schools that have seen a significant decline in enrolment. However, we are looking at a way that will make it fairer for all school boards in this province, Mr. Speaker.

The Speaker: The hon. member.

Mr. Flaherty: Thank you, Mr. Speaker. Given that the current funding formula did not work in '02-03, '03-04, will the minister now commit to reviewing the present formula and adding \$21.3 million for electricity and gas bills, which will be required in 2004-05?

Dr. Oberg: Well, Mr. Speaker, in reviewing the gas bills and reviewing the needs, we find that there are some significant needs in the operation and maintenance formula. It is something that we are reviewing, and it is something that we will be taking a very close look at.

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

School Closures

Mr. Martin: Thank you, Mr. Speaker. The Minister of Education keeps trying to pin the blame for school closures on school boards. But at a board retreat in November an October 14, 2004, letter to Chairman Hansen from then ministers of learning and infrastructure indicates very clearly that funding for new schools would not be provided unless older schools in established neighbourhoods were closed down first. My question to the minister is simply this. Why does the minister keep wanting to shift the blame for school closures onto local boards, when they were given clear direction by this government to close schools in the older parts of the city to build new schools?

Mr. Zwozdesky: Mr. Speaker, I have never shifted any blame for anything onto any school board in this House or anywhere else, and

those members know it. To play that kind of politics is cheap and absolutely silly.

I think the average taxpayer out there knows that there comes a period in a school's lifetime when it is no longer practical to perhaps keep it open for whatever those local reasons are. That's why we have elected school trustees out in the communities to look at those situations and make those difficult decisions.

Mr. Martin: Mr. Speaker, the point that I'm making – and the minister did not answer the question. It was a direction from this government to close schools down. Does he think that it's fair and equitable to do that? How are the local boards making that decision?

Mr. Zwozdesky: Mr. Speaker, I'm not familiar with that particular correspondence. If the member opposite wants to send it over to me, I'd like to just have a read through and see exactly what that correspondence did read.

I think it's absolutely unfair for someone to sit in this House and make that kind of an allegation or accusation.

Mr. Martin: Mr. Speaker, I'm sure he can get it from the previous minister of learning if he wants to.

My question to the minister is this. Would the minister – and we've had this discussion – rather than getting exercised and excited, agree to doing what they do in Ontario, where they make it clear that it is illegal to close down old schools to bring in new ones? Would he look at that at least?

Mr. Zwozdesky: Mr. Speaker, during the estimates debate, I think it was, I indicated to this member and perhaps to others that I would welcome looking at any suggestions that they might have. Now, there were a number of items that were referenced. When the summer break here, as it's referred to, comes up very soon, I'll be happy to take a look at that Ontario model and other models that have come to my attention: the Oregon model, the B.C. model, the Paris model, and a number of others. There are a lot of ideas out there that bear some consideration, and I'm willing to do exactly that.

I know this is an exciting topic right now because we're doing our best to follow up on so many recommendations of the Alberta Commission on Learning, and this is certainly one of them, and I think the members opposite know that. Certainly, the school boards do.

The Speaker: The hon. Member for Calgary-Hays, followed by the hon. Member for Lethbridge-East.

Project Kare

Mr. Johnston: Thank you, Mr. Speaker. The body of another woman was recently discovered in a remote area east of Edmonton. Police have identified her as having worked in the sex trade. Now the victim is added to the list of the many other women whose murdered bodies have been discovered in or around the Edmonton area. We hear about Project Kare almost daily in the news. My questions are to the Solicitor General. What is the function of Project Kare?

The Speaker: The hon. minister.

Mr. Cenaiko: Thank you very much, Mr. Speaker. Project Kare was named to reflect the philosophy of care and concern and compassion that goes on in the investigations of missing and

murdered women. The initial "K" in Kare provides the initial for the lead agency, that being the RCMP in Alberta, which is K Division. Therefore, Project Kare, starting with a K, in conjunction with the Solicitor General's office provides the support with regard to the 43 highly trained investigators including crime analysts and behavioural and forensic experts regarding this investigation. They are investigating 42 murders and approximately 31 persons that are still missing in the province, most recently, obviously, the 12 murders in and around the Edmonton vicinity over the past 16 years.

Mr. Johnston: My final question: what is the province doing to assist Project Kare as they conduct their investigations into these brutal murders?

Mr. Cenaiko: Mr. Speaker, again, as I mentioned, Project Kare began about two years ago with provincial funding from the Solicitor General's office. Last year we provided \$2.9 million to fund the program and the investigation, and this past budget year we've provided them with an additional \$800,000 for support staff and investigators to increase that to \$3.7 million.

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

Federal Financial Support

Ms Pastoor: Thank you, Mr. Speaker. Last Thursday the Minister of International and Intergovernmental Relations reported that Alberta was being shortchanged by the federal government and that he was seeking a new deal that would pay more than \$2 billion over five years. The next day the Premier refuted this by stating: there's not a perceived shortfall. End of quote. There appears to be a disconnect within the government. To the minister of international and intergovernmental affairs: is there a federal funding shortfall in Alberta or not?

The Speaker: The hon. minister.

Mr. Stelmach: Well, thank you, Mr. Speaker. First of all, there is no disconnect. Secondly, Albertans are proud to contribute to Canada through the equalization program. The dollars that we had referred to in question period are those relative to these one-off deals that have been made with provinces over the last couple of weeks in the country of Canada and, quite frankly, that many are finding to be rather distasteful at this particular junction in our history.

The Speaker: The hon. member.

Ms Pastoor: Thank you, Mr. Speaker. I believe that you've partially answered my second question, which will be directed to you. Given that the Premier has stated that a funding shortfall does not exist, has the minister withdrawn his request with the federal Minister of Intergovernmental Affairs for increased funding for Alberta?

Mr. Stelmach: Mr. Speaker, I'd just like to clarify. There are two issues that we're talking about. One is the equalization, and the Premier and government agree that that is fair unless the federal government decides to tinker with it in the future. The others are these transfers of funds from the feds to other provinces. With respect to the Ontario deal, we don't know if it's \$2 billion, a billion and a half, \$500 million. We need time to examine that agreement with the Minister of Finance, and once we examine the agreement

and we find the full context of that, we will bring that forward to government for a decision.

The Speaker: The hon. member.

Ms Pastoor: Thank you. I would like to direct my question to the Deputy Premier. Given that the Premier stated that the International and Intergovernmental Relations ministry, quote, can do what they want – and that's the end of the quote – who really is in charge here?

Mrs. McClellan: Well, Mr. Speaker, as my hon. colleague said: there is no disconnect. There are two issues. You know, if you do all your research in the newspapers and on the talk shows, as good and thorough as those happen to be, you're bound to miss a part of the story, especially when the conversations happen in two or three venues over two or three days.

The fact is that Alberta is a proud supporter of equalization. There is a formula that provides fairness across Canada. We have never debated, argued, or disputed that we should be a contributor in that area. We're thankful that we are in a financial position to do that.

2:20

However, Mr. Speaker, the next part of the question: are we doing all right? Well, you know what? The province of Alberta is doing all right. We're in a sound financial position, and that's exactly what the Premier said.

As my colleague pointed out, what is distasteful are these one-off deals that are happening with rapidity across the country in the last days. Mr. Speaker, that is where we need to have some information. We do not know the details of the Ontario deal. We want to know and we will know and we will determine whether there's anything further we should do.

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

Aid for Disabled Persons

Mr. Cao: Well, thank you, Mr. Speaker. The Alberta government has been doing a good job in its mission of developing, implementing, and evaluating programs for the delivery of supports to adults with developmental disabilities. From my past visit to the CNIB office in Calgary and reflecting the concern from my constituents about the bridge to employment program, my question today is to the hon. Minister of Seniors and Community Supports. What is the bridge to employment program?

The Speaker: The hon. minister.

Mrs. Fritz: Well, thank you, Mr. Speaker. The bridge to employment program is offered by the Canadian National Institute for the Blind in Calgary. It's a program that assists people with that disability to find a job. They do it in ways which would include computer classes, training through group workshops, resumé writing, job search, individual interviews, and whatnot. It's a good program.

Although the program is offered by the CNIB, it had been funded by the federal government through their opportunities fund. That, I understand, is the hon. member's concern because that funding has ended through the federal government. Although the CNIB continues to offer the program and is carrying it through right now, hopefully when the new budget comes forward, the hon. member can assist the CNIB with accessing the funding through the federal government once again.

The Speaker: Hon. member, do I understand this correctly? You're talking about a federal program totally unrelated to this Legislature and this budget?

Mr. Cao: No.

The Speaker: The hon. member.

Mr. Cao: My supplemental question is to the same minister. Given that this program has been discontinued, what are you going to do to help the clients of this program?

The Speaker: The hon. minister.

Mrs. Fritz: Well, thank you, Mr. Speaker. Just to clarify, though, the program hasn't been discontinued. It's offered by the CNIB, but the funding for this program is through the federal government, and that is what has ended. There are other programs that we assist. It would be with the hon. Minister of Human Resources and Employment. They have programs available in Calgary as well, and I will take that under advisement for that minister.

Mr. Cao: My last supplemental question is to the same minister. Given that many disabled Albertans know in advance of the deterioration of their abilities, what is the government's policy to help people in their transition to permanent disability so that they maintain productive lives?

Mrs. Fritz: Well, Mr. Speaker, through my department we do have a couple of programs that would come to mind that have been in the Legislature here during session. That would be the AISH program, the assured income for the severely handicapped program, where we offer assistance with a living allowance, a medical benefit, and more recently we're developing legislation for personal income support. As well, we offer assistance to persons with developmental disabilities through a number of assistance-type programs that are unique to the individual, depending on their disability. So, hopefully, that will help the member as well.

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

Use of School Instructional Funding

Mr. MacDonald: Thank you, Mr. Speaker. This government promised that the starvation diet for education would be over. That has not happened. In fact, the government continues to practise the sugar daddy politics which they're famous for with other levels of government in this province, including the public school boards. My first question is to the minister of infrastructure. Why has the government ordered – ordered – the Edmonton public school board to use \$300,000 that was approved for the Victoria school project on the design work for three new schools in the city of Edmonton?

The Speaker: The hon. Minister of Infrastructure and Transportation.

Dr. Oberg: Thank you, Mr. Speaker. I certainly will get back to the hon. member with the specifics, but I do believe that that was the interest that was accumulated from the dollars being given to the school board.

Mr. MacDonald: Mr. Speaker, to the Minister of Education: given

that the Edmonton public school board is forced to use over \$7 million in instructional dollars to subsidize the plant operation and maintenance grants, why is this government forcing the schools to take money from the classroom to pay the bill in the boiler room?

Mr. Zwozdesky: Mr. Speaker, this provincial government isn't forcing that particular board to do anything of the kind. Under the renewed flexible funding framework, which was worked out with, by, and for those school boards, they have the ability to shift around a significant amount of the monies that we provide to them, monies which, I might add, went up by \$287 million in this current budget to the largest amount ever for K to 12, \$4.3 billion. It's a 7.1 per cent increase, and I think education fared very well in those terms.

Mr. MacDonald: Again, Mr. Speaker, to the same minister: if that response was true, can the minister please explain why the provincial government's position now is that this practice of transferring instructional dollars to facilities or vice versa must end by the 2005-06 school year?

Mr. Zwozdesky: Mr. Speaker, I think that he might have a question here for the hon. minister of infrastructure. Insofar as instructional dollars are concerned, for which I have responsibility, we have increased every single part of the budget. We've increased money for special needs by 4 per cent, by another 4 per cent, and a total of about 11 per cent for severe, mild, and moderate. We've increased the English as a Second Language learning by 30 per cent to over \$40 million. We've increased every part of that budget, and we've increased the flexibility that the school boards have as well.

It would behoove all members, I think, in the opposition parties to have a close look at the Education budget. For a short read of it, have a look at estimates because a lot of the good news is rolled out there. I understand that they're trying to put a shadow over top of education, but we're very proud of education in this province, and we're going to remain to fund it.

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

School Fees

Mrs. Ady: Thank you, Mr. Speaker. Parents and students in my constituency are concerned about some of the additional costs that they've had to cover for education purposes. As the end of the school year approaches, stress levels increase with respect to costs for graduation, field trips, and other fees. My questions are to the Minister of Education. Why are school boards allowed to charge school fees?

Mr. Zwozdesky: Well, that's a very good question. I think the short answer is because it's allowed under the School Act. I think we also have to understand that there's a dichotomy, if you will, of costs, some of which are prescribed and some of which are retained and others of which are refunded. For example, fees are charged for school book rentals, but if the books are returned in good usable condition, those fees can be refunded. For other fees such as school busing – that's a consumable service – those fees are not returned. The short answer is that school boards are allowed to charge certain fees. In fact, those collections probably amount to over \$30 million, if memory serves, per annum.

Mrs. Ady: My first supplemental is to the same minister. What

does the minister suggest that I tell those families who cannot afford to pay these additional school fees?

Mr. Zwozdesky: Well, Mr. Speaker, if we take the example of school busing fees, which was in the news not that long ago, there's a certain prescribed amount that gets charged on a monthly or an annual basis, but families who have perhaps three or four children in the school system can take advantage of a group rate which is significantly less, obviously, than if it were charged out on a per person basis. So there is that.

2:30

Secondly, any school board does have the ability to waive any particular fees. Superintendents in most cases have those abilities to waive certain fees so as to not prevent a child from accessing the same kinds of education services that other children in that area receive.

Mrs. Ady: My final supplemental to the same minister: given that parents often fund raise to help cover these added costs, will the minister please explain what is eligible to be fund raised by parent advisory councils?

Mr. Zwozdesky: Well, Mr. Speaker, I wish I had a short, simple answer to that; I don't yet. But, as you may recall, Alberta's Commission on Learning has a section where it requires us as a government to more clearly define what are basics in education that we should cover as taxpayers and what are extras, things that can either be fund raised for or certain school field trips or school uniforms or band uniforms or things of that nature, which a local school board may feel are enhancements to education. So I do hope that we'll have more progress on that answer more definitively very soon. It'll certainly take us at least through the end of the summer to arrive at it, but we are working hard to provide a very specific answer to that very specific question. I'm just sorry that we don't have it yet.

The Speaker: Hon. members, the hon. Minister of Community Development would like to supplement a response from last week's QP. Now, remember that once this is provided for, the hon. member to whom the original set of questions were dealt with has a chance to raise a question. At this point in time I do not know which answer the minister is responding to, so we will proceed that way.

Applewood Park Community Association

Mr. Mar: Mr. Speaker, I'm responding to a series of questions last week in this Assembly, predominantly by the Leader of the Opposition, wherein I was asked questions about a Wild Rose international development program grant that was given to Applewood Park Community Association. At the time – and this would've been Thursday of last week – I indicated that the money had been properly disbursed in an appropriate way. I did this on the basis of three pieces of information. First of all, we had a signed declaration by two of the principals of Applewood Park Community Association; secondly, based on the verbal assurances of another principal of Applewood community; and thirdly the Auditor General had in fact conducted a random audit of Applewood and found nothing out of the ordinary for the year 2004.

Since then, Mr. Speaker, the individual who made the verbal assurance to us that the money had been sent from Applewood to Vietnam has changed his statement, which leads us to concerns as to whether or not the declaration that was provided for us and that we relied on was, in fact, accurate. To this point Applewood has not

provided all of the documents necessary to establish how and to whom the funds were transferred. In light of this new information I've asked the Auditor General to determine how Applewood Park Community Association has disbursed and used its grants from the Wild Rose Foundation.* The Auditor General's review of that will determine if there has been a violation of the regulations under which the Wild Rose Foundation operates, and the Auditor General's findings will determine our next steps in this matter, sir.

The Speaker: The hon. Leader of the Official Opposition if you wish.

Dr. Taft: Yes. Thank you, Mr. Speaker. I will say that I respect and appreciate the minister's comments and forthrightness here. There were some very unpleasant exchanges and points of order brought last week that I hope we all regret because I don't believe they were justified.

I do look forward to the Auditor General's report, and I hope it's made public as much as is possible. There are inconsistencies around whether CIDA was involved or wasn't. Our information is that they don't have any records of being involved. There are inconsistencies from the Applewood position.

So I thank the minister, in fact, for his comments here. This is a serious issue. We all know that Wild Rose is an important asset to this province, and we need to maintain its integrity. To help the minister, I, too, will have some information tabled in just a few minutes that may be of relevance to him.

Thank you.

The Clerk: Members' Statements.

The Speaker: I think, hon. Member for Vermilion-Lloydminster, your guests have departed, so there's no need, then, to revert that way.

Then, in just a few seconds from now I'll call upon the first of six members to participate in Members' Statements.

Vignettes from Alberta's History

The Speaker: Hon. members, before I call upon the first, just the historical vignette of the day. I want to announce that starting today the Alberta Legislature is home to the Famous Five maquette for our centennial year. All Albertans are familiar with the Famous Five, whose portraits hang on the fifth floor of the Legislature Building.

Emily Murphy, Nellie McClung, Henrietta Muir Edwards, Irene Parlby, and Louise McKinney gained their Famous Five status due to their efforts to ensure that women are recognized as persons in Canadian law. Their October 18, 1929, victory in the highest court of appeal at the time, the British Judicial Committee of the Privy Council, is recognized in many places throughout the Commonwealth.

In 1996 an Edmonton artist, Barbara Patterson, was commissioned by the Famous Five Foundation to create a larger-than-life monument to these five women. The miniature version of this sculpture, the maquette, tours the country in hopes of educating Canadians about these five Alberta women. This year, starting today, it will be on display in our Carillon Room, and it will become part of our tours of the Legislature Building. In front and on the desks of all members are brochures that highlight the many accomplishments of the Famous Five. It's another addition to the history of our province.

head: **Members' Statements**

The Speaker: The hon. Member for West Yellowhead.

Angela Lemire Caroline Giguere

Mr. Strang: Thank you, Mr. Speaker. I rise today to recognize two individuals in my constituency of West Yellowhead who each recently received a very important award. Last Saturday the recipients of the 2005 excellence in teaching awards were announced. The two winners from my constituency were Angela Lemire and Caroline Giguere.

Angela Lemire is a teacher at the Jasper junior/senior high school. She has been teaching senior high school for 32 years, and her passion for teaching and learning has never ceased. Her students consistently score very high on the diploma exams, and many of her students achieve the standard of excellence each year. She is a dedicated teacher who spends her days ensuring that her students are given every opportunity to be successful.

Caroline Giguere teaches at Gerard Redmond community Catholic school in Hinton. Throughout her teaching career she taught kindergarten, junior and senior high school students. She is also heavily involved in the learning for life program, which targets high-needs students at risk of dropping out. Caroline is respected by all of those who have worked with her over the years, and many of her students love the fact that the word "detention" is not in her vocabulary. Instead of punishing mischievous students through detentions, she lovingly gives them learning opportunities, a chance for students to catch up on their studies in a supervised environment.

Mr. Speaker, these two teachers from my constituency are very deserving of this honour that has been bestowed upon them. I can't say how proud I am of these teachers, and I would ask all members to recognize these wonderful Albertans.

Thank you very much, Mr. Speaker.

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

2:40

Petroleum Industry

Mr. Cao: Well, thank you, Mr. Speaker. Thanks to our petroleum industry Canada is now the third largest natural gas producer and the seventh largest crude oil producer in the world. Canada is a net exporter of petroleum resources, and Canada has reported 178 billion barrels of proven oil reserves in 2005, second only to Saudi Arabia. The bulk of these reserves are oil sand deposits in Alberta, the largest deposit in the world.

Our oil and gas industry provides 56 per cent of Canada's trade surplus and a share of 12.6 per cent of Canada's total exports. Our oil and gas industry employs almost half a million people and contributed \$18 billion in royalties and taxes in 2004. Mr. Speaker, Alberta contributes a very large percentage of this Canadian economy. All in all, Alberta's petroleum industry contributes 23.4 per cent of our GDP. By any standard Alberta, and Canada for that matter, is a world energy leader. We need to celebrate and capitalize on this success.

Mr. Speaker, the whole world knows about the importance of OPEC, and I quote an official document from the OPEC organization:

The OPEC . . . [members] co-ordinate their oil production policies in order to help stabilize the oil market and to help oil producers achieve a reasonable rate of return on their investments. This policy is also designed to ensure that oil consumers continue to receive stable supplies of oil.

What it means is that they use supply management for the benefit of the people. The actions of these smaller nations affect the whole world economy. They use their petroleum supply as leverage for economic relations and trade negotiations in the world.

*See p. 1497, left col., para. 6

Mr. Speaker, thinking outside the box, I venture an idea that the governments of Canada and Alberta, as a net exporter of petroleum resources, should explore the possibility of joining OPEC. As a developed nation, Canada and Alberta and our petroleum industry could share our expertise and reap benefits from the relationship.

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

Women's Global Charter for Humanity

Ms Blakeman: Thank you very much, Mr. Speaker. From May 1 to May 7 the Canadian Women's March Committee celebrated a young woman named Tonika Morgan, who carried the Global Charter for Humanity from Vancouver to Quebec City. The Women's Global Charter for Humanity is a proposal to build a world where exploitation, oppression, intolerance, and exclusion no longer exist and where integrity, diversity, and the rights and freedoms of all are respected. These women hope to build a world based on five core values: equality, freedom, solidarity, justice, and peace.

Tonika, like myself and many women in Alberta, has a commitment to the improved status of women. Far too many women have lived the nightmare of poverty and homelessness. Women want and need a place as leaders and decision-makers.

The passing of the Global Charter for Humanity through our province is an opportunity for all Albertans to mobilize against poverty and violence. It is time for this government to fully commit toward universal equality for all residents of Alberta. We need to provide adequate resources for women such as Tonika to bring about positive change in our society. Only when women are treated as complete equals to their male counterparts, face no exclusion from the workforce, and suffer no oppression or exploitation from society will our society succeed to its fullest potential.

Thank you, Mr. Speaker.

The Speaker: The hon. Member for Olds-Didsbury-Three Hills.

Student Leadership Conference

Mr. Marz: Thank you, Mr. Speaker. Yesterday students from all over our great province gathered in Olds for their three-day 16th annual Alberta Provincial Student Leadership Conference. The goals of the conference are to provide a forum for students to reflect and learn from the past, to connect with student leaders and help them become more aware of what's happening in our world today, and to motivate participants to return to their home schools and communities to make a positive difference now and for the future.

The conference was kicked off by our own Minister of Community Development, followed by one of the best productions of *Grease* that I have ever seen, which was performed by the Olds high school drama class and a band made up of the Olds high school students. They received a well-deserved standing ovation. The next two days promise to be fun-filled, exciting, and also a tremendous learning experience. The title of the conference, Back to the Future: Celebrating and Connecting Centennials, is certainly an appropriate theme for this year's conference, as both the town of Olds and the province of Alberta are celebrating their centennials this year.

As I pointed out last night, Alberta's first century belongs to the pioneers, our grandparents, our parents, and us. The next century belongs to our students, their children, and their grandchildren, who will be the leaders of tomorrow. If the students at this year's conference are any indication of the quality of leaders who will take our province into the next century, then our future is certainly in good hands. I know that we all wish them the greatest success in this year's conference.

Thank you.

Discovery of Oil in Turner Valley

Dr. Morton: Mr. Speaker, I rise today to recognize an important anniversary in Alberta's history. On May 14, 1914, the landscape of Alberta was forever altered. It was on this day 91 years ago that Alberta's first commercially viable oil well struck pay dirt.

After several failed wells Archibald Wayne Dingman and his company, Calgary Petroleum Products, struck oil, sending a geyser of light-grade crude 60 feet into the air. When this well, Dingman No. 1, blew for the first time 91 years ago, it launched Alberta's first major oil boom and transformed a small farm town 25 miles south of Calgary into the economic hub of this province. It was reported at the time that within two hours of the strike 200 automobiles were headed toward Turner Valley. Twelve years later Royalite No. 4, another new well located in Turner Valley, was producing more oil than all of the 4,500 wells located in Ontario together.

The discovery of oil gave birth to the community of Turner Valley. Evolving from a small group of houses to a thriving community, the town of Turner Valley was officially incorporated in 1930.

Mr. Speaker, while all Albertans celebrate our province's centennial this year, the citizens of Turner Valley are celebrating their 75th anniversary. Anniversary celebrations are being held on June 4 in conjunction with the town's Discovery Days, and I would invite all members to come to Turner Valley to discover its rich history and the natural beauty that Turner Valley has to offer.

Mr. Speaker, I am proud to represent the people of Turner Valley and to acknowledge their important contribution to the history of this province and to the development of our economy. Thank you.

The Speaker: The hon. Member for Lethbridge-East.

Edmonton City Centre Airport

Ms Pastoor: Thank you, Mr. Speaker. I will discuss a grave concern to the people, most particularly the business and government community, of southern Alberta. The date of the closure of the municipal airport to traffic from the south is fast approaching. Closed to aircrafts carrying more than 10 paying seats, I find this most peculiar as Edmonton is the capital of this province. In fact, it is discriminatory when other areas of this province can continue to use our capital city's airport.

The southern business community in addition to the personnel of health regions, education and advanced education, research stations, and municipally elected leaders of their communities will be placed at a complete disadvantage to being able to conduct business with their government due to the lack of convenience and timeliness.

The business airline industry is going through dramatic change. City airports are for destination traffic. Commuter airlines are proliferating and are very successful. People come for meetings and leave immediately afterward. Time is money, and having high-salaried administrators cooling their heels in lineups is not the way business is done any more. Just this morning I read in the paper of smaller jets for four to five people being designed for this very type of air travel.

Relocating businesses or new businesses looking to hire first look for easy access for their executives, good schools for their children, and quality of life. I can't understand why such an advantage would be lost. Most North American cities would love to have the airport that our capital city has. Denver, Colorado, has four small airports to choose from. All, I may add, are in the city proper.

People cut off from the south will certainly drive because it's quicker, so I fail to see how, if the objective is to make the International more viable, this will help. I can't see that Calgary will not

always be the hub for this province as had been understood from the start.

Thank you.

head: **Presenting Petitions**

The Speaker: The hon. Member for Red Deer-North.

Mrs. Jablonski: Thank you, Mr. Speaker. Today I stand in the House to present a petition signed by 306 Albertans who urge the government of Alberta to introduce legislation that allows parents the authority to place drug-addicted children into mandatory drug treatment and to fund urgently required youth drug treatment centres.

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

Mr. Backs: Thank you, Mr. Speaker. I'm pleased to rise today to present a petition of 101 good Albertans from the fine Alberta communities of Devon, Duffield, Wabamun, Camrose, Sherwood Park, and Alberta's summer festival city of Edmonton, which reads:

We the undersigned residents of Alberta, petition the Legislative Assembly to urge the Government of Alberta to prohibit the importation of temporary foreign workers to work on the construction and/or maintenance of oil sands facilities and/or pipelines until the following groups have been accessed and/or trained: Unemployed Albertans and Canadians; Aboriginals; unemployed youth under 25; under-employed landed immigrants; and displaced farmers.

Thank you, Mr. Speaker.

head: 2:50 **Introduction of Bills**

The Speaker: The hon. Minister of Justice and Attorney General.

**Bill 42
Miscellaneous Statutes Amendment Act, 2005**

Mr. Stevens: Thank you very much, Mr. Speaker. I request leave to introduce a bill being Miscellaneous Statutes Amendment Act, 2005.

As you know, Mr. Speaker, it is a matter of tradition that a miscellaneous statutes amendment act relates only to matters which are agreed to by all parties represented in the Assembly.

[Motion carried; Bill 42 read a first time]

head: **Tabling Returns and Reports**

The Speaker: The hon. Minister of Gaming.

Mr. Graydon: Thank you, Mr. Speaker. I rise today to table the appropriate number of copies of responses to questions raised during the Gaming estimates on May 4, 2005. These responses have already been sent to the Member for Edmonton-Meadowlark, the Member for Edmonton-Strathcona, and the Member for Edmonton-Gold Bar.

Thank you.

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

Ms Blakeman: Thank you very much, Mr. Speaker. On behalf of the Leader of the Official Opposition I'd like to table an e-mail from the auditor of Applewood Park Community Association, which does state, "The name of the Vietnamese group that we got the Wild Rose grant for was: The Calgary Vietnamese Caoadaist Cultural Society."

Thank you, Mr. Speaker.

The Speaker: The hon. Member for Edmonton-Mill Woods.

Mrs. Mather: Thank you, Mr. Speaker. I have an e-mail I'd like to table with appropriate copies from southern Alberta, urging an inquiry into the child welfare system due to the "serious lack of resources and lack of support for child welfare workers to practice competently in a very demanding and challenging job."

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

Mr. Chase: Thank you very much, Mr. Speaker. I have two sets of tablings today. The first consists of several e-mails from distressed parents whose children attend elementary, junior, and senior high schools in the Calgary-Varsity constituency. Norma Armstrong states that she finds it "hard to believe that in a province as 'wealthy' as Alberta . . . we are still losing programs that enhance our children's education." Other authors, including Jane Lee, Louise Ladouceur, Karin Kaarsoo, Aidan Hollis, Tina Wiley, and Peter and Eleonore Aukes, similarly outline their concerns regarding the elimination of the Simon Fraser junior high school band program.

My second tabling is a news release from the Canadian Association of Journalists. CAJ president, Paul Schneiderei in presenting the code . . .

The Speaker: How about just tabling it?

Mr. Chase: Am I not allowed to express the contents?

The Speaker: No.

Mr. Chase: Okay. Thank you very much, Mr. Speaker, for that direction.

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

Mr. Backs: Thank you, Mr. Speaker. I'm pleased to rise to table five copies each of six letters dealing with good Albertans speaking to the deskilling of the workplace apprenticeship ratios and foreign replacement workers.

Thank you, Mr. Speaker.

The Speaker: The hon. Minister of Community Development.

Mr. Mar: Yes, Mr. Speaker. I'd like to table the requisite number of copies of a letter dated May 16, 2005, to the Auditor General, requesting a review regarding Wild Rose Foundation pursuant to section 29 of the Auditor General Act, sir.

Thank you.

The Speaker: To the hon. Member for Calgary-Varsity, just for clarification. A short description is okay, but not a long one, and usually we're dealing with official documents rather than just correspondence from one to the other.

Mr. Chase: Thank you very much for the clarification.

The Speaker: Are there others? The hon. Member for Lethbridge-East.

Ms Pastoor: Thank you, Mr. Speaker. I wish today to table the required five copies of a document prepared by the Elder Advocates of Alberta Society, in which they outline the rights of vulnerable persons in care and give specific definitions of what and how that

care should be delivered. I trust that those who will be setting new standards will give this document careful consideration.

Thank you.

head: **Tablings to the Clerk**

The Clerk: I wish to advise the House that the following document was deposited with the office of the Clerk. On behalf of the hon. Mr. Cardinal, Minister of Human Resources and Employment, College of Chiropractors of Alberta radiation health administrative organization annual report for the year ended June 30, 2004.

head: **Orders of the Day**

head: **Written Questions**

The Speaker: The hon. Deputy Government House Leader.

Mr. Zwozdesky: Thank you, Mr. Speaker. Proper notice having been given on Thursday, May 12, I move that written questions appearing on today's Order Paper do stand and retain their places.

[Motion carried]

head: **Motions for Returns**

The Speaker: The hon. Deputy Government House Leader.

Mr. Zwozdesky: Thank you, Mr. Speaker. Proper notice again having been given on Thursday, May 12, I will now move that motions for returns appearing on today's Order Paper do stand and retain their places.

[Motion carried]

head: **Public Bills and Orders Other than
Government Bills and Orders
Second Reading**

The Speaker: Before I call on the hon. Member for Calgary-Fort, just a bit of an update to the hon. members. I received a number of notes from hon. members saying: "Whoa, what's happened? There's been some renovation here on the Speaker's dais." There has been, and it's in preparation and anticipation of the presence of Her Majesty the Queen here next Tuesday. This is temporary. But if you walk by at any time thinking that it is the same as the way it was before, you will run into a wall. So, please, be careful.

**Bill 204
Pharmacy and Drug (Methamphetamine Limiting)
Amendment Act, 2005**

[Debated adjourned May 9: Mr. Cao speaking]

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

Mr. Cao: Well, thank you, Mr. Speaker. As I mentioned before, I applaud the Alberta College of Pharmacists for taking the initiative to voluntarily put the products containing ephedrine and pseudoephedrine behind the counter, knowing full well that they might lose some business. It shows a lot of integrity in the profession to do this.

Frankly, I'm embarrassed that we haven't acted on this sooner. We need to move on Bill 204 quickly to ensure that meth makers aren't just moving the business out of the pharmacies and into the corner stores. By making products containing ephedrine and

pseudoephedrine schedule 2 drugs, it would take those products and put them behind the counter of pharmacies only. This will ensure that the meth makers will have a lot tougher time purchasing the main precursor than they have today.

On the occasions that I have had to purchase a medication over the counter, the pharmacist is always asking questions to ensure that I am purchasing the correct products for my ailment. I have also purchased cold medication at convenience stores, not 100 per cent sure if it is exactly what I needed. I certainly never considered asking the clerk at the convenience store for advice. When your job is to dispense medication, it is expected that you are going to be knowledgeable on the proper usage and effects of those medications. I don't think that we can expect the same from employees at the convenience store, nor should we.

This bill is also going to help law enforcement activities. Pharmacists are much more likely than a clerk at a convenience store to take note of a large, bulk purchase of products containing ephedrine or pseudoephedrine and notify the authorities. A cynical person might suggest that all we are doing is forcing meth producers to purchase the precursor in another province or through mail orders, and because of this, the amount of meth on our streets will not be reduced.

While, obviously, I would like to see all production of crystal meth stopped, I know that this bill isn't a silver bullet, but a lot of this comes down to simple supply-and-demand economics. By forcing meth makers to look elsewhere for the precursor, the precursor will inevitably be more expensive due to transportation and shipping costs. This increased input cost should lead to higher prices on the street, and it might also cause some producers to quit making meth. After all, some of the reason why crystal meth is so prevalent in Alberta is that it is relatively inexpensive to produce and the precursors are easily obtainable.

If we pass Bill 204 and make it harder for the producers, some might quit making it, and the lack of supply generally drives prices up. The reason why crystal meth's use is so widespread in Alberta is that it is inexpensive to buy and so readily available. If it were more expensive and harder to find, perhaps we could stop some of our children from experimenting and inevitably becoming addicted.

3:00

Not to dwell on the economic impacts, but crystal meth users need to pay for their habit somehow, and, as many of us have seen in our communities, break-in and theft charges are on the rise. If we can reduce the number of people who are addicted to crystal meth, logically we can reduce the associated crime costs.

So I urge all members to support Bill 204.

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

Ms Blakeman: Thank you very much, Mr. Speaker. I'm glad to get the opportunity to speak in second reading to Bill 204, the Pharmacy and Drug (Methamphetamine Limiting) Amendment Act, 2005. It's very interesting to see the level of concern in this Legislative Assembly in this sitting alone for the devastation that is being wrought in our communities and particularly upon and among our youth with crystal meth addiction.

I am particularly concerned about how this is playing out in the rural areas where there are less resources to identify and assist youth that are in trouble with this, less resources for the family, perhaps less awareness of what's going on. But this is not an issue or a problem that just affects the rural areas. It affects everywhere in Alberta. It's not just youth, but it is primarily youth. Why? Well, because of the cost. It's cheap. It's a cheap high, and it is increas-

ingly readily available. I'm pleased to see the understanding, the acknowledgement of a serious problem for our youth.

Where my issue comes in is the way this government seems to want to deal with things. They tend, if I look back over my years in the Assembly, to want to do something that shows that they're doing something, but I often have to go back and really look to see if what the bill is proposing addresses the problem. Does it get at the root of the problem, or does it cut a little piece off the side and isn't incredibly effective overall?

I think what's being proposed with this bill in that any drugs that contain ephedrine or pseudoephedrine, which is the active ingredient that is then used in the manufacture of crystal meth – if you can cut off the supply of that, cut off the access to that ingredient, this will diminish the amount that is being produced. Well, possibly, but not for long.

When I look at the areas in the United States that have enacted similar legislation, yeah, they have seen a drop in the number of meth labs that they have been busting, but they've only been able to track this over a period of about a year to 18 months. Again, I will wait to see the actual evidence so that we could make a decision based on evidence instead of on what we think might happen, but I suspect that what we will see is that there is a downturn in the production of crystal meth in the short term in those locations as people who are cooking or making meth search for an alternative way to get the active ingredients, but in the long run it is doing nothing to address the demand for it.

As long as that demand is there for that cheap high, that universe-altering drug, there will be people who will be happy to continue to make it in whatever form and with whatever junk is in it to be able to sell it to people and make money. So until we address the demand for this drug, we're going to continue to have problems with it.

The biggest issue is: you can cook it yourself. Anybody in here could. I know well that nobody in here would, but they could. It's very easy to make. The recipes are all on the Internet. The ingredients for it are readily available without going to any kind of great lengths to acquire them. Having the drugs go behind the counter I think might slow it down, but I suspect that what we will see are thefts of larger shipments of it now or swarms of people going in and, you know, saying, "It's cold season, and everybody here's got a cold," and just buy up 30 boxes that way.

It's addressing a small part of this, but it's not addressing why we have such a demand for this. It does nothing to reduce that demand. It does nothing to address activities for youth to get involved with. I see that in the cities. You know, if you don't have money and your family is not willing to go and ask for a reduction in fees or a waiver of fees, you may not have anything to do as a youth.

I understand what a privileged upbringing I had, where I could pick whatever activity I wanted to be involved in, and my parents had enough money that they could let me participate in that. I think I got to do two things, and so did my brother. We could pick whatever those two activities were, and off we went and did them. There were volunteer opportunities we were encouraged to participate in. Bus passes were given to us. Lots of things were done to facilitate our being involved in that. We were always allowed and encouraged to go to classes.

But there are a lot of youth today that don't have anything to do, and that's why they hang out. They have nothing to do. There is no activity for them to get involved with in a way that is readily accessible and easy to get at and doesn't cost them too much money. So they hang out, as youth have hung out for centuries when they've got nothing else to do.

If they had a basketball and a hoop and a bit of concrete, they'd tend to get involved in a pickup basketball game. If they had a

baseball bat and a couple of mitts and a ball and a field, they could get out in the field and play baseball. Most people would rather be engaged in something and do something. But if we don't allow them those opportunities, they're not going to be able to take advantage of that, and they've got nothing else to distract them away from it. You end up with boredom and apathy, and you've got the perfect mix for drug use right there.

The second thing that's not addressed in this bill is any kind of treatment, and that's the second way to reduce demand. Once you've got somebody addicted to crystal meth, they are driven, absolutely driven, to the exclusion of all other things, including sleep and food, to get another fix, to get another high. So by reducing their addiction or eliminating their addiction with treatment, you reduce that demand. I think that's much more effective with those two approaches than trying to address a bit more of the supply side of it.

I keep seeing this government make those choices. I notice that my colleague talked about: why is it always the pharmacist who has to police the industry? Again, that's exactly what's happening here. The government takes no responsibility for this. They're not assisting in any way. They haven't determined a fee structure that will be used to compensate pharmacists. The pharmacists are just directed that they now have to move their product off the shelf, build shelves somewhere else, rearrange their store to be able to accommodate the ephedrine-based cold medications. They have to cope with all of that cost. They don't get any reimbursement for that or any fee structure put in place, and they now have to police it.

Well, you heard the pharmacist in the Liberal caucus say that, yes, he was pretty much willing to go there and do that because he believed in it, but he does note that he's not paid for that. So once again we have the government downloading the responsibility onto someone else totally disconnected and to whom it costs money to put this in place.

The final issue that I want to talk about is a sunset clause. I think that if this effort and other efforts like I've described of reducing the demand are successful, we should be able to return to a point where it's not necessary to be doing this and it's not necessary to be requiring the pharmacist to be doing this. So I would like to see a sunset clause built into this act, whether that anticipates a three-year change, were it possible to do that, or possibly five. I would prefer to see a review of the legislation and the need for it three years down the road.

In principle, I'm supportive of what's being recommended and being proposed in this bill, but once again I just see the government, first of all, not making decisions based on evidence, not taking an overall plan of management to attack this. It's another piecemeal bit that's being tacked on the side of something. We don't know how it fits into the whole. It doesn't include any kind of treatment. It doesn't deal with the demand side of things. It doesn't do anything to address activities for youth and, if it passes, will now be locked in forever. So I think it needs the sunset clause added to it. Additionally, it totally downloads the responsibility for the entire initiative onto a third-party sector, who doesn't even get compensated for it.

3:10

So nice idea, but there are a number of flaws and a number of other pieces missing from a total plan and approach to addictions. This government has a problem with addictions, whether it be alcohol addictions, drug addictions, or gambling addictions. I would prefer to see an approach that had a better management plan to it than this constant piecemeal. Again, I think this is another example of the government in some ways having too much money because

they can sort of keep coming up with these ideas without really having to implement them themselves.

Thank you.

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

Mr. Rodney: Thank you, Mr. Speaker. We all know that methamphetamine is a powerfully addictive stimulant that dramatically affects the central nervous system, and we also know that it is prepared in secretive laboratories using ephedrine or pseudoephedrine, which are contained in over-the-counter cold medications amongst many other products. Now, these two factors combine to make methamphetamine, a drug with high potential for widespread abuse.

Meth is a white, odourless, bitter-tasting crystalline powder that easily dissolves in water and alcohol. It increases activity, decreases appetite. A general sense of well-being and the effects of meth can last six to eight hours or much longer, but after the initial rush there is typically a state of high agitation in some individuals that often leads to extremely violent behaviour.

Now, whether we call meth by one of its names – speed, meth, chalk, or in its smoked form, ice, crystal, crank, or glass – whatever the case, Mr. Speaker, whatever we call it, the harms that hit those associated with the use and production of crystal meth destroy families, leave individuals and communities and others in desperate situations.

Bill 204 is an important part of the overall approach in that it makes products containing ephedrine and pseudoephedrine less readily available to those individuals looking to purchase them for the illegal manufacture of methamphetamine. There is no comprehensive research data available yet on methamphetamine use, abuse, and dependence in Alberta, but the proportion of AADAC clients, for instance, reporting using amphetamines and stimulants in 2003 was charted at 11.9 per cent. The year before, in 2002, AADAC's Alberta youth experience survey found that 5.3 per cent of Alberta youth in grades 7 to 12 had tried club drugs, including ecstasy and crystal meth, at least once in the previous year. In contrast – and this is worthy of note – 56.3 per cent of youth had abused alcohol, and 27.6 had used cannabis.

Now, Bill 204 gives Alberta an opportunity to deal with the diversion of methamphetamine precursor drugs that are found in some over-the-counter cold remedies. In other words, if we take away the ingredients of this lethal concoction, we can remove one of the avenues that this drug finds its way to Albertans. In the case of crystal meth the harms associated with its use and production can potentially be reduced. Bill 204 is not offering a simple answer to these problems. Bill 204 is providing additional momentum to ease the choke hold that this horrific drug has on so many of our youth and older folks.

I am told that methamphetamine use is on the rise in various parts of Alberta, where it is said to be taking over from cocaine as the third most common drug abuse after alcohol and cannabis. There seem to be a number of factors that are driving this change. First of all, it became widely available because it's made from substances that are openly purchased, as we've discussed; secondly, it's much cheaper than cocaine, which must be smuggled into Canada; and thirdly, the effects are very similar to those of cocaine, but they do last longer. However, this drug has high liability for addiction and very serious physical harm. Lastly, the availability of crystal meth has increased the drug's popularity because smoking it gives the quick effects of injected meth without the inconvenience and dangers of intravenous use.

Mr. Speaker, trends in illicit drug use show a generational cycle of increase and decline in popularity, and meth is one example of this. It was popular as a recreational drug in the '60s and '70s, fell out of favour in the '80s, and re-emerged in the '90s.

The arrival of a new threat to the health and well-being of Albertans is always a great concern to AADAC, and at the same time we know that meth is not now, nor is it likely to be, the biggest addiction threat to face Albertans. I'd argue that alcohol has and will continue to have this dubious distinction.

Meth is not a new drug. This is its third wave of popularity in North America, and each wave has faded with the assistance of public education and legislation. There is no question that in addition to being highly addictive, this drug is physically harmful to its abusers. The fact that it's readily available and relatively inexpensive makes meth appealing to young people who are willing to experiment and may partially account for its popularity.

Mr. Speaker, I can assure you that there's no single simple solution to putting an end to illicit drug use. We all share a common concern for the harm meth and other drugs cause in our communities, and we each have something to contribute in reducing those harms. We have to work together to form strategies.

The problems linked with substance abuse, including meth, affect all of us directly, or indirectly at least, and the challenge, then, is in identifying effective actions to prevent the harms associated with the use and production of meth. How do we do this? Well, one part of the overall approach is to reduce the supply through enforcement and regulation such as restricting access to precursors used in making methamphetamine, as Bill 204 suggests.

However, determining what needs to be in place in our society to prevent drug use and abuse overall is much more complex, and it requires a collaborative approach. AADAC has a particular contribution to make in communities across the province; that is, their knowledge and expertise and the best practices to prevent and treat addictions as well as the range of services they provide.

The problems related to drug and alcohol use are wide-ranging in scope, complex in nature, and costly in personal and economic terms to Albertans. I know that we can succeed with the involvement of partners in the community, including individuals, municipal leaders, government and nongovernment agencies, law enforcement, educational and health professionals, and others. Momentum is obviously growing across this province as people work together to tackle these and other drug issues in an effort to build safer communities where we can raise healthier children.

It's worthy of note that drug use and abuse patterns continually evolve, and even as we conquer meth, new designer drugs will emerge or old drugs will regain popularity. So we need to maintain the momentum we are seeing now and apply what we're learning from this experience to prevent the harmful consequences of the next drug trend.

Addiction is complex and difficult, but Bill 204 will give it much-needed support. We need to extend the reach of the existing services we offer and provide and invest where the likelihood of success is the greatest.

AADAC continues to offer a comprehensive range of substance abuse treatment facilities and services for meth users and their families, but meth and old and new drugs remind us that there is an inexhaustible supply of these addictive substances. So we need to continue to prevent and treat addiction. We have to acknowledge that all aspects of drug use and abuse maintain collaboration and a balanced, informed response no matter what the specific drug of concern is. Bill 204 will undoubtedly help us achieve these goals.

I encourage our hon. colleagues to join me in supporting the author of this bill. Thank you, Mr. Speaker.

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

Mr. MacDonald: Thank you very much, Mr. Speaker. It's a pleasure to rise and participate in the debate on Bill 204 this afternoon. I would like to thank the hon. Member for West Yellowhead for bringing this forward.

3:20

Many people have expressed many different views on this bill and on this issue of crystal meth and crystal meth addiction, but any step in the right direction is a step that everyone should endorse. I would urge all hon. members of this Assembly to give this bill very careful consideration. Hopefully, they will support this legislation, and it will be implemented immediately. Sometimes in the past we have seen private members' bills in this Assembly that have received favourable treatment, and they have yet to become law. So, hopefully, this bill will come into force as soon as possible.

Is it needed? Yes, it certainly is. Is it going to be cumbersome for some people, particularly some merchants? Yes, it will be, but it is necessary. It is absolutely necessary. When we look at the whole view of crystal meth and the problems that it has created, I think back to a documentary I saw on the CBC. There are many small towns in Alberta that are affected by this very negatively.

Rev. Abbott: Well, you know that's got to be in Alberta if it's on the CBC. That's a powerhouse station right there.

Mr. MacDonald: The hon. Member for Drayton Valley-Calmor is saying that the CBC is a powerhouse station. Certainly, there is a role in our society for public broadcasting, and I hope that the CBC continues to provide excellent programming and excellent documentaries like the one on crystal meth and how it's affected communities like Drayton Valley, Hinton, Edson.

It's a problem in the oil patch. It's a problem as far as occupational health and safety view it in the oil patch. This is becoming a significant problem in injury rates, whether it is on construction sites or whether it is oil field truck drivers that are working 20 and 24 hours straight and using crystal meth as a stimulant. It might work for them for one shift, but certainly this is a very dangerous practice. This bill will help that.

We look here in the city. Yesterday I had the privilege, Mr. Speaker, of attending the Greater Edmonton Alliance initial assembly. There were many speakers, and they spoke on many issues, but the first speaker spoke about the problems around drug addiction and crystal meth specifically. It's a problem in both rural and urban areas. It's a problem in the workplace. It's a problem in junior highs. It's a problem in high schools.

When we look at this bill, Mr. Speaker, why I would say that it is a good first step is that we have to look at exactly where we are going now as a province. Through all this prosperity and the fast pace of our lives, sometimes we may be forgetting just how much we have changed. I was sitting listening to the speaker yesterday at the Greater Edmonton Alliance talk about the problems with crystal meth and how crystal meth is affecting junior high students.

We are looking in this city at adopting a public policy where the larger the junior high, the better it is. One of my hon. colleagues said to me earlier in discussion on this matter: well, the larger the junior high, the easier it makes for the drug dealers because there are fewer stops to be made and more customers. Unfortunately, that is true. In smaller schools administration and staff can keep an eye on things a lot better than at a junior high where there are 600 or 700 students. That size of student body can become a problem.

We look not only at that, but we look at, you know, the growth in VLTs in this province, and we see the growth in the number of instant loan places and cheque cashing places. On the way to work this morning, Mr. Speaker, I saw another one, almost like it sprang up overnight. Is this progress? Is this progress whenever we look at everything and we look at the fast pace of our lives? Perhaps we're not noticing some of the negative social conditions, I might call them. One of them is crystal meth and our unfortunate group that quickly becomes addicted, and there's almost no hope.

Hopefully, this bill will reduce access. We can increase hope by increasing the number of facilities we're going to set aside for drug treatment and rehab and also counselling. Hopefully, we are going to be able to provide counselling for those who become addicted. Take, for instance, a program like the DARE program. This hon. member would not for one minute criticize this government if they were to take money and ensure that every junior high student or every student in grades 5/6, before they even enter junior high, had access to a DARE program so that they could know first-hand the chronic problems, which have been outlined by previous speakers, that happen as a result of crystal meth addiction.

We can do a lot more than this bill. This bill is a first step. Certainly, it follows in line with what the hon. Member for Red Deer-North did earlier in this session, but let's look at some education as well. Let's fund the DARE program so that every child in this province, before they enter junior high, knows full well the consequences of this horrible, addictive drug. I'm confident that if that were to happen, we would be hearing a lot less about gangs that form in junior high and then, as they get older, have confrontations in places like Groat Road. There are teenage parties that wind up in shootouts. There is youth violence that almost seems to be – well, it is out of control. Not almost; it is out of control. These are the first warning signs that perhaps we're not paying as much attention to as we should.

In conclusion, Mr. Speaker, I would like to thank this hon. member for bringing this forward. I would be very pleased to offer my support to this legislative initiative, this private member's bill, but there's a lot more to be done. I think if we work collectively, we can have a better province. We will be watching the news and there will be a lot less crime on there and a lot more stories about Alberta such as this: not many hon. members in this Assembly would know that the under-18 Alberta men's team won the Canadian national handball championships yesterday evening at the University of Alberta gym. That's a story we need to see on the news, not the shootouts up on Groat Road.

Thank you.

The Speaker: The hon. Member for Wetaskiwin-Camrose, followed by the hon. Member for Edmonton-Decore, followed by the hon. Member for Drayton Valley-Calmor.

Mr. Johnson: Thank you, Mr. Speaker. I'm honoured to be able to stand and speak to a bill that is looking to make our communities safer places to live, and I commend the member for West Yellowhead for bringing this piece of legislation forward. As a former chair of AADAC I am especially supportive of initiatives that reduce or, indeed, eliminate chemical addictions, especially amongst our youth. Although we have made some great strides forward in regard to crime and drug addiction in this province, we have not moved forward quickly enough to address all problems as they have emerged.

3:30

One such problem is that of methamphetamine use. I would like

to thank the Member for Calgary-Fish Creek in her past role as Solicitor General for hosting the Alberta workshop on methamphetamine back in September of 2004. This workshop did an exceptional job of bringing much-needed attention to methamphetamine use in Alberta and of drawing our attention to the fact that these drugs are dangerous to use and dangerous to manufacture.

Drugs and crime have been and are often associated with big cities. We often have a false sense of security that our rural communities are immune to drugs. Some feel that the only drug we have to worry about is alcohol. While alcohol abuse can be devastating to individuals and their families, the problems that accompany drugs like crystal meth are far worse. It is not an uncommon occurrence for our local papers to be reporting on drug seizures and crime relating to those trying to get money to buy drugs or for those individuals who are high on methamphetamine to be committing random acts of violence.

Alberta is the best place in the world to live, work, and raise a family, but we need to be vigilant to make sure that this remains the case. We cannot let drugs engulf the lives of our neighbours or even our children or other youth. Crystal meth is a growing concern, and we need to aggressively address this issue before it gets any worse.

I am pleased that Bill 202, introduced by the Member for Red Deer-North, and this bill are taking steps forward to help combat drug addiction in this province. Moving products containing ephedrine and pseudoephedrine into pharmacies and behind the counter is an excellent idea, and restricting access to these drugs to just pharmacies will help twofold. First, pharmacists are much better suited to monitor the distribution of drugs and have a much better grasp of noticing when a person might be purchasing more drugs than an average person should be. They have the training to be able to raise a red flag when an irregular pattern of purchases begins to take place at the pharmacy that they work at. While most Albertans are willing to try and help fight against crime, the employees at most nonpharmacy retail outlets most likely don't have the training to be able to spot potential purchasing patterns that indicate that an individual or a group of individuals are trying to cover up mass purchases of precursor drugs for the production of crystal meth or a variety of other methamphetamines.

[Mr. Shariff in the chair]

The second advantage is in regard to the health care of Albertans. Bill 204 creates more opportunities for Albertans to interact with their pharmacists. Only positive results will occur through this increased interaction. Methamphetamine abuse is a growing problem in communities across this province and all of Canada. I'm glad to see that it's Alberta taking the lead in this country to help stem the production of meth.

We need the federal government and other provinces to move forward with more consistent legislation in regard to the retail sales of precursor drugs. I hope that this bill and subsequent debate will urge our other partners in Confederation to also move forward with similar types of legislation to help stem the manufacturing, distribution, and use of methamphetamine in our communities.

Bill 204 is a good first step in reducing the prevalence of methamphetamine. There is more that can be done, and as members of this Legislature and members of our communities we should examine options that will help to create a more comprehensive plan to reduce the production and use of meth in Alberta.

I will be supporting the second reading of Bill 204 and urge my fellow members to do the same. I look forward to hearing and possibly debating any amendments during Committee of the Whole. Thank you, Mr. Speaker.

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

Mr. Bonko: Thank you, Mr. Speaker. I'm pleased to be able to speak to Bill 204, Pharmacy and Drug (Methamphetamine Limiting) Amendment Act, 2005. The whole purpose of this is basically to ban the sale of products, often cold medicines, which are sold anywhere besides behind the counter in a pharmacy and are part of the producing of methamphetamine. Behind the counter, I guess, it's called a schedule 2 drug. This whole idea of this limiting act came from Oklahoma, where they had, I guess, a successful opportunity to reduce the sale and limit the number of meth labs that are continuing to pop up there.

The drugs that we're talking about here are simple ones, such as cold and sinus, children's allergies, children's cold pieces, Claritin for allergies; you know, the real simple things that are found on everyday shelves. Now, some people might in fact go to the pharmacy or their local Safeway or a Superstore whenever they're in need of trying to pick up a simple piece like this, and all of a sudden they're not able to do it because of the fact that this bill would prohibit there being a convenience in purchasing it. I can see that the reason for trying to limit the convenience is to deter people from even being able to come up with this concoction which is known as meth or crystal meth. I think it does have some merit.

One of the things that we could put into place, which hon. members have mentioned, is better education. We have a program out there, which is DARE, the drug resistance education piece, which is normally done at the elementary level, but because of the limited amount of officers and civilians trained to be able to administer this program – there are a lot of kids that could in fact benefit from that program of DARE. I think it's sad that more schools aren't able to have the officers in place. There are, I know, numbers on the waiting list to be able to have that, but they're not able to, again, maybe because of funding or it's not enough officers to be able to put this into practice.

Certainly, some of the schools in my community or in the inner city, which is predominantly where you'd find some of the drugs or these seedy characters operating, would the beneficiaries of this. It's often where you find the people who are in fact on the street selling themselves to take up and buy this drug. So it would only make sense that you would have some of these programs right in the heart of where these are being sold and are being recognized as some of the worse cases on the street.

If we talk about why this has come into effect, I think of Bill 202, Protection of Children Abusing Drugs Act. It started off to be a great bill, and when it was passed, it was watered down profusely. In fact, I think it missed its mark. I had the opportunity to be able to hold a forum involving some 250 kids, and I did put the question: would you be in favour of the treatment centre almost essentially locking you up? I did take a secret vote, and out of the 100 per cent that did vote, 90 per cent were in favour of it. So I'm not sure why this government was scared to put a tougher law in to seek treatment for these kids. There was only 10 per cent that were not favour of it.

Again, it comes out with good bills, but we get a little bit scared because we have to get tough. Well, I think what people elect governments and their legislators to do is to be tough. We're talking about a tough bill. We're talking about a tough drug. That's that methamphetamine, crystal meth. It's destroying families, it's destroying lives, and it's destroying communities, yet we're coming in with weak legislation. That's not what people want. They're wanting tough legislation against tough drugs. If we're going to talk about being leaders, then we've got to step up and do the right thing.

This, again, is a first step, but I don't think it's strong enough because even Bill 202 was weak. We need to have more influence

within the schools with regard to education. We have pilot projects with training in walking around the drug dogs in the schools. That, again, is a first step, to be able to put the presence there of the police and the deterrent for bringing this drug into the schools. But it needs to be expanded, not only just on pilot projects but to the community schools out there, the high schools and the junior highs. Perhaps we'd even go that far.

I'm hoping to God it hasn't even gone to the elementary level, but again – you know what? – you can't take anything for granted nowadays, as we're seeing. We could expand that to the junior high level and, certainly, right within the rural communities as well, where some of these methamphetamine or meth labs are able to set up undetected amongst their neighbours in the community because of the lack of policing out there. Now, we have in fact put out more police officers to be able to handle the concerns with regard to the drug labs and/or the grow ops, and I commend the government for doing it.

3:40

Unfortunately, it was on a reactive basis and not on a proactive basis. The community right now has said more than once that we need proactive government. We have shootings going on in communities, and they're drug related. We have murders going on, and they're drug related. We have children going to school, and we have them coming back different because of that one time they were talked into taking one of these drugs. They have parties. They have these all-night raves where they do ecstasy and meth. I mean, it's all over the place, and some communities don't want to admit, in fact, that it's in their backyard because heaven forbid: it doesn't happen in ours. But you know what? That's being naive, and that's the pitfalls of parenthood or that even communities get into because they don't want to admit that this sort of thing would happen in their community. They're in denial is what they're in.

I think that if we all realize, in fact, that it's everywhere and no one is immune to it – it doesn't matter what socioeconomic status you come from, everyone has the opportunity to be involved. It's critical that we recognize that and make sure that the laws are place and the education as well as the police officers and the detectives, whatever, the supports to be able to deal with it.

We need more treatment centres to deal with the addictiveness that we have out there. We talked about the addictiveness being gambling. We talked about the addictiveness with regard to AADAC and drinking. Those addiction centres were developed years ago. In fact, I don't think some of the things that they're treating are that different, but I think it needs to be revisited as to what sort of treatment and how it's administered. Comparing 20 years ago, comparing today, we have a whole different group of individuals. There's a different mindset, and that's in fact what's come up with trying to introduce the new heroin of the day, which is now, you know, ecstasy or crack or crystal meth.

We need something that's going to be able to give these kids an advantage in the detox centres and not just a five-day stay-over which is like a Holiday Inn. We need something that's going to keep them in there. Take away the rights of freedom, if that need be, to clean these kids up. Perhaps even part of their treatment would be to go out and lecture some of the other kids as to: "You know what? I look normal like you, but in fact I was one of these kids that was enticed and fell into the pitfalls of it." Give their testimonial. Nothing is stronger than for kids to hear from one of their own peers talking about this, testimonial, what's happened to them and how it affected not only them but their potential livelihood and their family and friends. This is devastating to not just their family, their friends, relatives but to the community. As soon as one person suffers, the whole community suffers.

We talk about the piece about: it takes a whole village to educate a child. Well, this takes a whole village also to protect that child. In protecting that child, we're talking about the proper laws in place and the proper facilities in place. We need to have more money, unfortunately, and build more facilities. Maybe they'll not be within a city but on the outskirts or in the outlying areas, so they don't have the opportunity to be just locked up. They can wander that 200 acres out in the middle of nowhere and, kind of, really contemplate why they're there, get to their heads with some fresh air instead of the city smog and the drugs that are filling them.

I gave you just a little bit of insight as to why I'm concerned with the drugs and the lack of real meat and teeth with regard to some of these bills that are passing. Again, they're good, well-meaning and -intended bills, but when they get down to the voting stage, they've been watered down so much that it's unfortunate that the real intent and the real beneficiaries, the public, don't really see the whole thing of it. Compared at the beginning to where it comes out at the end, it is completely lacking where it should be then.

Thank you, Mr. Speaker.

The Acting Speaker: The hon. Member for Drayton Valley-Calmar.

Rev. Abbott: Well, thank you very much, Mr. Speaker. It is my pleasure to rise today to add my thoughts to the discussion surrounding Bill 204, the Pharmacy and Drug (Methamphetamine Limiting) Amendment Act, 2005. I sincerely thank the hon. Member for West Yellowhead for introducing this bill, as it represents a creative approach to a growing problem in this province, especially in the area of Drayton Valley-Calmar, where crystal meth is dwarfing our future potential as a community. I would like to express my support for this idea but would also like to comment on issues that may be created by Bill 204.

Mr. Speaker, although Bill 204 seems like a simple bill, it actually evokes some interesting questions and valid concerns. In the overall context of what this bill is trying to achieve, we must look for a balance. Balance is the hallmark of any good government.

I would like to begin by discussing a trend that is occurring in this country because I believe it has implications not only for Bill 204 but also for the problem of rising health care costs and approaches to dealing with those problems.

Mr. Speaker, modern-day Canadians are more likely today than in past generations to think of themselves as partners in a collaborative health care system than as recipients of care provided by experts in a hierarchical system. They tend to view themselves as well-informed individuals shopping for the best treatments available instead of patients who must act on the opinions of others. They feel empowered to make more of their own decisions about treatment, and they base these decisions on information from various sources.

Bill 204 proposes to change drugs that contain ephedrine and pseudoephedrine from unscheduled, where Albertans are able to research the effects of the drugs and to make decisions on their own as to whether to take them, to schedule 2, where they will have to consult a pharmacist before being allowed to purchase them. The problem with putting these drugs behind the counter of pharmacies is that they become more difficult to obtain.

Now, many people will argue that this will cause an inconvenience. According to a study called *The Role of Self-Care in the Treatment of Illness*, approximately one-third of adults will have a sore throat, cold, or flu in any given month, and 63 per cent of those adults will initially react by using some type of self-treatment. Mr. Speaker, the form of self-help they will choose is the very type of medications that we are discussing today. It seems that Bill 204 is moving Albertans away from the trend of counting more on

themselves and their ability to obtain information toward having to rely on other sources, like pharmacists, about drug options for treating minor ailments.

Mr. Speaker, I would agree that Bill 204 will make it less convenient for people to obtain these drugs. This is especially true for people who have taken the time to research their conditions and ailments and who know which medications will help them. The purpose of Bill 204, however, is not to make it less convenient for people who want to buy medication to treat a valid ailment but, rather, to make it less convenient for people who want to use the medications to produce a dangerous drug that is devastating many people in our society, increasing our crime rates, and overworking our police forces.

Mr. Speaker, as I mentioned earlier, what we are looking for is a balance, and I believe that Bill 204 does give us the ability to strike a balance between slowing the methamphetamine problem and providing sick people with access to the medications they need. Although Bill 204 will make it less convenient for people who have minor illnesses to obtain the medications they need, this bill may actually have a positive consequence that could outweigh this noted inconvenience.

According to studies, at the onset of a new medical condition or ailment just over half of Canadians will likely just tough it out and wait and see if it gets worse. Unfortunately, 1 in 5 will immediately run to their family doctor, and thankfully 1 in 10 will self-medicate with a self-care health product. Now, this statistic tells me that more Canadians will go to a doctor than will look to other sources of information for treating their medical problem.

The point I'm trying to make is further illustrated by the fact that of Canadians with ailments 57 per cent use a medical doctor as a source of information about their treatment options while only 37 per cent consult a pharmacist to gather information about medications. Mr. Speaker, by changing medications that are used for relieving symptoms for colds and other minor ailments from unrestricted drugs to category 2 drugs, people may begin changing their tendencies toward seeing doctors for advice to seeing pharmacists. That would be good, good for Alberta. The reason for this is because Bill 204 will cause people to interact more with their pharmacist than previously. This, in turn, may create a level of trust and appreciation toward pharmacists that previously did not exist.

Now, I personally don't think of going to a pharmacist when I'm feeling a bit down, yet pharmacists are highly trained professionals that are capable of more than simply counting and bottling pills. Mr. Speaker, the Alberta College of Pharmacists has recently put forward proposals to make their profession more prominent in the area of primary health care. As you can see, Bill 204 may indirectly help them in achieving this important goal.

Having a population that tends to research their ailments and possible treatments on their own along with a growing tendency and trust toward pharmacists can lead to decreased costs on our health care system. A visit to the family doctor is, of course, quite high when compared to a stop at the local pharmacy. Furthermore, since it's much easier to consult a pharmacist, this may cause people who usually choose the wait-and-see approach toward their ailments to see a pharmacist before the condition gets too bad. This, in turn, may also lead to reductions in long-term health care costs since pharmacists can advise these individuals to go see their doctor about ailments that do not seem major to the uninformed eye but can actually be quite serious, such as bumps that could be cancerous or internal pains that are foreign. Mr. Speaker, Bill 204 may actually lead toward a larger role for pharmacists and less costs on the health care system, especially if people are educated about the potential roles of pharmacists.

3:50

Now, while I'm on the topic of cost implications of Bill 204, I'd like to comment on the real cost of methamphetamine use in this province. Methamphetamine causes strains on the health care system because of the dangerous effects it has on the body and because of the high costs associated with addiction treatment. Methamphetamine causes strains on the police forces because of the increased crime rates due to addicts stealing to support their habits. Methamphetamine causes strains on the justice system as a larger proportion of crime inevitably relates to higher levels of prosecution and incarceration.

Mr. Speaker, I support any bill that attempts to reduce the ease of making meth and any bill that attempts to address this growing problem in our province. Earlier I mentioned how much methamphetamine production and use costs our society. By limiting the amount of methamphetamine produced in Alberta, Bill 204 will also reduce the costs of meth use on our society. These cost savings can be used to educate Albertans about the new process for obtaining these drugs or for much-needed tax cuts. By explaining the new process as well as why this measure needs to be taken, Albertans will likely be sympathetic. The slight inconvenience they might have to go through will seem insignificant in comparison to the spread of addiction that is occurring in their neighbourhoods.

Mr. Speaker, I'm gravely concerned about the growing methamphetamine problem in Drayton Valley-Calmar and in this province, and I will support any reasonable measure that is taken to help fight against it. For this reason, I urge my colleagues to join me in supporting Bill 204. Thank you.

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

Mrs. Ady: Thank you, Mr. Speaker. I appreciate the opportunity to join the debate on Bill 204, the methamphetamine limiting act. I want you to know that I agree with my colleague from West Yellowhead that the use of methamphetamine, meth, is a serious problem, one that our society cannot and must not take lightly. What makes this matter even more concerning is the fact that all the necessary ingredients, including ephedrine and pseudoephedrine, are so readily available that illegal meth producers can cook up this product so easily. From a prevention standpoint I feel that Bill 204 holds much merit. It's important for us to take concrete steps to not only try to make it harder for meth labs to obtain the necessary ingredients to produce the product but to ensure that the public is aware of the existence of this potentially epidemic problem.

I'm not sure, Mr. Speaker, that at this point the public is fully cognizant of what meth really is and what it can do to a person if used in large quantities and how inexpensive it is to produce and purchase this illicit product. As a matter of fact, so little is known about the drug that there have virtually been no comprehensive studies done on meth use here in Alberta or Canada-wide. One figure that is available to us comes from the Alberta Alcohol and Drug Abuse Commission, or AADAC, and it reveals that in 2003 approximately 12 per cent of AADAC's clients were reported to have used stimulants.

In the United States over the past decade the problem of meth production and meth consumption has taken that nation by surprise as more states have only recently become aware of the dangers and prevalence of meth use. More alarming is the discovery of a growing use of the drug, especially among minors and youth in their early to mid-20s. An interesting aspect that many states are finding is that the problem is sometimes more prevalent in rural than urban communities. According to law enforcement authorities across the U.S. the production and the use of meth has hit the rural communi-

ties particularly hard as many of them simply lack the necessary policing resources to combat the problem. Unlike their urban counterparts these communities lack the necessary resources to raise the awareness of this increasingly concerning problem.

In order to illustrate this point, Mr. Speaker, according to U.S. news reports the crisis has become so prevalent in some counties in central Tennessee that the rural communities are not only becoming flooded with the drug itself but also with the labs used to produce it. In some cases the labs consist simply of mom-and-pop operations used by amateurs to produce the drug primarily for their personal use but sometimes also for sale and distribution. Law enforcement authorities have found labs in homes, apartments, trailers, motel rooms, vehicles, and even a chicken coop.

As a testament to how prevalent the problem is in Tennessee, the Cumberland county local jail has become so overcrowded with inmates, many of whom are held on meth-related charges, it may require a new extension, which could prevent the county from building a new high school. In the meantime, authorities are dealing with the overcrowding problem by expanding inmate spaces into the prison's gym and library. As well, it has been found that the hospitals in the county have also experienced a rise in emergency room admissions and have had to train doctors and staff members on how to handle violent meth abusers.

One of the most appalling social consequences related to meth use is what happens to the children of those individuals who succumb to the influence of this devastating drug. According to the news reports there are hundreds of cases in Tennessee where children have been taken from their parents and placed in foster care due to parental neglect. Sadly, these kids are known as meth orphans. Law enforcement officials say that many children have to be taken away simply because they were found neglected and living in deplorable living conditions because their parents were too consumed by their own addiction to care for them properly. Many of these orphans face physical, developmental, and emotional problems resulting from long-term neglect.

As you can clearly see, Mr. Speaker, the picture is pretty bleak in some parts of the U.S. Having said that, I'm not implying that the problem is or will be similar here in Alberta, but it will be if we don't address the problem of the unregulated access to these things that make up meth within the province. However, I would argue that this is what could take place if we don't start analyzing and addressing the issues associated with the use and illegal production of methamphetamine.

Aside from what Bill 204 is proposing, Mr. Speaker, I believe that we still have a long way to go in educating the general public, particularly young Albertans who are most at risk, of the potential dangers of meth abuse.

An interesting fact about meth is that many users who purchase the drug on the streets aren't even aware of what the ingredients are that are used to make the drug. In a story from Colorado a juvenile probation officer who dealt routinely with minors who use meth was very surprised to discover that most youths aren't aware that meth is made from products that use ammonia or a variety of other dangerous chemicals. In one of the instances when she asked some youths whether they would sit down and drink a bottle of Drano, most of the juveniles reacted surprised at such a question. Many were simply unaware of the fact that Drano or other products that contain ammonia are used to make the drug.

When asked what constitutes the main reasons why youth were turning to meth, she cited the lack of knowledge about the drug and its effect, the ease with which it can be produced, and the fact that it is cheaper than other illegal drugs and substances. It would appear that she is correct. According to the reports coming out of the U.S.,

meth is starting to compete with marijuana as the drug of choice among youth. This is particularly dangerous as meth is far more dangerous than marijuana. With this in mind we as a province and a nation need to step up our awareness strategies and efforts because if we don't address this problem now, later on, as we have seen, it may be too late.

Having said that, I believe that Bill 204 represents only one of the many strategies we can use in order to limit the illegal production and use of meth within our province. Reclassifying medicinal remedies that contain ephedrine and pseudoephedrine as schedule 2 drugs and permitting them to be sold only behind the counter in licensed pharmacies represents a step in the right direction. We could perhaps even further strengthen Bill 204 by following Montana's example and examine the possibility of limiting the sale of behind counter cold remedies that contain ephedrine and pseudoephedrine to only two packages at a time, which could further dissuade any potential misuse of the product.

While such measures may dissuade some illegal meth producers from purchasing these drugs, they will not solve the problem as a whole. The reason why I say this, Mr. Speaker, is no matter how diligent we are at making it harder for the producers to acquire these medicines in Alberta, it does not mean they can't purchase them from other jurisdictions within Canada. Our efforts to limit methamphetamine use are bound to fail unless all provinces abide by the same rules and pass similar legislation to what is being proposed in Bill 204. However, we don't want to be the number one province for this problem. We'd like to solve it here.

I believe that one of these strategies we should be looking at is collaborating with other provinces and the federal government in order to push for national legislation or policy that would in essence follow the provisions outlined in Bill 204. Only this way would we be able to genuinely challenge the meth producers and shut down their supply routes. With this in mind, Mr. Speaker, I will vote in favour of Bill 204 and look forward to further debate and development on the matter.

Thank you.

The Acting Speaker: The hon. Member for West Yellowhead to close debate?

[Motion carried; Bill 204 read a second time]

4:00

Bill 205

Fair Trading (Telemarketing) Amendment Act, 2005

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

Mr. Pham: Thank you, Mr. Speaker. I am honoured to move second reading of Bill 205, the Fair Trading (Telemarketing) Amendment Act, 2005.

In a nutshell, Mr. Speaker, Bill 205, if passed, will give Albertans back their dinnertime. From my door-knocking during this past election I heard from many constituents that they were generally happy with our government, but there were some small annoyances that they wanted us to correct, one of which is the telemarketing phone calls we all receive just as we are sitting down for a family dinner. I heard this complaint at many doors. Albertans are fed up with having their family time interrupted by telemarketers. In fact, all Canadians are fed up. In the December 2003 survey conducted for the federal government, 97 per cent of respondents indicated a negative response to receiving unsolicited phone calls.

Much of this frustration has been created by the telemarketers themselves. Often they call between 5 p.m. and 8 p.m., when the

vast majority of Alberta families are eating or enjoying family time together. To make it even worse, telemarketers often use computer dialers which ring at both ends, on your phone and on the telemarketer's. If the customer picks up but the telemarketer doesn't, they are only greeted with silence. This can cause frustration and in some cases fear.

One evening last year I had an extremely frustrating experience with a telemarketer. Our phone rang right at our dinnertime. I answered, but no one was there. I hung up immediately, and immediately my phone rang again. Still no one was there. This happened repeatedly for the next two minutes. Finally, I called the operator and asked what was going on. She informed me that some telemarketing companies have automatic dialers that will call you back unless you listened to their message. She further informed me that I could pay a monthly fee to have all undisplayed calls blocked to my line. Blocking undisplayed calls is not the answer, nor should Albertans be subject to paying a fee to keep telemarketers from annoying them.

I know from my own experience from my door-knocking and from the survey done that Albertans are becoming quite annoyed. With 97 per cent of Canadians reacting negatively to telemarketers, some have suggested that we should make all unsolicited phone calls illegal. It is my belief that we must be fair and balanced in our own law-making. Because of that, Bill 205 will still allow companies to solicit their products over the telephone.

Bill 205 has two major components. The first is the licensing requirement. This bill will require any company wishing to market goods or services over the phone to apply for and obtain a telemarketing licence. The reasoning behind this is so that the government will first of all know who is making the phone calls and, secondly, be able to fine or refuse a licence to a company who is not following the provincial and federal rules. It would be pretty tough to fine a company for breaking the rules if you don't know who they are, where they originate, and who owns them.

The second major component is the calling hours restriction. Currently the CRTC does not regulate when telemarketers may make phone calls. If they wish to call you in the middle of the night, there's nothing other than their own good sense to stop them. Bill 205 proposes to only allow telemarketing to occur between the hours of 9 a.m. and 5 p.m. and again from 8 p.m. to 9 p.m. on weekdays and from 10 a.m. to 5 p.m. on weekends. No telemarketing would be allowed on holidays. By allowing nine hours each day for telemarketing, I believe that we are striking the right balance between Albertans' right to eat their suppers in peace and a telemarketer's right to solicit potential customers.

Furthermore, Bill 205 defines telemarketing strictly as phone calls made for commercial purposes. That will automatically exempt groups that are not selling goods or services such as local Neighbourhood Watch groups, nonprofit organizations, charities, polling companies, and any other group that may not be selling goods or services.

This bill also exempts those calls coming from companies who have already established a business relationship with a customer. What that means is that if you do business or have done business in the past with a company, they can still call you. For example, if you have a Visa credit card, Visa will still be allowed to call you. If you previously had subscribed to the *Calgary Sun*, they would be able to call you to see if you are interested in subscribing again. But under Bill 205 those companies would have to apply for a licence and respect the calling hour restrictions if they wish to randomly take numbers out of the phone book to solicit.

As I have mentioned before, governing is all about finding the right balance. When it comes to telemarketing, we must balance the

privacy and intrusion concerns of Albertans with the needs of charities, polling companies, and business. Bill 205 doesn't arbitrarily make telemarketing illegal. What it will do is give Albertans back their dinnertime and allow them to spend some family time together without the interruption of a telemarketer trying to sell them goods or services.

Some of my colleagues have expressed to me some concern that this legislation is going to be hard to enforce. I agree that there are going to be some challenges with enforcement, but does that mean that we should just forget about this legislation? No, of course it doesn't.

Telemarketing is much like the Internet; it's not restricted by geographical boundaries. Some have suggested that because of this, telemarketing might be better handled by the federal government. I don't necessarily disagree, but just as we may have some problems enforcing this legislation outside of our borders, our federal government is going to have just as tough a time enforcing their rules on companies calling from Asia or India or even the United States. I also find it doubtful that our current federal government will be able to pass meaningful telemarketing legislation before they are defeated. Furthermore, I find it hard to believe that reputable businesses will knowingly and intentionally break the laws in other jurisdictions.

In addition, the licensing requirement that we establish in Bill 205 will be much cheaper and easier to maintain than some of these do-not-call lists in other jurisdictions. When the U.S. government created their do-not-call list, their registry received 635,000 requests in their first 14 hours of operation and had registered over 64 million phone numbers by this past September. I believe that those numbers indicate two things for us here in Alberta, the first being that there is obvious support for this type of consumer protection in North America; the second is that the manpower required to set up a do-not-call list is unnecessary and wasteful. If our federal government does somehow pass national do-not-call lists, Bill 205 will not clash with that list or that legislation. It will merely enhance its protection.

People often comment that if you want to find a harder way to do something, just call the government. Well, Mr. Speaker, Bill 205 bucks that trend and is a very efficient way of dealing with a problem that has been nagging Albertans for many years.

4:10

It is also very obvious that telemarketing companies are not as effective as they could be in dealing with this problem. They are already required to maintain their own do-not-call lists, but this obviously isn't working primarily because most people aren't aware of this requirement. Instead of requesting that they be added to the do-not-call list, they just slam down the phone. Secondly, even if they're added to the telemarketer's do-not-call list, it may only be for that particular client for whom they may be calling and not for the telemarketing company as a whole. Lastly, no government agency is actively checking to ensure that the people who ask that their numbers be added to the list are actually being added. The industry had their chance to regulate themselves, and they have failed.

Albertans continue to grow frustrated with unsolicited phone calls. We must act now to give them back their dinnertime. If we pass Bill 205, we will be taking a large step in the direction to ensure that Alberta families will be able to eat their dinner in peace. I don't think that I need to give the members here a hard sell on the merits of Bill 205. If any member here today is unsure as to whether they intend on voting in favour of this bill, I have a suggestion. I suggest that you go back to your constituency this summer . . .

The Acting Speaker: Hon member, the 10 minutes allocated has run out.

The hon. Member for Edmonton-McClung, followed by the hon. Member for Drayton Valley-Calmar.

Mr. Elsalhy: Thank you, Mr. Speaker. I'm pleased to rise to respond to Bill 205, and I thank the hon. Member for Calgary-Montrose for sponsoring it. I think that most people in this House would agree that this is a useful piece of legislation, and I think that the majority in this Chamber would support it. I for one would definitely support any measure that would decrease the inconvenience that Albertans incur from telemarketers and telemarketing schemes.

Of note is that this bill is trying to make the distinction between what is a telemarketing approach and a phone call or a fax that a person would receive from a charity or a benevolent organization. I think that this is an important distinction to make because charities do rely, for the most part, on making those phone calls and sending those faxes to try to solicit support for their causes, and most of these causes are definitely worth supporting.

I think it also attempts to increase the capability of Albertans and the citizens of this province to raise concerns and approach these companies when there is a complaint. It really tries to offer them some recourse and some way out. You know, we've heard of cases where a telemarketer has been persistent in phoning and phoning again and phoning a third time, and they don't take no for an answer. I don't like to use the word harassment, but it is harassing the person on the other end, exerting pressure. They just don't get it. They don't take no for an answer. So I think it's useful to try to limit this harassment.

We are talking about telemarketing, and this bill is trying to define that. It talks about telephone calls and fax transmission, which is good because, you know, long gone are the days when it was only done by phone. Now we have even e-mail marketing, telemarketing through the Internet and by e-mail. I have received a few of those. They appear credible, and they appear to be trustworthy, but the frequency with which one is bombarded and the volume of these messages keeps increasing.

I have a certain question with regard to whether this amendment applies to calls or faxes originating from outside Alberta. I think it's a legal clarification. You know, does this law and the amendment for this law apply to the point of initiation, or origination, or the point of termination? I know this is only second reading, so maybe this is something that I might be waiting for an answer for in committee. Do we apply this law to where the call originated? So this telemarketer from Toronto who's trying to phone people in Alberta: would that apply to him? Or would it only apply to companies and agencies which are registered in this province? It says in this new amendment that "no person may engage in telemarketing unless the person is the holder of a subsisting licence." Are we talking licensing in this province, or is it Canada-wide?

I think it also was notable and commendable that the definition of telemarketing doesn't apply to campaigning for political parties or candidates. I think this is commendable. We should really add this definition in section 5 of the amendment because section 5 told us which agencies and which people and which groups and organizations were not covered by the purposes of this law and amendment, so maybe we should clarify it further and indicate that it doesn't apply to political parties and candidates. Mind you, it doesn't happen too frequently. We only have an election, be it provincial or municipal or even federal, you know, every so often, but I think that clarification needs to be made.

Having said that, the opposite would apply. I would definitely

like to see collection agencies and debt-recovery companies added to the definition of telemarketing because the harassment and the pressure exerted by agencies like those is tremendous and should not be overlooked. So in that restriction as to what is telemarketing and what isn't, I would definitely like to see collection agencies and debt-recovery companies included in that definition.

The provision for which times are appropriate and acceptable and which times are not I think is an important provision. These are good guidelines. Like the hon. Member for Calgary-Montrose said, it's really annoying when a person phones around supertime and you're trying to get some time with your family. You tell them that you're busy or you ask them to call again, and then the next day they call at the same time. They don't get it. So I think restricting this is a good move.

As a citizen, as a person I generally tolerate telemarketing calls, but I ask myself whether the person was polite or courteous, whether they were brief, and whether they accepted my decision. When I tell them no, it is a no, and it's a final no. Some do, and for that I am thankful. Some don't. I think many people like myself would not like pressure. They don't like to be pressured into buying something or paying for a product or a service, and some indicate that they don't like to be called again. I know that with the registry now, with the do not call or do not fax, these companies and these agencies are forced to honour that request, but some don't, Mr. Speaker.

I myself once told a particular company that I wanted my drugstore to be taken off their fax list, and after four weeks and me phoning three times they eventually removed me from their fax list. But let me tell you; I actually retaliated when I noticed that they were very slow in implementing my request. I started faxing them back junk faxes to tell them that if I am going to receive 10 faxes from your side, I'm going to send you 12. If they send 15, I send them 20. They listened eventually. But, you know, it wasted some of my time, and it wasted some of my staff's time because we get those junk faxes and we have to sift through them to see which ones are really important for the druggist or for the staff of that drugstore and which were just garbage, selling you vacations or selling you tickets to comedy shows and stuff like that.

When they remove you from the list and put you on a do-not-call or do-not-fax list, there is nothing to stop them from passing your information on to a different agency. That's what I noticed. After I stopped receiving this from this particular fax broadcaster, I started receiving similar faxes from a different broadcaster, so I think we should strengthen the regulations to prevent them from sharing the information. I think maybe we can be as bold as to say that when I say do not call and do not fax, I am telling everybody do not call or do not fax, not just this one particular agency. They stop today, and then a different agency would pick it up and start harassing me. So the request to be added or included on a do-not-call, do-not-fax list has to be honoured, and it has to be implemented with the strictest adherence to that request.

Moving on, I think that requesting the person or the organization to identify themselves and giving me the name of the person calling and what the business is and what they're trying to do and also including their phone number or fax number for follow-up is the responsible thing to do. It is not an unfair request to make. I have to have some recourse, and I have to have some exit way to sever that connection. If I say that I don't want you to phone me again and they continue, then there is a higher authority or a person higher up in that hierarchy that I can take it up with to say, "Please. Your employees don't get it." So I think it's fair and it's a commendable thing to do.

4:20

Now, I briefly commented on charities needing to solicit support from individuals and companies. I think that for the most part they

are responsible and they are honourable in their conduct. Still, some are very forceful and some are very pressuring. We allow them to be exempt from the telemarketing definition. I think we should also maybe look at a minor amendment that says: while you have that access and while you have that privilege, you have to also be responsible and you have to act honourably. Maybe the exclusion should not be as generous, you know. Some charities are desperate, if you like, or they're more forceful than others, and I think people have complained that it shouldn't go like this.

With that, my point is that we generally support this bill. Thank you.

The Acting Speaker: The hon. Member for Drayton Valley-Calmar.

Rev. Abbott: Well, thank you, Mr. Speaker. Good afternoon and thank you. I'm pleased to rise and join the debate on Bill 205, the Fair Trading (Telemarketing) Amendment Act, 2005, sponsored by the hon. Member for Calgary-Montrose. The purpose of Bill 205 is to prevent unwanted solicitation from telemarketers.

Mr. Speaker, I cannot think of a single person who has not been interrupted in their daily routine by a salesperson offering them the latest gadget or gizmo or requesting a donation for some worthy cause. It always seems, at least at my house, that they call in the middle of the supper hour, interrupting a special family time and leaving me with a cold meal.

Now, I firmly believe that unsolicited phone calls from telemarketers are a clear invasion of privacy. A person has the right, especially in their own home, to be free from unwanted intrusions. In my view, unsolicited telemarketing is a form of trespass, and it is certainly not something that we as a society should endorse. The best feature of this bill is that it only allows telemarketing to occur during specified time periods. The restrictions in this bill prevent telemarketers from calling people's homes during the supper hour. Furthermore, telemarketers would not be allowed to solicit on general holidays. Now, Mr. Speaker, holidays and a family's dinnertime are important private times that should be free from unwanted interruptions.

This bill does not limit the ability of companies to contact customers that they already have a relationship with. For example, if you're a current subscriber to a magazine, this legislation will not prevent the magazine from calling you to inform you that your subscription is about to expire, such as the *Western Standard* recently did for me in my home. Now, Mr. Speaker, your right to privacy is protected because you are not receiving unsolicited calls. Most companies, when you sign up for their services, give you the option as to whether or not you wish to be contacted. If you say no, then they usually do not bother you again.

Mr. Speaker, I'm pleased to see that this bill proposes to require telemarketers to acquire a licence within the province of Alberta. By having telemarketers obtain a licence, we are able to better enforce the provisions of this bill. Should a telemarketer call you unsolicited or outside of the regulated call period, they run the risk of losing the ability to operate within Alberta.

Additionally, the CRTC has some strict rules to which all telemarketers must adhere. Callers must identify themselves and their organization and display a number at which they can be contacted. Furthermore, should you ask not to be called again, then the company must comply with your request within 30 days. Each company is currently required to maintain its own do-not-call list. Now, my wife and I use that option quite often, Mr. Speaker.

If this bill is to become law, then Alberta would be able to revoke the licence of businesses not conforming to the CRTC regulations on telemarketing. This bill works to ensure that those who wish to be

contacted by telemarketers are still able to be contacted over the phone. However, this bill protects Albertans' right to privacy. You have an inherent right to privacy, Mr. Speaker, and to not have unwanted intrusions into your blessed household.

Mr. Speaker, other jurisdictions such as the U.S., when considering the problem of unsolicited telemarketing, have chosen to create a do-not-call list. These lists require an individual to call and have their name and number listed on the registry. Once your number is on the list, then it is prohibited for you to be called by unsolicited telemarketers. The government of Canada has also introduced legislation that would allow the CRTC to create a national do-not-call list. Industry Canada has promised to conduct extensive public consultations on a national do-not-call list before it would come into effect. Given the experience of the U.S., it is likely that Canadians and Albertans would be extremely responsive to a reduction in unsolicited commercial calls.

Mr. Speaker, no other jurisdiction in Canada has attempted to regulate telemarketers in the manner proposed by the hon. Member for Calgary-Montrose. Alberta has the opportunity to be a leader in Canada on the issue of privacy protection. Albertans have always prided themselves on their ability to live their lives free from unwanted intrusions from either the government or private interests. Albertans believe in more freedom and less government.

Some may argue that a do-not-call list is not necessary because of the technological advances in recent years. It's now possible to display the name and number of callers who are calling your house. This allows you to screen your calls and only answer those from people you wish to talk to. Of course, it's also possible to block certain numbers from calling your house.

The problem with these technologies is that they place the onus on the individual, and they can be very expensive, Mr. Speaker. In order to receive these services, you have to pay, which again is contrary to the principle of an inherent right to privacy in your home. The sound of the phone ringing is an interruption. Society has conditioned us to stop whatever we are doing whenever the phone rings. Answering the phone has become an almost conditioned response. You know, it bothers me when I see someone drop everything to answer a phone call when I'm in the middle of talking to them. It seems to create a sense of false urgency. Therefore, in spite of the advances in technology it is still necessary for prohibitions on calling.

Mr. Speaker, seniors and those who have been victims of telemarketing fraud will also benefit from the creation of a licensed telemarketing list. By limiting telemarketers' ability to conduct unsolicited solicitations, we are helping to reduce the instances of telephone marketing schemes that are successful at defrauding people, especially seniors, of their limited income and their hard-earned money.

Mr. Speaker, another important aspect of the legislation is that it exempts charities. You know, many charities are facing difficulties in raising much-needed funds. Bill 205 proposes to only limit commercial calls and not charitable calls. Now, although allowing charities to continue to make unsolicited phone calls is still somewhat of a violation of your right to privacy, I feel that this is a justifiable infringement. Why? Because charities are not soliciting you to increase their profit. They are not trying to sell you goods and services. Charities are attempting to raise money, often in order to help cure a disease or to help those in need. While some people may find calls from charities intrusive, the good work accomplished by charities more than compensates for any inconvenience their unsolicited calls may cause you.

The intent of this legislation, as I understand it, Mr. Speaker, is to limit unwanted calls from people with a commercial purpose. In

fact, with restrictions placed on Alberta-based telemarketer calls, I'm sure that calls from charities will become less bothersome within the context of an overall reduction in call volume. Maybe you'll now take the time to listen to these charitable requests instead of just lumping them in with commercial solicitation.

Mr. Speaker, in today's society we're consistently inundated with advertising. It's important in our free and open society that businesses are able to advertise and freely sell their products. I agree with that. Equally as important, though, is the ability of citizens to not be forced to listen to or be party to advertising. Within the privacy of a person's home they should be free from unwanted advertising. Business will still be able to contact and reach their customers in many, many different ways.

Any interaction in a free society must be based on consent. The same is true for interactions between business and their customers. Businesses have the right to air commercials on TV, and by watching programs that they sponsor, I'm giving my implied consent to that advertising. However, when I answer my telephone, I am giving no such consent. By answering my phone, I've not agreed to listen to any form of advertisement. Unsolicited marketing calls are an unwanted interaction that is forced upon us. In a world where advertisements are on buses, radios, TVs, and the Internet, our homes should be a place free from unwanted interaction.

I urge all members to support this important legislation. Albertans are clear on this issue. They do not want uninvited intrusions into their home. It is our duty in this House to respond to the desires of Albertans. Bill 205 does that, and that is why I'm supporting it and urging all members to support it as well. Thank you, Mr. Speaker.

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

4:30

Mr. Agnihotri: Thank you, Mr. Speaker. I'm pleased to rise and speak to Bill 205. The object of this bill is to implement rules regarding the definition and functions of telemarketing not already covered by CRTC regulations.

Telemarketing is one way that businesses can advertise their products and offer their services. They will often use professional telemarketers or call centres to make telephone calls and send faxes to potential customers on their behalf.

To generate funds, charitable organizations will sometimes contact potential donors directly or through a telemarketing firm using unsolicited telephone calls or faxes. Charitable organizations will not be considered as telemarketers for the purposes of this bill.

Some telemarketing organizations use automatic dialers to place telephone calls or send faxes. Dead air or a hang-up call will occur if a telemarketing representative is not available when the call is answered. Generally, companies allow sufficient time between calls for a representative to be available; however, if the telemarketing representative is on another line longer than expected, the result is dead air.

Do any rules or restrictions apply to telemarketers? Yes. Restrictions apply to all telemarketers although they may differ depending on whether they use a fax or a telephone. As a minimum telemarketers must maintain do-not-call or fax lists and provide customers with a fax or telephone number where a responsible person can be reached. Specific rules are needed, Mr. Speaker.

Telemarketing rules refer to the rules of telecommunications facilities to make unsolicited calls for the purpose of solicitation, where solicitation is defined as the selling or promoting of a product or service or the soliciting of money or monies, whether directly or indirectly and whether on behalf of another party. This includes

solicitation of donations by or on behalf of charitable organizations. These rules apply to all unsolicited calls for the purpose of solicitation. They apply to business-to-business telephone solicitation and calls from businesses to existing customers.

These rules do not extend to calls where there is no attempt to advertise a product or offer a service; for example, calls for emergency purposes, calls to collect overdue accounts, calls for market or survey research, and calls to schedule appointments.

Mr. Speaker, the fax calling hours are restricted to weekdays between 9 a.m. to 9:30 p.m. and weekends between 9 a.m. to 6 p.m. Restrictions refer to the time zone of the called party and must identify the person or organization on behalf of whom the fax or call is made, including the telephone number, fax number, and name and address of the responsible person to whom the called party can write.

This rule also applies to organizations sending unsolicited fax calls on behalf of another organization: must display the originating calling number or an alternate number where the call originator can be reached, except where number display is unavailable for technical reasons. Sequential dialing is not permitted. Fax calls are not permitted to emergency lines or health care facilities. Names and numbers must be removed within seven days of the called party's request. Do-not-call lists are to be maintained by the calling party and remain active for three years.

Telephone callers must identify the person or organization they represent. Upon request, callers must provide the telephone number, name, and address of a responsible person a called party can write to. Callers must display the originating calling number or an alternate number where the caller can be reached except where the number display is unavailable for technical reasons. Names and numbers of called parties must be removed within 30 days of the called party request. Do-not-call lists are to be maintained by the calling party and remain active for three years. There are no calling-hour restrictions on live voice calls. Sequential dialing is not permitted. Calls are not permitted to emergency lines or health care facilities. Random dialing and calls to nonpublished numbers are allowed.

Mr. Speaker, it's really a good bill, and I will support this bill because this is absolutely imperative and very useful. This bill will decrease the harassment or inconvenience that for all of us is incurred by telemarketers. This bill differentiates between the role of telemarketers and those raising funds for charitable or voluntary organizations. Bill 205 also increases the accountability to the telemarketing firms for the conduct of their interaction with clients. This will also increase the capability for Albertans to contact the telemarketing firms if they have concerns, complaints, or if they wish to be removed from the calling list. It's about time to decrease the inconvenience that all of us are facing every day.

I really commend the sponsor of this bill for his great efforts. Thank you.

[The Speaker in the chair]

The Speaker: The hon. Member for Edmonton-Calder, followed by the hon. Member for Calgary-Fort, and then the hon. Member for Edmonton-Decore.

Mr. Eggen: Thank you, Mr. Speaker. I rise with some interest in speaking this afternoon in regard to Bill 205, the Fair Trading (Telemarketing) Amendment Act. Now, while I think that the spirit of Bill 205 should be widely applauded by most Albertans, I do have a number of concerns with it in regard to both its scope and perhaps some omissions that are built into the bill itself. I think we all have spoken quite extensively on the annoyance factor of telemarketers

and how this should be somehow constrained, but how we go about doing that in the most effective way and the most expeditious way is the concern that we should be bringing forward for debate at this time.

We can look across North America and see a number of different jurisdictions trying to come to terms with this problem. I think the two areas that I find the most interesting and that we should view with the most interest are the national do-not-call registries that we see in the United States and the do-not-call registry legislation which has been put forward through our federal government. Let's remember that telemarketing is something that can cross borders very, very easily. In fact, we've created a largish industry here in our own city, where people are working in call centres, fulfilling various services for individuals across North America and sometimes even around the world. So our choice of how we restrict telemarketing has to reflect that reality as well as the fact that, you know, telephone marketing is used by not just retail commercial operations but charitable operations, and it's used extensively by political parties as well.

4:40

This is perhaps the first place that I need to draw my fellow members' attention to. There seems to be a loophole, in my mind, in this Bill 205. This is in the provision that allows for people to conduct polls and surveys. If this Bill 205 must be robust, then we must make a clear differentiation between a telemarketer and pollster. You know, I think that that is a problem because there are different ways by which a telemarketer could disguise themselves as a pollster, and Lord knows that there are lots of polls flying about these days for all sorts of things. You know, it's easy enough just with a simple script to do both, sell something and conduct a poll at the same time. So this seems to be the most obvious loophole that I find in this Bill 205, and I would suggest an amendment to the bill if we did in fact have the opportunity to go ahead with it. We need, as I say, then, to have clear provisions to define the surveyors and pollsters as opposed to telemarketers.

You have, I think, this phenomenon – we've all experienced it – where someone phones up and asks you some survey questions but, in fact, built into that is an advertisement. You know, when we look at telemarketing, sometimes we have this idea that it's simply somebody calling you up and saying, "We'll give you a free or a discounted vacuum service" or what have you. But, you know, advertisements using the telephone are also a way by which telemarketers forward their cause. So I think that there's definitely a grey area as this bill is worded currently, and that would need to be fixed.

Another area that is of concern, I think, is the absence of any mention of political phone polling and, otherwise, the various forms of solicitation that go on during elections and between elections. Now, the reality of how most political parties conduct themselves is that, you know, we do use the telephone quite extensively, and by simply not including some provision for that in this bill, I think that we've run into a serious problem. It's important that we keep all forms of communication and avenues of communication open for political candidates during elections and between elections. So the absence of dealing with that reality in Bill 205 I think causes serious concern and needs to be amended as well.

The specific constraints that Bill 205 seeks to place on telemarketers between, sort of, these no-call hours: although there are telemarketers that go outside of these boundaries, I think that, you know, telemarketers will move away from those certain hours regardless if you legislate it or not because, of course, if you are annoying your customer, then, in fact, you're less likely to be able

to sell them something. This is a basic principle that I think telemarketers do operate on. You know, it opens the door to, in my mind, the more logical way to control telemarketing, and that's through using a do-not-call registry, so then people are making that choice. We're seeing it quite successfully solicited and used across the United States. People can choose to not be interrupted by telemarketers at all if they do in fact find that to be a problem.

You know, something that occurs to me – and I guess this is outside of this bill as well – but personally, my own self, I don't receive a lot of telemarket calls. That's because the one line that we use for our family line at home is not in the phone book. Although we have a number of other lines by which people can reach us in the phone book, the one that we use personally for home is excluded. It opens the door, I think, for us to consider perhaps limiting or restricting how telemarketers pass lists around, and really the biggest list and the fattest list of all is the phone book. So, you know, this is how these people are making intrusions into our lives. I don't know. It just occurred to me that there are other ways to perhaps limit lists that are passed around and whatnot because, as I say, on the phone that we use at home, I don't get many calls at all in regard to telemarketers.

Mr. Lukaszuk: What's your number?

Mr. Eggen: Yeah, give me a ring sometime. I'm kind of lonely, so you can give me a call, right?

Anyway, those are the main concerns that I do have. I think that, as I said before, the spirit of this bill, in fact, I think would be welcomed by most Albertans. But always when we are creating legislation, I think it's important that we are absolutely crystal clear as to our intentions and as simple as possible. It's a moving target, being able to make calls to people's homes. It's a very effective way to sell things, so we have to make sure that we build the best edifice possible to limit the abilities of telemarketers to annoy people who don't want to be phoned. I mean, let's not forget that, you know, not everybody is in that situation. As I say, I would suggest an amendment to make a clearer definition between telemarketers and pollsters and, number two, to add political polling phoning and telemarketing as an exemption to Bill 205.

Thank you, Mr. Speaker.

The Speaker: The hon. Member for Calgary-Fort, followed by the hon. Member for Edmonton-Decore, then the hon. Member for Calgary-Nose Hill, then the hon. Member for Edmonton-Gold Bar.

Mr. Cao: Well, thank you, Mr. Speaker. This bill, to me, has a good intention, but if any one of us has business experience, we'll see it from a different view. I just want to voice some concern about the practicality of this bill and the concern from small-business owners. I see this bill creating obstacles for small-business opening and operation, and small businesses are very, very important to our economy and employment.

Talking about the do-not-call registry or creating a registry that anybody can put their name on to be called: first of all, nobody will put their name on the registry to be called, so that is not very effective. If we want to create a registry for companies who want to make a call, that will incur a cost to the small businesses, particularly the ones that are just starting out and want to connect with potential markets and customers. To me, in a free-enterprise society we should know that our society prospers because of businesses, of innovation, of new ways of opening up business, of creating new products. This sort of control gives me concern on that aspect given that we are at times inconvenienced by some calls. The other side

of that inconvenience also gives freedom to enterprises to prosper. When I see that we create legislation to govern the inconveniences, to me it's not a very good way to make the law in that aspect.

4:50

Also, if we create a registry where you can call, there are a lot of call centre companies doing services to make calls on behalf of the companies. They already created the call centre, they have a code of ethics, and they have created many, many best practices. When a business practice becomes obsolete or ineffective, it will die naturally, by natural business causes. So I don't feel that we need to make legislation that creates obstacles for small businesses to start out by controlling them in this fashion.

I'm also concerned about the enforcement of this legislation. First of all, the enforcement is tough because the call could be coming from anywhere in the world. It's not just particularly in a province. So if we penalize a call from our province, then we will have competition from other provinces getting in and taking advantage or even having the upper hand on that.

Also, recently in Edmonton we just attracted a big call centre, a huge industry here in Alberta. My concern is that this piece of legislation will create an image of: hey, we don't want any call centre business here in Alberta. Basically, I see that as a concern from the small-business community that I talked to about this issue.

I also want to emphasize the point that the inconvenience of a telephone call – to me, it's worth it to pay for the free-enterprise society, with the prosperity that it brings to Alberta.

We should not forget the costs of enforcing this legislation, the registry. We all know the gun registry, as an example. When you create a registry, then you own the support of it, the creation of it, the maintenance of it. Let's say it generates some fines from the ones who violate this law. Immediately this becomes a cash cow or a revenue for the government. I don't want that kind of approach, when government starts taking money out of the economy. To me, if a manufacturer or a service provider can go direct to a customer in the least-cost way, then the end product or service will cost less to the consumer.

With that aspect, I just want to raise the concern for small businesses for a piece of legislation that may create a cost of enforcing.

To those who are concerned about the inconvenience of telephone calls, I say that bad practices will die out. It's just a matter of business effectiveness. When you phone and people don't have any response, or you do call and you don't sell anything, that service will die out.

With that, I just want to suggest that the hon. members consider those factors. Thank you.

The Speaker: The hon. Member for Edmonton-Decore, followed by the hon. Member for Calgary-Nose Hill.

Mr. Bonko: Thank you, Mr. Speaker. It's not often that I find myself agreeing with members from the other side. Perhaps there is something in the water today, but I wholeheartedly agree with the Member for Calgary-Fort that we have to look at this objectively, on both sides.

He did admit to the fact that in Edmonton we are attracting business opportunities, economic diversity. Regardless of how you describe a person's job, telemarketing is still an honourable way to make a living, and here we're saying that we're trying to get rid of it with the fair trading. That, in itself, is kind of a pun. Regardless of how you look at it, again, it's still an opportunity for those people to be able to have some livelihood.

Not everyone may agree with it, as I've heard from a number of speakers here. If we're going to shut the door on telemarketing here, we may in fact just increase the amount of spam through our e-mail. So, you know, one reaction may cause another equally concerning reaction.

Some of the points raised, you know, I do agree with. They, in fact, can be concerning, especially depending on the time, the hour that you receive the call. I think it's interesting that maybe a lot of the constituents have concerns with regard to the methodology. When you say no, is it no, or are they going to continue to berate you on that?

Speaking with my constituents of Edmonton-Decore, I know that I have a number of seniors, and a lot of them may not in fact be up to date with the technology which is call display. That's one way that you can in fact eliminate even answering the phone. When they do describe their number there, you're not obligated to pick it up. It's not an intrusion in your livelihood or in your household, as the member said, until you actually pick up that phone. Nothing makes you pick up that phone. For those that don't have call display, you know, they do pick it up regularly, and in fact they are given the opportunity to speak. Maybe these are the only people that even call these people.

Regardless, I can see how some people might find it to be one after another. I've noticed that, in fact, telemarketing over the last few months has increased. It's not just local people that are calling us. This is from other provinces and, in fact, from the States.

I'm not sure how this bill will be able to connect with those people that are breaking the traditional times and guidelines set forth by this bill, such as the times between the 9 a.m. and 9 p.m. calls, because I know that we've received calls later than that and through all those faxes outside the parameters set forth. So I'm not sure how this bill would include and, in fact, capture some of those people that we're going to charge or revoke their licence with the CRTC. Well, those operating in the States certainly are above the CRTC. They get numbers passed around frequently on disks, and they're allowed to use those numbers as they wish.

A lot of the times, like I said, you may be taking a phone call that might be a positive one, reducing your credit card amount from the 20 per cent or 19 per cent to 5.9 per cent, so they aren't all bad calls, you know. There might be the 5 or 10 per cent that are actually reasonable. But most times it's something or it's a product or it's a contact that you can make on your own. They're just making that extra effort to make sure that you're aware of it, which most people don't really want to know about.

You know, there are some positives with this, but again I think it speaks negatively to some people or some person's job or job description. Some people, in fact, have been employed with telemarketing for years and do consider it to be an honourable piece of work or a way to earn their wages. They're on commission. I do sympathize with them if they've taken up this calling. Some do sympathize with us with our calling here as well. Nonetheless, it's still an honourable job, which I think needs to be considered with regard to when we do vote for this bill.

Thank you, Mr. Speaker.

The Speaker: The hon. Member for Calgary-Nose Hill, followed by the hon. Member for Edmonton-Gold Bar.

Dr. Brown: Thank you, Mr. Speaker. Before I begin, I'd like to thank my hon. colleague from Calgary-Montrose for bringing forward this piece of legislation and for allowing the House the opportunity to consider this matter.

Without a doubt, most Albertans are perturbed many times about

the present state of affairs with regard to telemarketing and the annoyance of companies and individuals trying to sell them products over the telephone. Most of the time the products and services which they are trying to sell us are things that we don't want or have any need for, in fact, and they seem to have a knack of calling whenever we're in the middle of our favourite television program or reading our favourite magazine or newspaper. In other words, the phone calls are likely to be a complete waste of our time.

I would agree with a number of the speakers that have been speaking on this motion. As the Member for Drayton Valley-Calmar mentioned, telemarketing is certainly an invasion of privacy as well. Over the past decade or so it seems to have gotten a lot worse. The telephone has become one of the favourite tools of communication for many companies.

5:00

Bill 205, now before us, calls for the creation of a government-maintained telemarketing licence registry that would issue licences to companies wishing to solicit Albertans over the phone. In addition, it also proposes to incorporate more stringent rules and regulations concerning telemarketing so that Albertans are not overly inconvenienced by telephone solicitors. Under these restrictions telemarketers would be restricted to placing their calls between 9 a.m. and 5 p.m. and 8 p.m. and 9 p.m. on weekdays and between 10 a.m. and 5 p.m. during the weekends, and they would not be allowed to solicit on general holidays.

The advantage of those measures, of course, is that it would not only forbid telemarketers from contacting customers during those times, but it would also establish a set of consistent rules and limitations regarding those practices within the province.

Now, Mr. Speaker, while I agree in principle with the concept that telemarketing must be controlled, I do see some issues with respect to this particular bill, Bill 205. The first is that it would necessitate a bureaucracy to be created, some sort of a registry bureaucracy, and that's one more piece of red tape that our businesses and people would have to deal with.

Secondly, I feel that Bill 205, as the hon. Member for Calgary-Fort and the Member for Edmonton-Decore have mentioned, also could be viewed as unfair to our business community here in Alberta. So to some extent it might create an unlevel playing field and give advantages to other people in other provinces.

Thirdly, when I first saw this legislation, the first thing that came to my mind was the issue of jurisdiction over these matters. In light of the federal jurisdiction over telecommunications and the fact that telecommunications which cross provincial boundaries are interprovincial undertakings, there are serious questions about the constitutionality of trying to control these telephone calls that may originate outside of our province. Many of the telemarketing businesses presently operating and calling people in Alberta operate out of other provinces, particularly the Maritimes, where they do not have the benefit of the Alberta advantage. So we would be creating an unlevel playing field should we choose to control those companies that are telemarketing here in Alberta without the same restrictions applying outside of the province.

I also think it's important to clarify that the current federal legislation does not adequately produce the necessary controls that are required to properly influence telemarketers to respect the rights of individuals. However, as I mentioned, the best way to address this is very likely through a national approach. I think that there's little argument against enforcing those stringent regulations, but the federal government is the body which ought to be passing legislation to control this. So I think it's something that the individual provinces can work on together with the federal government. The federal

government has laid out a list of actions that could be taken to control telemarketing, and although those aren't presently effective, they could be made effective by approaching this through some sort of national legislation.

Presently individuals can contact telemarketers directly and ask to be removed from their lists. They can also contact the CRTC, in which case they would pursue the matter on behalf of the individual. Another possible solution is for the individual to have their contact information removed from directories, although that's not always possible where you don't want to hide from people that may want to get in contact with you and may in fact have a legitimate interest in contacting you.

The current rules in place apply to all unsolicited calls for the purpose of solicitation and apply to business-to-business telephone solicitation. However, the rules don't apply to calls where there's no attempt to advertise a product or offer a service; for example, calls for emergencies purposes, calls to collect overdue accounts, calls for market survey research, and calls to schedule appointments.

The specific guidelines that are presently used for automatic dialing and announcing devices, or ADADs – these devices used for the purpose of solicitation are sometimes controlled and sometimes not. A lot of those calls can be made by referring the called party to a 900 or a 976 service number. So, in addition to the legislative difficulty with this from a constitutional standpoint, I also think, Mr. Speaker, that we have a problem with respect to practicality. I'm not convinced, given the fact that many of these calls originate outside the province, that this legislation would be effective in accomplishing what it seeks to do.

In summary, I believe that the desired results would be better accomplished by working with the other provinces and working with the federal government with respect to this issue.

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

Mr. MacDonald: Thank you very much, Mr. Speaker. Certainly, I have listened with interest to the discussion this afternoon on Bill 205, the Fair Trading (Telemarketing) Amendment Act, 2005. It's certainly something that I think is a good idea. I don't want to deny anyone their means of livelihood, but I think telephone solicitation has gotten out of hand, particularly at the hours which are identified in Bill 205 as being particularly vexing.

Now, the hon. Member for Drayton Valley-Calmar was talking about his evening meal with his family and how sometimes his dinner got cold. Someone was trying to sell him new carpet or hardwood floor or a vacuum cleaner or who knows what. I would certainly agree with the hon. member that this form of sales can be quite annoying and can be very, very intrusive. I don't care whether it is the bank that's phoning at suppertime to try to sell me a new account or a new form of account or whether it's someone who doesn't even give me time to respond whether I've got carpets or hardwood floors, but they certainly want to sell me some new wax or a means of waxing my hardwood floor.

This seems to definitely indicate that some people are concerned about consumers and the rights of consumers. I'm not saying that this is a form of consumer protection, but at least it's a recognition by an hon. member of this Assembly that, hey, consumers need a break even if it is only on a weekday between 5 and 8 and at various times during the weekend.

I do have some concerns. I guess, Mr. Speaker, it would be best if I described my concerns as a question. I could say that there's no interest like self-interest, but what does this mean for election campaigns? Certainly, I see here that "telemarketing" means the marketing of goods or services by telephone or fax for commercial

purposes whether done by a personal call, fax, computer or an automated recorded message device.” Now, perhaps the hon. member or another hon. member of the Assembly can answer that. Exactly where does election campaigning fall into this? Would election campaigning be exempt because it is not considered commercial? I have no idea.

5:10

I for one run very modest election campaigns, and we don't have megabucks to hire those demon dialers, those direct dialers. Is that practice going to be eliminated? Perhaps we should seek guidance on this matter from the Chief Electoral Officer. Just where would we fit into this as hon. members of this Assembly who may be considering running in the next election and planning election strategies? Certainly, we cannot afford these demon dialers, or automatic dialing systems. Others may. There are many members from different sides of the House that have dozens of volunteers that may phone a poll list. How do they fit into this? Are they considered telemarketers?

I would really appreciate some advice from the hon. Member for Calgary-Montrose on this issue or from any other hon. member that may be able to clarify this for me before we proceed much further with Bill 205.

There are certainly habits of the telemarketing industry that need to be broken, and one habit is the constant, annoying intrusion into one's home at any hour of the day or night. If we could restrict or limit that, I don't think it would harm the industry. It would certainly improve, in my view, our quality of life, and I would urge all hon. members to have a close look at this legislation.

I don't think we should wait and see what other jurisdictions are doing. Some jurisdictions have more stringent controls on telemarketers and their actions. I don't think it's progress. I don't think that there will be an increase in market share for many of these agencies that are promoting products or services in this manner.

I again have to urge members to please have a close look at this bill and consider supporting it. I think it's a step in the right direction for consumers in this province. Again, I can't see how we can be faulted for regulating an industry. In most cases it's not even based in this province. I know that there are call centres in this province that service products and companies from all over North America, and there are calls that one can make here and the service provider or the agent can be in New Brunswick or New Jersey or New Mexico. It doesn't matter.

Enough is enough. I think this bill is a good idea. It has been discussed by hon. members of this Assembly in the past, and to see this Bill 205 at this time I think is a good step, and I would urge all hon. members to consider it. Thank you.

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

Mr. Webber: Good afternoon, and thank you, Mr. Speaker. It's a pleasure to rise today and join the debate on Bill 205, the Fair Trading (Telemarketing) Amendment Act, 2005, sponsored by the Member for Calgary-Montrose.

Bill 205 is a bill whose, some may say, time has come. We live in a world where technologies are changing at an ever-increasing pace. It seems that on almost a daily basis someone somewhere has found a better, more efficient way to do things. The fast-paced advancement of technology over the years has allowed for companies and individuals to advertise easily and quickly through mediums such as telephones, fax machines, and e-mails. I'm certain that every member in this Assembly has experienced at one time or another the inconvenience that arises as a result of impersonal,

random advertising. If a member is unable to recall a personal experience, their constituents would likely provide one or two of their own.

Mr. Speaker, Bill 205 would create a licence registry for private companies engaged in telemarketing to Albertans. From my understanding this would affect telephone and facsimile marketers, thus preventing unsolicited telemarketers from annoying Albertans and their businesses both financially and personally. This is an issue that I feel needs to be addressed if not now, then later. But sooner or later something needs to be done to put an end to the economic and personal annoyances that come along with these attempts at marketing.

Mr. Speaker, to get a better insight to what Bill 205 may lead to do, it is appropriate to look at another jurisdiction that is knee-deep in similar types of legislation. Last June the United States starting accepting names for its do-not-call registry through the Federal Trade Commission, the FTC. In addition, approximately 37 states maintain their own do-not-call registries. For instance, the fine state of Kentucky has legislation similar to what is being proposed today, not a mirror image but something to look at nonetheless. The state of Kentucky requires that all telemarketing companies register 10 days in advance with the state as well as provide information regarding their company, products, and salespeople. Telemarketing companies are also required to provide a \$50,000 surety bond and an annual registration fee of \$300.

This is just one example, Mr. Speaker. In giving examples, I find it useful to ensure that we discuss all aspects, including the problem that arose as the federal legislation in the United States was brought forward. Although the number of registrants for the do-not-call list is quite substantial at 64 million, there were still some bumps in the road involved with activating the list. Early in the process a court in Oklahoma City said that the FTC overstepped its authority, stating that although Congress gave the agency funding for the list, it did not give the FTC the power to implement it. The next day the House of Representatives voted 412 to 8 in favour of giving the FTC the authority to run the national registry of phone numbers that telemarketers would be prohibited from calling. This is an example of the overwhelming support such legislation may have, not only in the United States but here in Canada as well.

Although not well known to many Canadians, Canada has had a do-not-call list administered by the Canadian Marketing Association for over a decade. People can sign up and be on their list by going to the Canadian Marketing Association's website. However, Mr. Speaker, the list does not hold users to any substantial legal repercussions, such as fines of up to \$11,000 like our neighbours to the south have implemented with this strategy. Nothing says "leave me alone and let me eat my dinner" like an \$11,000 fine. After its 15th year in existence not many Canadians even know about the list, where almost 500,000 numbers are currently registered. In fact, it is estimated that the list is only adhered to by 80 per cent of telemarketers.

The one side effect of any list that should be looked at is the fact that as long as the consumer has purchased a product from a company, they have theoretically entered a business relationship and can therefore be called and faxed at the company's or charity's discretion. Mr. Speaker, if we are serious about putting an end to these annoying phone calls and wasteful faxes, then individuals who wish to be placed on the Canadian Marketing Association's do-not-call list should be protected not only from those entities that they have not entered into a business relationship with but also those that they have entered into one with.

To be honest, when a constituent goes to a store to buy a jacket or performs any other financial transaction, they are not interested in entering a business relationship. They want to purchase the goods

and services they have worked hard for and to enjoy them. Mr. Speaker, if a constituent wants to enter a business relationship, it should be their choice not an assumption from a sale or application for a credit card. A question posed to a customer may be as simple as: Can I call you, fax you, e-mail you? The consumer's answer should be respected.

5:20

One thing I would like to see in this legislation, Mr. Speaker, is the inclusion of e-mail spam along with telephone calls and faxes. As technology becomes available, it is becoming increasingly easier for someone to sit at their computer, run a program, and have a sometimes inappropriate advertisement sent to an extremely random, extremely large number of e-mail addresses. Some of those addresses belong to children, who don't necessarily need to be aware of what the advertisement is selling. These same technologies allow companies to make random calls and send out random faxes. There are a number of programs out there that help parents and individuals lessen the amount of e-mail spam that is pushed upon unsuspecting Internet users. But these are only a band-aid, and ultimately we have to find a way to eliminate the unsolicited advertising that takes place through e-mail.

The problem we are dealing with today may be telemarketing and the annoying, unwanted phone calls and faxes that Albertans receive. I am certain that the problem we will be dealing with tomorrow is the annoying, unwanted e-mail that Albertans receive. Mr. Speaker, by not targeting telemarketers, we are only sweeping this problem under the rug. Should this legislation pass as the number of telemarketers decreases? I don't think it is much of a stretch to assume that these individuals, determined to make big bucks off taking advantage of the vulnerability of some and annoying others, will find another way to do so. Their next move will be e-mail spam, and they will find a way to bypass current software programs, and the e-mails will still get through. Consumers will need to purchase more software programs to counteract the advanced attacks.

There is a trend here, Mr. Speaker, and the consumer is always at the losing end. The government of Alberta has in the past protected the rights of Alberta consumers. The government continues to do so today. It is necessary to take this step and ensure that Albertans are protected from the annoyance and exploitive factors of these practices. Be it through e-mail, telephone, the mail, or faxes, Albertans are tired of this annoyance.

While Bill 205 does not address e-mail spam or junk mail, it does speak to telemarketing and facsimile marketing. This is a step in the right direction, and I encourage government and all members to work towards a more extensive list that includes e-mail and even junk mail, which only clutters mailboxes, both digital and post office versions.

Beyond moving the protection of Albertan consumers and businesses forward, Bill 205 also provides the government an opportunity to properly enforce the CRTC regulations by ensuring that such companies are properly licensed and comply with the regulations that are in place. Mr. Speaker, it is time that these regulations get some teeth and hold those individuals responsible for these actions accountable to all Albertans.

Mr. Speaker, I would like to adjourn debate.

The Speaker: The hon. member moves an adjournment of the debate?

Mr. Webber: I would like to adjourn the debate.

[Motion to adjourn debate carried]

The Speaker: The hon. Deputy Government House Leader.

Mr. Zwozdesky: Thank you, Mr. Speaker. I would move that we now call it 5:30 and reconvene tonight at 8.

[Motion carried; the Assembly adjourned at 5:23 p.m.]

