

Legislative Assembly of Alberta

Title: Thursday, March 16, 2006

1:30 p.m.

Date: 06/03/16

[The Speaker in the chair]

head:

Prayers

The Speaker: Good afternoon.

Let us pray. As we conclude for this week our work in this Assembly, we renew our energies with thanks so that we may continue our work with the people in the constituencies we represent. Amen.

Please be seated.

head:

Introduction of Visitors

The Speaker: Hon. members, in commemoration and celebration of 100 years of democracy in Alberta the Legislative Assembly of Alberta undertook a province-wide essay competition in two categories, one for senior citizens and one for students. The question they were to respond to was: what democracy means to me. I am delighted to announce that we have the two winners of our contest here with us today, and they are in the Speaker's gallery.

First of all, the seniors' competition. Mr. Louis Warring of Edmonton submitted the winning essay from Alberta senior citizens. Mr. Warring, as I said, lives in Edmonton with his wife, Molly Anne. During the Second World War he served in the air force as an instrument mechanic with a bomber group in northern England, and until his retirement he owned a glass business in Edmonton. Mr. Warring presented his essay this morning to a special gathering that was held in commemoration of the centennial event, and I am pleased now to ask Mr. Warring to stand and receive the recognition of the House.

Master Jan (Yash) Mitsosz Lisiecki submitted the winning essay from Alberta's students. Master Lisiecki lives in Calgary with his family, where he attends Earl Grey elementary school. He is in grade 6, and he's already achieved world-class status as a pianist. Yash was the youngest pianist to play at the National Centre for the Arts in Ottawa. Please, Yash, rise with your parents, Anita and Zbigniew.

Hon. members, in the story of Alberta going back to 1905, in the first Speech from the Throne in this province the Lieutenant Governor of the day gave his Speech from the Throne and spent three paragraphs on the subject of immigrants. This is in 1905. This family watched the Olympics in Calgary in 1988 from their homeland of Poland. They fell in love with the visuals of the Rocky Mountains. They fell in love with the Canadian flag. They moved to Alberta. They had this child called Yash.

His mother said to me this morning: he's so advanced in mathematics that we had to give him a diversion. Now, the kid's in grade 6, okay? He's so advanced that he's taking high school mathematics now, but he has to have a diversion, so she gets him into piano. So I say to him this morning, "Who's your favourite rock music group?" He looks at me and says, "Chopin," as if it was to be mine.

So here is a young man. In his essay he said today that one of the great things about democracy in this province is that everyone can aspire to be the Prime Minister of this country. Well, stay tuned 30 some-odd years in the future. I had to tell him this morning that with the group that we had of former MLAs and current MLAs, it's a good thing he said Prime Minister because I understand that there were a few members in the room who are aspiring to another position here in Alberta. Jan and family, please rise.

I'm also pleased today to advise all members that we have in the Speaker's gallery as well a very talented and creative group of people who worked together to produce a new book called *100 Years at the Legislative Assembly of Alberta: A Centennial Celebration*. These are people who are all in-house employees of the Legislative Assembly of Alberta who undertook a challenge several years ago to do something in commemoration of this year.

I'm going to ask them to stand, and I'll say something further about them as I give my vignette of the day. First of all: Wolfgang Maul, a communications consultant with our communications services, provided both the design and exceptional writing for the project; Tracey Sales, with our communications services, assisted with the production for the project; Rhonda Sorensen, communications co-ordinator for us, oversaw the project and provided editing expertise; Kathy Hnatiuk, editorial assistant with House services, provided editing expertise for the project; and we got editorial assistance as well from Philip Massolin with the Legislature Library. I'll say more about them: exceptional in-house people. Congratulations and thank you.

head:

Introduction of Guests

The Speaker: The hon. Deputy Premier.

Mrs. McClellan: Thank you, Mr. Speaker. It's my pleasure to introduce today to you and through you to members of the Assembly grade 6 students from Mountain View school, which is in our Premier's constituency of Calgary-Elbow. They're here along with their teacher, Elo Olalekan, and helpers Mrs. Spencer and Mrs. Christakis. They're here to learn about government and the work that we do in the Legislature, and they're also here to participate in our mock Legislature program, to learn how a bill is passed. They're seated in the members' gallery, and I would ask that they rise and that our members give them the customary warm welcome.

The Speaker: The hon. Minister of Health and Wellness.

Ms Evans: Thank you, Mr. Speaker. What a privilege today to meet the students from Father Kenneth Kearns school from Sherwood Park, seated in the members' gallery. This vibrant group of students is from a school that has learning excellence, and they're accompanied today by their teachers, Jim Schiebelbein, Clint Moroziuk, and Marina Colbert, along with parent helpers Kathy Farquhar, Kara Clark, Yvonne Groat, and Jim Martin. I wonder if the students could please rise and we would welcome them with the traditional warm welcome of this Assembly.

The Speaker: The hon. Minister of Economic Development.

Mr. Dunford: Thank you, Mr. Speaker. I would like to introduce to you and through to the members of the House a number of Lethbridge constituents. Now, they are all community minded, but one of the organizations that they represent is called Family Voices. I would like to introduce Anne Kish, Barbara Nish, and then the Fowler family – father, Dean; mother, Khristina; and children Payton and Brooklyn – and ask them to please stand and receive the warm welcome of the Assembly.

The Speaker: The hon. Minister of Advanced Education.

Mr. Hancock: Well, thank you, Mr. Speaker. Today it's a pleasure to introduce to you and through you to members of the Assembly a group of the loveliest ladies in the city of Edmonton. They are the

Hattitude Sisters in Red. Yes, all of these sisters wear a red hat – well, almost all, but I'll get to that. There are a number of societies within the city; however, this particular society has members primarily from south Edmonton, with a number of them living in the wonderful constituency of Edmonton-Whitemud.

Mr. Speaker, I have met with these delightful ladies. In fact, they allowed me to have my picture taken with them today, and I can truly say that they have a wonderful sense of humour and certainly have the most positive outlook on life. They do not complain, and they are always smiling. They have a tremendous amount of fun, and, as was mentioned to me, they have things to do and places to go.

With us today we have 13 members, one being a queen and one being a hostess. We have Queen Joyce Reid and Hostess Jeanne Jones, whose favourite saying, I'm told, is: behind every successful man is an even more successful woman. By the way, Jeannie's husband, Edgar, is a recipient of the Order of Canada, and Edgar and Jeannie recently received the Order of the Bighorn, an award which recognizes their outstanding contributions made to fish and wildlife conservation.

Joining Joyce and Jeannie today are Joyce Anderson, Irene Barr, much to my surprise my mother's cousin Eileen Dobie, Wendy Fithen, Jennie Jones, Ina McDonald, Mavis McKay, Donna McQuade, Ivy Stevens, Trudy Smith, and one lady in a purple hat. The purple hat, Mr. Speaker, evidences the fact that it's her birthday month. I wasn't given a year, nor did I ask. They're seated in the members' gallery, and I'd ask that they please rise and receive the traditional warm welcome of the House.

1:40

Mr. Speaker, I'd also like to introduce to you and to members of the Assembly Allie Wojtaszek. Allie Wojtaszek is a student in Edmonton, and she and her husband, Duncan, are very active in student politics and activities. Duncan Wojtaszek is the executive director of the Council of Alberta University Students. I understood that he might be here, but I didn't see him. If Allie would please rise and receive the traditional warm welcome of the Assembly.

The Speaker: The hon. Leader of the Official Opposition.

Dr. Taft: Thank you, Mr. Speaker. It's my honour to rise today and introduce to the Assembly somebody who has worked very closely with me for the last 18 months and regrettably is moving on to other opportunities. She's been my executive assistant and, as such, has had to put up with several of my foibles, shall we say, but she's done it wonderfully. I'd ask her to rise and receive the warm welcome of the entire Assembly. If I didn't mention it, her name is Susie Sykes.

With Susie is someone who is also assisting me and is staying on. She's a glutton for all kinds of things. Her name is Carmen Remenda, and she's also a terrific worker. Please give her a warm reception.

Thank you.

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

Mr. MacDonald: Thank you very much, Mr. Speaker. It's a pleasure to introduce to you and through you to all hon. Members of this Legislative Assembly a visiting delegation from the constituency of Edmonton-Gold Bar. This delegation is part of the Harmony Senior Citizens Agency, and they're from the St. Nicholas Seniors' Home. This delegation is led by Bill Orfino, and the group today consists of Clara Hamal, Elsie Dunbar, Winnifred Zyla, Victoria Ruzycki, George Danilak, Shirley Cherkwak, Liz Orfino, John and

Pearl Kaminsky, and Lawrence and Betty Kachman. I would encourage them to return any time to their Legislative Assembly and listen to the proceedings here. They are in the public gallery, and I would now ask that they rise and receive the traditional warm welcome of this House.

The Speaker: The hon. Member for St. Albert.

Mr. Flaherty: Thank you, Mr. Speaker. I'd like to welcome to you and through you to members of the Assembly two members of the Greater St. Albert Catholic regional division No. 29. Mr. Dave Caron, chair, and his trustee colleague Jacquie Hansen are in the public gallery. Would you please rise and receive the warm welcome of the Assembly.

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

Mr. Taylor: Thank you, Mr. Speaker. It's my great honour today to introduce to you and through you to all members of this House close to a dozen members of the students' union of the University of Alberta. They are all seated, I believe, in the public gallery. We've got a pretty crowded House today, so they might be spread around. They are Don Iveson, Duncan Wojtaszek, Jason Tobias, Jeannine Saunders, Colin Robertson, Matt Schneider, Samantha Power, Graham Lettner, Justin Kehoe, Tim Schneider, Catrin Berghoff, and David Cournoyer. If you would please all rise and receive the traditional warm welcome of the House.

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

Mrs. Mather: Thank you, Mr. Speaker. I'm pleased to introduce to you and through you to the members of the House individuals who are here to express concern about education funding for students with developmental disabilities: Kathryn Burke, the co-chair of the parent advisory council for the Academy at King Edward, a specialized school in Edmonton for children with learning disabilities, and three students, Kyle Noruschat, Brad Jones, Gavin Reilly. I'd like to ask these individuals to rise and receive the warm traditional welcome of the Assembly.

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

Ms Blakeman: Thank you very much, Mr. Speaker. I'm delighted to introduce to you and through you to all members of the Assembly 11 people who are working with the Canadian Mental Health Association Mindworks program. That's a very cool program located in downtown Edmonton. If I'm remembering the correct program, they really grilled me on a number of policies when I went to visit them. It was a great exchange. They're seated in the public gallery, I believe. With them today is their group leader, Elizabeth Kunzle. I'm sorry about the pronunciation. I'd ask you to please rise and accept the warm welcome of the Assembly.

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

Mr. Martin: Thank you, Mr. Speaker. I am delighted to introduce to you and members of the Assembly Tammy Winder. Tammy has joined us all the way from Lethbridge. She has a beautiful daughter who was born deaf and with developmental disabilities and at the age of 15 was diagnosed with juvenile diabetes. Tammy is here today to remind us all of our commitment to persons living with disabilities; namely, to value and respect persons with disabilities and implement comprehensive support and services for these

citizens. She's seated in the public gallery. I would ask that she rise and receive the warm welcome of the Assembly.

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

Dr. Pannu: Thank you very much, Mr. Speaker. I'm really thrilled today to introduce to you 22 seniors from my constituency. They have lived through most of the years of the century of the province that we've been celebrating, and they've made substantial contributions to what Alberta is today. They are from the Harmony senior citizens agency and from Father Hannas and St. Basil's seniors' homes. With your permission I would like to read their names: Terry Spence, Mabel Wynnyk, Betty Pitchko, Pauline Chmilar, Aleida Peredery, Barb Stolz, Lill Westcott, Irene Colburne, Dorothy Archibald, Ann Melnyk, Steva Markowsky, Kay Kutt, Victoria Zignash, Stella Huculak, Walter Brown, Mary Lazaruk, Julie Mitchell, Stella Wasylycia, Sharon Terry, Maria Bilynska, Kay Ostafichuk, and Georgia Liakopoulos. I was hoping they would be seated in the public gallery, but they may not be. I had the pleasure of getting a picture taken with them and chatting with them. One of them is over 90 years old, and they're still active and engaged. I will now ask them to rise to receive the warm welcome of the Assembly.

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

Mr. Agnihotri: Thank you, Mr. Speaker. It is my great honour to introduce to you and through you to all members of the Assembly three wonderful people. They are Mrs. Kanak Chamarty, Mrs. Smriti Patnaik, and Dr. Suman Kollipara. Dr. Kollipara and Mrs. Patnaik are in software engineering, and Mrs. Chamarty is a financial consultant and entrepreneur. They are here this afternoon to tour the Legislature. They are seated in the public gallery. I request them to please rise and receive the warm and traditional welcome of the Assembly.

The Speaker: Are there others? The hon. Member for Edmonton-Calder.

Mr. Eggen: Thank you, Mr. Speaker. I am very pleased today to introduce to you and through you to this Assembly Renata Romanek and Annamaria Edwards. Renata and Annamaria both work at Chrysalis: An Alberta Society for Citizens with Disabilities. Renata is a client marketing co-ordinator, and she graduated from the university in Cracow, Poland, with a master's degree in philosophy. Annamaria is a front-line worker for Chrysalis and was born here in Edmonton. She has a bachelor's degree in sociology. They are both seated in the public gallery, and I would ask them to rise and receive the warm welcome of this Assembly.

head: 1:50

Oral Question Period

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

School Infrastructure in Calgary

Dr. Taft: Thank you, Mr. Speaker. Bowcroft, Montgomery, Sir William Van Horne, Terrace Road, and Western Canada are just five of the 185 schools listed in the Calgary board of education's rankings of schools in worse overall condition than Marlborough school. Marlborough school itself was evacuated yesterday because of serious roof problems. My questions are to the Minister of Education. Given that the Calgary board of education's documents state that most Calgary schools are in worse condition than

Marlborough, can the minister assure the parents of students attending the schools ranked in worse condition than Marlborough that their children are safe?

Mr. Zwozdesky: Mr. Speaker, in tandem with our locally elected school boards we do have a responsibility to ensure that a safe and caring environment is provided for children that attend our schools. We are doing that to the best of our abilities. I do acknowledge that there are some schools that need attention. That's why we have a fairly aggressive maintenance and repair program in place. In fact, tens of millions of dollars go into this area every year. In acknowledgement of the hon. opposition leader's question he should know that I am meeting with all the school board chairs on March 24, and we will be talking exactly about infrastructure needs.

The Speaker: The hon. leader.

Dr. Taft: Thank you, Mr. Speaker. Again to the same minister: given that the head of the union responsible for maintenance services for Calgary schools stated today that Marlborough elementary school isn't the only public school with significant roof problems, will this minister commit here and now to reinvesting in infrastructure for Calgary schools?

Mr. Zwozdesky: Well, Mr. Speaker, once I get the technical and full responsibility for the infrastructure piece, I'll be able to answer that question, perhaps, more specifically. That should happen in a few weeks.

However, I think it's important to note that in the case of Marlborough school the Calgary public board of education took a very proactive, a very precautionary approach here. We provided them with tens of thousands of dollars – I forget the exact amount, somewhere between \$25,000 and \$40,000, as I recall – and they did a structural assessment. In doing that, they determined that that particular roof needed some attention, so they did the proactive thing: closed the school. They're dealing with it. Nobody is in any harm's way there in that respect.

The Speaker: The hon. leader.

Dr. Taft: Thank you, Mr. Speaker. Despite the minister speaking of an aggressive maintenance program, there is over \$425 million in deferred maintenance to Calgary schools. How does the minister justify this backlog?

Mr. Zwozdesky: Mr. Speaker, every school board submits on an annual basis their three-year capital plans. Included in those plans are issues pertaining to new school construction needs, to modernizations, to upgrades, to rightsizing, to expansions, to other similar-type needs. We review them, they provide them on a prioritized basis, and then we do our best to fund them on that basis.

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

Dr. Taft: Thank you, Mr. Speaker. Well, we all know and the minister knows that the state of disrepair in Calgary schools is well documented. Teachers, students, trustees, parents, and maintenance staff have all raised concerns, serious concerns, over the state of Calgary schools for years and have not had adequate attention. This puts the health of students, teachers at risk and puts at risk as well the value of our public assets. To the Minister of Education: given that toxic mould is a direct result of leaky roofs, will the minister

order independent air quality assessments in this and other at-risk Calgary schools?

Mr. Zwozdesky: Mr. Speaker, I would think that if the local school board had that specific concern, with those specific connotations, they probably would have already done that. I'm not aware that that is the exact case there. If there are concerns of that nature, then certainly the Calgary public board or the Calgary Catholic board – I'm not sure which one he's referring to – either one of them I'm sure would be happy to follow up.

The Speaker: The hon. leader.

Dr. Taft: Thank you, Mr. Speaker. Exactly what is this minister's responsibility for the safety of schoolchildren in this province?

Mr. Zwozdesky: Mr. Speaker, section 45(8) has a wonderful explanation of this. I would direct the hon. member to have a look at that section. It is the section that says that there is "a safe and caring" learning environment requirement. What that means is that we work with locally elected school trustees to ensure that that is met. If he knows, if he has examples where some students are indeed in danger, then I would ask him to please provide me with that specific case.

The Speaker: The hon. leader.

Dr. Taft: Thank you, Mr. Speaker. To the Minister of Finance: given that deferring maintenance drives up costs over the long run, how does this minister justify allowing public assets like these public schools to deteriorate to the level where they need this kind of work?

Mrs. McClellan: Mr. Speaker, we have a very large infrastructure budget. It covers new. It covers enhancing hospitals, schools, public buildings. We've been criticized for not saving enough money. We've made over a 40 per cent increase in our infrastructure budget since the last budget. We have a budget that will be presented in this Legislature on Wednesday, March 22, at 3 p.m., I believe, and we can have a full discussion of all of these issues in that budget debate.

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

Affordability of Postsecondary Education

Mr. Taylor: Thank you, Mr. Speaker. The government is spinning its two-tier user-pay commercialization of health by saying that paying for health care must become more of a shared responsibility. Now, back in the day, back in the early '90s the government said that the cost of advanced education had to be, and I quote: a responsibility shared by the learner and the government. The results? The fastest tuition increases in the nation. Thanks for sharing. To the Minister of Advanced Education: with the minister's spring deadline for a new affordability policy fast approaching, why are stakeholders still waiting for a draft policy that contains some actual specific details?

Mr. Hancock: Because it's not done yet, Mr. Speaker.

The Speaker: The hon. member.

Mr. Taylor: Thank you, Mr. Speaker. That was my suspicion.

Will the minister commit to rolling back tuition fees for students?

Mr. Hancock: As the hon. member well knows, Mr. Speaker, because it has been well publicized, last fall our Premier promised students in this province that tuition fees would be held constant at the 2004-2005 levels into the new year and that we will be bringing forward a new affordability policy which will include the tuition policy element. That policy will be available this spring for implementation in the fall for institutions and students planning their budgets for the following school year. That's what the Premier promised. That's what I've promised. That's what will happen, and the students are part of that process.

The Speaker: The hon. member.

Mr. Taylor: Thank you, Mr. Speaker. To the same minister: given the Premier's ultimatum yesterday to Conservative leadership contenders, will this minister be around long enough to make sure that the new policy actually gets implemented?

Mr. Hancock: Stay tuned.

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

Mr. Mason: I'm sure we're all waiting with bated breath, Mr. Speaker.

Public Opinion Survey on Health Care

Mr. Mason: Mr. Speaker, yesterday the government released a poll which they purported claims support for reform of the health system along the lines envisaged by the government. However, this was not a public opinion survey designed to solicit the views of Albertans on health care or on the third way. It was, in fact, a market research survey done by Margaret Kool Marketing, which is developing the multimillion dollar PR strategy to sell private health care to Albertans. To the Minister of Health and Wellness: why are the minister and her staff attempting to pass off the Leger Marketing survey as a serious attempt to gauge the views of Albertans on health care when it was in reality nothing more than message testing done for the company hired to sell Albertans on the supposed merits of the Conservatives' two-tier health plan?

Ms Evans: Well, Mr. Speaker, at the cost of some \$11,000 nine hundred people in Alberta were surveyed about their beliefs and what the health system looked like in the times of January and February. There was no attempt whatsoever either from myself or the news release to sell this or market this as a way of advancing the third way. In fact, it starts talking about: the survey of 900 people conducted during the months of January and February found that Albertans generally perceive the state of the current health care system as not sufficient for future generations. It goes on to answer a number of questions.

2:00

The Speaker: The hon. member.

Mr. Mason: Thank you very much, Mr. Speaker. Given that the minister is continuing to purport that this survey in some way represents the accurate views of Albertans, why has she chosen to selectively release only the market research component rather than

the entire communication strategy done by the Margaret Kool Marketing company, and will she in fact make that entire marketing plan public?

Ms Evans: Mr. Speaker, that is a different study that's being referenced now. The \$141,000 spent for Margaret Kool Marketing company, MKM, is a number of things that may or may not, some of them, see the light of day. We were looking at a number of focus tests, a thorough examination of how people responded to sustainability of health in their region, how people responded to the various terminology used, the third way, to talk to them about access times, to talk to them about private pay, what their thoughts were on it. Although a summary has, I believe, been made available, we can make more of that available, both through posting it on the web and making more detail available.

Mr. Speaker, the Leger Marketing polling was released in its entire form yesterday.

The Speaker: The hon. member.

Mr. Mason: Thank you very much, Mr. Speaker. Well, given that 78 per cent of the respondents to that market survey agreed that all health care services covered by the Canada Health Act should be delivered through publicly owned facilities and paid for by Alberta Health and only 3 per cent of the respondents supported two-tier health care in this province, will the government now commit to abandon its proposals for two-tier private health care in this province?

Ms Evans: Mr. Speaker, you cannot simply isolate and select certain data in order to just justify anything. You could look at the data saying that 66 per cent believe that if people pulled out of the queue and had services elsewhere, it would shorten waiting lists and make it better for them. I'm not either subscribing to or judging that data. I'm saying that there are a number of different questions that were asked with different answers.

I think it very significant, Mr. Speaker, that when you look at it, 5 per cent said that they were completely satisfied with the health care system in Alberta, but 95 per cent, by the obvious, not completely satisfied answer, were representing concerns about the length of waiting times, about the access they get to the system. While generally they thought it was a good system, they want us to do exactly what we're doing today, and that's working at making a public system that's strong even stronger.

The Speaker: The hon. Member for Olds-Didsbury-Three Hills, followed by hon. Member for St. Albert.

Surface Rights Compensation

Mr. Marz: Thank you, Mr. Speaker. Many of my constituents are being asked to sign surface rights agreements due to the increased coal-bed methane drilling in my constituency. They're quite surprised to learn that compensation rates have not changed in the past 20 years or more, yet in that same time frame property values have risen three to four times and energy prices have soared much higher. My question is to the Minister of Sustainable Resource Development. When is the minister going to adjust the surface rights compensation so that farmers are more fairly compensated for the footprint the energy industry places on their land?

The Speaker: The hon. minister.

Mr. Coutts: Thank you very much, Mr. Speaker. The Surface Rights Board has authority under the Surface Rights Act, and under the Surface Rights Act it's very explicit and very complicated. I'd like to be very clear here that if a landowner and a company can't agree on entry or compensation related to the resource activity, the board may grant right of entry and determine compensation. The board may do that.

In determining compensation, the board has clear guidelines. They take into account the value of the land, the loss of use as well as adverse effects such as noise, nuisance, inconvenience, and that type of thing, and more importantly damage to the land. Mr. Speaker, as you know, the value of resources, such as oil and gas, is important, but it's very volatile, and that's not the only factor in determining compensation.

The Speaker: The hon. member.

Mr. Marz: Thank you, Mr. Speaker. My first supplementary to the same minister: given that these compensation rates haven't been keeping abreast of the increase in costs of taxes and land values, will the minister consider annual mandatory compensation fees for transmission lines, such as pipelines and power lines, in addition to increased compensation for the footprint?

Mr. Coutts: Well, Mr. Speaker, again it's very complicated, but under the Surface Rights Act pipeline and utility companies can apply for right of entry to construct pipelines, power lines, and telephone lines. A pipeline does not normally result in above ground structures and generally creates a short-term disturbance, so in addition to land values the board assesses a compensation payment for the crop season following installation. Major transmission lines are covered by long-term agreements under easements or right of entry orders. To determine if a transmission line is considered major, as the hon. member asked in the question, the Surface Rights Board uses the Energy and Utilities Board's definition of a 69 kV transmission line or larger.

The Speaker: The hon. member.

Mr. Marz: Thank you, Mr. Speaker. My last supplementary to the same minister: will the minister commit to a regular review of surface rights compensation rates, say every five or 10 years or adjusted to some benchmark, such as increasing assessment rates?

Mr. Coutts: Currently under the Surface Rights Act, Mr. Speaker, the annual compensation for right of entry or surface lease may be reviewed every five years until the site is reclaimed or terminated. At the same time, we keep abreast of the trends, and the Surface Rights Board definitely considers aspects of determining compensation of payment. We're constantly reviewing that and will continue to review that in the future.

The Speaker: The hon. Member for St. Albert, followed by the hon. Member for Airdrie-Chestermere.

Special-needs Education Funding

Mr. Flaherty: Thank you, Mr. Speaker. Seventy-eight per cent of Alberta's classrooms have at least one child with special needs. Early intervention is essential for children with special needs to become healthy, happy adults. The standards for special education introduced in 2004 do not come close to meeting children's classroom needs. To the Minister of Education: what will this minister

do to assure parents and teachers that our special-needs kids will be properly educated?

Mr. Zwozdesky: Well, Mr. Speaker, we're providing an envelope of over \$4 billion in number and general terms to achieve exactly that. I would take exception to his comment that the standards for special education are insufficient or inadequate. These are more than sufficient and adequate. There may be an issue of funding connected to that. That's what the parents have been telling me, but they're quite happy with the standards themselves.

The Speaker: The hon. member.

Mr. Flaherty: Well, thank you, Mr. Speaker. How long will these parents here today have to wait until they find some relief from the minister?

Mr. Zwozdesky: Mr. Speaker, the area of special-needs funding has in fact gone up by 99 per cent. It's almost doubled from \$170 million five years ago to \$340 million today. That's a significant commitment on the part of our government towards special-needs children.

Now, we not only provide that, but also in the area of early identification I know that in co-operation with the lead Ministry of Children's Services there have been now 36 parent link centres established across the province. That's an additional 15 or 20 this year alone, and that will help a great deal, Mr. Speaker, with the earlier identification through developmental screening, which I'm assuming the hon. member is aware of.

The Speaker: The hon. member.

Mr. Flaherty: Thank you, Mr. Speaker. From the parents' point of view, given that early intervention is vital for a child's success, Mr. Minister, has the minister evaluated how the shortage of funding at the kindergarten to grade 3 level will impact children completing their schooling?

2:10

Mr. Zwozdesky: Mr. Speaker, I don't have a specific evaluation on that exact question, but I can tell you that we've made tremendous improvements, tremendous strides in providing education at all levels, not just at the K to 3 level. Through initiatives such as our student health initiative program, working with Health and Wellness and with Children's Services, we provide an additional \$34 million for that kind of early identification. That strategy coupled with our early identification strategy through the parent link centres and a number of other initiatives, PUF and so on, are all helping to make sure that parents out there know that we care very much about their children and about the circumstances of those parents in helping provide for those children.

The Speaker: The hon. Member for Airdrie-Chestermere, followed by the hon. Member for Edmonton-Mill Woods.

Class Size Reduction

Ms Haley: Thank you very much, Mr. Speaker. The government of Alberta announced funding in July 2004 to reduce average class sizes across Alberta. It is now almost two years later, and some parents in my constituency are expressing concern that student numbers in some classrooms are still too high. My questions are to the Minister of Education. Why is it that some of our class sizes are

still much higher than what was recommended by the Alberta Commission on Learning?

Mr. Zwozdesky: Mr. Speaker, that is indeed a very good question. Just by way of brief history, the Learning Commission had said: here are some guidelines that we would expect the school system to achieve over a period of five years. Government has tried very hard to achieve those targets within three years. We're about to finish our second year. We've provided about \$200 million in new monies so far to hire 1,600 additional teachers. I think what's important to keep in mind here is that we're talking about jurisdiction-wide averages, not specific school classroom averages. I will acknowledge that we have a little bit more work to do in that area.

Ms Haley: Well, to the same minister, Mr. Speaker. What are you doing to address the challenges that school boards have regarding insufficient student space as it relates to that recommendation?

Mr. Zwozdesky: That, too, is a good question, Mr. Speaker. The thing about it is that we know that when we were very aggressively pursuing meeting the Commission on Learning guidelines for average jurisdiction-wide class size, we automatically put pressure on the infrastructure side, on student school spaces, and how many are needed. So I addressed this issue with the school boards last November. We're going to pursue it and follow up on it a little bit further at my meeting on March 24.

Let me just conclude by saying that I'm very pleased that as a result of the 215 million new dollars that we've put in in the last 18 months for our class size reduction initiative target, we are right on track if not ahead of schedule in some areas, and that's very positive news.

Ms Haley: My last question to the same minister, Mr. Speaker, is this. Given that growth in my constituency ranges between 10 per cent and 20 per cent a year and inside my constituency we're short about five schools, which has got to be putting more pressure on your classroom initiative, will you be announcing five new schools for my constituency?

Mr. Zwozdesky: Mr. Speaker, nothing would give me more pleasure than to be able to stand in this House and say yes to a question like that, but I just don't have the money at this time. However, I will commit to the hon. member that next time I am there, we will meet again, and we'll pursue this issue even further. On March 24, however, I expect that I'll be addressing it with the school board chairs from that area.

The Speaker: The hon. Member for Edmonton-Mill Woods, followed by the hon. Member for Dunvegan-Central Peace.

Special-needs Education Funding

(continued)

Mrs. Mather: Thank you, Mr. Speaker. Teachers and parents in my constituency are very concerned about addressing the needs of children with special needs. They would like to know how school districts who receive less than half of what they need for children with severe disabilities are able to provide the mandated level of service. There is no room in the general grant to make up this government shortfall. My questions are to the Minister of Education. If the minister is aware of the shortfall for each and every case of a child with severe special needs, why isn't this problem being addressed?

Mr. Zwozdesky: Well, Mr. Speaker, I'm not aware that each and every child has a shortfall in funding. What I am aware of is that when it comes to severe special-needs children, for example, that budget increased in this last year alone by something like 11.4 per cent. So we are adding more money into the system to help alleviate those problems, but we work in conjunction with our locally elected school boards whose job it is to ensure that appropriate programming is provided for children with special needs, be that children with mild, moderate, or severe special needs or be it with gifted and talented special-needs children.

The Speaker: The hon. member.

Mrs. Mather: Thank you. How does the minister respond to teachers and other staff who take the mandate to provide adequate services for children with learning disabilities seriously and are distressed with funding constraints?

Mr. Zwozdesky: Well, Mr. Speaker, I don't know what funding constraints she might be referring to. I think I indicated earlier this afternoon that our funding in this area has doubled from \$170 million to \$340 million, and I expect that there might be a price increase and perhaps even a volume increase in the forthcoming budget. We'll just have to wait and see, as the hon. Treasurer has indicated, until March 22, and then we'll have some additional answers to that very question, I would suspect.

The Speaker: The hon. member.

Mrs. Mather: Thank you. How does the minister respond to angry and tired parents who are spending enormous time and effort fund raising for basics that should be provided by core funding?

Mr. Zwozdesky: Well, Mr. Speaker, school parent councils or parents or others should not be doing fundraising for so-called basics or essentials in the school system. If there is an example that the hon. member knows of where parents are fund raising specifically for something that is forbidden, I can tell that you I'd be very interested to see that, and I'll bet you the school board would be as well because that should not in fact be happening. We're providing about \$21 million per school day into our school system, and our school boards are doing a pretty good job in implementing and using those dollars to make sure that the basics are provided for.

The Speaker: The hon. Member for Dunvegan-Central Peace, followed by the hon. Member for Edmonton-Glenora.

Little Smoky Caribou Herd

Mr. Goudreau: Thank you, Mr. Speaker. My first question is to the Minister of Sustainable Resource Development. Many animal advocacy groups are critical of the program being carried out to cull wolves in the area of the Little Smoky herd. They emphasize that industrial development has much to do with the decline of the caribou population. Why has Alberta taken this drastic step of removing wolves?

Mr. Coutts: Well, first and foremost, Mr. Speaker, this step is being taken because the Alberta government is serious about protecting the threatened caribou. It isn't an action that is taken lightly. It's very, very serious. Secondly, we've done this because predation is the primary cause of caribou mortality, and the Little Smoky caribou will disappear without this type of action. It's important that we

follow the recovery plan as it was put forward, and that's what we're doing. That recovery plan was prepared by stakeholders and NGOs and industry as well, and that has been recommended as a predator control. This is a short-term action, and it's also important to note that we're only reducing the local wolf numbers and not the total number of wolves in the province.

Mr. Goudreau: My next question is also for the same minister, Mr. Speaker. Why single out wolves instead of putting a moratorium on certain developments, as some groups are recommending?

Mr. Coutts: Mr. Speaker, that is also consistent with the recovery plan, and we're looking at ways to minimize activity on the land as well. We're working with industry to make sure that that's one of their major efforts as well. A moratorium is not the solution to better management on the ground. There are strict operation restrictions on all industrial activity where there are caribou. We use best practices from other jurisdictions, and companies are required to do annual management plans on protection areas with strict deadlines and compliance reviews as well. Industry itself is a major funding partner in research and monitoring the caribou as well. We like to have those partners do our integrated management plans with us, and as a result there are many good pilot projects out there on caribou protection.

Mr. Goudreau: Mr. Speaker, my final question is also for the same minister. He talks about a plan. When is Alberta going to implement the full plan?

2:20

Mr. Coutts: Mr. Speaker, that's a very good question. There are good plans in place at this particular time. We have had a strong history of being good managers of caribou and other wildlife in this province. We were the first in Canada to recognize caribou as threatened, and we conduct more research on woodland caribou than any other jurisdiction in Canada. I spoke about our recovery plan in the previous answer, and that includes a number of short-term and long-term solutions to making sure that caribou still remain on the land not only with the help of good management practices from the department but also our industry and stakeholders.

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

Policing Services

Dr. B. Miller: Thank you, Mr. Speaker. Alberta's population continues to grow, and that means, unfortunately, an increase in crime, particularly violent crime and gang violence. In response to this reality, the government is not increasing its funding for police services in our big cities of Edmonton and Calgary. This government is counting its pennies when it comes to public safety while giving a billion here and a billion there. My questions are to the Solicitor General and Minister of Public Security. Given the billions of dollars of surplus money, why is this government, a grinch in respect of public safety, making an insulting offer to the city of Calgary of \$16 per capita for police funding, the same as last year and the year before?

The Speaker: The hon. minister.

Mr. Cernaiko: Well, thank you very much, Mr. Speaker. The numbers that the hon. member mentions are correct. They have \$16

per capita in the city of Calgary and in the city of Edmonton. In the previous year we tried to look at our overall budget and stress smaller communities throughout Alberta, assisting them in their policing grants to give them an automatic base: if they were under 20,000, a thousand dollar lump sum plus \$8 per capita. The hon. member should remember, though, that the program that we have in Alberta is by far the best policing grant system in all of Canada. One example: the city of Vancouver shares their fine revenue with the province of British Columbia, and that's all the funding they get.

Dr. B. Miller: To the same minister: given that this government's share of policing services for our cities is a measly 6 per cent, why in a province with so much are we leaving our cities on their own? Why are we being so soft on crime?

Mr. Cernaiko: Well, Mr. Speaker, the 6 per cent that the hon. member mentioned may not be accurate. In fact, \$15 million is the per capita allotment that the city of Calgary received. They also received over \$6 million from the organized crime strategy, which includes officers in the IROC and ICE units, that the province provides funding for. As well, if you look at the roughly \$30 million of fine revenue that the municipality gets to keep, we're talking \$50 million.

Dr. B. Miller: Can the minister explain if the use of sheriffs – and it sounds like a western movie – is the new plan to deal with gang violence and violence on the streets? Is this the best the government can do?

Mr. Cernaiko: Well, the use of sheriffs and that western theme is because we're in western Canada as well, Mr. Speaker.

Sheriffs are there for a particular purpose. Their main function is court security and prisoner transport. They're in a pilot project with the RCMP right now regarding traffic investigation and traffic enforcement. We're looking as well to the future. There may be other areas where we expand their role to provincial officers throughout Alberta to assist and complement our policing services, not to replace them.

The Speaker: The hon. Member for Edmonton-Beverly-Clareview, followed by the hon. Member for Whitecourt-Ste. Anne.

Learning Commission Recommendations

Mr. Martin: Thank you, Mr. Speaker. The Education minister continues to hone his well-deserved reputation as a ditherer who couldn't make a decision to save his life. Whether it's implementing two-and-a-half-year-old recommendations of the Learning Commission, implementing a strategy to improve low high school completion rates, or coming up with a revamped school closure process, there seems to be no decision that the minister isn't prepared to run away from. This indecision is creating havoc. My question is to the Minister of Education. Given that the minister promised that he would make a decision about the outstanding recommendations of the Learning Commission by the end of 2005, when is he finally going to get around to making these decisions?

The Speaker: The hon. minister.

Mr. Zwozdesky: Thank you. Mr. Speaker, when I met with the school boards in November for the second time last year – and I appreciate that this hon. member wasn't there and wouldn't know this – I told them that I would do my best to have either an answer, a yes or a no, on the outstanding recommendations, or I would have

an alternative to the proposals, or I would at least make government's position on each of them clearer, and I would try to do that by the end of December. That's what I said to them, and they will all back that up.

Now, unfortunately, we got a little behind in the schedule with that particular target deadline, and it's only because some other groups wanted to come in and present to one of our standing policy committees. In the guise of openness and transparency we allowed them to come in. The last one of them, Mr. Speaker, came to us on December 12, and something called Christmas got in there. It was a wonderful occasion, but unfortunately we couldn't get all the meetings that we had wanted. So we're a few months behind with that, but if the hon. member would stay tuned, there will be some decisions on this fairly soon.

The Speaker: The hon. member.

Mr. Martin: Thank you, Mr. Speaker. My point remains: Mr. Dithers. Christmas is now an excuse.

The Speaker: Hon. member, please. Let's be nice. Okay?

Mr. Martin: Mr. Speaker, I'm always nice to this minister.

My question. Specifically, one of the recommendations has to do with full-day kindergarten for high-needs students, and that's a very important decision, Mr. Speaker. When is that decision going to be made?

Mr. Zwozdesky: Soon.

Mr. Martin: Soon to this minister could be another two and a half years.

My question to the minister is simply this. Is the minister aware that 18 high-needs schools in Edmonton public could lose their full-day kindergarten because of a lack of funding from his department? That could be coming down the pike.

Mr. Zwozdesky: Mr. Speaker, we provide millions of dollars for school boards across the province, and these are locally elected officials. Kindergarten is not a mandatory program. If they wish to provide it, they provide it to the best of their abilities. They presumably use our envelope of broader funding to do that.

Now, every school board has a slightly different approach to this because it's based on local needs as determined by locally elected officials. That's how the system should work, and you would think that this hon. member, who used to be a trustee, would know that by now.

The Speaker: The hon. Member for Whitecourt-Ste. Anne, followed by the hon. Member for Edmonton-Ellerslie.

Alexis Reserve Land-use Study

Mr. VanderBurg: Thank you, Mr. Speaker. In this Assembly we're hearing lots about health care and education issues, but when I go home to my constituency in Whitecourt-Ste. Anne, land issues and land-use issues far outnumber these concerns. This weekend I'll be meeting with leaders from my First Nations communities. It's my understanding that traditional land-use studies are being conducted across the province. My questions are to the Minister of Aboriginal Affairs and Northern Development. Why has there not been noticeable progress with regard to land-use issues in my constituency of Whitecourt-Ste. Anne?

Ms Calahasen: Well, Mr. Speaker, first of all, there has been some progress. The Alexis First Nation was first involved in 2004 to do traditional land-use studies, and it takes approximately three years to be able to do a land-use study mostly because it entails a lot of things. One is that the First Nations have to map their traditional, spiritual, and cultural use of the land, and also they have to be able to bring in the elders to be able to work with the information as well as the regular kind of information on GPS studies. So on the issue of the First Nation they have been working very hard. They are only at the two-year time of the three-year program.

Mr. VanderBurg: Well, I understand the process, but given the answer, Mr. Speaker, I have to report back to my chief this weekend, and he wants to know: what's the progress with the status of the Alexis Indian reserve with land-use studies that are happening?

Ms Calahasen: Well, Mr. Speaker, I really appreciate the question because I know that the First Nations have been wanting to know whether or not they can continue and complete the traditional land-use study. They will be getting some information from my department shortly to let them know that they can complete the study. So, as a result, the member can tell his First Nations to continue to work with my department to ensure that they get the dollars that they require to complete the study.

The other component, Mr. Speaker, is to be able to ensure that they do the protocols that we've requested them to do. They are now working on those protocols with government. I would like to commend the First Nations for making sure that they do that. For your information, I'd appreciate that.

Thank you.

The Speaker: The hon. member?

Mr. VanderBurg: Thank you.

The Speaker: The hon. Member for Edmonton-Ellerslie, followed by the hon. Member for Stony Plain.

2:30 Private Health Insurance for Artists

Mr. Agnihotri: Thank you, Mr. Speaker. Despite the economic contributions of the arts sector in this province artists generally earn less money than the provincial average. Most artists cannot afford private insurance. Many are self-employed – you know that – and do not have employer health benefits. My question is to the Minister of Health and Wellness. Given that the minister plans on limiting public health coverage to only emergency services, what plans does this minister have for the artists who cannot afford private health care insurance?

Ms Evans: Mr. Speaker, if you look at our new health policy framework, eight of the 10 policies deal with strengthening the public system. The value statements talk about looking after individuals, families, communities, and working in co-operation and collaboration with health care providers to do just that. Today we provide supports and coverage for people who are vulnerable because of income, who are senior. That will continue regardless of any changes that would come in the future. I'm very confident of that.

The Speaker: The hon. member.

Mr. Agnihotri: Thank you. My next question is to the Minister of Community Development. Has the minister consulted with the arts

community to hear their concerns regarding health services and access?

Mr. Mar: Mr. Speaker, the answer is no. We provide health support, as the hon. Minister of Health and Wellness has said, based on the fact that they're Albertans, not based on their occupation.

Mr. Agnihotri: My next question is to the Minister of Economic Development. How does the minister hope to grow the film industry in Alberta when our actors leave the province because they cannot afford private health insurance? We don't want to lose them.

Mrs. McClellan: Mr. Speaker, we will take that question under advisement and provide an answer to the hon. member as quickly as possible.

The Speaker: The hon. Member for Stony Plain, followed by the hon. Member for Edmonton-Centre.

Trade Certification

Mr. Lindsay: Thank you, Mr. Speaker. The red seal certification program for trades workers is an excellent program that ensures that trades workers coming into Alberta have the necessary skills to carry out their work functions in a knowledgeable and safe manner while possessing the required skill set to work at the same level of skill as other qualified Alberta trades workers. My question is to the Minister of Advanced Education. With the influx of out-of-province workers to alleviate skill shortages, is this program meeting its objectives?

Mr. Hancock: Mr. Speaker, it's a very important question because the interprovincial standards, or red seal program, as many in the industry know it, is a very valuable program and is really referred to as the passport for mobility for tradespeople across the country. The objectives of the red seal program are to assess the skills and knowledge of workers against national standards agreed to by industry in each province or territory, and that then provides the mobility. In other words, once they have that red seal, they can work anywhere in Canada. They can work in Alberta. The real value of the red seal is knowing that those people who come to this province have met the standard and are capable to go right to work. It's available to skilled workers in all jurisdictions. We know that workers with the red seal that come to Alberta are qualified. They know that they can immediately start working.

Mr. Speaker, it's a well-taken-up program. We know that we have 110,000 Alberta tradespeople who have attained that designation since it was created, more than in any other jurisdiction in Canada.

The Speaker: The hon. member.

Mr. Lindsay: Thank you, Mr. Speaker. To the same minister: can trades workers who are presently working and trained in Alberta challenge these exams in trades that they are not currently qualified under but have work experience in to provide them with the opportunity to become more employable by being certified in more than one trade?

The Speaker: The hon. minister.

Mr. Hancock: Yes, Mr. Speaker. People who have skills and knowledge can challenge the red seal exam. The red seal is

recognized in the industry. People who have that designation in one trade may have skills in a different trade. The pipefitter trade, for example, fits into the steam fitter/pipe fitter process. Maybe a welder could fit into the pipefitting area. So there are cross-skills, and a person who has a red seal certificate in one area can seek to challenge the exam in another area and get tickets in a second or even a third trade.

The Speaker: The hon. member.

Mr. Lindsay: Thank you. To the same minister: what is the process for trades workers in Alberta to challenge these exams to enable them to be red seal certified in multiple trades?

Mr. Hancock: Well, the process is fairly straightforward, Mr. Speaker. The individuals involved get their documentation together showing that they're qualified in their occupation. They need evidence of training and related work experience and any related certifications. They make an application through one of our field offices. We have regional apprenticeship offices in a number of places across the province. Our department will verify the authenticity of the documentation against the standards set for that trade. Once approved, usually within two weeks, the individual can schedule a time to write the exam. They may also be required to perform a practical test to demonstrate skill, depending on the trade in which they're seeking recognition.

In some trades, Mr. Speaker, the industry has recommended that credit given for skills in one trade be applied to another trade. If there is a common set of skills, they can actually have the recognized skill set applied to the new trade.

So the process works. The process is available for people coming to the province to get their tickets in a number of areas.

One thing is very important. While we have a shortage of skilled workers in the province and we're recruiting people both to take their training as apprentices in the province and to come to the province with their skills, we want to make sure that we have qualified workers. We do not want to water down in any way the qualifications necessary because we want to have the highest quality work in this province.

The Speaker: The hon. Member for Edmonton-Centre, followed by the hon. Member for Calgary-Bow.

Health Care Reform Consultation

Ms Blakeman: Thank you, Mr. Speaker. Sixteen days down and 15 days left to go in the government's health care consultation, and it's not looking good for the government. The government's own survey results reveal that only half of Albertans are even aware of what the third way might be, and many stakeholder groups, like the Alberta Medical Association and the College of Physicians and Surgeons, say that they need more information in order to provide constructive feedback. My questions today are all to the minister of health. Will the minister commit to providing Albertans and stakeholder groups like the AMA and the college with the detailed information they have requested?

Ms Evans: Mr. Speaker, I had the privilege of talking earlier this morning with the president of the AMA about the consultations and about a number of other issues. I think we are proceeding very well. They asked some specific questions. We've agreed to provide them the answers. At such time that we're prepared to either introduce legislation or introduce new policies, obviously, we will continue to inform Albertans.

Speaking of the consultations, Mr. Speaker, we are doing very well with the consultations in covering Alberta. I will be in both Hinton and Calgary this weekend having meetings and have arranged other meetings in other parts of Alberta to make sure that we get as much information from Albertans as possible. We will continue to work with the college and other providers as they come forward and in due course respond to their questions.

The Speaker: The hon. member.

Ms Blakeman: Thank you. Madam Minister, when will the rest of us get to know what these details are, or is it just the AMA that gets to get the details from you? Have you now got two tiers of information?

Ms Evans: Mr. Speaker, obviously, anything that is asked for from some of the groups will be available to all. Some of them don't ask for definite, specific information. They ask for things that may be private in their view. They have sometimes asked for meetings that are not held in the public consultation by their own request. We will be quite prepared to share our concerns. The documents that come forward as a result of our consultation process will disclose everything that we possibly can. Some people, for example, ask questions about the scope of practice. Quite specifically, the role of pharmacists in prescribing was an issue that was raised. They're asking how we will advance the Health Professions Act. All of these things will be available and in due course will be raised either on the Legislature floor or in the ways that we configure our policy. Many of the things that people bring forward, especially about the electronic health record, relate to the use of the record and how we will advance it in the future.

2:40

The Speaker: The hon. member.

Ms Blakeman: Thank you very much. Again to the same minister: will the minister listen to Albertans and extend the timeline and widen the public consultation to include town halls where individuals, not just special groups, get to question the minister and include translation services, a televised debate to make this truly an open, public debate for all Albertans?

Ms Evans: Mr. Speaker, at this rate we've had a number of individuals. We have two days' worth of consultations with individuals who have registered and have asked for meetings. We're doing our best to speak with the health care providers and the stakeholders. At the end of the period designed for consultation, if there's a need to do more, we would certainly advance it. The important part is that Albertans through their MLAs, through consultations that they're having with MLAs in their own communities can advance their papers if they so choose. They're responding in many cases to the discussion guides. They're phoning us. They're sending letters to us. We've received about 2,800 thus far.

In terms of the quality of representation from the various communities, from the various providers, and from the various people that have a role in supporting the health care system, I'm quite satisfied that the representative views that have come forward are very high quality and will enable us to make good, sound policy decisions.

The Speaker: Hon. members, today we had 89 questions and answers in the 50-minute question period. That's the best we've had in a long time.

In 30 seconds I'll provide you with an historical vignette and call upon the first of six members to participate.

***100 Years at the Legislative Assembly of Alberta:
A Centennial Celebration***

The Speaker: Hon members, in keeping with the theme of the anniversary this year, 100 years of democracy in the province of Alberta, last evening at a special and unique event for former members and current members we unveiled a new book, a book titled *100 Years at the Legislative Assembly of Alberta: A Centennial Celebration*.

This project was begun three years ago. We concluded that we would hire an architectural photographer and ask that person to show the building, to take a series of visuals of the building in a way that many of us may have never seen it before. The photographer in question, a gentleman by the name of Jason Statler, accepted the challenge and excelled at the task. Then came the difficult part, the choosing of only about 100 photos from the thousands taken by both the architectural photographer as well as other photographers associated with the Legislative Assembly in the province of Alberta.

Earlier today I introduced a number of people who did work on the book. They were team leader, Rhonda Sorensen; writing and book design, Wolfgang Maul; colour photographs of the building by the architectural photographer, Jason Statler, and Wolfgang Maul as well; editing and production by Rhonda Sorensen, Philip Massolin of the library, Tracey Sales, and Kathy Hnatiuk of House services. We selected 100 photographs from over 1,000 digital photos that were taken with respect to it.

All current and former Members of the Legislative Assembly will receive a copy of this publication. We had 1,000 volumes of the book published for our centennial event. We're in the process of publishing an additional 9,000, so all Albertans and Canadians can view and appreciate this book. The books will be available within six weeks at our gift shop.

I will also be providing to all Members of the Legislative Assembly sufficient copies so that they may distribute them to all of the libraries in their constituencies if they wish to participate. If a member chooses not to participate in the delivery of such at the libraries within their constituencies, then, of course, we will arrange for the distribution. We hope to have this process in place by early May of this year.

The books were published in the province of Alberta, and you will see in the back page of the book the whole production team, the team that worked on it. This is the first time in 26 years that we've had a book done on the Legislative Assembly of the province of Alberta. The people who worked on it, I repeat, volunteered evenings, weekends, and holidays because they believed in the project here in the Legislative Assembly of Alberta. I'm really proud of them.

head:

Members' Statements

The Speaker: The hon. Member for Edmonton-Castle Downs.

**Louis Warring
Jan Mitsosiz Lisiecki**

Mr. Lukaszuk: Well, thank you, Mr. Speaker. On that very same note of our celebration of the Alberta Legislature's 100-year anniversary, I must tell you that you have created a wonderful opportunity by allowing our seniors and our youth to compete by way of writing essays on their explanation of what democracy in this province and in this country means to them. Rightfully, Mr. Louis Warring, a gentleman who fought in World War II with the Royal

Canadian Air Force in bomber airplanes, put his life on the line so we could be here to celebrate democracy, which otherwise may not have come about without the efforts of such individuals like him. That effort, as you know, continues throughout the world with our armed forces in combat.

Benefiting from that effort is a young man whose parents, as you mentioned earlier, Mr. Speaker, saw Alberta during the 1988 Olympics.

Mr. Cao: In Calgary.

Mr. Lukaszuk: Yes, the Olympics were in Calgary.

They fell in love with the scenery, and I'm sure did some research on the province and decided that this was going to be their new, adopted home.

This is a transition from a senior who fought for this province, who fought for democracy, to a young man who now gets to live in Alberta and flourish. Mr. Speaker, I know that Jan Mitsosiz Lisiecki aspires to be a Canadian Prime Minister, and I can tell you that I think he passed the first test because when you put him to the test and asked him to play a little piano concerto without any notes, I think he performed perfectly.

So, Mr. Speaker, I think we owe a note of gratitude to Mr. Louis Warring, who allowed us to be here, allowed young Mr. Jan Mitsosiz Lisiecki to benefit from it, and I think that we should be proud as Albertans to have such individuals among us to celebrate 100 years of the Alberta Legislature with us.

The Speaker: The hon. Member for Little Bow.

Legislative Assembly Centennial Celebration

Mr. McFarland: Thank you. Yesterday, March 15, this Legislative Assembly was the site of a very special, event-filled day to commemorate its 100th anniversary in Alberta. Without knowing all the details, planning, and events that many talented individuals had masterminded over many months, we in this Assembly were treated to a wonderful trip down memory lane. Starting with the well-organized noon registration of 128 former and 83 current members and spouses, this special ceremony heard addresses from His Honour the Lieutenant Governor; one of the longest-serving former MLAs, Mr. Ray Speaker; our Premier; leaders of the opposition parties; and the recognition of four former Speakers.

The day concluded with a first-class time to reminisce, have dinner, hear our current Premier and a former Premier, hear our current Speaker recognize the members and their families who supported them as well as the many staff in this building from years ago to the present day. It was truly a superbly planned, well-timed event. From bagpipers to table officers, the Sergeant-at-Arms, pages and our current security staff, each one contributed to this very special night. As more than one former MLA told me: this really is an historic event, an occasion I'm glad I could come to.

Everyone involved in the production of this once-in-a-century celebration needs to be commended. Mr. Speaker, you demonstrated the attribute for which you are so well known: detail. Although there were only a few unable to be in attendance, I know that they along with all former and current members in this Assembly today along with our families would like to express our sincere gratitude and say thank you to Mr. Speaker. You and your dedicated team of volunteers did a first-class job. [standing ovation]

2:50

The Speaker: Thank you very much. The thanks will be conveyed to the Clerk of the Legislative Assembly, Dr. McNeil, and the

literally dozens of volunteers who worked. I'll be identifying them to you as we go through the remainder of the session this year. Thank you very, very much.

The hon. Member for Lethbridge-East.

Alberta/Montana Transmission Line

Ms Pastoor: Thank you, Mr. Speaker. My first sentence, on a topic that is not what I was going to talk about, is to say: yes, thank you, sir; it was a party.

Today there are plans in the works to develop a Montana/Alberta tie-line that will link our electricity distribution system with our neighbours' to the south. The government has refused to provide a cost-benefit analysis detailing the benefit to consumers, us, of the Montana/Alberta tie-line. Why export more electricity from Alberta when the government's own report states that the province is going to require 6,150 more megawatts over the next 20 years?

Southern Albertans who have contacted me have repeatedly posed questions to both the companies involved with this project and the EUB but received unsatisfactory answers. These are legitimate questions from Albertans whose lives will be significantly impacted by this project and still no answers. Now is the time for our provincial government to intervene on behalf of citizens before the National Energy Board.

What impact will these high-powered lines have on Albertans whose property falls only feet from the proposed locations? Many of our concerned constituents have small children and are fearful of the health effects that these lines may have. How will these lines impact the environment surrounding them? Southern Albertans have voiced their concern that the environmental impact of these high-powered lines could have great significance, in particular, on the native grasslands, the birds, the wildlife, and certainly on wetlands.

Albertans value their property and, understandably, do not want to see their property damaged or altered. Southern Albertans have even voiced their concerns regarding the effects that these high-powered lines will have on their communication devices. Working on a farm with small children requires these devices.

Thank you.

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

Role of Grandparents

Mrs. Mather: Thank you, Mr. Speaker. We say a lot about a word by the way we say it. Said in the usual way, "grandparents" is like "half-brother," "mother-in-law," "stepson." These are package phrases. They carry a load of associations, insinuations, stereotypes that we usually take in without thinking. Let's shift the emphasis. If we say "grand parents" in the way First Nations say "grand chief," we get a different take for grandparents are parents of a larger family with a larger field of vision. Regular parents are often preoccupied, focused on paying bills, putting food on the table, reading the report cards, not to mention the challenges of their own careers. They're anxious with the sense that how they do all these things and how the kids turn out is a reflection on them.

Grandparents are able to take in the big picture. Most have nothing to prove. They're able to give children something closer to unconditional love because they're at arm's length, not implicated in a situation, not responsible for the results. Being in that place is a wonderful asset, one that those who are concerned with families need to recognize and treasure.

Grandparents can provide a stabilizing force in the lives of children. In times of family crisis they can be negotiators between parent and child, helping one to understand the other. In a society

with high divorce rates, economic hardship, and drug and alcohol abuse grandparents may be the only source of stability a child can rely on. Grandparents can be a major influence in child development, and they can help families to cope with the challenges of everyday life.

Grandparent/grandchild access is a gift to our society, one to be encouraged unless there is a strong reason to the contrary.

Thank you.

The Speaker: The hon. Member for Stony Plain.

Keephills 3 Electricity Generation Plant

Mr. Lindsay: Thank you, Mr. Speaker. On Tuesday, March 14, TransAlta and EPCOR announced an exciting project, the expansion of the Keephills power plant. They are planning to construct a 450-megawatt, \$750 million addition to this coal-fired generating site. Keephills 3 should be in commercial operation by 2011 and will supply Albertans with additional environmentally friendly coal-fired generation while ensuring that Albertans continue to receive low-cost, coal-fuelled electrical energy, energy that is part of the Alberta advantage.

The coal in the Keephills area is classified as subbituminous class C and is specially suited for power generation. As a fuel it is at least 10 times more economical to use for generation than natural gas. I believe our recent marginal electrical cost increases can be attributed to the fact that in the last five years the majority of generation built in Alberta has been gas fired. The land that this coal is extracted from is reclaimed to a state that is at least as or more productive than it was prior to mining.

Present technology removes over 99 per cent of particulate matter from stack emissions, and this new technology will greatly reduce NO_x, SO_x, and CO₂ emissions. This new unit will meet the new mercury reduction guidelines and will be the most environmentally efficient plant operating in our province and probably in North America.

Mr. Speaker, this planned addition is great news for the economic growth in my constituency, and when built, it will be great news for power consumers in Alberta.

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

Collective Bargaining in Alberta

Mr. Martin: Thank you, Mr. Speaker. Yesterday we observed the 100th anniversary of democracy in this province, yet every day glaring problems with our democratic institutions become increasingly obvious. One of the most important rights that working people have in a functioning democracy is the right to come together and bargain collectively for fair wages and working conditions.

For this government it isn't enough to maintain the worst labour laws in the country; this government also likes to take sides. When UFCW workers went on strike for fair wages in Brooks, this government did everything they could to support the rabidly antiunion Tyson Foods.

Last May this government took sides again by granting CNRL's Horizon project a special designation under division 8 of the labour code. This designation allowed CNRL to negotiate a weak agreement with a company-friendly union, CLAC, and bypass democratically determined agreements with legitimate building trade unions. The division 8 designation is part of what the labour movement calls a dangerous one-two punch aimed at Alberta workers.

Recently the Conservatives got into bed with the Liberal federal government to allow big oil interests like CNRL to fast-track foreign workers into the oil sands. Here's the bottom line: CNRL works out

a low-wage deal with CLAC under division 8; if Alberta workers won't work under this bogus contract, they'll import workers who will. All this has been perpetrated in the name of labour peace. CNRL and CLAC brag about getting work done, negotiating deals, and building the province. They don't talk about the real agenda to let big oil keep raking in the money, sending sizable amounts to the Conservative election accounts, while wages to the labour rights are rolled back.

Mr. Speaker, that is not my vision of democracy.

Presenting Petitions

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

Mr. MacDonald: Thank you very much, Mr. Speaker. I would like to present a petition on behalf of 20 Albertans. This petition reads: "We, the undersigned residents of Alberta, petition the Legislative Assembly to urge the Government to establish public auto insurance as proposed in 'People Before Profits' from the Alberta Liberal Caucus."

Thank you.

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

Mr. Taylor: Thank you, Mr. Speaker. I'd like to present a petition signed by 1,193 residents of Alberta petitioning the Legislative Assembly to urge the government to "recognize the financial burden borne by postsecondary students in this province, and to take action by implementing a significant rollback of tuition fees."

3:00

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

Ms Blakeman: Thank you very much, Mr. Speaker. On behalf of my colleague the Member for Edmonton-Riverview I would like to present a petition signed by him and sent to him from a number of people, 1,175 to be exact, who are asking that the government "recognize the financial burden borne by postsecondary students" and "take action by implementing a significant rollback of tuition fees."

Thank you.

head:

Notices of Motions

The Speaker: The hon. Minister of Education and Deputy Government House Leader.

Mr. Zwozdesky: Thank you, Mr. Speaker. I rise pursuant to Standing Order 34(2)(a) to give notice that on Monday I will move that written questions appearing on the Order Paper do stand and retain their places with the exception of written questions 1, 3, 4, 5, 6, 7, 8, and 9.

I'm also giving notice that on Monday I will move that motions for returns appearing on the Order Paper do stand and retain their places with the exception of motions for returns 1 through 19.

Thank you.

head:

Introduction of Bills

The Speaker: The hon. Minister of Community Development.

Bill 23

Provincial Parks Amendment Act, 2006

Mr. Mar: Thank you, Mr. Speaker. Sir, I beg leave to introduce Bill 23, the Provincial Parks Amendment Act, 2006.

The proposed amendments will make the Provincial Parks Act easier to administer and provide more effective ways to preserve the province's natural heritage. They are largely administrative in nature.

[Motion carried; Bill 23 read a first time]

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

Bill 206

Designation of Child Access Exchange Centres Act

Ms DeLong: Thank you very much, Mr. Speaker. It's my pleasure to rise today and beg leave to introduce Bill 206, the Designation of Child Access Exchange Centres Act, for first reading.

I believe that there is a need to encourage parents and guardians who are separated or divorced to have access to their children, and this bill promotes access exchange in a positive environment by designating child-centred facilities in Alberta for this purpose.

Thank you very much.

[Motion carried; Bill 206 read a first time]

head:

Tabling Returns and Reports

The Speaker: The hon. Minister of Education.

Mr. Zwozdesky: Thank you. Mr. Speaker, pursuant to the Teaching Profession Act I am pleased to table in this Assembly five copies of the annual report received from the Alberta Teachers' Association for the year 2004.

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

Ms Pastoor: Thank you, Mr. Speaker. I'm pleased to table six letters and the appropriate copies regarding the provincial government's plan for future daycare. The letters are signed by Paulette Calvert,* Juana Rodriguez, Vesna Peric, Teresa Czapiga, Helene Milloy, and another doctor's signature.

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

Dr. B. Miller: Thank you, Mr. Speaker. I'm also pleased to table six letters and appropriate copies regarding the provincial government's plan for the future of daycare. These letters are from Ruby Rosales, Lori Ann Sheplaw, Heather Evans, Lori Dickson, Patricia Haynes, and Andrea Mercredi.

Thank you, Mr. Speaker.

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

Mr. R. Miller: Thank you very much, Mr. Speaker. I have several tablings today, the first of which is from a constituent of mine, Gordon Inglis, who has copied me on a letter he sent to the health minister. He asked her: "Please keep the Public Health Care System. Do not create a two tier system. Do not violate the Canada Health Act."

The second, also a letter regarding the health care system, is from Martha Dobbin. She says that her "experiences with American two-tiered health care system are in sharp contrast" to the positive experiences she's had with the Canadian system.

The third letter, copied to myself, was sent to the Premier. The writer, Tonya Malo, urges the Premier to abandon the "current plans to reform health care."

*This spelling could not be verified at the time of publication.

Mr. Speaker, I also have six subsequent letters regarding the provincial government's involvement in a national daycare program, and these letters are from Lisa Whelan, Brenda McNeil, Jan MacGregor, Annaleta Kikins,* Gloria Rurka, and R. Bernard.*

Thank you, Mr. Speaker.

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

Mr. MacDonald: Thank you very much, Mr. Speaker. I'm pleased to rise and to table six letters and the appropriate copies regarding the provincial government's plan for the future of daycare. The letters I am tabling today are from Kerri Desnoyers, Judy Payou, Norm Desnoyers, Lori Engman, James Grant,* and Connie Bowie. These letters all are expressing concern over the cancellation of the national child care agreement.

Thank you.

The Speaker: The hon. Member for St. Albert.

Mr. Flaherty: Yes. Thank you, Mr. Speaker. I'd like to table a final report, Summary of Proceedings, January 28, 2006, for the Community Workshop Special Education Review from the parent advisory council, Academy at King Edward.

Thank you, Mr. Speaker.

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

Ms Blakeman: Thank you, Mr. Speaker. I have a number of tablings today. The first is from Cheryl Senger, who is concerned that if people who are single parents lose their subsidy programs for daycare and after school care, they won't be able to afford to work because most of them make so little money.

I also have tablings from Ted Woynillowicz around health care. His point is that the doctors will "cherry-pick for their private practice." Britain tried this, and it didn't work.

Also from Chris O'Brien, making the point that there's "no justifiable logic" to the Premier's "persistent and perplexing efforts to reform our public health care system."

From James Johnson, noting that the health framework is "coy when it comes to defining what is and what isn't 'medically necessary but not an emergency', although rhetoric and history have hinted this may include hip and knee replacement," et cetera.

From Colleen Mead, noting that "Britain and Australia are now re-investing in public health care and reducing the role" of private health care.

Finally, from Virginia Stephen, who sees "nothing in the 'values' expressed that could not be addressed" within a fully funded public health care system.

Thank you, Mr. Speaker.

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

Mrs. Mather: Thank you, Mr. Speaker. I am pleased to table six letters and appropriate copies regarding the provincial government's plan for the future of daycare. The letters I am tabling today are from Carmen Patterson, Jamie Mayes, Shannon Mitchell, Sherman Louis, Angelina Daniel, and Sasha Kebuson.*

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

Mr. Martin: Thank you, Mr. Speaker. I have two documents to table this afternoon. The first one is a backgrounder on the Horizon project, produced by the Alberta Federation of Labour. It argues that

government is giving CNRL special privileges that undermine negotiations with legitimate trade unions.

I also have a letter from Tammy Winder, who is visiting us today. Mrs. Winder's daughter is a vibrant young woman with a developmental disability and juvenile diabetes. She has not received proper support to manage her diabetes. When Mrs. Winder looked into moving her daughter, she was told that cuts to PDD meant funding would not follow.

Thank you.

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

Mr. Tougas: Mr. Speaker, I'm pleased to table a number of letters from constituents from across Alberta who are concerned parents of children with special needs. They're concerned about the level of funding in Alberta. The letters are from Marilyn Cramer, Wendy King, Domenic Cusanelli and Angela Iavasile, Traci Dunlop, Lori Fankhanel, Kim and Dave Kinders, Garnet Boutette, Shirley and Dave Williams, Terry Appleton, Holly and Rob Brown, Gwynne Holder, Nicola Quilliam, Sarah Gilroyed, Deborah Paquette, Sandra Pollard, Shelley Broadhurst, Cathie Sarafinchan, Carol Quilliam, and Carol Chabot.

Thank you.

head: **Projected Government Business**

The Speaker: The Official Opposition House Leader.

Ms Blakeman: Thank you very much. According to Standing Order 7(5), I would request that the Government House Leader share with us the business for the week commencing March 20.

Thank you.

The Speaker: The Deputy Government House Leader.

Mr. Zwozdesky: Thank you, Mr. Speaker. Yes, I'll be happy to provide that information. On Monday, March 20, in the afternoon we will of course deal with private members' business and written questions 1, 3, 4, 5, 6, 7, 8, and 9. Then we will deal with motions for returns numbered 1 through 19. Depending on how time goes here, I expect we will deal with second reading of Bill 205, the Continuing Care Standards Act. On Monday evening we'll deal with some government motions, which will include the spring and Easter recesses and also the spring sitting adjournment. Later that evening we hope, at least, to deal with third reading on Bill 1 and Bill 3. Also, we would hope to deal with bills 10, 13, and 16 at second reading.

3:10

On Tuesday afternoon we should be able to be in Committee of the Whole and deal with bills 18, 17, and 10. On the Tuesday evening we hope to be in Committee of the Whole, dealing with bills 4, 5, 6, 7, 8, and 11.

On Wednesday, March 22, in the afternoon I think it's important to note that immediately following question period, at whatever time it ends, the House will recess so that we can get ready for the Budget Address at 3:30 p.m. In the evening I expect we will deal with the government motion that pertains to Standing Orders of the House.

On Thursday afternoon I anticipate that we will be able to receive Royal Assent, Mr. Speaker, for Bill 1, the Alberta Cancer Prevention Legacy Act, and perhaps other bills as available. At the same time under Government Motions we would be pleased to hear the opposition leader's responses to the budget.

*These spellings could not be verified at the time of publication.

head: **Orders of the Day**

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

[Mr. Marz in the chair]

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

Bill 1

Alberta Cancer Prevention Legacy Act

The Chair: Anyone wish to speak on the amendment? The hon. leader of the third party.

Mr. Mason: Thank you, Mr. Chairman. I would like to speak to the amendment. Just to refresh members' memories, the hon. Member for Edmonton-Beverly-Clareview moved an amendment to Bill 1, that the Alberta Cancer Prevention Legacy Act be amended in section 3. Basically, the key point is 2.1, that "The Minister of Finance shall not invest the Fund or any portion of the Fund in securities of companies in the tobacco industry."

This, in our view, is very fitting given a couple of facts. First of all, this is a bill that deals with cancer prevention, and one of the leading causes of cancer, the cause that is probably best researched and best documented as a direct cause of lung and other cancers, is the use of tobacco. So I think that it would be not only fitting if this amendment were passed but extraordinarily ironic if it were not because the government does have a history of allowing these investments in tobacco companies.

For example, if you look at the heritage savings trust fund 2005 annual report in schedule 12, there's a schedule of the 10 largest issues based on fair value. Japan Tobacco is the eighth largest investment in that schedule, and the fair value of the stock held in the heritage trust fund in Japan Tobacco Inc. is \$4,785,000. So it's clear that the government has not taken steps, at least with respect to the heritage trust fund, to ensure that this money is not invested in tobacco companies.

Mr. Chairman, we have a bill, which I think is a fine bill, called the Alberta Cancer Prevention Legacy Act, which is attempting to make investments in order to conduct research with respect to preventing cancer. I think it would be a shame – in fact, I think it would be completely unacceptable if money that the government put into this fund for that purpose was actually invested in corporations which produce products that are directly linked to the causing of cancer, so I am ever hopeful that the government will accept this amendment by the hon. Member for Edmonton-Beverly-Clareview. We need to put our mouth where our money is in this case. That means making sure that the public money that's invested in a fund for cancer research in fact be money that will work in a way that will not be contradicting the intentions for which it was invested in the first place.

It's very important that all members of the House support this amendment. I think it signals that not only are we prepared to put some money in, not only are we prepared to put our voice in the fight against cancer, but we're also willing to make decisions, hard decisions, in a practical way that lead towards the prevention of cancer and which further the fight and further the principles that are enunciated in Bill 1, which is, as I said, an excellent bill and something we'd like to support. Certainly, this amendment will make the bill much more consistent with its stated purpose, and we believe that it should be supported.

Thank you, Mr. Chairman.

The Chair: Before we recognize the next speaker, might we revert to Introduction of Guests?

[Unanimous consent granted]

head: **Introduction of Guests
(reversion)**

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

Ms Blakeman: Thank you very much, Mr. Chair. I'm just delighted to introduce to you and through you to all members of the Assembly a very, very special group of individuals who have been working with me and, in fact, advising me regarding the debate on this particular Bill 1, the Alberta Cancer Prevention Legacy Act. They are from a school in my constituency, Oliver school, and all enrolled in a special program called the Nellie McClung school for girls. I would like them to please rise as I call their names. The two instructors that are with them today are Mrs. Heather Jubenvill and Mrs. Elizabeth Fraser. Also with them are the students also known as the BLAST girls: Taylor Pinch, Kelsey Roehler, Haylee Fortin, Emily Dutton, Katherine Shimazaki, Tsue Anderson, and Allisha Rivera. With them is my constituency manager, Keltie Watson. Please give them a warm welcome to the Assembly.

Thank you, Mr. Chair.

Bill 1

Alberta Cancer Prevention Legacy Act

(continued)

The Chair: The hon. Member for Airdrie-Chestermere.

Ms Haley: Thank you. I'd like to start off by saying that I support the concept of this amendment. I am concerned at the broadness of it, though, that if a fund manager were to purchase an index stock, they would be in violation of something here. I would be much more comfortable if this amendment could be altered just slightly to say direct investment. It's just my view on it, but I concur with what the hon. member is trying to accomplish. I think that if we could look at it from the point of view of it being a direct investment, I would have absolutely no problem supporting it on that basis.

3:20

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

Mr. Tougas: Thank you, Mr. Chairman. Yes, I'd just like to rise briefly in support of this amendment from the Member for Edmonton-Beverly-Clareview. You know, ethical investing should be a matter of course for any government, and I was hoping that that was the case with the current government. From what I heard just a few moments ago from the leader of the third party, that may not entirely be the case, so I think it's important that we do have an amendment in this bill ensuring that no money at all is put into the tobacco industry. It certainly would be hypocritical, to put it mildly, for a cancer prevention legacy to be connected in any way, shape, or form to one of the leading causes of preventable cancer in the world.

I don't know what the government's stand is on this amendment right now, but I certainly hope they support it. It's straightforward. I understand some of the points you made, but very clearly some companies are tobacco companies. It says: do not invest in them. I think it's very clear. I don't know if we really need another amendment to it. Perhaps he may want to yet, but in the meantime, until it is amended, I think this is certainly a worthwhile amendment, and I support it wholeheartedly.

Thank you.

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

Mr. MacDonald: Thank you very much, Mr. Chairman. I, too, would like to be on the record. My comments are very similar to those that have been articulated by the hon. Member for Edmonton-Meadowlark, and as one of the individuals in this Assembly that sits on the Alberta Heritage Savings Trust Fund Committee, I think it is a good start towards perhaps developing a comprehensive policy towards ethical investing in that fund. I certainly hope that that fund grows significantly larger. When we look at this bill and this amendment that is proposed by the hon. Member for Edmonton-Beverly-Clareview, I would urge all members of this Assembly to support this amendment, and the reasons were articulated, I thought, very well by the hon. Member for Edmonton-Meadowlark. Please support this amendment.

Thank you.

The Chair: The hon. Minister of Agriculture, Food and Rural Development.

Mr. Horner: Well, thank you, Mr. Chairman. Listening to the debate and following on the heels of my colleague from Edmonton-Gold Bar with regard to the support of this amendment, I too would like to support this amendment. However, I also have concerns, as were expressed by my colleague from Airdrie-Chestermere, about potentially having the phraseology changed so that it was direct investment in those types of companies. The investment world as we know it today sometimes has groups of investments, blocks of investments. Sometimes it's a fund of sorts. Sometimes it could be a very large investment. We're talking about a very large fund here, which I think we can separate out, and we can make some strategic changes to the way that we do our investments. Certainly, when you're setting up something that is related to cancer and tobacco, you want to have that separation because it just makes sense to do so.

So I would also like to indicate my support if we could get the changes to the wording so that it really did narrow it down and thereby not hinder any earning potential, which would have the benefit of earning more dollars for cancer research and for the cancer issues. I don't want to limit it so much so that we limit the earning potential of the fund. Although I do agree with the amendment and the intention of the amendment, I just want to make sure that we're not going to do something that would jeopardize the long-term viability of the fund.

Thank you, Mr. Chairman.

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

Mr. R. Miller: Well, thank you very much, Mr. Chairman. It is my pleasure to speak in support of this amendment. I know that there's been some concern expressed by a number of members this afternoon about perhaps being a little more specific as to identifying direct investment, and I understand, in fact, that there may be some work being done as I speak towards a subamendment. I'm hopeful that that will be coming forward, and perhaps we can have the support of the House on the amended amendment because this is really important.

I'd like to remind the House that last year during question period I asked a question of the Minister of Finance on this particular issue, that being the investment of funds from the heritage savings trust fund in tobacco companies. I was very disappointed, unfortunately, in the answer that I received from the Finance minister. What I was told at that time was that the primary, overriding concern when it

came to investing funds from the heritage savings trust fund was return on investment. That is a concern for me, and I think it should be a concern for all Albertans, not simply when it comes to the funds invested from this act but, in fact, as my colleague from Edmonton-Gold Bar mentioned, in general the funds that are invested from the heritage savings trust fund.

If return on investment is the overarching criterion that we look at when we decide how to invest those funds, we could be investing in all sorts of things, whether it be tobacco companies – it might be legalized brothels. It could be weapons of mass destruction. Let your mind wander. It could go on and on. [interjections] We could be investing in casinos, as my colleague from Edmonton-Meadowlark said, and Edmonton-Gold Bar suggests perhaps even oil companies.

To get back to the particular amendment, Mr. Chairman, I think that given the prevalence of cancer, given the overarching support from all sides of the House for Bill 1, and given the recognition, I think, in general in society today of the negative effects of tobacco, it simply would be wrong to take money from this fund and invest it in tobacco companies. So I wholeheartedly support the amendment, and I'm hopeful that we'll see a subamendment that will make the amendment a little more palatable to all members of the House so that we can make this very important change to Bill 1 and thereby ensure that it gets the full support of all the members of this House.

Thank you, Mr. Chairman.

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

Mr. Eggen: Thank you, Mr. Chairman. I rise with anticipation on the amendment to Bill 1, the Alberta Cancer Prevention Legacy Act. We certainly have been very pleased to see the construction and development of this bill over these past weeks and months. I think that the bill's best quality, certainly, is that it provides some sense of hope for people not just who have been afflicted by cancer and looking for treatment but otherwise looking to prevention and lifestyle and societal changes that would reduce the incidence of cancer in our society in general.

It's an unfortunate side effect of the industrialization of North America and specifically here in Alberta that our cancer rates are rising. One of the most interesting aspects of that is, of course, the accumulated effects of carcinogens in our atmosphere and in our water and in our land. As we move along from 1930 to 1940 and so on and so on, each layer of increased industrialization adds another layer of long-term carcinogenic components to our environment. So we have to be aware of that. Certainly, mortality is a fact for all of us, but there is a way to reduce our cancer rates considerably by looking at the prevention side as opposed to the treatment side.

Our amendment specifically is looking at one obvious carcinogenic element that is in our society and identifying it as such and not investing in the promotion of the use of that carcinogenic material in the future so that we might reduce the cancer rate. It would be removing an obvious irony in this bill that has been pointed out by a number of people around this House and in the media as well that, of course, if we are investing in preventing cancer in our society, then certainly we must steer away from those parts of our behaviour and processes in our economy that, in fact, do promote cancer. To not be investing in the tobacco industry I recognize is a little bit delicate. An hon. member from across the way mentioned about the enormity of funds and how mutual funds are lumped and grouped together, but I think that we might be able to find a way around that.

3:30

Certainly, the history of ethical investment portfolios is quite advanced in our society. They've been around for more than 30

years in the investment community. It's becoming a very sophisticated way to avoid certain harmful investments. You know, tobacco has been identified as one of the very first places for ethical investment to not go. So I'm sure that there would be some sophisticated advice around that we could access so that the provincial government in fact is not investing in tobacco products.

It's interesting because, of course, we are assisting the provincial Cancer Board here, which already has a set of ethical investment precepts. By subsuming that somehow or stepping in the way of their ethical investment guidelines by the absence of ethical guidelines in our larger Cancer Prevention Legacy Act, it's again an irony that we would be best to avoid here in building this bill.

I'm certainly glad to see the spirit of co-operation and, perhaps, compromise abuzz around the room as I speak, and I hope that all members might consider some compromise here that will be delivered to you shortly.

Thank you.

The Chair: The hon. Member for Airdrie-Chestermere.

Ms Haley: Thank you very much, Mr. Chairman, and thank you to my hon. colleague across the way for agreeing to accept a minor amendment to this. It would be a subamendment that would read this way: "The Minister of Finance shall not make any direct investment of the Fund or any portion of the Fund in securities of companies in the tobacco industry." On that basis I am confident that my caucus will also support this change.

The Chair: So you're moving a subamendment?

Ms Haley: Yes, I am.

The Chair: We'll call this subamendment SA1. Does everyone have it circulated to them? Anyone wish to speak on the subamendment? The hon. Member for Whitecourt-Ste. Anne.

Mr. VanderBurg: Well, thank you, Mr. Chairman. I think that this compromise really shows how this House can work. In celebrating the hundred years of democracy of Alberta, seeing the Member for Edmonton-Beverly-Clareview and the Member for Airdrie-Chestermere work together so closely to get this done, I'm really proud. I'm sure that the Speaker a hundred years from today will say that on this date, this is what happened. Congratulations.

Mr. Martin: Maybe we can get a lot of bills changed here in the future, Mr. Chairman.

I certainly support the subamendment. Having been in the business at one time of selling mutual funds, I understand some of the concerns. At least this is clear. I would hope it will still send the message to the fund managers that even if they can find out down the way about some of these funds, they shouldn't be doing it. So it sends a precaution. It makes it clear that Japan Tobacco, for instance, should not be part of this particular fund. We will certainly support it on this side of the House.

Thank you.

Mrs. McClellan: Well, I want to thank all the hon. members for consideration of our subamendment. Certainly, our investment management group do their very best to manage our funds in the way that can bring the best return to support the good work that our endowments and other funds that they manage can carry out.

This will certainly be of great assistance. As the hon. members know, quite often you buy a composite of a particular fund. This, I

think, suggests that we do not want to invest in tobacco funds, but a composite may carry a very small portion. I think that would be quite – "unavoidable" is a good word – inadvertent. You would not want to take away from the value of this great legacy endowment by an inadvertent investment. So I appreciate all hon. members' input into this and support for this.

The Chair: Are you ready for the question on subamendment SA1?

Hon. Members: Question.

[Motion on subamendment SA1 carried]

The Chair: On amendment A1 as amended, are you ready for the question?

Hon. Members: Question.

[Motion on amendment A1 as amended carried]

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

Ms Blakeman: Thank you. We have now voted on the amendment and are continuing in Committee of the Whole?

An Hon. Member: Right.

Ms Blakeman: Thank you. I really welcome this opportunity to speak in Committee of the Whole on Bill 1, the Alberta Cancer Prevention Legacy Act. I had introduced a group of students from the Nellie McClung school, which is housed in the Oliver school in my constituency. The material I'm about to present has been researched and brought forward by these young women, and I wanted them in the gallery to see what happens when you become an advocate for positive change and work the process through to bring it to the floor of this Assembly. So I really welcome the opportunity to do this, and thank you for co-operating with me.

In Bill 1 we are attempting to set up three purposes with the bill around a cancer legacy. That is to be able to fund research, testing and screening is the second portion, and the third portion is prevention. I think that we could all agree that a major part of prevention is getting people to quit smoking or, better yet, getting them to never start in the first place. I'll tell that you as someone who started smoking in grade 6 and smoked for 32 years, it is a very, very difficult thing to withstand the marketing that constantly comes at you. Once you're addicted, you're addicted. This is a stronger addiction than heroin, and it's very difficult to quit once you start. You need a lot of support.

I would say that the group that is most vulnerable to targeted marketing is teens. Although tobacco companies say that they don't target teens, yes, they do. We've been quite successful through a number of initiatives, some of them government generated, some of them generated by various agencies in the community, in getting smoking rates to decrease; in other words, getting people to quit and, as part of that, not having people start, except that just recently the Canadian Tobacco Use Monitoring Survey showed us that, in fact, for current smokers aged 15 to 19 – and these are Alberta statistics – that number started to go up in the 2005 survey. It was decreasing, and it has started to increase. That increase represents 12,400 new teen smokers – new teen smokers – people we didn't have smoking before.

There is a prevention method available that we think is quite successful. Last Friday I was invited to attend Oliver school for a

presentation. As I said before, Oliver is home to the Nellie McClung school for girls grades 7 to 9, and that is a girls-only school. They had a presentation that was put together by a group that I think is self-titled the BLAST group. I introduced them earlier. That includes their instructor, Mrs. Jubenvill. Taylor, Kelsey, Haylee, Emily, Katherine, Tsue, Jessica, and Allisha were the members of the group.

3:40

What they would like to do is get power walls banned. Now, for those of you who are not familiar with power walls, in fact you are familiar with power walls. You may just not know that that's what they're called. Especially in convenience stores, when you go to the checkout, you look behind the cashier and what you see is a wall of little cigarette packages. It's a whole wall. It usually goes from about waist level right up over the six-foot level. So when you look at the clerk, as you're talking to them and paying, all you can see are these cigarette packages. It usually fills up the whole space. That's the power wall that I'm talking about. They're point of sale tobacco displays that are placed at or near the checkout counter in many retail stores and particularly in convenience stores, like Mac's or 7-Elevens. When you look at who is frequenting those convenience stores, by far and away the most frequent visitors are people in that teen smoking group that I was talking about, the 15 to 19.

These power walls are paid advertisements for the tobacco industry. They spend a lot of money doing this. They're serious about it. In 2004 the industry paid retailers across Canada \$95 million for these power walls.

What's really insidious about this is that the power walls are deliberately displaying tobacco products in close proximity to products that you would expect teenagers to buy, like gum and chocolate bars, candy. They're entirely entitled to buy that, and you would expect most teenagers to be in a store at the counter buying gum and chocolate bars. What goes just knitted with that are these power walls. So it's saying over and over and over again: candy, gum, okay; tobacco . . . okay. So it's a very effective tobacco marketing tool. That's the description of what the power walls are.

What the Nellie girls did, if I may call them that, this BLAST group, is a project on smoking and nicotine, and it had a number of components. They did the research on what was out there, they did site visits to test some things out and see whether they could get retailers to sell them tobacco products, they created a video, they organized the presentation that happened on March 10, and they did a postcard campaign.

When they did the research, they found that a number of other provinces have passed legislation specifically banning power walls. That includes Saskatchewan, who was I think the first jurisdiction to specifically prohibit the display of tobacco products in retail outlets. In fact, one of the students, Katherine, provided me with a copy of the Saskatchewan legislation, and I will table that at the conclusion of my debate. So we've got Saskatchewan, Manitoba, Nunavut, Quebec, Ontario, and Prince Edward Island. All passed legislation that in one way or another is talking about prohibiting these power walls. The newest one was in fact the Northwest Territories. On March 2, two weeks ago today actually, I think, the Northwest Territories passed the Tobacco Control Act through final reading and Royal Assent. It includes prohibiting the visible display of tobacco products at the point of purchase, the very power walls we're talking about.

They did the research on what was already out there and who was already involved in this kind of thing. They did a really cool video in which they had, like, a little spy camera in a bag, and they went into a number of stores and did a couple of things. They tried to purchase cigarettes and were refused outright from buying the

cigarettes. But in a couple of places – yeah, I'm quoting here: "Though not part of the final documentary at one point we asked to buy a package of cigarettes for our 'Mom' and were told if we were to come back with our Mother's ID we could purchase a package." So, gee, that'd be hard. Just to have to nip that driver's licence out of mum's purse, down to the convenience store, and you've got a pack of cigarettes, which is a little alarming. I mean, highly illegal, but very alarming that they managed to do that. And they didn't even try hard. They had their little spy camera, and they just walked in there and did this stuff. Right?

The purpose of the video was around buying other substances that were for sale in these locations that contained the same product or similar products. Nicotine is what I'm talking about. Their point is that there are no age restrictions on the patch. There are age restrictions on purchasing cigarettes but no age restrictions on purchasing the patch. One of them had heard about inmates in prisons taking the patch and soaking it and getting the nicotine out of it and then rolling up, I think, tissue paper and smoking that. That's how they were getting the nicotine into their systems in the correction facilities. They thought: "Well, if that's a way to get nicotine, maybe we could get that as teenagers. Let's try it." So they went into the store.

They note that, depending on which type you buy, the levels of nicotine in the patches is still very high. That makes sense. You get somebody like me that smoked for 30 years, you're going to have to get some serious drugs at work to help me move off and break that addiction. So very high levels of nicotine. I mean, I smoked more than a pack of cigarettes a day. If you're going to try and wean me off that drug, you're going to have to start with a fairly high level of nicotine. That's what they were trying to make the point about, that they were able to purchase these nicotine patches and walk out. They could access the actual drug that we're all trying to stay away from and that really has an addictive component.

I believe, if I'm remembering this right, they actually were able to get clerks to agree to sell them the patches, of course, again for their mom. But it was quite alarming to them and, I think, really opened their eyes to both how loose the monitoring is in these stores but also that the commitment is not really strong from everybody out there to be very careful about the marketing of these products and the availability of the products.

The other thing the BLAST team did was that they organized the presentation. They had a really hot young man that came in, which didn't hurt, and talk to the assembled classes.

Mr. MacDonald: Tell us more about this man. How young was he?

Ms Blakeman: I don't know how young he was. But, yeah, he was very nice looking, and that didn't hurt. He was a young guy, so he was speaking directly to them and talking about the power walls.

Mr. MacDonald: Not to you. To them.

Ms Blakeman: No, not to me. Oh, man. Some days.

He was talking about having worked on the legislation for the power walls in Saskatchewan, a very effective presentation. It was very clever of the BLAST girls to work with ASH, actually, to bring this fellow in because I think he was quite effective in getting the message across with that particular group. So talk about marketing.

One of the things that they showed was a video that came out of Ontario. This is what really grabbed me because this video interviewed 160 teenagers in Ontario, none of whom smoked. They did things like ask them, you know: what colour is a pack of Du Maurier cigarettes? What colour is Player's?

An Hon. Member: Red.

Ms Blakeman: Exactly. I'm getting answers from across the floor.

What's alarming about this is that they were able to answer all the questions correctly, and how did they know that? None of these teenagers smoked. How did they know that Du Maurier was a red package? Well, because every time they went to buy a pack of gum, every time they went to buy a Kit Kat chocolate bar or an Oh Henry, they were looking at them because they were part of the power wall behind the clerk at the point of purchase when you went to pay for your gum. So they knew what all the names of the major cigarette brands were. They knew the colour and what the package looked like.

The young fellow was saying that one of the reasons that he started smoking a particular brand was because his favourite was red, so he chose the red brand of cigarette. I mean, there are no marketing mistakes here, Mr. Chairman. This is quite deliberate on the part of tobacco companies. They pay a lot of money to figure this stuff out, and it's very effective. It works.

3:50

Here we have a whole group of teenagers who know a lot about brand names and colours of cigarettes. They were asked: what would you suggest? What do you think would make a difference here? They were the ones that said: "Take the power walls away. We don't want and need to see those cigarettes when we go to buy gum or a chocolate bar or a soda pop or whatever. We don't need to see that stuff." Really, for the people that smoke, they know it already, and they don't need to see it. The whole purpose of it being there is to get people who don't smoke to start smoking. Right?

They were suggesting that these power walls either be covered up or entirely moved away, and I think they're right. That's exactly what the BLAST girls are trying to do. They are trying to get this Assembly here, this government to understand that there is no reason except pure marketing to have those power walls in place, and they are asking that those power walls either be covered up or the merchandise be moved under the counter.

In following through on that, they did a postcard campaign, which they either have or they will be sending to the minister of health. It says: Powerwalls Target Youth – Ban Tobacco Retail Displays. It's a great picture of a little tiny head of a kid. His head is just barely clearing the checkout counter at a convenience store, and his whole view is filled with the power wall of cigarette packs. It's an excellent visual. This is the postcard that they have organized. They got it printed up and everything, and they've organized to send it to the hon. Minister of Health and Wellness. Everybody who was at that presentation on Friday signed up for it, so they really did a lot of work on this campaign.

That's a wonderful example of a follow-through of public advocacy. These young women were really caught by something. They felt it was wrong. They felt it should be changed. They went out, and they did the research to make sure that they knew what they were talking about. They advocated amongst their friends and colleagues. They've taken it a further step with the postcards to the minister. They have briefed me as their elected representative to come before you in the Assembly while we're in Committee of the Whole and ask you to consider this.

Mr. Backs: They should be thanked for that.

Ms Blakeman: They should be thanked for their work.

I'm asking on behalf of the BLAST girls from the Oliver Nellie McClung school and in recognition of that prevention component of

Bill 1, the cancer legacy bill: we want to ask the government to bring forward legislation to ban power walls.

I think it's important that we do thank Taylor, Kelsey, Haylee, Emily, Katherine, Tsue, Jessica, and Allisha. They did all the work that you need to do to change public policy, and I think we should reward them for their effort by taking what they did seriously. They've done a good thing here. I know that the BLAST girls are very happy to meet with the Minister of Health and Wellness, and I'm sure we can organize that if she's got time. The truth is that they've done all the work they need to do to make this happen.

At this point I would like to table the appropriate number of copies of an ad that's been created by Action on Smoking and Health, Campaign for a Smoke-Free Alberta, and Unite against Tobacco: The Place We're Most Exposed to Smoking Is Indoors. It shows the kid in front of the power wall. I'll table that, and, as promised, I would like to table the Tobacco Control Act, which is the Saskatchewan legislation. It's in section 2 that they get quite specific. So here is a sample for the government to look to and learn by. I'll pass that on as well in my tablings.

So thank you very much for the opportunity to get involved with a little citizens' action here today and work with students from my constituency, bring it forward to the Assembly. I know that many of you in here were paying attention, and I appreciate that. We're certainly supportive here on the opposition side to this legislation. It would be lovely to see the government be able to carry through on it. I look forward to seeing one of the government members before the end of the spring session bring forward some legislation to ban power walls.

Thank you very much for the opportunity to speak today in Committee of the Whole. I really appreciate it, Mr. Chairman.

The Chair: The hon. Member for Edmonton-Strathcona on the bill as amended.

Dr. Pannu: Thank you, Mr. Chairman. I'm pleased to rise and speak to Bill 1 as amended. It makes it a lot easier for all of us now to enthusiastically support Bill 1 with this very important amendment which the House has just voted on and voted unanimously, for a change. This is a very good omen. Without sounding Pollyannish about it, I hope that this spirit of co-operation flourishes in this House as we step into the second century of the history of this Legislature.

It is important that pieces of legislation that are vital to the health of us as Albertans and as individuals, vital to the health of our communities and of the province, health being used in the broadest sense of the meaning of the term, receive careful debate, intense debate, engaging debate across all sides of the House and that we, in the spirit of compromise and trying to seek to vote on the best possible legislation that we can agree on, will continue to negotiate on important pieces of legislation into this session and beyond as Albertans expect it.

With respect to what's happened here with respect to the acceptance of this amendment by this House, I'm heartened, and I know that my constituents of Edmonton-Strathcona would be very heartened, to notice that it is possible once in a while in this House for us to talk across this very wide space that separates us, the two sides of the House, and listen to each other and come to agreements that make sense, that appeal to the common objectives that Albertans expect this House to pursue, that serve the public interest, and that are to the benefit of all Albertans. So I'm very pleased about the passage of this amendment.

Mr. Chairman, I also want to make a quick note of an important word in the title of the bill, "prevention." I think we need to move

in a determined way towards prevention of disease across the spectrum, and let's start with cancer. This bill is titled Alberta Cancer Prevention Legacy Act. It is designed to prevent the spread of cancer, to reduce the incidence of cancer through research, through education, through public policy development, and through what's called social marketing initiatives. This bill will establish a fund called the Alberta cancer prevention legacy fund, from which monies can be allocated to support these activities of policy development or research, education, et cetera. That's all very good.

I notice that in section 6 of the bill under the payments from the fund, section 6(4) says, "The Minister may impose terms and conditions on the making of grants, including conditions that the money be granted only to match funds provided by others." It doesn't say that that's the only concern that the minister will have. The minister can impose conditions for other reasons as well.

4:00

I want to make sure that I'm on record speaking on behalf of the NDP caucus here. Research on tobacco use and diseases associated with tobacco use is sometimes funded by the very companies that produce the product to sell. Certainly, the tobacco companies are very strong and powerful corporate players, and they often want to promote research at the same time that the consumption of the product that they produce promotes the spread of cancer. So I hope that the minister would impose conditions, including that research the minister comes to know is funded by tobacco companies themselves will not qualify for drawing on the fund, for matching funds from this fund. I think it would be totally contradictory to the spirit and the purpose of the fund for such decisions to happen, where tobacco company funded research is also funded from this research.

I'm hoping that this can be either dealt with in the regulations or, at least, the minister will agree with what I'm saying, that the spirit of this bill now and the consensus around this House with respect to what this bill is about demand that there be a clear separation, that the research, education, and other projects that this fund will be used to fund will be stand alone, independent at least of the kind of research that tobacco companies may also be interested in funding.

We know that drug companies, tobacco companies have their own set of conditionalities for the recipients of their research funds. The case of Professor Dr. Nancy Olivieri at the University of Toronto is the most recent case in Canada that comes to mind, where she was asked to suppress the findings of drug trial results because the company felt that publishing those results in a publicly accessible outlet would jeopardize the commercial interests of the company. The results of the research happened to be negative with respect to the use of the drug and the side effects of the drug. Dr. Olivieri came under enormous pressure both from the university administration and from the companies because as a scientist she thought that her first obligation was to the public interest and to maintaining the integrity of the research enterprise that she was so proud to have been undertaking for a very long time.

There are conflicts between the interests of companies that fund certain kinds of research and the kinds of interests that this bill, hopefully, will promote. I'm very, very supportive of the bill. I just want to make sure that the Minister of Finance takes into account these conflicts of interest and contradictions and says very clearly and firmly that this fund will be available to those research projects and those other education projects which don't receive funding from corporate interests which have an interest in promoting the use of drugs.

Mr. Chairman, this weed called tobacco is really a highly carcinogenic weed. We know this, and its use should be discouraged

as much as it can be discouraged through public policy, through education, through community-based initiatives. We need to proceed with legislation such as exists in our neighbouring province to the east: the Tobacco Control Act. I know that the government of B.C. tried several times to make illegal the advertising of tobacco use by tobacco companies, and it ran into some difficulties at the Supreme Court level. Perhaps the Saskatchewan province's act on controlling tobacco use would serve as a better model to proceed with legislation in this province. I hope that in the wake of the passage of this bill in this House the government will take the initiative to bring forward another piece of legislation which will reinforce both the purposes, the goals, and the spirit of this act so that this huge amount of money, money Albertans are putting into this act, is not indirectly lost because we have failed to act on bringing forward legislation that will discourage both the marketing of tobacco and its use.

With that, Mr. Chairman, I want to thank you for this opportunity.

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

Mr. MacDonald: Thank you, Mr. Chairman. It's a pleasure to have this opportunity to participate in the debate this afternoon on Bill 1 in committee. When we look at cancer rates across this province and across this country, this legislation is certainly needed. We have to listen to the hon. Member for Edmonton-Strathcona when he reminds us that this bill is the Alberta Cancer Prevention Legacy Act, and prevention is certainly, I would agree, the key word here.

When we look at some of the past actions of this government, we see that this legislation is certainly refreshing. What I mean by past actions, Mr. Chairman, is that it's not that long ago, in the last six years, that there was a lack of radiation therapists in this province, and the few that we were training were leaving the province, being recruited to work elsewhere. It got to the point where there were a significant number of these skilled professionals recruited from Australia. These individuals settled in Calgary, and they were coming up here on a daily basis. They were flown up to Edmonton to work here at the Cross Cancer Institute to reduce the significant backlog that was going on there.

I read in here, Mr. Chairman, that the purpose of this act is "to support and encourage cancer prevention initiatives, including research, education, public policy development and social marketing initiatives and, without restricting the generality of the foregoing . . ." I'm certainly pleased to read that, and I encourage the government to be mindful of what happened when we had some significant lists, some lengthy lists of individuals waiting for cancer treatment. To be diagnosed with that disease is dreadful, is horrifying, and then to know that you have to wait for some time to receive treatment: I can't imagine what that's like. That's why I would expect everyone here to support this initiative.

Mr. Chairman, we look at our society and the 10 most common environmental toxins. We have PCBs. We have pesticides. We have mould and other fungal toxins. We have asbestos. We have dioxins. We have volatile organic compounds, or VOCs. We have chloroform. We have chlorine. We have heavy metals like arsenic, mercury, lead, aluminum, cadmium. In question period earlier the hon. Member for Stony Plain was talking about another coal-fired generator going in around Lake Wabamun. We look at the effect, for instance, that that coal-fired plant will have on the local environment.

4:10

I think that we should go one step further with this bill and have a look at some of the policy positions that were developed in this

book, Mr. Chairman: *Creating a Healthy Future*. This is the very book that was tossed. This is the very one that was tossed by the Premier on March 1, 2006, in this Legislative Assembly. This is the one. I think it is an historical document. Many people in the province have already signed this because they agree with me that this is a piece of Alberta history. I would like to toss around some of the ideas that are presented in this book. Certainly, on that day I was surprised to see the page startled, and I was surprised to see the government whip was startled. It was amazing to see the reaction on the face of the government whip. But I'm getting off topic here, and I'm being encouraged by the hon. Member for Drayton Valley-Calmar.

I would like to say this. We look at the environmental consequences at a site such as the one that was described by the hon. Member for Stony Plain, where we're going to burn coal, we're going to produce electricity, and hopefully we're going to capture and compress the flue gas stream from that facility and use that for enhanced oil recovery, Mr. Chairman. But when we develop these facilities and we look at the production of heavy metals through this flue gas stream, perhaps it's time – and it's not specifically in this legislation. One could look at the regulations and say: well, it could be developed in the regulations, or it could be interpreted through the purpose of this act, Bill 1. Policy position 1 from this document, this famous document, *Creating a Healthy Future*, requires major policies and funding decisions to undergo health impact assessments. The whole idea of an HIA, or health impact assessment, I think, should be incorporated into this bill.

Most of the important factors in determining our health have nothing to do with the health care system, lifestyle choices, or injury prevention, Mr. Chairman. Despite this, most government departments fail to consider the effects that their policies may have on health. Not only government does this; industry does this as well. I've worked in industry all my life, and some of my contemporaries have passed on or are fighting this very disease that we are trying to reduce and eliminate in this bill. Cancer rates are high, and unfortunately with some kinds of cancer they're going even higher. So we have a lot of work to do. If we want to reduce the rate of cancer and reduce expenditures for public health care, health impact assessments are something that I hope we can work into this legislation. A health impact assessment would examine a policy's potential effect on a wide range of factors that influence the health of our society, including, as I said, the environment.

[Mr. Cao in the chair]

What effect would a specific proposed policy have on the health of Albertans or, Mr. Chairman, in this case the rate of cancer in the general population? This idea of studying the potential health impacts of various projects would be a step that certainly would be in line with the whole idea of the Alberta Cancer Prevention Legacy Act. I said earlier that this health impact assessment could certainly control health care spending by building a healthier society. I think we all must work together towards this goal, Mr. Chairman. With a health impact assessment this bill, I think, would be improved.

There are other parts of this document that certainly have caught the eye of health care planners, and I would encourage all members of this Assembly and all people, whether they're involved with the Cancer Board or the Minister of Health and Wellness or other departments within government, that are hopefully doing some long-term planning, to take a look at this whole idea of health impact assessments and how they could help us reduce the rates of this dreadful, horrible disease. This disease is certainly affecting many

families, and when we set up this fund, I think we have to remember where we were six years ago and what I talked about when we had a shortage of radiation therapists in this province and what it meant to those who were diagnosed with the disease, with cancer.

So, hopefully, that will not happen again. Hopefully, this money will not have to be used to pay overtime because there is a shortage of these skilled professionals, and hopefully through this bill we will recognize that we always have to be training staff. We have to recognize that some are going to go to British Columbia; some are going to go to Saskatchewan; some may even go to California. I don't think we can point fingers when we're so aggressively recruiting these individuals from places as far away as Australia, but we have to make sure that we have the professionals in place.

After I conclude my remarks, I'm going to have a look at the annual report from the Alberta Cancer Board and just see the staff that are currently there and also, if I can through the financial statements, find out the rate of overtime. Hopefully, it will not be the same as it was three years ago, Mr. Chairman, because that statistic indicates that we still have a problem with recruiting and retaining these professionals.

[Mr. Marz in the chair]

With that, Mr. Chairman, I will conclude my remarks, but hopefully in the future another good, sound idea from the hon. Member for Edmonton-Riverview will be considered by this government, and that is the idea of incorporating into their long-term planning having a health impact assessment. Let's see if we can reduce some of these cancer-causing agents that are, unfortunately, too common in our environment.

Thank you.

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

Mr. R. Miller: Thank you very much, Mr. Chairman. Just some brief comments on Bill 1, the amended Alberta Cancer Prevention Legacy Act. I, too, would like to add my name to those members who have congratulated the Assembly this afternoon for the tremendous co-operation involved in amending this act. I believe that all Albertans will be better served by that change.

I also want to make a brief comment about the girls from Nellie McClung school that were here this afternoon. In light of the celebration yesterday, Mr. Chairman, of the 100 years of democracy, to see young leaders in our community involved to the extent that these young ladies were for an issue and a cause which they are obviously very passionate about I think is just a wonderful thing, and it speaks very well for the future of this province.

4:20

I'd like to congratulate as well my hon. colleague from Edmonton-Centre, again, in the spirit of democracy for, I think, setting a tremendous example for all members, showing that, in fact, democracy is a bottom-up process, a two-way street. So it's not just us getting up in this Assembly and talking about our views, but it's actually listening to our constituents and encouraging them to bring their ideas forward and then showing them, literally step-by-step, how the process can work, to the point where these young ladies as part of their CEEDs – CEEDs stands for curriculum enrichment and extension days – actually used one of those days to come to our Assembly today, Mr. Chairman, and see the next evolution of the process that they had worked on. So I just think that's a wonderful initiative by my colleague from Edmonton-Centre.

The other evening, Mr. Chairman, I heard the hon. Minister of Economic Development speak on Bill 1. He spoke very openly and

frankly and passionately about cancer and Bill 1 and the efforts contained in this bill to work towards eventually preventing and eliminating so many different kinds of cancer. I just wanted to thank the minister for the manner in which he addressed that situation. I think we've all heard that when you're dealing with cancer, attitude is everything. Clearly the minister has a great attitude as it relates to his particular struggle and journey with the demon cancer, and it was quite heartwarming to hear his address the other evening.

Mr. Chairman, I'm sure that every MLA who has spoken to Bill 1 has commented on the fact that they have in some way been touched by cancer, and certainly this MLA is no different. I lost grandparents to cancer, I lost a father-in-law to cancer, and I have a wife who is a cancer survivor. So it certainly touches close to all of us.

I support this bill totally, especially now with the amendment that was passed this afternoon. I look forward to seeing, hopefully, the positive impacts that it will have in the future for the citizens of this province.

With that, Mr. Chairman, I will take my seat and look forward to further debate in committee or perhaps in third. I felt it important to get those comments on the record because I think there has been some very good work done in this Assembly today. In the spirit of the 100 years of democracy that we've been celebrating yesterday and today, I think it's especially important to acknowledge that.

Thank you.

The Chair: Are you ready for the question on Bill 1, Alberta Cancer Prevention Legacy Act, as amended?

Hon. Members: Question.

[The clauses of Bill 1 as amended agreed to]

[Title and preamble agreed to]

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

Hon. Members: Agreed.

The Chair: Opposed? Carried.

Bill 2 Drug-endangered Children Act

The Chair: Are there any comments or questions? The hon. Minister of Children's Services.

Mrs. Forsyth: Thank you, Mr. Chair. Firstly, I'd like to take the opportunity to briefly mention and acknowledge the hard work of one member of my staff, who is seated in the gallery this afternoon. Laura Alcock, the director of our Child, Youth and Family Enhancement Act, has worked extremely hard on this particular piece of legislation.

Mr. Chair, I'd like to take the opportunity to address some of the questions asked during second reading. I was asked: why don't we just amend the Child, Youth and Family Enhancement Act? We've heard from stakeholders all over this province that a smaller, stand-alone piece of legislation would be more effective. It will be clear, it will be concise, and it will not be buried within a much larger piece of legislation. This will ensure that drug-endangered children receive the attention and protection they need. This means that it's more likely to be understood and used than an amendment. We need to make sure that this legislation won't be misinterpreted.

Some members also asked: how many drug-endangered children live in our province? Mr. Chair, because drug-endangered children aren't clearly defined under the enhancement act, we don't currently track the number of children who fall into this category. Furthermore, because Albertans aren't aware of the dangers children face when exposed to drug manufacturing and trafficking, we believe a number of incidences go unreported. But the fact of the matter is that more than once a week we're forced to remove a child from an environment where drugs are being made or sold. This is an emerging social issue in our province, and we need to be able to respond.

One of my colleagues also asked if this bill will help 30, 300, or 3,000 children. As far as I'm concerned, Mr. Chair, one child that has to grow up in such a damaging physical and social environment is one too many, but from what the police and our caseworkers are telling us, the problem affects far more than one child in our province.

There was also a concern during second reading that a child would be apprehended and left without family. Mr. Chair, these children are being abused, and their health and safety are in jeopardy. Apprehending a child is a serious matter and one my ministry does not take lightly. If the child can't be returned home within two days, an application for future care and longer term services would be made under the enhancement act. Under the enhancement act we make every effort to place children with their extended family and within their community.

I was also asked to specify which chemicals were referred to in Bill 2. Mr. Chair, it's very important that we don't limit the effectiveness of this legislation. The recipe for crystal meth is easily available on the Internet, and the ingredients are easy to come by. If there is any doubt, all members need to do is go online to see a number of recipes using a variety of ingredients. Cold medicine, iodine, paint thinner, drain cleaners are just some of the ingredients that can be used in meth. Because these ingredients are common and innocuous on their own, we were very careful to ensure that a guardian must not only possess the chemicals but must also have the intent of using them to manufacture illicit drugs.

A few years ago ecstasy was the drug of choice and the use of crystal meth was just beginning. Who knows what new or reinvented drug will present a risk down the road. Bill 2 will help us to respond to the emerging social issue, not only now but in the future as well.

A question was raised: what constitutes a cannabis grow op? Mr. Chair, the decision to remove a child from a cannabis grow operation would not be based on the number of plants presented. Instead, we look at the likelihood a child would be harmed if the child was to remain in that environment. Bill 2 is designed to protect children from serious illegal drug activity that poses a significant threat to the well-being and the safety of the child.

There were also some concerns that Bill 2 would allow the state to intervene in people's homes. Mr. Chair, the purpose of this legislation is to protect children exposed to serious drug-related activities such as manufacturing and trafficking. It will allow caseworkers to better protect children.

4:30

I've also been asked about one part of the bill that states that a child can be apprehended without an order if a child's life, health, or safety is in jeopardy. There is some concern that this may be abused. Mr. Chair, staff will be well trained so they understand when this is an appropriate response. Furthermore, the same provision currently exists under the enhancement act, and it is not abused.

One of my colleagues also asked how we prove a child has been or is likely to be physically, emotionally, or sexually abused. Mr. Chair, that definition is clearly set out in the enhancement act.

I was also asked whether this bill comes with any resources. This bill clarifies and focuses that attention on actions that can be taken to protect children exposed to serious illegal drug activity such as manufacturing and trafficking. As such, we don't expect a lot of additional costs. We must keep in mind that if a child cannot be returned to their home after the initial two days, we'll turn to the enhancement act to provide support.

Finally, Mr. Chair, I was asked: what are we doing to address the root causes of this problem? The issues surrounding drug-endangered children are complex, urgent, and ongoing. Drug use is a problem, and it's up to government as a whole to work together to effectively address this issue. A number of cross-government ministries are under way to do that.

In July 2003 government formed a cross-ministry working group on crystal meth involving nine ministries. AADAC has a variety of programs that deal with drug use and addiction. A variety of crime prevention programs are also now in place, and most recently Mrs. Colleen Klein headed up the Crystal Meth Task Force. At Children's Services we have the advancing futures bursary program. This program provides bursaries to kids who are or have been in government care so that they have the opportunity to continue their education. The hon. Member for Lac La Biche-St. Paul has been doing some outstanding work with the Youth Secretariat. This secretariat works with youth to identify and address key issues facing our young people. We're also piloting projects in Edmonton and Calgary to develop new ways to work with high-risk youth. This includes special steering committees and programs targeted specifically at our high-risk youth.

Bill 2, Mr. Chair, is about protecting children. It will help us ensure that all Alberta children have the safe, healthy, supportive home they deserve, a home free from abuse. I ask all members to support this important piece of legislation and ensure a promising future for some of Alberta's most vulnerable children.

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

Mr. R. Miller: Thank you very much, Mr. Chairman. It gives me pleasure to speak to Bill 2, the Drug-endangered Children Act, in Committee of the Whole. I will be supporting this bill. I think it is a good step forward in terms of addressing some of the serious issues, particularly as it relates to crystal meth and the growing problem of crystal meth but also the issue of marijuana grow operations and the dangers that they pose to Alberta's children.

I consulted rather extensively over the last few days with a number of members of various police forces that I know but particularly a member of the Edmonton Police Service, Doug Green, whom I have mentioned in this Assembly before. He is a school resource officer at Harry Ainlay high school and does a tremendous job educating children about the risks of crystal meth and other illicit drugs with the assistance of his black Lab, Ebony. Just a great program that he operates, and I would strongly encourage all members of this Assembly to seek out a presentation of Doug Green's. I'm more than willing to facilitate that at any time. It's just amazing to see the reaction of the children as they learn with the help of a passively trained drug dog not only what the dog is capable of doing but, of course, as part of the learning exercise the dangers of crystal meth and the other drugs that they're constantly faced with in their lives.

I also spoke at length with a superintendent of the RCMP, and both of these police officers that I've spoken with at length are supportive of this bill, and I think that shows that we're on the right track if both local Edmonton police and RCMP – actually, the RCMP officer I spoke with is in Richmond, B.C., so it's not just Alberta that we're talking about now but recognizing, of course, that this is a problem that extends beyond our borders.

A couple of things that they pointed out and that I'm glad to see are addressed in here. There's always a danger right now with crystal meth sort of being the drug that has caught the attention of the media, I suppose, as well as legislators and many parents for sure. I mean, there's just a general growing awareness of the dangers of this drug. There's always a danger, then, that we may pay a little too much attention to that drug at the expense of others, so both of the gentlemen in question were pleased to see that we've addressed the situation of marijuana grow ops because they, too, pose a serious danger to children, especially when it comes to issues of mould and toxicity. One of the comments from the RCMP officer was that any time you mix water and electricity, you're asking for trouble. The pesticides that are used in these operations – and let's extend it to other things, mushrooms as an example. I think the minister mentioned a few minutes ago that we never know what the next drug of choice might be. So certainly it appears that this bill is all encompassing, and that's good.

Some interesting things came out of the conversations with these officers as well. It's funny how these things work. I was able to consult with another RCMP drug officer this week who spoke to my Rotary club, giving a presentation on meth labs. One of the things that came out of that is that only three meth labs were busted in Edmonton last year. That is by large reason due to the fact that these operations have become smaller and more portable. They're not what we envision in terms of, you know, great big – I shouldn't say that they are not because there are still big operations, but they can be in a box and moved literally from location to location. The officer that spoke to the Rotary club on Wednesday indicated that, in fact, you can carry a box into a hotel room and manufacture a pound of crystal meth within four hours.

Interestingly enough, at my particular Rotary club the manager of the hotel where we have our club meetings is also a member of the club, so I asked the hotel manager whether or not he had had that experience. Indeed, they have had in that particular hotel two or three occasions where they have discovered meth labs. The staff has discovered meth labs right in the hotel. So it's a very real danger not just to children but to anybody that might be staying in that hotel. For all you know, there's a meth lab right next door on the other side of the wall in your hotel room. In fact, a number of hotels have now undertaken initiatives where they're training their staff what to look for in terms of whether or not there may be a meth lab in the hotel or may have been one operating.

This is interesting to me in that there are so few labs being found now as a result of the fact that they're becoming smaller and more portable, but I think it also illustrates, Mr. Chairman, the fact that children may be in even greater danger if, in fact, these things can be moved around as readily as they can.

The other fact that came forward from one of the gentlemen I spoke to was that in his experience – and he has spent a number of years on the drug squad – somewhere between 10 and 20 per cent of meth labs and marijuana grow operations will have children in the vicinity, actually in that particular structure. That as well causes us to support this bill. In particular, he mentioned hotels, as I've already outlined, but also daycare centres and schools and so forth that might be in the area of the meth labs. So while this bill

addresses particularly children that might be housed in that structure, in that house or apartment or hotel room, there's certainly a concern as well for other children that might be in the vicinity.

4:40

So with those opening comments, then, I would like to just sort of go over some of the concerns that we have section by section in the committee stage, and perhaps with the minister's assistance we may be able to address some of these this afternoon.

Section 1. The minister did mention that not only are we talking about the possession of chemicals – and I do appreciate how difficult it is to define the chemicals – but the fact that the bill talks about the intent of manufacturing an illegal drug. The only question I would have there is: does the minister have any idea as to how we would actually define intent? Is it based on quantity, for instance? Again, most of us are aware or can easily find out which chemicals are involved in the manufacture of crystal meth, but are we talking about 45-gallon drums? Clearly, there's intent. Are we talking – and I would hope not. You know, a package of Sudafed probably wouldn't be included. So I'm wondering if the minister might just be able to identify for us how we're going to define the word "intent."

Certainly, I can share with this House that when I was speaking to the various police officers, they said that they're glad to see that we're talking about intent to manufacture because if you wait until the manufacturing is under way, that just doesn't make any sense. If these chemicals are present in any quantity or if there are some other criteria that show that, in fact, intent was there to manufacture, clearly the children are in danger and action would be required.

In section 2(9) we talk about "reasonable and probable grounds to believe that the child's life, health or safety is seriously and imminently endangered." The minister mentioned a few minutes ago that all of the police officers and directors would have training to help to identify both of those – that is, which would be reasonable and probable grounds – and also whether or not the children's health and safety is seriously and imminently endangered. The question I would have there would be: how much training? What would the training look like? Are we talking about a half-day course or a one-day course, or is it, perhaps, something more extensive that would help these various officials to know exactly when a child might be in imminent danger or their health jeopardized?

Section 2(10) again talks about a police officer or director may enter a premise and if necessary search for a child again using reasonable and probable grounds. Again, the same question is: just how much training is going to be in place to ensure that those officers do in fact use reasonable and probable grounds? Is the minister going to be able to ensure either through this legislation or perhaps in regulation that we won't have unauthorized or unwarranted searches of homes?

Section 3 under the heading Notice of Apprehension. There's discussion of notification to the guardian "by any method." This question may have been asked before. I didn't hear the minister answer it this afternoon, so if I can beg her forgiveness if it has been asked and answered before, I apologize. But it does raise some concerns as to just what "any method" might be and whether or not that is sufficient. Perhaps we should define a little more specifically how notification might be given.

I'm just using as an example, Mr. Chairman, a message left on an answering machine. We all know – certainly I know. I have teenage children, and I'm often left messages that disappear by the time I get home, and I would normally have received them. You know, I like to think that my home is relatively stable. If we're talking about some of these homes where the situation might not be as rosy, there are any number of scenarios that one could envision where notice

might not arrive to the guardian. So I'm wondering if we could have, perhaps, some clarification on that. In B.C., as an example – and I'm sure that the minister probably is aware of this – their family and community service act requires that notice must, if practical, be in writing and must include a statement of the reasons for removing the child. So I would suggest that that might be a good idea for us to consider as well. Section 3(4), again under Notice of Apprehension, talks about "reasonable effort" having been used "to give notice in accordance with this section." I'm just wondering if the minister might be able to identify for us how we would define reasonable effort.

Again, Mr. Chairman, under item 4 of the notice of apprehension it talks about when a child is apprehended under the act, the director would have exclusive custody of the child and is responsible for the child's well-being. Perhaps the minister was addressing this when she talked about every effort being made to keep the child with family members because that was my question. Would we look first at perhaps an aunt or an uncle or a grandparent or some other stable situation where we might be able to place the child rather than putting them in an unfamiliar setting? I believe she did address that, and I do appreciate that.

Those are the questions that I would have in the committee stage, Mr. Chairman. As I said, despite the relatively minor concerns I have, certainly the members of law enforcement that I have spoken to are in favour of this bill. They think it's a step in the right direction. They do believe that we've covered our bases in terms of addressing not only crystal meth and the marijuana grow ops but also some of the other drugs, current and perhaps future, that might put children in danger. They support it, and I will be supporting the bill as well.

Thank you, Mr. Chairman.

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

Mr. Cao: Well, thank you, Mr. Chairman. It gives me great pleasure to rise and voice my support of Bill 2, the Drug-endangered Children Act. I commend the hon. Member for Calgary-Fish Creek, the Minister of Children's Services, for bringing this legislation forward.

Mr. Chairman, Albertans reside in a province of great prosperity. We look after our children, communities, and in this respect, again, this is a great piece of legislation. Our children represent the future of our province, and we focus on protecting them from the harmful environment, even uncaring parents or parents who are into illegal activities. I think we cannot and must not fail those children.

When I look at this piece of legislation, there is a perspective, a common understanding that drug abuse only happens in what I call high-needs areas, or I could say a low-class neighbourhood, but actually it is not. It is prevalent in all areas of society. This law will help us to protect our children across the province, across all communities, across all cultural and ethnic groups.

I think that the most effective element of Bill 2 is that it suggests that a child that is exposed to an environment of illegal drug trade is endangered and, therefore, the victim of abuse. Intervention is then deemed necessary, and in my thought, Mr. Chairman, this will prove to be a very successful deterrent to any individual, those involved and those who may be considering becoming involved with drugs.

The fact that any child is living within this kind of unstable and dangerous environment is in itself a proof of abuse. The children can be harmed in many ways. The most obvious one is physical abuse, but in the long-term they suffer negative health effects, exposure to toxins and chemicals, and even more troubling, Mr.

Chairman, are the psychological consequences that children may face due to exposure to drug activity.

4:50

It is possible that affected children who live in an environment where illegal activity is normal may not understand that it is wrong. They may believe that the activity is morally acceptable, and they may even become prone to experimenting with such activity themselves in a later part of their lives. This would ultimately compound the problem even more. Bill 2 aims at preventing exactly that, and it will strike a hard blow to drug activity in Alberta while preserving the innocence of our children. I believe that the act will allow for children who are considered to be abused to be placed in an environment where they will be protected, loved, and nurtured. It will give them a home that fosters kindness and gives mutual respect. It will help to reinforce the solidity of the family dynamic.

Even further, this act will encourage communities to become more actively involved in detecting and reporting illegal drug activity. Communities must be seen as large families, as support networks where everyone is looking out for each other. As people become more vigilant in the defence of our youth, neighbourhoods from all over the province will have the opportunity to rid themselves of this kind of negative activity.

Mr. Chairman, Bill 2, as I read it in detail, is the first of its kind in Canada and will show the rest of the country that Albertans are prepared to take a stand in defence of the rights and welfare of our children and to stand up against illegal drug activities. This proposed legislation may also lead the way for others for improved and innovative ways for fighting drug crime.

I suggest that, following the lead of Bill 2, Albertans should look at legislation or city bylaws to create a tracking system designed to record and monitor hydroponic greenhouse equipment sales. It would aid in the fight against illegal marijuana grow operations. Hydroponic systems are commonly found in marijuana grow operations as they allow the plants to grow faster in a small area with no soil involved. These systems will grow a large number of plants in a relatively small area.

For equipment like this, commonly known as garden or greenhouse equipment, that the illegal grower relies upon to keep the operation concealed and running, the creation of a registry would allow all hydroponic greenhouse equipment sales from across the province to be traced to the individuals who purchased it. It could be argued that this would be seen as invasion of privacy, but I feel that it would simply serve to increase the transparency of the purchase. It would also provide valuable information for authorities should any illegal activity arise.

A current city of Edmonton business licence bylaw with regard to municipal pawnshops offers insight into how this could be accomplished. This bylaw requires that the licensee of a pawnshop obtain from the person pawning the goods detailed personal information: two pieces of identification; a description of the goods in question, including details such as make, model, serial number; and other information about the transaction. Now, in case of any illegal activity the authorities are able to trace the originals of the goods sold with the help of the information obtained at the time of the sale.

Another means of fighting crime in illegal drugs is looking at the money, tracing the money. Drug activity creates some benefits for drug-dealing people. The question should be asked why some people have no proven source of high income, no profession, and are of young age, and they own big homes, acquire expensive cars, keep expensive assets and large amounts of cash.

Now, I believe that a system of such monitoring of hydroponic greenhouse equipment and going after the money would be excellent

mechanisms to help the province fight drug crime as well, so those are things that I suggest for further on.

As far as Bill 2 is concerned, I think this is an excellent piece of legislation, and I conclude that we should all support this bill and have it passed wholeheartedly as this is a great cause in fighting for the children. Thank you.

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

Dr. Pannu: Thank you, Mr. Chairman. I'm pleased to rise and speak to Bill 2, the Drug-endangered Children Act, in this debate in the committee. I want to make it very clear at the very beginning that I agree with the purposes of the act, the spirit of the act, the objectives of the act. Children must be protected from abuse, even when that abuse is practised or inflicted by their own parents, guardians, or caregivers.

In the same vein, Mr. Chairman, I also want to reiterate my belief that children must be protected from abuse from actions taken by governments, by the state, or its agencies, be they child care agencies, social work agencies, or law enforcement agencies. In principle our concern is protecting children from abuse regardless of which quarter that abuse comes from. So, as I said, we are in agreement with the fact that children must be protected from abuse, and this particular piece of legislation speaks to a particular kind of abuse which results from drugs produced inside family dwellings, I presume.

Mr. Chairman, our research staff contacted and I personally spoke with some law enforcement representatives. I spoke with Sergeant Sanderson from the RCMP K Division just a few days ago, and he sent me, as he promised during the conversation, this document called Drug Endangered Children: Equating Drug Activity to Child Abuse. An interesting document.

One thing that struck me here was a bar graph on page 5 of this, which I found quite revealing. Distinctions were made in the incidents of crystal meth trafficking – that's all the information there is in this graph – between what is called northern Alberta and southern Alberta. It's quite striking that the rate of increase in the files on trafficking in this particular drug is very high. It's grown over the years in northern Alberta dramatically, I should say, whereas in southern Alberta there is continuous growth but at a very, very low rate. So I really would like to get the minister's attention to this issue. It seems to me that if this graph tells us something about the evidence of drugs being produced – in this case it's not about production, it's only about trafficking in drugs. In order for drugs to be trafficked, they have to be made available. You know, they have to come from somewhere. Some of these may be produced in homes in Alberta itself.

5:00

The impact of this piece of legislation – in the name of protecting children, we'll have to remove children from parents or caregivers – the uneven effect of impact given the demographic differences between northern Alberta and southern Alberta is something that we must address. Northern Alberta, I submit, Mr. Chairman, has a much higher proportion of First Nations Albertans dwelling in the region as compared to southern Alberta. We already know that the problem of child abuse, of child neglect, or other reasons for which children get removed from families is much more serious within these communities, the First Nations communities. It's a fact that's undeniable. It's a fact that must be recognized when we develop public policy, social policy as well as legislation that reflects that social policy. So I have a concern that the children that will get removed will overwhelmingly, perhaps, come from northern Alberta,

using this relevant indicator, and that in northern Alberta the families from which the children will be removed will predominantly be First Nations families. I invite the minister and the department staff to really look closely at these possibilities and then ask themselves: are the actions that we are taking appropriate?

The second point I want to make, Mr. Chairman, is the question of abuse in the family and what happens to children once they get removed from the family and become wards of the Crown. In that respect I want to share with the House and with the minister a revealing documentary that I just happened to come upon by accident. I happened to be home on the evening of March 7, about a week or so ago. I turned the TV on – and this was between 8 and 9 o'clock – and on the Newsworld channel there was a documentary called *Wards of the Crown*. That was a recently produced documentary under the program called *The Lens*. It's a new program on Newsworld.

This talked about the experience of children who get removed from families and what happens to them through the words and the experiences of the children narrated by themselves, using their own words. Of the four that were interviewed, two of them – I noted their names: a girl, Leah, and a young adolescent fellow, Andrew – had been shuffled through the system, moved from one foster family to the next foster family to group homes and, ultimately, onto the street. It was very painful to listen to their story. Children that are removed from the family don't necessarily get the protection that they need. In fact, they get exposed in many cases to continued abuses of who they are. They have a sense of instability, a lack of belonging, a lack of sense of place. Therefore, the problems that they develop in their psychological development and in their ability to develop social relationships are huge, absolutely huge.

So I would urge the minister to perhaps get hold of this video and look at it as we deliberate on this bill and how effective the measures proposed in it will be, notwithstanding the very noble goals that we have in mind that we want this legislation to accomplish. It's not a partisan issue. I say without any reservation that I'm with the minister on this. We must protect our children from harm. We must try to reduce the possibility of harm, but we must also weigh the effectiveness of the measures that we propose to take in order to do so. This particular documentary draws attention to it.

Mr. Chairman, the third point I want to make has to do with the conventions of the rule of law in a democratic society. All of us are engaged in celebrating 100 years of democracy in our province. We have a proud record. We also know that we made mistakes in the past when we took rights away from people who were disabled or whom we saw as imbeciles, or whatever, and we corrected ourselves. But as we move forward into the next century, I think we must ask the question of whether or not we respect on a continuing basis, on a systematic basis the strictures of the rule of law that this principle imposes on the state and on the legislators when making their laws. What do I mean by it? I want to very quickly go through this.

The rule of law entails, of course, preventing the state from unauthorized and unchecked use of power in the enforcement of laws, in the apprehension of children or other people, some of whom may in fact be criminals. The rule of law, Mr. Chairman, requires that we reserve the use of coercion, detention, punishment, the use of force to remove children. There are actually words used in this legislation to say that if necessary to use force to remove children from families, the use of force is for those who have been shown, on the basis of sound evidence and fair procedure – two things here: sound evidence and fair procedure – to have committed some wrongful act.

The police can invade privacy by tapping the phones or searching houses but only after getting a warrant based on probable cause that evidence of crime is likely to be found – probable cause that evidence of crime is to be found; in this case, that evidence of abuse is to be found. Individuals can be arrested or children apprehended or removed from their families and put under Crown custody only after government shows probable cause that they have committed a crime or have been abused. They can be preventively detained but only after evidence is submitted of the past wrongdoing as well as of danger to the community or to children at the hands of their parents or risk of flight, whatever. They can be punished only upon proof of guilt beyond a reasonable doubt.

Now, in my judgment, Mr. Chairman, section 2(9) and (10) seem to offend this fundamental principle of the rule of law and respect for the rule of law by all parties, particularly by the state. In this case I want to draw section 2(9) and (10) to the attention of the House for a serious look at those two provisions in the act. To me they seem to run against the grain of the rule of law doctrine, on which all of our democratic decisions and practices in law should be based.

So I have an amendment that I would like to introduce. It doesn't have to be voted on today. I would urge the minister to look at this. If she doesn't want to, that's her decision. All I'm saying is that by tabling this amendment today, I'm providing the opportunity to the House and to the minister to at least consider it before we move forward on this bill. So, Mr. Chairman, I have this amendment, and I want to circulate it.

5:10

The Chair: We will refer to this amendment as amendment A1.

Everyone has a copy. Please proceed.

Dr. Pannu: Thank you, Mr. Chairman. I would like to draw the attention of the House to the first eight subsections of section 2, (1) to (8) inclusive. These eight subsections of section 2 are entirely consistent with the doctrine of the rule of law. So I would be very happy to vote for those eight subsections of section 2 because they, as I said, are totally consistent with the principle of the rule of law and respect for the rule of law.

However, as we move to subsections (9) and (10), Mr. Chairman, subsection (9) says:

Notwithstanding subsection (1), a director or police officer may apprehend a child without an order if the director or police officer has reasonable and probable grounds to believe that the child's life, health or safety is seriously and imminently endangered because the child is a drug-endangered child.

This subsection relieves the law enforcement authorities or the director of the strictures that the rule of law imposes on the state and its agencies when acting to enforce a law. That is why I think that this subsection (9) is a matter for concern and should not be part of the final piece of legislation.

Similarly, Mr. Chairman, subsection (10) of section 2 says that:

A person who is authorized to apprehend a child under subsection (9) and who has reasonable and probable grounds to believe that the child may be found in a place or premises may, without an order and by force if necessary, enter that place or those premises and search for the child.

Mr. Chairman, in my view, again, this subsection (10) is in violation of the principle of the rule of law.

So what I'm proposing, then, by way of the amendment before the House is that these two subsections, which offend the very fundamental principle of the rule of law on which our parliamentary

system is based, on which our laws are based, on which our law enforcement activities are based, be removed from the bill. That is the purpose of this amendment. The amendment moves that “Bill 2, Drug-endangered Children Act, be amended in section 2 by striking out subsections (9) and (10).”

I would, in concluding, Mr. Chairman, urge the minister to at least give it some consideration. I’ll be happy to receive her advice and sit down with her and go over it. If after that we don’t agree on this, then surely, you know, she has all the powers and opportunity to move forward. But I would urge the minister not to proceed with haste on this bill until she has had the opportunity to consult with her officials and with other members of this House and, hopefully, to give me an opportunity to talk with her about it, if she so chooses, before proceeding.

Thank you, Mr. Chairman.

The Chair: The hon. Minister of Children’s Services.

Mrs. Forsyth: Thank you. I was actually holding myself in my chair so that I wasn’t jumping up immediately when I heard the hon. member talking about striking out sections 2(9) and (10). Mr. Chair, this isn’t about the rule of law. This is simply about protecting children. That’s what it’s about. The act authorizes either the director or the police to apprehend a drug-endangered child. The application for an apprehension order must be made to a court in person or by telephone. When there’s imminent danger, then a child can be apprehended.

What I’d like to say to my colleague across the way is that when we were in the process of drafting up this legislation, we consulted with stakeholders. We talked to the police. We talked to caseworkers. We had it go through Justice in regard to all of the sections within this piece of legislation. As Minister of Children’s Services I would encourage the hon. member to see some of the things that cross my desk on a daily basis when we’re talking about some of the poor children in this province that we have to apprehend. For example, the police are called to a family violence situation, and it ends up that all of a sudden they’ve come across a meth lab or something. It could be a huge grow op. It could be a number of things. We just read in the paper recently about a child pornography case. There are times in this province when we have to apprehend children immediately.

I would encourage all members in the House not to support this amendment.

The Chair: Anyone else?

Mrs. McClellan: I’d like to speak on this just very briefly. I think that when you read this whole section in its entirety and you come to subsections (9) and (10), it’s very clear that the reason you would apprehend a child without an order is because of the child’s life, health, or safety. That, to me, is the answer. It’s only under those circumstances where an officer believes that a child’s “life, health or safety is seriously and imminently endangered.” That would be the only exception.

I can’t imagine that any one of us – any one of us – in this room would agree that you should not step in to save a child’s life. I don’t think the hon. member believes that either. I think he may be right in some of his comments on the rule of law. This is the rule of law for a child. I couldn’t support that amendment after reading the whole section and understanding all of the opportunities that there are to go through the process properly. When I read the section and it says that a child’s life, health or safety is seriously endangered, to me this section has to stay.

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

5:20

Mr. Backs: Thank you, Mr. Chair. I take seriously what the Member for Edmonton-Strathcona says about how we look at the rule of law in our province and in our country. We should take those comments very, very seriously in how we deal with this bill. It is an important bill, and we must deal with this very, very serious problem, somehow bring to bear the force of the government on the problems of crystal meth and, really, other drugs. I think the mover of this amendment has got some very clear arguments, that this should be looked at a little bit further, some good arguments for delaying and thinking and pondering this a little bit further.

With that, Mr. Chair, I’d move adjournment on this amendment.

[Motion to adjourn debate lost]

The Chair: Does anyone else wish to speak? The hon. Minister of Children’s Services to speak on the amendment.

Mrs. Forsyth: Mr. Chair, I have to get up just one more time because I think there’s some confusion within the House. The Child, Youth and Family Enhancement Act that we have in place at this particular time and the Child Welfare Act before that all had this same piece, sections (9) and (10), in the legislation. It’s not about the rule of law. It’s that the child’s “life, health or safety is seriously and imminently endangered because the child is a drug-endangered child.”

I urge all members of the House not to support this amendment brought forward by the hon. member from across the way. It’s something that on occasion we have to do in this province to protect our children who are very, very vulnerable.

Dr. Pannu: Mr. Chairman, I’m very, very sensitive to what I’m hearing here. The issue is not whether or not children when in danger must receive immediate protection or relief from that danger. That’s not the issue. The bill is about endangering children through their exposure to the manufacturing or cooking of drugs. The whole notion of immediate danger that creeps into the argument here seems to be really out of place. The danger that the bill speaks to, what it’s talking about, is the danger that results from an activity called drug manufacturing, illegal drugs being produced in the family residence, in the basement or wherever.

I ask: what is the probability of immediate danger to the lives of the children here? I don’t see that. The argument that these two provisions are already there in another act doesn’t justify continuing to make the mistake, what I would think would be a mistake if it’s already in another piece of legislation. The issue should be debated on the grounds of whether the ability to enter a premise to apprehend a child because the child’s parents or family or caregivers are cooking some sort of drug should be appropriately authorized. I say that the practice of the rule of law, on which all democracies are based, and respect for the rule of law require that an order be issued by an independent authority, not the authority that is going to enter the house.

I think it’s a fundamental right to have protections on that kind of entry and intervention. That’s the issue. The provisions in the act between subsections (1) and (8) allow the director or police enforcement authority to use the phone to seek such authorization to enter a family dwelling, to call by phone or through other technical means. So provisions are there. They do allow the ability of the law enforcement authorities to seek that kind of legal order before they enter, and that, Mr. Chairman, is the kind of guarantee that I am

seeking, that this bill and other bills that we have that deal with the violation of our rights to privacy be addressed properly and be addressed seriously in this House.

I'm not at all at loggerheads with the minister or with the argument that children must be protected, but so should be our liberties. That's the issue. The minister says that there's no evidence; she has no numbers. So how serious is the incidence of this problem in this province? If there's no emergency, why is it necessary, then, to suspend our fundamental liberties? That's the question I'm asking. Subsections (9) and (10) in my view do in fact amount to the suspension of our fundamental civil liberties by way of allowing law enforcement authorities to enter a place and remove a child without proper and prior legal authorization by a court or by a justice of the peace. That's the issue.

We ought not to take these matters so lightly simply because we get carried away with an argument. If the minister had given me some evidence – and many other members have asked her to do the same. Tell us: how serious is the problem? What's the scale of the problem here? Have you got some numbers to convince me or anyone else in the House that it's such a serious problem that you want to go ahead and suspend our liberties in such cases?

The argument that children are endangered doesn't make sense to me. The danger that's being addressed in this bill is the danger that results from an activity to produce drugs in the house, not an immediate danger to the safety and the life of the child. It is the long-term harmful effects. Abuse is the word that you use. Abuse isn't some sort of a death sentence, you know, that right away the child is going to be dying because someone is producing crystal meth. That could happen if the drug is consumed, but that's not the issue here.

It's a legislation that has serious intentions, good intentions. It's also a legislation that, in my view, must raise some serious concerns on the part of all of us as lawmakers. I'm simply doing my duty as a member of a democratically elected House of Assembly to draw attention to the fact that we must always respect and subscribe to the values of freedom, of liberty that are enshrined in our Constitution, that are enshrined in our laws and do what we can to make laws that will do the thing that we want them to do while at the same time respecting those fundamental freedoms and liberties.

I rest my case, Mr. Chairman. Thank you.

The Chair: Are you ready for the question?

Hon. Members: Question.

[Motion on amendment A1 lost]

The Chair: Are you ready for the question on Bill 2, the Drug-endangered Children Act?

Hon. Members: Question.

[The clauses of Bill 2 agreed to]

[Title and preamble agreed to]

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

Hon. Members: Agreed.

The Chair: Opposed? Carried.

The hon. Deputy Government House Leader.

Mr. Zwozdesky: Thank you, Mr. Chairman. I would move that the committee rise and report Bill 1 as amended and Bill 2.

[Motion carried]

[The Deputy Speaker in the chair]

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

Rev. Abbott: Thank you, Mr. Speaker. The Committee of the Whole has had under consideration certain bills. The committee reports the following bill: Bill 2. The committee reports the following bill with some amendments: Bill 1.

Mr. Speaker, I wish to table copies of all amendments considered by the Committee of the Whole on this date for the official records of the Assembly. I'd also like to table copies of documents tabled during Committee of the Whole this day for the official records of the Assembly.

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

Hon. Members: Agreed.

The Deputy Speaker: Opposed? Carried.

The Assembly stands adjourned.

[At 5:30 p.m. the Assembly adjourned to Monday at 1:30 p.m.]