

Legislative Assembly of Alberta

Title: **Tuesday, March 21, 2006**

1:30 p.m.

Date: 06/03/21

[The Speaker in the chair]

head: **Prayers**

The Speaker: Good afternoon.

Let us pray. Author of all wisdom, knowledge, and understanding, we ask for guidance in order that truth and justice may prevail in all of our judgments. Amen.

Please be seated.

head: **Introduction of Visitors**

The Speaker: The hon. the Premier.

Mr. Klein: Thank you, Mr. Speaker. We are indeed lucky and fortunate to have with us today Canada's very first gold medallist in the 2006 Winter Olympics, Jennifer Heil. Jennifer is here today with her mother, Heather McSporrnan-Heil; her agent, J.D. Miller; her coach, Dominick Gauthier; and Ken Scott, the mayor of Spruce Grove.

Jennifer is a true-blue Albertan. She was born and raised in Spruce Grove. She began skiing at the age of two and took up the sport of freestyle skiing when she was 9.

You know, I have to tell Jennifer of my experience skiing. I took lessons at what was then the old Paskapoo, and a friend took me up to Lake Louise. I'm stumbling around, and he said: just follow the trail. I saw a sign that said ladies downhill so I took it. I gave up skiing after that.

But I can tell you that Jennifer's years of hard work and training paid off in spades at the recent Olympic Games in Torino, Italy. She made her fellow Albertans exceptionally proud, taking home the gold in the Olympic freestyle moguls event. Jennifer's win was not only Canada's first medal of the games but was also the first gold ever won by a Canadian woman in a moguls event. Needless to say, it was also a win that marked the beginning of a great medal run for Alberta athletes.

Jennifer is seated in the Speaker's gallery, and I'll ask all members of the Assembly to join me in offering her and her delegation the traditional warm welcome of the Legislature. [applause]

The Speaker: The hon. Minister of International and Intergovernmental Relations.

Mr. Stelmach: Thank you, Mr. Speaker, but this introduction will be made by our whip, who hosted our very special guest, the ambassador from France.

The Speaker: The hon. Member for Bonnyville-Cold Lake.

Mr. Ducharme: Merci, M. le Président. Je suis très fier d'introduire à vous et à tous les membres de l'Assemblée M. Luc Serot Almeras, le consul général de la France.

Mr. Speaker, I'm pleased to introduce to you and through you to all the members of the Assembly Mr. Luc Serot Almeras, the consul general of France. The consul general, who is based in Vancouver, is on his first official visit to Alberta. France is the world's fifth largest economic power and is Canada's third largest source of foreign investment. Indeed, French investments were in the spotlight last year when the energy group Total increased its investments in Alberta's oil sands. Accompanying the consul

general is M. Gérard Carlier, honorary consul of France in Calgary, and Corinne Arabeyre, présidente de l'Alliance Française d'Edmonton.

Mr. Speaker, I would ask our honoured guests, who are seated in your gallery, to please rise and receive the traditional warm welcome of the Assembly.

head: **Introduction of Guests**

The Speaker: Well, we'll call on the Minister of International and Intergovernmental Relations again.

Mr. Stelmach: Thank you, Mr. Speaker. I wish to introduce to you and through you to all members of this Assembly 75 very, very special guests from the A.L. Horton elementary school. They are seated in both galleries. Today they are accompanied by teachers Mrs. Bev McCarty, Mrs. Colleen Welsh, and Mrs. Larissa Moroziuk and parent helpers Mrs. Kim Giesbrecht, Mrs. Ann Waters, Ms Karen Schmitke, Mr. Darcy Humeniuk, Mr. Eugene Rudyk, Mrs. Svitlana Fedorouk, Mrs. Helen Litwin, Mrs. Cheryl Elkow, and Mrs. Nancy Makowecki. Please all rise in both galleries and really give them a warm welcome to this Assembly.

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

Mr. Horner: Well, thank you, Mr. Speaker. Last evening in Spruce Grove we had a tribute to Jennifer Heil in the TransAlta leisure centre, and I was honoured to be able to listen to Jenn speak to the kids that were assembled in the TLC and talk about all of the things that helped her accomplish her goals and the choices she made. One of those things is the people that have helped her to achieve those goals by being, in some cases, her eastern family, and we have some of those members in our gallery today. They are Andrea Miller, Jason Miller, and Julia Miller, who are seated in the members' gallery. This is Jennifer's eastern family who help her do what we're so proud of her doing. I'd ask that they rise and receive the traditional warm welcome of our Assembly.

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

Mr. Lukaszuk: Thank you, Mr. Speaker. It's indeed a pleasure to introduce a young constituent of mine. Kate Bolsten-Hoder is a second-year student at Athabasca University, one of our great long-distance learning universities, and she is studying political science and anthropology. I suggested to her that upon graduation she will be well qualified to study dead politicians. I would ask her to rise and receive the usual warm welcome of this Assembly.

Thank you.

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

Mr. R. Miller: Thank you very much, Mr. Speaker. I have two sets of introductions this afternoon. The first is a very special group from D.S. MacKenzie junior high school in my constituency of Edmonton-Rutherford. We have with us today four exchange students from Fushimi school in Sapporo city, Hokkaido province, our sister province in Japan, and I'm going to introduce them. They are Hikari Ezaki, Yoshifumi Sawada, Yuki Shipagaki, and Momoko Shindo. They're up in the public gallery. As well, they are accompanied by two young ladies who will be returning to Japan this summer as part of the exchange, Heather Johnston and my daughter Kim Miller. I'll ask them to stand. Accompanying them are several other family members and students from D.S. MacKenzie as well as

the principal of D.S. MacKenzie school, Mr. Phillip Grehan, teacher leader Miss Christine Cao, and parent helpers Mrs. Joyce Aulenback and Mr. Randy Johnston. Could they please all rise and receive the traditional warm welcome of the Assembly.

Thank you, Mr. Speaker. On behalf of my hon. colleague from Edmonton-Centre I also have a group that I would like to introduce from the Metro Community College. There are 15 students today, and they're led by their group leader, Betty Woloszyn. I would ask them to rise as well and receive the traditional warm welcome of the Assembly.

1:40

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

Mr. Mason: Thank you very much, Mr. Speaker. I am delighted today to introduce to you and through you to this Assembly Sherry McKibben. Sherry was an Edmonton city councillor between 1994 and 1995 and served as president of the Alberta NDP between 1995 and 1997. Prior to her term at city hall Sherry worked with the Boyle-McCauley Health Centre on a number of projects, including Alberta's first harm reduction and needle exchange program. She served as the executive director for the Norwood child and family service centre and most recently as the executive director of HIV Edmonton.

Mr. Speaker, I'm pleased to announce that Sherry has agreed to join our caucus as the chief of staff. We're excited to have Sherry join us and would like her to please rise and receive the traditional warm welcome of this Assembly.

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

Mr. Martin: Thank you, Mr. Speaker. I am pleased to introduce to you and members of the Assembly Liesel Hack. Liesel is a social work student who is doing her field placement in my constituency office. She's a first-year student at Grant MacEwan College and is interested in areas of social policy and international development. Liesel has been an invaluable member of our team in Edmonton-Beverly-Clareview, and we are happy to have her with us. She is seated in the public gallery, and I would ask now that she rise and receive the traditional warm welcome of this Assembly.

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

Mr. Eggen: Thank you, Mr. Speaker. It gives me great pleasure to introduce to you and through you to members of this Assembly Mark Ramsankar. Mark has been a special education teacher with the Edmonton public school board for the past 19 years. In his 20th year Mark was elected to the Edmonton public school board local as the president. He's working very hard to represent teachers in a strong public education system. He's seated in the public gallery, and I would now ask him to please rise and receive the traditional warm welcome of this Assembly.

The Speaker: Are there others? The hon. Minister of Human Resources and Employment.

Mr. Cardinal: Thank you very much, Mr. Speaker. It's my pleasure to introduce to you and through you to members of the Assembly 23 grades 5 and 6 students from Namao school. They are accompanied by their parents and teachers, and they are seated in the members' gallery. I would like them to rise and receive the traditional warm welcome of the Assembly.

head:

Oral Question Period

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

Unbudgeted Surpluses

Dr. Taft: Thank you, Mr. Speaker. This province needs a government with a plan and the guts to stick to it. While the hard-working people of this province certainly deserve to get something back from their government, there is a right time for rebates. The right time for rebates is when the roofs of our schools are not in danger of collapsing, when our province's seniors are able to live in dignity, and when children are not going to school in Alberta hungry. My question is to the Premier. Given that the government has an obligation to ensure that our province's resource revenues will benefit us for generations to come, why doesn't this government make the Alberta advantage permanent by investing 35 per cent of surpluses in the heritage fund?

Mr. Klein: Mr. Speaker, I could anticipate the question. I have to in all honesty express my frustration because the hon. Leader of the Official Opposition was at the media scrum yesterday, and I was asked: what is planned for the unbudgeted surplus? My reply was that the policy now, established by caucus, was to spend some on needed infrastructure, save some through the heritage savings trust fund and various endowments, and give some back. That is the policy now. Relative to the policy in the future, that will be decided by the government caucus, not by the Liberals.

The Speaker: The hon. leader.

Dr. Taft: Thank you, Mr. Speaker. The day will come when the Liberal caucus is the government caucus.

Again, Mr. Speaker, to the Premier: given that the Premier has indicated that there will not be significant new funds for long-term care facilities, can the Premier explain the Alberta advantage to the many Albertans in long-term care facilities who live every day facing staff shortages and inadequate care?

Mr. Klein: Mr. Speaker, I would remind the hon. Leader of the Official Opposition that the budget will be tabled tomorrow, and I would ask that he be patient.

The Speaker: The hon. leader.

Dr. Taft: Thank you, Mr. Speaker. Again to the Premier: can the Premier explain the Alberta advantage to the hundreds of children across this province who sit in schools hungry because this province refuses to support school nutrition programs?

Mr. Klein: Mr. Speaker, first of all, we don't abandon our responsibility to children. I would remind the hon. Leader of the Official Opposition that this is probably the first government and maybe the only government in Canada to have a Minister of Children's Services. I'm advised that about three-quarters of our school boards are involved in meal programs, and of course we fully fund the school boards outside of the money that is collected through the education portion of property taxes.

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

Industrial Development in Natural Areas

Dr. Taft: Thank you, Mr. Speaker. We in the Liberal opposition recently released our paper calling for a land-use strategy in Alberta. I'll send the Premier a copy. We understand that Albertans expect their governments to be stewards of their land, especially protected areas, to ensure both ecological integrity and economic prosperity. This government's decision to allow petroleum drilling in the Rumsey natural area is clearly a fundamental contradiction in government policy. Either special areas are protected or they aren't. My question is to the Premier. Why does this government allow overruling of the Minister of Community Development in allowing the Minister of Energy to open the possibility of drilling in the Rumsey natural area, an area your government supposedly designated as protected?

Mr. Klein: Mr. Speaker, my recollection of that particular case involving the Rumsey area is that it allowed for a certain amount of drilling, but I'll have the hon. Minister of Energy respond.

The Speaker: The hon. minister.

Mr. Melchin: Thank you, Mr. Speaker. I think one of the first things we need to clarify is that the Rumsey area is an area that has been valued. There's a portion of it, the Rumsey ecological reserve, that has been designated under Special Places 2000, and absolutely no oil and gas activity is allowed in that reserve area. But there is a current management plan that does accept petroleum and natural gas postings in the natural area. However, in the natural area, which is not the reserve, even those are issued under very strict restrictions and constraints.

The Speaker: The hon. leader.

Dr. Taft: Thank you, Mr. Speaker. To the Minister of Energy: given that over 20,000 wells will be drilled in Alberta this year, why can't this minister just draw the line and say that we've got a duty to preserve some areas of Alberta in its natural state?

Mr. Melchin: Mr. Speaker, years ago when they went into the special places that were designated, there was a management plan put under for all of those areas. In these cases, in the reserves specifically, there is no drilling activity allowed. Under the other areas, the broader area, the natural area, it's under strict guidelines. That was the plan that is being followed, that was approved from day one.

1:50

The Speaker: The hon. leader.

Dr. Taft: Thank you, Mr. Speaker. Again to the Premier: will the Premier inform this Assembly as to when we will see and when the people of Alberta will see a comprehensive land-use policy that will finally set out clear guidelines on what forms of development are appropriate in what areas?

Mr. Klein: Mr. Speaker, I regret to inform you that the minister who can speak to this is unavoidably absent today, but I can tell you that I have discussed this matter with him. He is working very diligently on a land-use study for the province, and it will be tabled in due course. I can't give the hon. member the exact time.

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

Coal-bed Methane Drilling in Horseshoe Canyon

Dr. Swann: Thank you, Mr. Speaker. Coal-bed methane is an important resource to our province, but it must be developed properly. Thousands of coal-bed methane wells in the Horseshoe Canyon formation have brought to light a stark reminder, that our groundwater is more precious. We don't know what we need to know before proceeding on to the target of 50,000 coal-bed methane wells in this decade. Only this month the government has put in place a process of baseline testing of groundwater to establish that when changes occur to people's water, what is causing the change. To the Minister of Environment: what is your plan to do baseline testing in the areas of coal-bed methane development in the Horseshoe Canyon?

Mr. Boutilier: Mr. Speaker, I think the announcement last week regarding what the hon. member has mentioned is an important first step to many steps. Baseline testing will be based on evidence, on scientific fact. It will not be based on simply emotion even though we're emotional people. People have even accused me of being emotional on occasion. [interjections] It's true. But with that emotion, based on scientific fact and evidence is how this government is proceeding to protect the most important resource we have, the blue gold called our water.

The Speaker: The hon. member.

Dr. Swann: Thank you, Mr. Speaker. Again to the same minister: will you commit to an independent review of the testing protocol for this baseline water testing?

Mr. Boutilier: Mr. Speaker, I want to thank the hon. member, first of all, that he brought to my attention members of the public who had some concerns relative to the issue. I might add that I thank him for the hour-and-a-half or almost two-hour meeting that we had with them because I think all of us, including the residents and the hon. member, want to ensure that this resource that we call blue gold is protected today, tomorrow, and well into the future. We're going to use it based on fact and the baseline testing that this government announced in my ministry last week.

The Speaker: The hon. member.

Dr. Swann: Thank you, Mr. Speaker. Mr. Minister, given that we can no longer get baseline data in the areas that were drilled, will you consider holding off on new drilling in new areas of the Horseshoe Canyon until we have the baseline information?

Mr. Boutilier: Mr. Speaker, baseline testing is proceeding so that we can in fact go forward in a comprehensive way and also in an integrated management way, that the Minister of SRD and the Minister of Energy collectively, the three ministries, are working on. I can say that our culture, as the hon. member has said in the past, may be fuelled by petroleum and lubricated by oil, but it runs on water.

The Speaker: The hon. leader of the third party, followed by the hon. Member for Calgary-East.

Mr. Mason: Oh, that's tough to match, Mr. Speaker.

Unbudgeted Surpluses (continued)

Mr. Mason: Mr. Speaker, tomorrow afternoon the Finance minister will rise in the House to deliver her latest work of fiction, otherwise known as the provincial budget. True to form, the government will no doubt underestimate its projected revenues by billions of dollars, resulting once more in billions of dollars in unplanned surpluses. Next year's surplus will then be added to the \$33.4 billion in unplanned surpluses since 1993. I want to ask the Provincial Treasurer: does she believe that \$41 billion of unbudgeted revenue over the same period – \$34 billion of unbudgeted surpluses and \$7 billion of unbudgeted spending – is fiscally responsible?

Mrs. McClellan: Mr. Speaker, we're going to have a great opportunity over the next several days to discuss this. However, there isn't a government in Canada, indeed I doubt in the world that wouldn't like to have our problem. I will only say this on the forecast of resource revenue, which is primarily where, if there is a wide fluctuation either up or down, it occurs. If the hon. member believes that he can forecast better than the private sector – we used eight, at least eight outside energy specialists, analysts to give us that information. I would invite the hon. member to look at our record of projections based on that.

The Speaker: The hon. member.

Mr. Mason: Thank you, Mr. Speaker. Given that in previous years the NDP opposition has actually gone to energy analysts that are respected in their field and come up with projections that were far more accurate than what the government came up with with its Oujja board, will the minister admit that she in fact could do a much better job?

Mrs. McClellan: Mr. Speaker, as I said, we're going to have days and days to discuss this issue. I would rather err on the side of having a surplus than spending more than we have, which is what I hear from the opposition benches: "Spend, spend, spend. Spend on this, spend on that, spend on this." On the other hand, we don't save enough. There is a history of contradiction over there that you could write a best-selling novel on.

The Speaker: The hon. member.

Mr. Mason: Thank you very much. Well, hey, big spender, spend a little time with us because we can tell you that, in fact, this government has failed to project accurately its income by a wide margin. To the Provincial Treasurer: will she admit that the government has been out by billions of dollars in almost every year, and why can't she do better than that?

Mrs. McClellan: Mr. Speaker, I will admit that we have had a higher surplus than we anticipated in the majority of years, but I will also be happy to admit that we deliver consecutively balanced budgets. Because of good, prudent management, when the farmers and ranchers and livestock industry in this province were under the siege of BSE and a potential crippling of their industry, we were ready to respond, and we didn't need to borrow money to do it.

The Speaker: The hon. Member for Calgary-East, followed by the hon. Member for Edmonton-Meadowlark.

School Infrastructure in Calgary

Mr. Amery: Thank you, Mr. Speaker. Yesterday the president of

CUPE local 40 issued an invitation to the Minister of Education to take a tour of Calgary schools that are suffering from significant maintenance problems. My question is to the Minister of Education. Will the minister undertake to join me and the local CUPE president in a tour of some of the affected schools in east Calgary?

Mr. Zwodzesky: Such a friendly invitation, Mr. Speaker. You know, as a matter of course in my role as the Minister of Education I routinely visit schools throughout the province. Just recently we visited a school in Caslan, a school in Onoway, in Whitecourt, in Cessford, of course Edmonton, of course Calgary. The next time I'm down in Calgary-East, I'd be very happy to visit some of the schools in the hon. member's constituency, and I thank him for that invitation.

The Speaker: The hon. member.

Mr. Amery: Thank you, Mr. Speaker. Since the minister visited a lot of these schools, can the minister indicate which other schools in Calgary are facing closure because of deferred maintenance problems?

Mr. Zwodzesky: Mr. Speaker, on the issue of the one school that was closed this week by the Calgary board of education, I'm told that that particular issue was somewhat unique. I think Calgary public did the smart and precautionary thing. Rather than allowing any potential risk or harm to come to some 400 children, they said: why don't we just close this school for a while and look at this issue a little more closely and then send those students off to another school?

With respect to the general issue of closure there is a process that is very clearly outlined in our school regulations that boards must follow. It's entirely up to the local school boards to follow that process, and I have no knowledge of what they may or may not be contemplating by way of closures for whatever reasons.

2:00

The Speaker: The hon. member.

Mr. Amery: Thank you, Mr. Speaker. Since reports and spreadsheets will not adequately illuminate the dire conditions in some of our schools, will the minister form a committee to get first-hand knowledge of this situation and report back to him immediately?

Mr. Zwodzesky: Mr. Speaker, the hon. member will be encouraged to know that the Department of Infrastructure and Transportation has some officials, and the Department of Education has some officials, and they are working together on a review and an assessment of some of the schools that have been put forward on priority lists by school boards right across the province, not just in Calgary. We have 62 school jurisdictions, and all of them have varying degrees of concerns about capacity, on the one hand perhaps, about issues of aging infrastructure in others. That is an internal committee that is doing that work as we speak, and they do it every year.

The Speaker: The hon. Member of Edmonton-Meadowlark, followed by the hon. Member for Drayton Valley-Calmar.

Lottery Grant to Alpha Gamma Delta Fraternity

Mr. Tougas: Thank you, Mr. Speaker. Yesterday the Gaming minister declined to investigate a nearly \$19,000 lottery grant awarded to the Alpha Gamma Delta sorority. Now, while I in no

way question the motives of the fraternity – in fact, I would like to congratulate them for their fundraising efforts for juvenile diabetes and other organizations – I do question the process surrounding the grant approval. My questions are for the Minister of Gaming. Can the minister explain why a project that clearly had no urgency to it was pushed through his department in about three weeks when community groups can wait six months or more for an answer?

Mr. Graydon: Mr. Speaker, I'm not entirely confident that that's true information, the timing. I do know that they are certainly a qualified applicant. I do know that I have a copy of their original application here. Despite some rumoured numbers in today's paper, in quotes from someone who I'm not sure was there two years ago when this original request went in, the original grant application was for \$18,760.

Mr. Tougas: I don't believe that's accurate Mr. Speaker.

Second question. Can the minister give the rationale why his ministry chose to nearly double the original grant request to the surprise of the sorority?

Mr. Graydon: Mr. Speaker, I believe I just answered that. The original grant application says \$18,760, and that's what the grant was all about.

Mr. Tougas: Not true.

How can the minister justify turning down any organization for a grant when he allows nearly \$19,000 to be spent on luxury furniture for one house?

Mr. Graydon: The application was for upgrades to the main floor, to the common areas. It's not unlike requests for furniture, if you will, for daycares, for maybe a seniors' recreation complex. It's not unlike a lot of the requests we get. It was an applicable use of funds. We do not do a microscopic examination of what it was spent on. In the two-year period from the application there will be by this fall an examination to make sure that the money was spent on what they said they would spend it for. For example, if a band asked for a grant for band instruments, we would make sure that they spent that money on band instruments. We wouldn't determine exactly what instruments they bought.

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

Freedom of Choice in Supporting School Systems

Rev. Abbott: Thank you, Mr. Speaker. My questions today are for the hon. Minister of Education. The current School Act contains provisions which make it illegal for a member of the minority faith where a separate school jurisdiction exists to choose to be a supporter of the public school system. These provisions predate the enactment of the Canadian Charter of Rights and Freedoms, and they predate an agreement among the Alberta Catholic School Trustees' Association, the Alberta School Boards Association, and the Public School Boards' Association that individual members of the minority faith should have the right to choose to be supporters of the public school system. Given this agreement, would the minister be prepared to recommend an amendment to the School Act to allow an individual member of the minority faith to be a supporter of the public school system in his or her community?

Mr. Zwozdesky: Mr. Speaker, if I understood the question cor-

rectly, I think that perhaps indirectly the hon. member is seeking information that pertains to a complaint that has been submitted by one particular school board to our Alberta Human Rights Commission, according to the press release that was issued about two weeks ago. Members of the House would certainly know that the nature and effect of the Human Rights Commission and anything before it would be therefore a matter of sub judice, and I don't think it would be appropriate for me to comment on something that might be headed in that direction at this time.

Rev. Abbott: Well, Mr. Speaker, the minister could circumvent this given that in 2001 the ACSTA agreed that individual members of the Catholic faith, where a Catholic separate school jurisdiction exists, should have the right to choose to be supporters of the public school jurisdiction in the community. So has the minister consulted with them so that we could put this issue to bed and end the dispute?

Mr. Zwozdesky: Well, Mr. Speaker, I have met with a number of school boards on a variety of issues, and I can't comment on a specific case such as is being sort of pursued here. However, we'll just have to wait and see what the exact nature of the complaint is that I understand by press release only has been submitted to the Human Rights Commission, and perhaps some of the answers will flow from whatever their deliberations might be. I think that's all that I'm at liberty to say on this particular issue.

The Speaker: The hon. member.

Rev. Abbott: Thank you, Mr. Speaker. Given that the minister has the power to open the School Act, would the minister be prepared to arrange a meeting with the ACSTA and the PSBA for the purpose of discussing an appropriate amendment to the School Act to resolve this issue?

Mr. Zwozdesky: Mr. Speaker, again, I won't comment on a specific case. But in a general sense any time an act of any sort that belongs to this Legislature is opened up for whatever purposes, it goes through a normal, natural process of consultation. I think that same style would be followed should any act be opened up, and I'm not going to comment any further on that particular issue.

The Speaker: The hon. Member for Edmonton-Glenora, followed by the hon. Member for Little Bow.

Medical Personnel in Edmonton Remand Centre

Dr. B. Miller: Thank you, Mr. Speaker. Section 7 of the Canadian Charter of Rights and Freedoms states that "everyone has the right to life, liberty and security of the person." However, these fundamental freedoms apparently do not apply to those housed in the Edmonton Remand Centre. Jody Umpherville died on August 9, 2003, in the Edmonton Remand Centre because this government did not provide adequate medical care, a violation of her Charter rights. My first question is to the Minister of Justice. Given that the minister has received the 10 recommendations from the fatality inquiry into the death of Jody Umpherville, can the minister tell us if he will implement any of these recommendations?

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

Mr. Stevens: Thank you, Mr. Speaker. There is a fatality inquiry process that we have in the province, for which I am responsible. When recommendations come forward, we publish the report and

pass it on to the ministry that is principally responsible for the recommendations. I must admit that in this particular case I do not recall the specifics of the recommendations. However, typically, matters of the remand centre are matters for the Solicitor General.

Dr. B. Miller: My second question is to the Solicitor General and Minister of Public Security. Given that there are 2.1 physicians per 1,000 people in Canada and the Remand Centre houses over 700 residents, will the minister appoint a chief medical officer for the Edmonton Remand Centre, at least one physician, as recommended by the fatality inquiry?

Mr. Cenaiko: Mr. Speaker, at present the process is that any time there is an arrest made, whether in one of our municipalities or out in rural Alberta, they're taken to the remand centre, or they're taken to an arrest processing unit where they are seen by a paramedic or a nurse that is on staff 24 hours a day. If it's deemed that that individual needs hospitalization, then the police are responsible for taking that individual to a hospital, waiting there while the individual gets that attention from medical staff, and then transporting back to that facility. In the future are we looking at medical personnel being permanent staff? That's something that we're going to have to review.

Dr. B. Miller: To the same minister: now that there is no money for a new remand centre, is it the policy of this government that those housed in the remand centre who have not been found guilty or innocent of any crimes should endure conditions in which their fundamental rights are placed in serious jeopardy?

2:10

Mr. Cenaiko: Well, Mr. Speaker, I disagree with the hon. member. I've been to the remand centre. I've eaten the food, and it's very good. I'll tell you that although the cells are built for one and then double bunked for two, at this point in time we do have four-inch mats that can be placed on the floor when there is some overcrowding at the Edmonton Remand Centre. But I can say that we're looking at other options. We're utilizing the facility at Fort Saskatchewan, which is close to the city of Edmonton. We're also ensuring that our facilities in Red Deer as well as Calgary are being used. On our corrections side for our sentenced offenders those facilities in Peace River, Medicine Hat, and Lethbridge are being fully utilized as well.

The Speaker: The hon. Member for Little Bow, followed by the hon. Member for Edmonton-Mill Woods.

Assistance for the Grains and Oilseeds Sector

Mr. McFarland: Thank you. Mr. Speaker, many of the members of this Assembly are aware that the federal ag minister and provincial ag ministers met this past weekend to discuss a number of key agricultural issues. I would be most happy to hear that you came back with some resolve to some of the current issues outstanding that many of our Alberta producers are experiencing. To say that their expectations are high would be an understatement. Mr. Minister, have you come back with any information that will currently help the situation that our grain and oilseed producers are experiencing?

The Speaker: The hon. minister.

Mr. Horner: Well, thank you, Mr. Speaker. To the hon. member:

it is indeed a very important question across the country in terms of the grains and oilseeds sector. All of us at the meeting of provincial ministers were unanimous in our support of the federal minister to do whatever it is that he can do to help us negate some of the negative impacts to the grains and oilseeds sector and other sectors in agriculture across the country.

Mr. Speaker, the federal government is still proceeding with the \$755 million payments to the grains and oilseeds sector based on net sales. Of that amount, Alberta producers stand to share in about \$200 million. It's important that those producers have their '04 information into the CAIS program for speedier payment. If they don't do that, there will be an application process down the road.

The other thing that I'm very pleased about: the federal government is going to continue with their commitment for \$500 million added to the federal budget for agriculture each year over the next five years, so a 2 and a half billion dollar commitment. That commitment, as we discussed at the meeting, is for long-term development and long-term sustainability.

The Speaker: The hon. member.

Mr. McFarland: Thank you. I've heard of four different cheques coming out from the federal program in our area, so I guess our guys are more concerned with knowing if there are any upcoming CAIS changes that will actually help put money in their pocket before spring.

Mr. Horner: Well, Mr. Speaker, I'm pleased to note that as far as the CAIS program goes, Alberta being one of the lucky ones to manage the program ourselves is probably quite a bit ahead of some of the other jurisdictions in terms of some of the administrative changes that we're making. Most of the criticism that has been directed at the CAIS program has been administrative in nature: it's too slow, it's too cumbersome, it's too complicated. We are taking a lot of steps to make it simpler, to make it faster, to make it online.

The consensus at our meetings over the weekend, Mr. Speaker, was that the unanimity amongst the provincial ministers was: don't throw the baby out with the bathwater. We have a CAIS program that is not working for the producers. Let's fix it. Let's make it work. We have several initiatives that are coming forward to all ministers, because we all have to sign on this thing, for future decisions to be made at our next federal/provincial/territorial meeting.

The Speaker: The hon. member.

Mr. McFarland: Thank you, Mr. Speaker. For those that can survive through this spring and the crop seeding that continues on, Mr. Minister, what is the long-term initiative that they might look forward to?

Mr. Horner: Well, coming out of the meetings with the federal minister and other provincial ministers, we have obviously told them about our three-point strategy and the grains and oilseeds recovery strategy that we're embarking on in this province very, very soon.

In terms of consultations with the industry it's a \$1.7 billion industry in this province, Mr. Speaker, so it is very, very important to us. We are going to be going out into the country to talk to the industry leaders, to talk to our federal government as well about what we can do to make this a long-term, viable business into the future, talk to people like the Grain Commission, the Wild Roses of the world, the AGCATs of the world to make sure that we're on the

right path as well as our position on the WTO, which will also be critical to the grains and oilseeds sector.

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

Youth Homelessness

Mrs. Mather: Thank you, Mr. Speaker. The August 2005 report entitled *Seeking Sanctuary: An Exploration of the Realities of Youth Homelessness in Calgary* provides valuable insight into the challenges that thousands of homeless children face in our province every day. According to the report most of the youth surveyed were not aware of or had limited knowledge about the programs and services that are available to them. My questions are for the Minister of Children's Services. What specifically has your ministry done to reach out to homeless children in Alberta to provide them with information and support?

The Speaker: The hon. minister.

Mrs. Forsyth: Well, thank you, Mr. Speaker, and I appreciate the question from the hon. member. If I recall, it was a conversation that the hon. member and I had when she came to a meeting in my office to talk about some of the issues. I explained to her that I had met with the Homeless Foundation, listened to what they had to say about homeless youth in Alberta. I explained to them some of the innovative things that we're doing in our office in regard to our high-risk youth project. I talked to her about our Youth Secretariat, that the hon. Member for Lac La Biche-St. Paul is working so hard on, our youth forums. In fact, we have expanded our bursary program which is dealing with high-needs youth. I think we can be very proud in this province of how we're dealing with our high-risk youth.

Mrs. Mather: To the same minister: given that many of the children who were surveyed reported being on the street for longer than two years with no support or basic needs being met, why are these children falling through the cracks?

Mrs. Forsyth: Well, Mr. Speaker, children can fall through cracks for various reasons. We're trying to reach out to the youth in this province. We're doing a review of our youth emergency shelters right now. We're talking to youth across this province under the leadership of the hon. Member for Lac La Biche-St. Paul.

Mr. Speaker, I think what's innovative about this government is that we're listening to youth and we're trying to deal with what the youth are telling us are their problems. They want some things dealt with in this province in regard to their education because we realize that we've got some, you know, round holes and are trying to put square pegs in them. We're doing a lot of innovative things in this province. We've talked, again, to the Homeless Foundation about getting our messages out to the various agencies on what this province is doing to address the needs of the high-risk youth.

The Speaker: The hon. member.

Mrs. Mather: Thank you. To the Minister of Aboriginal Affairs and Northern Development: given that aboriginal youth are overrepresented among the homeless population in Alberta, what is your ministry doing about this issue?

The Speaker: The hon. minister.

Ms. Calahasen: Well, thank you very much, Mr. Speaker. I'm so proud to be able to answer that question. First of all, we've been working with a number of different aboriginal groups to be able to identify some of the struggles that the people are going through. What we've done is we've worked with the minister of seniors to look at some of the possibilities for homeless people. We also have what we call a transitional program where we've been working with the various municipalities to be able to identify those challenges and to be able to address the concerns that are coming through. As you know, when people migrate from either the reserves or from the isolated communities, we have problems when it comes to some of the areas of concern, and definitely homelessness is one of the areas.

As a result, we've been working not only with the people from the various reservations and the First Nations but also with the communities, with the northern communities to identify some of those areas and to be able to see what can be done. I want to give praise to the minister of seniors, who is responsible for housing, for being able to identify some of those areas. So we've been working on some of those programs just to ensure that we can begin to address those terrible gaps.

The Speaker: The hon. Member for Edmonton-Calder, followed by the hon. Member for Highwood.

Major Projects in the Industrial Heartland

Mr. Eggen: Thank you, Mr. Speaker. Residents of Sturgeon and Strathcona counties feel as though they are caught in the headlights of this government's headlong rush to put profit ahead of people and the environment. Without a proper consultation process and especially without proper standards to report and monitor leaks and emissions, this whole thing just stinks. To the Minister of Environment, please: since the massive industrial heartland complex will generate billions of dollars in profits for decades to come, why does the minister refuse to develop a proper special compensation package that better reflects the losses of nearby residents, something that goes beyond the government's very stingy concept of fair market value?

Mr. Boutilier: Mr. Speaker, what the hon. member just said simply does not reflect the truth of what is happening.

2:20

Mr. Eggen: To the same minister: since not everyone is able to pack up and leave, is this government willing to provide for the loss of land values and quality-of-life issues that arise when some of the world's biggest oil refineries and bitumen upgraders begin to arrive at their back door?

Mr. Boutilier: Mr. Speaker, I want to assure the member that when you talk about the Q word, I agree with the hon. member that the quality of life we enjoy as Albertans is unmatched anywhere else, and the standard of living we enjoy is unmatched anywhere else in this country.

In terms of protecting what you're suggesting, absolutely so. We intend to do that and are doing that and will continue to do that.

Mr. Eggen: To the same minister: is the minister willing to commit to requiring the very best standards of emission control that the world has to offer for these new bitumen upgraders, refineries, and chemical plants in the industrial complex, or is he going down the road again of letting the polluters call the shots, like he's done with the proposed Keephills 3 coal-fired plant?

Mr. Boutilier: Mr. Speaker, the last statement was simply not true. Yes, Alberta will continue to lead this country and this continent when it comes to tough environmental standards. In fact, two weeks ago it was announced in terms of our new regulation regarding mercury and regarding the issue that as we go forward, we will continue to use our science and innovation to lead the world. So I agree with the hon. member: we'll continue to lead the world. To the members on the front bench, they may want to pay attention to what I'm saying because it is about leading the world.

Alternative Energy Project in Okotoks

Mr. Groeneveld: Mr. Speaker, last Wednesday I brought up the issue of Drake Landing in Okotoks. Drake Landing, as the members will recall, is a 52-unit solar-heated and -cooled housing complex which is a complete boon to the environmental emissions. However, material cost overruns and flooding have caused a monetary crisis. My question is to the Minister of Environment. Has your department come to any consensus to salvage this leading-edge environmental technology?

Mr. Boutilier: Mr. Speaker, last week the hon. member asked on behalf of his residents relative to what we can do to help such an environmental initiative as this green project. Actually it's another example of Alberta leading the world, as I mentioned earlier. I'm pleased to announce to the House today that working very closely with Climate Change Central, in fact the government is committing a half million dollars towards ensuring that the investment that Climate Change Central has put into this program will continue based on the extraordinary circumstances that took place with some of the work from last summer.

Mr. Groeneveld: Mr. Speaker, that is a great answer indeed for me. In fact, that has absolutely blown my supplemental questions right out of the water, or the blue gold, as he might say.

The Speaker: The hon. Member for Calgary-Varsity, followed by the hon. Member for Olds-Didsbury-Three Hills.

School Infrastructure in Calgary

(continued)

Mr. Chase: Thank you, Mr. Speaker. The fairy tale of the Three Little Pigs and the Big Bad Wolf is being played out in real life in Calgary and Edmonton. Instead of houses, however, we have schools constructed with saturated straw, rotting sticks, and crumbling bricks. We have two tap-dancing ministers, infrastructure and education, wolfishly huffing, puffing, and disclaiming the responsibilities for infrastructure maintenance while a justifiably frustrated Drake Hammill, the head of the Canadian Union of Public Employees local 40, is offering school devastation tours. My questions are to the Minister of Education. Given that the minister's reply to the hon. Member for Calgary-East's invitation was evasive, when you are in Calgary this Friday, March 24, attempting to justify the disconnect between reduced class size and your decaying space utilization formula, will you make time for Drake's tour? Yes or no?

Mr. Zwozdesky: Mr. Speaker, I don't know where this hon. member got the information that I would be in Calgary this Friday. I'm hosting 62 school board chairs here in Edmonton, and they all know that, so I won't be there on the 24th. I'm sorry.

The Speaker: The hon. member.

Mr. Chase: Thank you. I'll send your regrets to Drake. Another time possibly.

Can you offer Calgary students, parents, caretakers, teachers, and trustees any indication that the plight of their older schools and yet-to-be-built new schools is at the top of your priority list?

Mr. Zwozdesky: Mr. Speaker, I'd like to assure this member and all members in this House that the safety and security of our children is always at the top of mind of any Minister of Education. That's a number one concern, and that's why I personally phoned and thanked, I even congratulated the Calgary public board on taking a preventative step such as they did. It's never easy to take a step to close a school temporarily, but in this particular case they did a very prudent and logical thing to ensure that nobody would come in harm's way. We should be reiterating that thanks to them, but we should also be reminding people that that decision is made by locally elected trustees – that's what they're there for – and they have acted prudently in this particular case. So I will continue to support them in that regard.

The Speaker: The hon. member.

Mr. Chase: Thank you very much, Mr. Speaker. Given that a healthy school environment is absolutely essential for learning to occur, what steps are you taking personally to ensure student safety?

Mr. Zwozdesky: Well, Mr. Speaker, I phoned officials in the Calgary public to get a little more rounding on this particular issue. I'm aware that virtually the minute it came across our desks, a supplementary amount of some 25,000 dollars was given to conduct an immediate assessment when it was flagged and brought to our attention. We'll just wait for and see the ongoing report, that is being done right now, to come our way to see what future steps the Calgary public board wishes to undertake. But let's keep in mind that there are school boards right throughout the province who are doing their best to address these issues. It's not just one isolated case that has to be dealt with here.

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

Senior Public-sector Salaries

Mr. Marz: Thank you, Mr. Speaker. My first question is to the hon. Minister of Human Resources and Employment. Recent salary increases for some public-sector employees as high as 17 per cent have raised concerns that people in senior public-sector positions are paid way too high wages. Could the minister explain how the salaries of senior officials in Alberta compare to what other provinces pay employees in those same types of positions?

The Speaker: The hon. minister.

Mr. Cardinal: Thank you very much, Mr. Speaker. That's a very good question. When we're talking about the broader public sector, that includes organizations and employees that are not employees of the Alberta public service, such as health authorities and school boards. As minister responsible for the personnel administration office for Alberta, I am only able to speak to salaries of employees who are members of the Alberta public service. The government reviews the salaries and benefits that it provides to its employees to ensure that we are comparable with other employers offering the same type of work for similar situations. This is important so that

the government can find and keep the talent it needs to continue running the services.

Mr. Marz: My next and last question to the same minister: can the minister advise how senior public service salaries or tax-funded employees, including these boards, compare to what private-sector employees make in those similar positions?

The Speaker: The hon. minister.

Mr. Cardinal: Yes, Mr. Speaker. This is a very good question because it has to do with the challenge our government faces in retaining and attracting employees. Our government faces the same challenges as the private sector in finding and keeping employees in the tight and competitive labour market out there. We review the competition levels for employees to ensure that we are able to attract and retain qualified people to run our senior government.

The Speaker: The hon. Member for St. Albert, followed by the hon. Member for Calgary-Nose Hill.

Nutrition Programs in Schools

Mr. Flaherty: Thank you, Mr. Speaker. This government continues to put ideology before the health of young Albertans by not only ignoring the obesity crisis in children today but also contributing to it. The causes are a lack of knowledge and poor food choices. It is further soured by a funding formula that makes schools rely on junk food sales to fund basic school operations like physical education. My question is to the Minister of Education. Does the minister evaluate the health-related costs of new and existing policies, such as allowing the promotion and sale of junk food in schools?

2:30

Mr. Zwozdesky: Mr. Speaker, we take very seriously the health and welfare of our students, and the member would know that we started an even more aggressive campaign in that regard last year when we brought in the daily physical activity program. We are providing somewhere over a million dollars to help bring that initiative along, and that's just the first part. Our next part of that same plan is to deal with the overall health and wellness perspective, and that will include things to do with nutrition and proper eating habits and proper food habits. We have a fairly aggressive plan in mind for that. So if you'll just stay tuned, we plan to move that issue along very soon.

Mr. Flaherty: My second question, Mr. Speaker, is to the Minister of Health and Wellness. Has the minister conducted any analysis of the costs of relying on the sale of junk food to students to fund Alberta schools? How much is the lack of action costing Albertans?

Ms Evans: Mr. Speaker, the type of analysis that the hon. member is referencing is something I am unfamiliar with. However, I would tell you that our Choose Well Challenge, our community challenges have been very successful in not only engaging adult and senior populations but engaging several youth. We launched the Choose Well Challenge for this year focusing on nutrition in schools, on regular exercise programs, on students looking after themselves by going to bed and getting plenty of rest and enjoying a balanced lifestyle. When we launched that this year, there were a number of schools present. They were already engaged in physical activity and nutrition programs within their schools. The teachers were very

knowledgeable, had been trained to that effect. So I'm very satisfied that there are strides being taken.

As to studies about the losses or costs referenced, I would endeavour to follow up and in due course inform the hon. member of what data we do have.

The Speaker: The hon. member.

Mr. Flaherty: Thank you, Mr. Speaker. Will the Minister of Education remove junk food from schools in an effort to alleviate the obesity crisis in Alberta's children and reduce future health care costs?

Mr. Zwozdesky: Mr. Speaker, locally elected trustees have in fact taken some of those initiatives already. Some so-called junk food machines have been removed. Others have been removed and replaced with milk machines. So there are a variety of different approaches. My experience has been that locally elected officials are in the best position to make common-sense, local decisions, and that's what's going on right now.

Vignettes from the Assembly's History

The Speaker: Hon. members, by way of a historical vignette today I'm going to do a several parts series on leaders of the Official Opposition, so today is part one.

From 1906 until an amendment to the Legislative Assembly Act came into effect in 1972, the tenures of leaders of the Official Opposition were based on actual session dates. In other words, one was the Leader of the Official Opposition when the Legislature sat and not when it did not. Between 1906 and 1971 Alberta had 18 different leaders of the Official Opposition.

Albert J. Robertson, a Conservative representing High River, served from 1906 to 1909. Richard B. Bennett, a Conservative representing Calgary, served in 1910. Edward Michener, an independent, then Conservative representing Red Deer, served from 1910 to 1917. George Hoadley, a Conservative representing Okotoks, served in 1918-1919.

James Ramsey, a Conservative representing Edmonton-East, served in 1920. John R. Boyle, a Liberal representing Edmonton, served from 1922 to 1924. Charles R. Mitchell, a Liberal representing Bow Valley, served in 1925 and 1926. John C. Bowen, a Liberal representing Edmonton, served in 1926. From 1926 to 1940 there was no recognized Leader of the Official Opposition.

In 1941 and 1944 James H. Walker, an independent from Warner, served as the leader. Alfred Speakman, an independent from Red Deer, served in 1942, and James C. Mahaffy, an independent from Calgary, served in 1943. From 1945 to 1948 J. Percy Page, an independent from Edmonton, served. The Legislative Assembly had no recognized Leader of the Official Opposition from 1949 to 1951.

J. Harper Prowse, an Edmonton Liberal, served from 1952 to 1958, and in 1959 J.W. Grant MacEwan, a Calgary Liberal, served as the leader. From 1960 to 1963 the Legislative Assembly had no recognized Leader of the Official Opposition.

From 1964 to 1967 Michael Maccagno, a Liberal representing Lac La Biche, served as the leader. In 1968 a Conservative, Peter Lougheed, representing Calgary-West, became the Leader of the Official Opposition and served in that capacity to 1971.

Tomorrow I will take you from 1971 to the current situation.

head: **Members' Statements**

The Speaker: The hon. Member for Banff-Cochrane.

Torino Paralympic Winter Games

Mrs. Tarchuk: Thank you, Mr. Speaker. It is with great pleasure that I rise today to acknowledge the efforts and achievements of an exceptional group of athletes. Two weeks after the conclusion of the Winter Olympics Torino, Italy, was once again host to an Olympic competition, this time the Paralympic Winter Games. Once again Canadian athletes proved to the world that their spirit and dedication remains second to none. Team Canada's athletes won five gold, three silver, and five bronze medals for a total of 13, surpassing the expectations of most. Albertans played a significant role in this total victory, and I would like to take a moment to acknowledge them individually.

Skier Brian McKeever of Canmore was responsible for almost a quarter of Canada's medals, winning gold medals in both the five- and 10-K visually impaired cross-country races. He also won a silver medal in the 20-K cross country and a bronze in the 7.5-kilometre visually impaired biathlon. His older brother, Robin McKeever, also of Canmore, assisted in these victories by acting as his guide.

Lauren Woolstencroft, a native Calgarian, brought home a gold medal in the women's standing giant slalom and a silver in the women's standing super-giant slalom.

Kimberly Joines of Edmonton won a bronze in alpine sit-skiing, and Shauna Maria Whyte of Hinton, the final Alberta member of the team, was in second place in the biathlon when an equipment failure removed her from further competition. While she didn't bring home a medal, her sportsmanship and dedication were truly world class.

The five Alberta members of the 33-member Canadian team accounted for over half of Canada's total medal count, a fact of which we can all be extremely proud. I would encourage every member of this Assembly to join me in offering best wishes to the Canadian paralympic team and especially to the Alberta athletes, whose contributions meant so much.

Thank you, Mr. Speaker.

International Day for the Elimination of Racial Discrimination

Mr. Shariff: Mr. Speaker, March 21 is the International Day for the Elimination of Racial Discrimination. This international day was established in 1966 through Resolution 2142 of the 21st Assembly of the United Nations General Assembly. This was done in part to commemorate the tragic events in South Africa known as the Sharpeville massacre. The terrible tragedy, which occurred in 1960, saw police open fire on a group of young students who were peacefully protesting the apartheid's passbook laws. At the end of the dreadful ordeal 67 protesters were left dead and 186 more were injured.

With the resolution the United Nations General Assembly called for the international community to increase its efforts to stop racial discrimination. Since the proclamation of this international day Canada and other nations have joined the March 21 campaign that has now become a pillar on which the movement against racism stands.

2:40

It is important that all of us gathered here and all citizens of Alberta not be satisfied with the status quo in our province. While we can be proud of the fact that we do not have extreme laws such as those administering the policy of apartheid, we can always improve our situation. We will not be free from the evils of racial discrimination until we eliminate it from all aspects of our society, including elements as mundane as our everyday discourse. Only

when this is fully addressed will we have rid our society of racial oppression.

On this the International Day for the Elimination of Racial Discrimination let this Assembly recognize the strengths of our multicultural society and recognize the need to continually work towards making Alberta free of racial injustice.

Thank you, Mr. Speaker.

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

International Day for the Elimination of Racial Discrimination

Dr. B. Miller: Thank you, Mr. Speaker. Forty-six years ago on March 21, 1960, police opened fire and killed 69 people in the township of Sharpeville, South Africa, people who were peacefully demonstrating against apartheid. As the hon. member mentioned, the United Nations General Assembly later declared that day, the 21st of March, International Day for the Elimination of Racial Discrimination.

The UN called on all nations and communities to not only remember that tragedy but to work together to eliminate racism wherever it exists. In response many organizations throughout the world and also here in Alberta have worked hard to educate the public about racism, organizations such as NAARR, the Northern Alberta Alliance on Race Relations, the Alberta Human Rights and Citizenship Commission, and the Alberta human rights and multicultural education fund. Last Sunday some of us attended the ninth annual Harmony Brunch here in Edmonton sponsored by these organizations, and I commend them for their work.

The theme this year for the international day is Fighting Everyday Racism. It is an important emphasis because despite all the declarations and conventions and special days the evidence of racism continues to undermine the foundations of our society. No country and no province is free from racism and racial discrimination. We must address the racial slurs and jokes which occur in everyday speech, racial innuendo on the Internet and in magazines, especially racist epithets hurled at our First Nations people.

Mr. Speaker, many years before Sharpeville, in 1893, a young lawyer was travelling in the first-class section of a train on his way to Pretoria when a white male passenger insisted that because he was a coloured man, he would have to sit back in third class. He refused to move, and a conductor threw him off the train. Mahatma Gandhi sat in the cold outside the train station all night reflecting on the deep and painful disease of prejudice. That incident was the turning point in his life. Soon after his experience on the train Gandhi created the theory of Satyagraha, or the force of love, and he determined to root out the disease of prejudice but never to yield to violence and never to use violence against others.

Now more than 100 years later there's no excuse for us. We have the right kind of charters and laws and declarations and examples like Gandhi. The struggle to combat racism must shift to the streets and schools and parks and our own families and communities, where we must commit ourselves to zero tolerance of racist behaviour and fight against everyday racism.

Thank you, Mr. Speaker.

The Speaker: The hon. Member for Wetaskiwin-Camrose.

Commonwealth Parliamentary Association

Mr. Johnson: Thank you, Mr. Speaker. Last week hon. members of this House rose and recognized Commonwealth Day, which is celebrated the second Monday of March each year. Today I rise to

recognize the practical benefits of being a part of the Commonwealth of Nations. Recently I had the opportunity to travel to the Commonwealth Parliamentary Association 55th parliamentary seminar at Westminster, England, where I had the honour to celebrate Commonwealth Day at Westminster Abbey.

The mission of the Commonwealth Parliamentary Association, or CPA, is to “promote the advancement of parliamentary democracy by enhancing knowledge and understanding of democratic governance.” The programs administered by the CPA provide the sole means of regular consultation among Commonwealth members. This provides the opportunity to increase understanding of different parliamentary procedures around the globe.

I was one of two Canadian delegates and was honoured to represent this Legislature and lend a Canadian provincial perspective to the debate as the other representative was a Member of Parliament. This seminar gives participants the opportunity to share their ideas and debate processes from different parliamentary perspectives. Through the sharing of ideas we had the opportunity to learn what has worked for other nations and what hasn’t as well as share our own experiences as legislators and parliamentarians. The debate and ideas were as diverse and interesting as the member countries of the Commonwealth.

The Commonwealth includes 53 countries which represent over a quarter of the world’s population, living in vastly different nations, ranging from Fiji to Zimbabwe. This diversity has lent itself to a wide range of parliamentary practices and procedures all stemming from the original Parliament at Westminster. The contribution of the CPA to the betterment of parliaments around the globe is immeasurable, and I would like to recognize their contribution to good parliamentary practices.

Thank you.

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

Youth Science Month

Ms DeLong: Thank you, Mr. Speaker. Every year thousands of young Albertans participate in local and regional science events all across our province. These young scientists work hard and usually have a lot of fun developing projects that demonstrate their innovation, knowledge, and imagination. Many of us in this Assembly have had the good fortune of meeting with many of these brilliant young people in the last few years, and I’m sure I can speak for all members in saying that they leave us feeling a tremendous sense of optimism in Alberta’s future.

Unleashing innovation is a key pillar of this government’s 20-year strategy, and it is essential that we continue encouraging our young people to gain knowledge and skills in science and technology. This knowledge will help them to better understand the world and also to excel in their education and broaden their career options.

It’s in the best interests of our society and our economy to develop and support a culture of innovation. We must nurture new generations of scientifically literate young people who will push the boundaries of our knowledge and improve the quality of our lives in the future. That’s why I’m happy to join the Minister of Innovation and Science in supporting Canada’s Youth Science Foundation in recognition of March 2006 as Youth Science Month in Alberta.

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

Long-term Care

Mr. Martin: Thank you, Mr. Speaker. Nearly a year has passed since the Auditor General released a scathing report on the shameful

conditions of many long-term care facilities in Alberta. A year ago we were calling the neglect and abuse seniors experience Alberta’s dirty little secret. The fact that a year has been allowed to pass without any significant improvements is an outright scandal.

Far from making improvements over the past year, the Minister of Health and Wellness and the minister of seniors have allowed numerous long-term care facilities to be downgraded to assisted living facilities. In many cases residents remain in place while their services are downgraded. With the government now raising the spectre of medical savings accounts and further privatization, it is no wonder Albertans are worried about the quality of care they can expect as they age.

The NDP has put forward some very practical, very workable solutions to this crisis. We have called for a new comprehensive long-term care act to replace the hodgepodge of legislation that now governs various types of supportive housing. We also are calling for the implementation of high standards of care followed up with unannounced inspections to ensure that those standards are being met.

We also need to invest in hiring and training staff in these facilities. In our consultations with seniors across the province we heard about the hard work and dedication of the staff in supportive living facilities, but we also heard that they were overworked and that there simply weren’t enough of them to ensure that residents were safe and comfortable. The NDP is calling for staffing standards that require a minimum of four hours per day per resident of nursing and personal attendant care as well as at least one registered nurse on duty 24 hours a day at every long-term care facility.

Mr. Speaker, these measures won’t break the bank. They’re reasonable. In fact, they are the least we can do for the people who spent their lives building this province.

Presenting Reports by Standing and Special Committees

The Speaker: The hon. Member for Calgary-Nose Hill.

Dr. Brown: Thank you, Mr. Speaker. In accordance with Standing Order 94 the Standing Committee on Private Bills has reviewed the petitions that I presented Monday, March 20, 2006, and I can advise the House that all but one of the petitions comply with Standing Orders 85 to 89.

The committee has considered the remaining petition and recommends to the Assembly that Standing Order 89(1)(b) be waived for the petition for the Edmonton Community Foundation Amendment Act, 2006, subject to the petitioner completing the necessary advertising in accordance with the Standing Orders before the committee hears the petitioner.

Mr. Speaker, that is my report.

The Speaker: I’ll call the question then. Would all hon. members in the Assembly supportive of the report please say aye.

Hon. Members: Aye.

The Speaker: Those opposed, please say no. It’s carried.

head: 2:50 Presenting Petitions

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

Mr. Elsalhy: Thank you, Mr. Speaker. I am submitting a petition on behalf of 106 concerned Albertans urging the government to, one, abandon its plans to implement the third-way reforms; two, defeat

legislation allowing expansion of private, for-profit hospitals and permitting doctors to work in both public and private systems; three, oppose any action by this government to contravene the Canada Health Act; and four, vote against forcing Albertans to pay for private health insurance for services that should be covered under medicare.

Thank you.

The Speaker: The hon. Member for Calgary-Mountain View.

Dr. Swann: Thank you, Mr. Speaker. I have a petition here stating, "We, the undersigned residents . . . petition the Legislative Assembly to urge the Government of Alberta to consider increasing funding in order that all Alberta Works income support benefit levels may be increased." Fifty-one signatures.

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

Mr. Taylor: Thank you, Mr. Speaker. I have here a petition with 53 signatures from Calgarians on it, petitioning the Legislative Assembly to urge the government to "consider increasing funding in order that all Alberta Works income support benefit levels may be increased."

Thank you, Mr. Speaker.

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

Mr. R. Miller: Thank you, Mr. Speaker. I rise this afternoon to table a petition containing the names of 92 Albertans from the communities of Edmonton, Calgary, Leduc, and Sherwood Park urging the government not to proceed with their third-way health care reforms.

Thank you.

head:

Introduction of Bills

The Speaker: The hon. Member for Calgary-North Hill.

Bill 26

Mandatory Testing and Disclosure Act

Mr. Magnus: Thank you, Mr. Speaker. I request leave to introduce and move first reading of Bill 26, the Mandatory Testing and Disclosure Act of 2006.

This bill will replace the Blood Samples Act of 2004 and offer protection to police officers, firefighters, paramedics, and good Samaritans who provide emergency assistance and have come into contact with a bodily substance of a source individual.

Thank you, Mr. Speaker.

[Motion carried; Bill 26 read a first time]

The Speaker: The hon. Government House Leader.

Mr. Hancock: Thank you, Mr. Speaker. I move that Bill 26 be moved onto the Order Paper under Government Bills and Orders.

[Motion carried]

head:

Tabling Returns and Reports

Ms Evans: Mr. Speaker, in response to a question from the hon. opposition leader in question period yesterday I will table five copies

of the list of groups that I met with in Bonnyville and St. Paul on March 11, 2006, and would like to remind all hon. members that the list of stakeholder groups that I have met with is listed on our website, www.health.ab.ca.

Thank you.

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

Mr. Eggen: Thank you, Mr. Speaker. I have two letters to table today. The first letter is from Don Veldhoen, and he is saying that the government has a widening credibility gap when it comes to health care.

The second is from two of my constituents, Merv and Jean Rogers, and they accuse the government of releasing a very vague health policy and not telling the truth about wait times in countries with parallel health systems.

Thank you.

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

Mr. Chase: Thank you very much, Mr. Speaker. I have four sets of tablings, all having to do with the provincial government's plan for the future of daycare. The participants, the signatories are Ron Barnhart, Kathy Barnhart, Darlene Senio, Dan Chalifoux, Dale Côté, Ann Boylan, Eugene Rienks, Donna Lynn Smith, Carol Carbol, Judith Axelson, L. Fjerwold, Don Massey, Barbara Massey, Gene Leblanc, Jean and R.K. Taylor, Glenda Roberts, Judy Wilson, John Tanasichuk, Karen Glauser, Agnes Fisher, Doug McEwen, and F.J. Fjerwold.

Thank you.

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 Kathy Briner, Marie MacDonald, Heather McEwen, Arnette Anderson, V.C. Pich, and Judi Cook.

The Speaker: The hon. Member for Calgary-Mountain View.

Dr. Swann: Thank you, Mr. Speaker. I am pleased to table five letters and appropriate copies regarding the provincial government's plan for the future of daycare from Pam Buckler, Phuong Chau, Tara Malo, Monica Jok Mach, and Julie Henkelman.

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

Mr. Taylor: Thank you, Mr. Speaker. I rise today to table four letters, the appropriate copies thereof, regarding the provincial government's plan for the future of daycare. These letters are from Natalia Petrossie, Tina Valjak, E. Heimannsberg, and S. Heimannsberg.

Thank you, Mr. Speaker.

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

Dr. B. Miller: Thank you, Mr. Speaker. I have three tablings, letters from constituents with appropriate copies, all expressing concern about the third way and the future of health care in Alberta. The first letter is from Brenda Knight and the second one is from Eileen Carpenter and the third is from Ken Baden.

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

Mr. R. Miller: Thank you, Mr. Speaker. In response to the government's answer to my Motion for a Return 12 yesterday, I am pleased to table the appropriate number of copies of a document entitled Ethical Guidelines for the Government Pension Fund – Global produced by the Finance department of the government of Norway. It's an ethical investment policy, which I believe the Alberta government sorely needs.

Thank you.

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

Mr. Elsalhy: Thank you, Mr. Speaker. I'm tabling a letter from an Edmonton-McClung constituent, Ms Marilyn Caskey, who strongly objects to further privatizing health care and allowing people to queue jump. She talks about how insurance companies try to make money for their shareholders and avoid covering services or paying claims. She also opposes allowing physicians to work in both public and private spheres, wants actual, serious consultation before anything is decided, and supports the idea of a leaders' debate on the future of health care. It's actually good reading.

Thank you, Mr. Speaker.

The Speaker: It's my pleasure today to table the appropriate copies of a book titled *100 Years at the Legislative Assembly of Alberta: A Centennial Celebration*, which was produced by the Legislative Assembly of Alberta.

head:

Tablings to the Clerk

The Clerk: I wish to advise the House that the following document was deposited with the office of the Clerk on behalf of the hon. Mr. Mar, Minister of Community Development: response to Written Question 3, asked for by Ms Blakeman on behalf of Mr. Agnihotri on March 20, 2006.

head:

Orders of the Day

head:

Government Bills and Orders Second Reading

Bill 13 Real Estate Amendment Act, 2006

[Adjourned debate March 13: Mr. Strang]

The Speaker: The hon. Member for West Yellowhead.

Mr. Strang: Question.

The Speaker: Hon. Member for Edmonton-Ellerslie, are you participating in the debate on Bill 13?

Mr. Agnihotri: Yes, sir.

The Speaker: Then I will recognize you.

Mr. Agnihotri: Thank you, Mr. Speaker. I'm pleased to rise and speak to Bill 13, the Real Estate Amendment Act, 2006. The purpose of this bill is to delegate new responsibilities to the Real Estate Council of Alberta, which we call RECA, in an attempt to combat mortgage fraud in this province. The members of the Real Estate Council of Alberta will now act as a first line of defence against mortgage fraud in Alberta. If this bill passes, members will

likely require some level of training to help them identify potential mortgage fraud and, more importantly, to respond effectively and safely when they identify potential mortgage fraud.

This is a good bill. I support this with some cautions, Mr. Speaker. Mortgage fraud was an issue that got significant media coverage in the past few months as cases became publicized in the newspapers. This is really a problem that does exist in Alberta, and this bill is a positive step in combatting mortgage fraud.

There are questions that need to be asked regarding this bill. Specifically, by delegating this new responsibility to the Real Estate Council of Alberta, there will be a need for training, potentially increased funding, et cetera. Because this bill is so brief, there is no elaboration as to how these issues may be dealt with.

Mr. Speaker, mortgage fraud is booming in Alberta. Mortgage fraud has emerged as a real issue here in this province. Let me mention a few of them, some very popular frauds, which are illegal.

3:00

First of all, it's the straw buyers. The straw buyer is a phony loan application. Some people get a mortgage from someone who is not a serious buyer, but they use their name. They use their phony names and get the mortgage in their name. Sometimes the person who is getting the mortgage doesn't even see the property. I mean, without seeing the property, buying is illegal, but this practice has been going on in Alberta for a long, long time. I am surprised that this government or RECA haven't taken any serious action against this fraud. But I'm happy that at least RECA is considering this as a fraud, which is a good step.

The second one I want to mention is flipping properties. Flipping a property is when you buy a property, assume somebody else's mortgage, and then, you know, when the market is good, you transfer, flip this property to somebody else. Some people think it's legal, but it's not legal. It's only in Alberta, I think, where we get this assumable mortgage. An assumable mortgage in other states is not acceptable. There was a rumour that Alberta, not the Alberta government but RECA, was considering stopping assuming mortgages. It's a big fraud.

I'll give you an example. Some people come from B.C. or Toronto or some other part of the world, and they come with \$100,000. [interjections] Just a minute. Just a minute. With \$100,000 they can buy 50 properties. Sometimes with a \$1,000 down payment they buy a house, and after some time they flip the property when the market rate is high. Some people think it's legal, but it's not legal. It's a fraud, a big fraud, and especially when they give some money to a third party to get the mortgage. Suppose you are A and I buy a mortgage in your name, and you haven't even seen the property. This is a fraud. It's a good thing RECA is taking action on this one.

The third one, as I said, is the low down payment. Most of us have seen in the newspaper zero down payment or for a \$1,000 down payment you buy a house, you buy a condominium, right? You know, there are lots of people who are first-time buyers, and they don't understand this legality. Sometimes the seller or the broker says: you move into the property, you live there for six months, and then we will transfer that mortgage into your name, and the title is still in somebody else's name.

I mean, it's sometimes a gang. They appraise the property, and sometimes the appraiser is involved. The bankers are involved. They get the mortgage. They buy lots of properties only when the time is bad. Before 1980, when the market was really low, millionaires came with a small amount of money, they bought 200 properties, and when the market went up, they made lots of money. Business is business, and if the business is legal, then it's okay. But

I think RECA has known of this problem for a long, long time. I'm surprised they haven't stopped the assuming of somebody else's mortgage. They should have stopped assumable mortgages because they know that this thing was going on for a long, long time. I think it was two years ago that there was a rumour that they were stopping the assumption of mortgages, but it's still going on. Then they started taking action against the banks. Some bank officials were involved with some people who made frauds, with the big gangs. It was in the newspaper for a long, long time. So those are two or three types of popular frauds I have mentioned.

Some people buy property in bad shape. I'll give you an example. In the downtown area the structure of a building is rotten, totally gone, and they buy those properties, and somehow they get the inspection done. We don't have the mechanism or we don't have some sort of strict policies. I mean, how can they buy those properties where the structure is so poor? Then some innocent third person who doesn't even live in Alberta buys those properties. The people living here make money. They depend on that after buying these properties. The first-time buyers, the people who can't afford or don't have a big amount of money always, you know, buy those types of properties because they're always advertised: you will be better off buying this property than renting the property. Some people take the mortgage and rent the property first. Then they sell after six months when the property rate has gone up. This is also illegal, and it's a big fraud.

I mean, going through the data in this bill I found lots of things that are really good. I think RECA is taking the right step. The government of Alberta participated in a mortgage fraud prevention committee to encourage communication, develop best practices, and improve training for workers in the mortgage and real estate industries, which is good. What we need is to educate people, especially the first-time buyer who doesn't know how to buy property. Sometimes they think they'll just save some real estate commission, and they don't consult with an expert in the industry who has the experience. Those innocent people take a wrong step, and they repent afterwards.

Another thing I want to ask the proposer of this bill: in Alberta why don't both buyer and seller pay commission? I have seen some other countries where buyer and seller both pay the commission. In Alberta only the seller pays the commission. I don't understand. Both parties are involved. Why does only the seller pay the commission to the real estate person or any broker?

3:10

Another question I want to ask is about mortgage refinancing. In some cases some investors buy the properties and keep on refinancing the property again and again, and then they flip the properties and make lots of money. The whole gang, as I said before – surveyors, inspectors, and sometimes the builders – is involved in this. This is totally illegal, and it should also be considered.

[The Deputy Speaker in the chair]

Another thing. I lived in England for 14 years, and there were different laws than here. In England there was gazumping. Maybe this is something new for most of the people sitting here. Gazumping means that the seller can change their mind, even signing at the last moment. He should have the right to refuse to sell the property, but it's not happening in Alberta. Gazumping is like, I suppose, where you buy a property and you write in the contract that the possession date is in six months, and when the market is really hot sometimes, the seller loses a huge amount of money. As the buyer has some rights, sellers should have some rights. They should have

the right to say no. I'm not saying once the agreement is made, but there should be two agreements: the initial agreement and the last agreement should be close to the closing time. It's not happening in Alberta. This is very important. I want to know why it's not happening in Alberta.

Another thing I want to mention is the builder. We have seen so much construction, especially in the urban areas, in new developments, and the builders are cutting corners. I'm surprised. I've been a real estate agent myself, and sometimes I'm surprised how they pass that cheap material. The people don't know, especially the first-time buyers. When they build a house, it goes through the departments, but finally at the time of the inspection they don't find those things which they see in the contract, and it's very difficult to fight against. I mean, some big builders always guarantee that it's under warranty for such and such years, but it's my personal experience that it's hard to fight against those big companies. We should have some strict laws against the builders.

Another thing I find is in the land titles, especially when the property is bought and sold by the government; I mean, the government of Alberta, the provincial level. It could be the federal level, or it could be civic government. If the property is bought and sold by the government, normally it should be highlighted. It should be highlighted, and it should be accessible to the people for transparency, what the government is doing. I mean, I've seen so many land titles. I've never seen property where the government was involved and it was not highlighted in the property archive report on the land title. In my eyes, this is not right, and the Minister of Justice should know. He should make a note. He's the expert in this field. I'm not. Please note this point: if we could do something to make it a little bit more strict on this one.

As I said before, this bill is a really, really good step in combating mortgage fraud in Alberta, and I'm happy to see that this government is taking this issue very seriously. As I said, I support this bill but with some precautions. I would however like to hear about the training and the other supports that the Real Estate Council of Alberta will be receiving for this added responsibility.

This is a good bill, and my only question is regarding the other recommendations that were made by the Advisory Committee on Mortgage Fraud. Is the government planning on following through on all of those recommendations or what I talked about? If we look into some questions I raised, you know, this bill will be even better. Other than that, I didn't see anything wrong with this bill. I will definitely listen to the other speakers if we have any, and then I will make up my mind whether I support this bill or not.

Thank you very much, Mr. Speaker.

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

Mr. Chase: Thank you very much. Based on my colleague's pretty much unreserved support of this bill, I stand in support of it as well. Under the title of mortgage fraud I would like to see somewhere within this bill some kind of requirement that when a person goes to sell their home, they are responsible for informing the buyer of the materials that were used in the construction of the home. I know that a major concern that cost a number of people in Calgary, Edgemont and some of the newer districts, was pine shakes, this fiasco where the government approved the shakes, and then later a number of companies went bankrupt, and the owners of these homes were stuck with a replacement bill of between \$9,000 and \$15,000, dependent upon the size of their roof. Sellers, as far as I'm concerned, should be required under law to indicate the types of materials and the faults that have been found with them, whether they're government-sponsored faults or not.

Another concern I have is when realtors are selling property and point to a vacant space and say: well, that's for the new school. Well, for the last number of years in Calgary 40 districts have been waiting for that new school to magically appear, and unfortunately that has not happened. I believe real estate agents need to provide a history and some kind of however accurate information that they can provide about where at least on the priority list for the government and for the school board that school might be. Otherwise, it's just an interesting space of land.

3:20

I think that something else that realtors and sellers should be required to do is inform people of potential land-use changes. Quite often somebody buys in a particular area with a so-called green space in the back, and it turns out later that that has now been rezoned for commercial. Instead of a park-like atmosphere, they're finding that they've got another strip mall or 7-Eleven popping up.

These are areas that I would like included. They border on fraud by not informing the purchaser of the problems associated with either the property itself or the changing designations or the sort of false proposition that a school will be coming sometime soon to a neighbourhood near you.

Thank you.

The Deputy Speaker: Are there others? Are you ready for the question?

Hon. Members: Question.

[Motion carried; Bill 13 read a second time]

Bill 16 Peace Officer Act

[Adjourned debate March 7: Ms Blakeman]

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

Mr. Taylor: Thank you, Mr. Speaker. It is my pleasure to rise today in second reading debate of Bill 16, the Peace Officer Act, a bill that's the result of a consultation process, that I would congratulate the government for undertaking, a series of consultations with police, municipal officials, provincial officials, and special constables over an eight-month period. It's good to see that that consultation took place before this bill was crafted.

Having said that, though, it strikes me that this bill leaves out a great deal. Some it purposely leaves out because it intends to deal with those issues under regulations, and I have a problem with that, both philosophically and in terms of the details as well. Some it just seems to leave out because it didn't really consider those issues or the ramifications of some of the issues that this bill does seek to deal with.

In short, the bill seeks to bring all peace officers under one piece of legislation that will clarify their roles and responsibilities, increase accountability, and at least allegedly strengthen provincial standards for training, the use of force, and qualifications. There's no question that there is a place for peace officers, or special constables as they used to be known, to function as a level of law enforcement, but they should not function in the place of fully trained, fully accredited police officers. Mr. Speaker, I believe that that's what this bill seeks to do: to get some bargain-priced pseudo-cops into the system to do the work of police officers at a lower rate of pay, at a lower level of training. I think that the consequences of that will not be good.

You know, we're fortunate, Mr. Speaker. We do live in a very peaceful society. I know that sometimes it doesn't seem like that when we get up in the morning and turn on the radio or grab the morning paper and look at the headlines and some horrible, heinous crime has been committed here in Edmonton or in Calgary.

Dr. Morton: Listen to talk radio.

Mr. Taylor: Oh. And talk radio, of course. No question about it. It makes mountains out of molehills on a regular basis. That's pretty much the purpose for its existence.

There's a very good example. The hon. member mentioned talk radio. An hour of talk radio can in fact leave the listener with the distinct impression that this is a perilous, dangerous society in which we live. But it's not, really, not in Alberta. If you want a perilous, dangerous society, I mean, there are plenty of big cities in the United States that you can look at with crime rates hugely out of proportion to our own. We are fortunate to live, the media notwithstanding and the media's creations of impressions notwithstanding, in a safe and peaceable province. That will probably get us through most of the flaws and faults in this legislation most of the time, but most of the flaws most of the time is not good enough.

What we're suggesting that we should be doing with this legislation is put peace officers in the place of police officers doing specific tasks, specific duties that traditionally have been the responsibility in the province of a fully trained police officer for a very good reason; that is, the police officer is really the only person in our society who is appropriately trained to anticipate, judge, and react to the level of threat involved in that particular incident.

A very good example is the proposal to use peace officers in traffic stops. Traffic stops, as any police officer will tell you, can be – can be – one of the most dangerous aspects of policing. You never really know, when you pull over a motorist, what you're going to find when you walk up to the driver's side door of that car and ask for the licence and registration. You may have cause as the police officer or the peace officer to pull that car over. Maybe the driver was speeding. Maybe the driver was weaving, and you suspect that he's impaired. Maybe the driver has a burnt-out tail light, and you just want to advise him of that. There can be all kinds of things, but you don't actually know until you approach the driver and he rolls down the window of the car what exactly you're going to be facing.

In order to safely and successfully conduct a traffic stop, you need someone with a full range of abilities, including a knowledge of tactical communications, the ability to defuse a hostile situation through verbal techniques. It can be nothing other than an otherwise law-abiding citizen who's had a bad day and made an illegal left turn or ran a red light or did something that, yes, you know, is potentially dangerous but didn't cause any problem at the time. So the otherwise law-abiding citizen is going to the police officer: what are you picking on me for? Then the attitude starts. Well, the police officer has to be able to quickly and peacefully defuse the situation because situations like that, even with law-abiding citizens, can get out of hand pretty quickly. The officer needs knowledge of the legal aspects of moving violations, needs sound judgment, needs the judgment to responsibly deploy weapons if the situation escalates. In short, that officer needs one heck of a lot of training.

I don't see in this bill clear evidence that the training is going to be sufficient, and I think that's a real problem, Mr. Speaker. We don't know who is going to be responsible for the training. We don't know who these peace officers will be accountable to. We don't know whether it will be, as in the traditional case with special constables, the employers who have the authority to discipline or the police service that they'll be working with or on behalf of or in place

of. Is it the municipality or jurisdiction that employs them? Will it be the Solicitor General through the director of law enforcement who is accountable? We need to know that before we can possibly vote in favour of this bill.

We need to know precisely what process will be involved in the hiring of police officers, especially – especially – if they're going to be hired as a level 1 APO, level 1 Alberta police officer, the top level of the four levels of authority to be adopted for peace officers: Alberta peace officers levels 1 and 2 and community peace officers levels 1 and 2. It's the level 1 APO who will have and be the highest level of authority that can be obtained for a peace officer. These are the peace officers who will receive the authority to enforce the provisions of provincial statutes and the Criminal Code that are specific to their mandate. This will probably mean enforcing traffic violations on Alberta's highways. This will probably mean providing prisoner transport and court security, protection services for high levels of government and other individuals as deemed necessary. It's expected as well that this level of peace officer will further complement the role of policing through the provision of specialized services. These officers will be trained in the use-of-force model, so they'll have the authority to carry some kind of weapon, whether it's a baton or pepper spray or, you know, a combination of these weapons or perhaps even a firearm.

3:30

Now, we're not breaking entirely new ground here, admittedly. We have special constables who have the authority to carry some limited, shall I say, low-grade – I don't know that that's the best phrase that I could use, but it's the one that comes most readily to mind – weapon as it is now, and they're functioning rather successfully at their job, although you do run into problems from time to time with special constables in the transit service, for instance, where they really do not have the force of police officers, the full impact and effect of police officers, nor should they for the level of training that they have right now. But by the same token, absent a full-fledged police officer, you have a dangerous situation that cannot be necessarily completely defused.

There is certainly a role for special constables. They're on our transit systems. They're on our college and university campuses. They're in our hospitals alongside doctors and nurses. They enforce city bylaws in municipalities. They work as conservation officers in our parks, also as fish and wildlife officers, and they do play a very significant law enforcement role in those aspects of our society.

Now we're talking about expanding this to place peace officers in the place of police officers doing such things as traffic stops. You know, I mentioned training before, and the problem with this new model, Mr. Speaker, is that we really have no idea what level of training these officers will receive and for how long. Nor do we know who will administer the training. Will it be police training section members? Will it be private security agencies? How long will the training go on? What's the content of the training? How much time will be spent on tactical communications? I've referred to that before. The Solicitor General thus far has not been able to tell us the details of any of this because the training models haven't been developed yet. Training models will be developed through regulations.

Well, I can't support that. I can't support this expanded role for peace officers in which they take the place of police without knowing absolutely that they have received the appropriate amount of training to ensure the public's safety and the safety of the officers themselves. I can't take a verbal assurance from government. You know: "Trust us. When have we ever let you down before?" A big old group hug isn't going to do it here.

These officers, some of them, will be carrying nine-millimetre

handguns and shotguns, and, you know, we all absolutely need to know that they have the full training needed to be able to safely and responsibly deploy these weapons. As the Solicitor General himself would know, as at least one other member of the government benches opposite would know from their past lives as police officers, police officers have this training. We have in this province, in this country as a rule, with occasional exceptions, tremendous confidence in our police officers because we know that they have a long history and heritage of excellent training and excellent recruitment practices as well.

You know, police officers are subject to, depending upon the police service that's doing the hiring, polygraph examinations, psychological tests, very extensive background checks, references from other members of family, from friends, from neighbours, all kinds of people who've known this individual in the past. The police service wants to know when they recruit somebody to join their force that they're recruiting a very stable, level-headed individual who shares the values of his or her fellow officers, who's committed to serving and protecting the civilian population, who's committed to defusing difficult situations, not making them worse, committed to solving and investigating crimes and keeping our streets safe, as corny as that phrase might sound from time to time, and committed to right, not to might but right.

So we trust our police officers. We trust our police officers, Mr. Speaker, with our lives sometimes, and we have every good reason to do so based on the heritage of policing in this province and this country. We pay our police officers reasonably well. As we talked about in this House I think just last week, we don't have what in my opinion is sufficient funding to hire enough police officers for our biggest cities. We need more police. This seems to be a backdoor way to get more police resources, more people acting as police without actually really going to the trouble of hiring police, and I think they're going about it the wrong way.

Thank you.

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

Mr. Chase: Thank you very much, Mr. Speaker. I, too, respect the role of any officer attempting to carry out the mandate that they have been given, but I don't believe that Bill 16 offers sufficient clarification or support for the differentiated roles.

I have similar concerns with regard to training and education. A concern that I have is: are we trying to reduce policing to its lowest level and therefore pay someone a smaller salary to carry out that role? The medical equivalent would be a person who has received a limited amount of training, such as a licensed practical nurse, taking on duties of a registered nurse. They simply have not received the amount of training to make what in both cases can be a life-and-death decision. So I'm concerned about the training.

I'm also concerned about the various levels and the identifications and even the vocabulary that is connected. This new sort of Americanization of bringing the term "sheriff" into our Alberta context to me is a concern in itself. You know, do they have five-star badges? Are they wearing western paraphernalia as they go out in their cruisers? Are we having sort of a Dukes of Hazzard kind of mentality?

I'm concerned that we're potentially setting up special constables in various levels for failure because we're sending them out not sort of in a ride-along circumstance where you've got either a city police member in the same vehicle or you've got an RCMP member in the same vehicle. Quite often we'll be sending these people out to a large degree on their own with limited backup. Yes, they'll have a radio, which depending on where they are may or may not transmit. I've experienced this first-hand myself when working in the parks in

the mountains in the southeast part of the Kananaskis. The RCMP have the advantage of the satellite phones and special communications. I'm not sure that with the average car radio or cellular technology, given some of the effects of the Canadian Shield and the distance between towers – these people may find themselves in circumstances where backup that they require is not readily available. Putting people out on the roads or into the streets without sufficient authority and support concerns me. It also concerns me about the number of different uniforms, the number of different insignias, the different car markings.

3:40

Albertans will, I would like to believe, respect the role that each officer is trying to carry out, but I'm afraid that they may not get any more respect than some bouncers, who have been badly wounded in bar fights and so on. I'm hoping that every constable, special or otherwise, every law enforcement individual will be equipped with a vest. That, to me, would be a minimum expectation. I do praise this government because my understanding is that these vests are going to be available for people working in the penitentiary and jail systems provincially much sooner than they'll be available federally, so I salute members of this government for seeing this through. I'm hoping that these individuals will receive that as minimal equipment. Another piece of what I would consider to be minimal equipment is the gloves that are basically knife and razor blade and sort of puncture proof so that they have an opportunity to defend themselves.

I have difficulty, again, with the level of training. It seems to me almost contradictory when a special constable, basically a civilian volunteer who has been put through a limited amount of training, is not allowed a side arm but has the much more dangerous equipment of a shotgun. This may not be the regular circumstance, but quite often these special constables are sent alone in a fully marked RCMP vehicle to do routine tasks, possibly issue a summons or patrol the local park.

From a friend who had experience doing this, the number of times when surprises occurred – I suppose it shouldn't come as much of a surprise on a long weekend that people are going to consume more alcohol than they might normally do. This individual was surrounded and put in a position of risk. Whether or not there had been another fully trained RCMP individual with him at that time, the result was that they would both have been outnumbered. I have concern about: how do you take on this kind of role when you find yourself in an emergent circumstance when you haven't had the variety of experience that a fully trained either city police or RCMP individual will have had?

To me, regardless of what level of policing you're doing, the most important aspect is strength of character. Strength of character, being able to be calm in a situation which is extremely frightening and being able to talk calmly and encourage an individual not to take the particular action that they're about to take, is to me tantamount. Strength of character can't be taught. It's something that you possess.

In my experience in the parks and protected areas and the wilderness area, I was responsible along with my wife for 101 campsites. I personally dreaded long weekends because I knew that the closest RCMP detachment was over 70 kilometres away in High River and that if I ran into any trouble, the conservation officers were usually very involved closer to the city, in campgrounds like Bluerock, which because of their close proximity people got to faster, started drinking sooner, and the difficulties arose. I was very grateful for the supporting role of the conservation officers because, basically, all that stood between me and some difficulty was the golf pencil with which I used to register campers. Quite often those

campers, after they've had a number of beers, were less than supportive when I asked why they hadn't registered.

Fortunately, my background in teaching and negotiating served me well, but I didn't have a shotgun, I didn't have a pistol, nor was I trained in the use of those particular weapons. If you take a person, especially a young person who has had very limited training, and you put them out into a dangerous circumstance like a highway 63 or a remote campground and you just say to do your best and there isn't backup support, then I have great concerns about that.

Bill 16 appears to water down law enforcement as opposed to clearly defining what can be and can't be done. I don't want anyone in a position of risk. I don't want there to be risk to the general public. I don't want there to be risk to any officers attempting to do their best, to carry out their mandate in good faith. I am hoping that with these special constables there will be a lengthy period of ride-alongs with more experienced individuals, that they will not be sent out by themselves to either endanger their lives or those of the people they serve.

Bill 16 is basically an appetite whetter. If the fine details are going to be put through legislation that doesn't go through this House for debate, then Bill 16 just does not provide the sense of organization, the sense of planning, the sense of peace of mind that a peace officer act should contain.

Thank you.

The Deputy Speaker: The hon. Solicitor General and Minister of Public Security.

Mr. Cenaiko: Thank you very much, Mr. Speaker. The use of peace officers in law enforcement is not a new concept. The act that we're bringing forward in Bill 16 is new. The actions of the officers that we're talking about in this new legislation really come from a number of different acts. They come from the Police Act, and they come from various acts throughout our provincial government's legislation. So they come from a number of different pieces of legislation. We want to take from a number of different areas, put it into one act for them, a peace officer act, removing the term "constable" or "special constable" just to infer that they are not police officers, that they are peace officers.

As I mentioned, the use of peace officers in law enforcement is not a new concept. In fact, peace officers have had a presence in Alberta since 1953. Their role has evolved over time to meet the changing needs of the communities that they work in and the organizations that they work for. Bill 16 is designed to further clarify the roles and responsibilities for these peace officers, but we also want to clearly distinguish one level of peace officer, that authority, from another. There is a need to develop specific levels of authority that properly reflect the variety of duties peace officers have acquired over the years.

3:50

It's our goal with Bill 16 to enhance and complement police services. This is not about replacing police officers. This government has shown a strong commitment to policing in this province. Budget 2005 was the largest single increase of police officers in 20 years in Alberta. We announced \$23 million in new funding to increase provincial policing programs and expand courtroom security and prisoner transfer programs. That enabled us, Mr. Speaker, to add nearly 200 police officers to Alberta communities; 100 of these new positions went to rural communities. An additional \$3 million was allocated to hire sheriffs to handle courtroom security and prisoner transport in smaller centres. This allowed the redeployment of 30 RCMP officers from those various duties in courtrooms and court security, which they didn't want to be in, to be able to

manage and be back on front-line duties responding to the calls required from the community, investigating criminal activity, and responding to emergencies.

There's an urgent need to develop new ways to deal with the shortage of police officers not just in Alberta but throughout Canada. Looking at new models of service delivery, Mr. Speaker, is exactly what we're doing, and we're taking a lead in Canada regarding that. Peace officers who have the authority to perform specific enforcement duties can help reduce the pressure on police while delivering high-quality service to the public. Police officers can then focus their attention on the more serious crimes in our communities. Achieving this will help keep the citizens of this great province safe and secure for generations to come.

Mr. Speaker, I'd like to just respond to some of the questions that the hon. members across the way raised regarding some of the issues that they have or some of the concerns that they have. When we talk about the various levels, the four levels that are in Bill 16 refer to two levels for a community peace officer and two levels for our government peace officers. It really clarifies who is at what level and which government they work for, the provincial government or a municipal government. So that is really an explanation to ensure that there is stand-alone legislation to ensure that that's fully explained.

When we talk about training and the question regarding training, in the Police Act or, I believe, in any other act the training requirements aren't in an act per se. They may be in the regulations, but they're normally in policy. For example, for policing the Alberta Association of Chiefs of Police meets regularly. They have a not-for-profit organization, obviously, that is there to ensure that they have great communication amongst all police services in Alberta. They are the ones that determine the training of their policing services throughout Alberta. The RCMP, on the other hand, have a national picture, a national scope of what type of training they provide, but they do all fall in line.

For the training standards that we have in place for the special constable program, we train the officers that come from Calgary, Edmonton, Rocky Mountain House, Grande Prairie and are going to continue to train them. The municipalities have been advised that that level of training is going to be increased. There will be higher standards for them to ensure that the program that we want to provide in the community is really needed in the community as well as the designation provided to them. They have had the training to meet that designation. So training standards are going to be increased. They have been increased, in fact, in this past year.

The legislation in Bill 16 doesn't have the hiring process. It doesn't talk about the training because that's going to be done, some of that, either in regulations or in the policy that we have, but I do want to advise the members that these officers have been out there and have been enforcing traffic for years and years and years. This isn't something that happened two weeks ago, Mr. Speaker. They've even had the authority to write traffic summonses throughout Alberta for I'm sure at least the last 20 years, if not longer. So these officers have been out there. They have been trained. They have been trained by our department, who utilizes the RCMP. We utilize RCMP officers, Edmonton police officers, and Calgary police officers regarding the training and where we're moving in the future.

The training that took place for the sheriffs that were mentioned was an additional six weeks of training, which totalled 12 weeks. Again, these officers are trained. The main function, the main role of the sheriffs is that of prisoner transport, prisoner security, courtroom security, and judicial security. That included, as of January 6 of this year, doing interprovincial transport of prisoners throughout Canada. So the 350 officers that we have in our ministry

are doing that now. They have the training for that now. We're adding an additional number of weeks of training for them to be taught how to investigate traffic collisions as well as the ability to write summonses and/or enforce highway traffic act legislation. But they also have the ability to arrest on warrants, Canada-wide warrants or criminal warrants or provincial legislative warrants. They have the ability to do that now, as do special constables; for example, from Rocky Mountain House. They have the authority to do that now as well.

This act shouldn't be new to the members from the opposition, but in fact they should be looking at it saying, "Wow, this makes sense" in the fact that we're pulling all the pieces together and bringing one act forward.

Mr. Speaker, I want to just mention as well that they talked about the peace officers that carry side arms. Again, the officers that we have have been carrying side arms for 20 years. They've been trained in it. They've been carrying side arms for 20 years in their role as sheriffs for court security and prisoner transport. So they have the training, and they'll continue to have that training as we move forward with looking at other opportunities for them in the future.

We have confidence in our police, and we'll continue to as they are our emergency responders and our criminal investigators. The special constable program or the Peace Officer Act don't say anything about these officers investigating criminal activity or having authority under the Criminal Code to investigate a homicide or a sexual assault. That's not their role. That's not what they're trained for. It's job specific, and it will be job specific in the future.

So peace officers have and will continue to supplement and complement the police through training to respond to non-urgent services like traffic enforcement, traffic investigation. As I mentioned earlier, the RCMP used to provide transport of prisoners. They used to provide courtroom security, judicial security in this province. They were the ones as well that did not want to provide that function any longer because they felt that there was a better need for front-line police officers to be out on the front line and not sitting in a courtroom. I agreed with them, Mr. Speaker, and we developed this plan over the last year.

I want to just bring to light that the hon. Member for Calgary-Varsity said that these are *Dukes of Hazzard*-type officers. The Member for Edmonton-Glenora mentioned that they were dumbed-down policing. I take great offence with both of those comments, Mr. Speaker. These are young – well, some of them are older. They're educated. They're young, professional men and women who have chosen a career with the province of Alberta. They've chosen a career with the Solicitor General and Ministry of Public Security to take on those roles of court security and prisoner transport. They've taken on that role. They want to look at new opportunities to provide out in the community, to serve their community in a law enforcement capacity as a peace officer, not a police officer. So I take great offence to the hon. members from the Liberals making statements such as those, which are degrading, which are improper.

I want to just finally mention, Mr. Speaker, a few other things regarding the sheriffs. As I mentioned – and I won't belabour the point – they have additional training that's provided above and beyond what was provided in the past. The investigative training that they have is second to none. It's with the RCMP and the Edmonton Police Service. The pilot project that we have is going very well. From the information I received today at lunchtime, it's going very well. The partnership between the sheriffs and the RCMP is tremendous. They are having a marked effect on highway 21, and they're seeing a decline in speeders on highway 63. In the

two months that they've been there, they've seen a decline in speeding from the fact that obviously the media and, as well, ourselves are getting the message out to communities and to drivers that they are going to be monitored in their driving habits on those two highways. So that's good news.

4:00

We're going to deliver more good news at budget tomorrow afternoon. I'm looking forward to tomorrow afternoon's budget, as I believe all members in this Assembly are. We're here representing 3.2 million Albertans in a number of various different ministries, Mr. Speaker, and I'm honoured and proud to be the Solicitor General and Minister of Public Security.

As well, I'm honoured and proud to bring forward Bill 16, which is really going to provide the legislative backbone for peace officers in Alberta, for peace officers that want to share in a law enforcement career, that want to work and provide Albertans with a safer and a more secure community, ensuring that, yes, there are programs and, yes, there are functions that they can handle that police officers don't need to handle, that will allow and free up the time of police officers to respond to those emergency calls and respond to the needs of the community, whether it's the investigation of a theft or the investigation of a fraud at a business. So it allows them the opportunity to concentrate on criminal investigation, and it provides an opportunity for peace officers, who are focused and skilled and trained in these areas, to provide that service to Albertans.

As you look through the act, Mr. Speaker, really we have six parts, which fully explain the employers' authorizations and the peace officers' appointments. It talks about the complaints and discipline procedure, inspections, offences and penalties, regulations, and transitional provisions, which I mentioned earlier.

Again, I want to thank the members opposite for the debate on this bill. As well, I thank the MLA for Calgary-Hays for the tremendous amount of work he's done in the last 10 or 11 months on this act as well as staff from our ministry. I see that Sandra Klashinsky, who has played a tremendous role as well, is here from our ministry.

Mr. Speaker, I'll leave as my parting comments that this act has been a long time coming in the fact that this provides, as I mentioned, a backbone for peace officers in this province, whether they are government employees, whether they are corrections officers, some of the 1,100 corrections officers and 400 probation officers and caseworkers that we have, whether it's the 350 provincial sheriffs that we have, the 180 officers that work in SRD, the I believe over a hundred that work in Community Development, the 180 or so that work in the ministry of transportation for inspection services, and as well the 150 or 160 officers that are in uniform working for various municipalities throughout Alberta.

Thank you.

The Deputy Speaker: The hon. Member for Edmonton-Ellerslie under Standing Order 29(2)(a).

Mr. Agnihotri: Thank you, Mr. Speaker. I'm not sure if it's appropriate to ask a few questions of the hon. minister, but anyway I'll try.

Is it just opening the door for other professions? Like, now we are talking about these special constables with some training. How about in the future if the health minister starts saying that they need some health professionals? They can get some special training, and they can work in place of doctors or some other professionals in the medical profession. The next time it could be the Minister of Education saying that they can give a little bit of training to teachers for special purposes. Is that what this government is planning to do in the future?

The Deputy Speaker: The hon. minister and Solicitor General.

Mr. Cenaiko: Thank you very much, Mr. Speaker. This legislation provides, again, for the opportunity for special constables to move forward under the new act, and once proclaimed, of course, they'll be peace officers, not special constables. Again, we want to ensure that the public isn't confused with the terms "constable" or "special constable." They are not police officers. We want to ensure that the public is well aware that they are not police officers. They can be attached to an enforcement unit, but they are peace officers. They have authority as peace officers in the province of Alberta. Dependent on the training and dependent on the municipality, on what the municipality's request may be regarding enforcement in their own community, that's the designation that will be provided to them by the director of law enforcement.

Again to the hon. member, training has been an issue in the past. When we talk about the use of force and we talk about standards, the Auditor General is very clear in ensuring that we have audited standards throughout Alberta regarding policing, and obviously we're going to ensure that we have those standards in the peace officer program that we're going to have throughout this province. This is a complementary or a supplementary level of service to the community. It is a law enforcement occupation. It is in the field of law enforcement, but there are a number of fields of law enforcement, not just policing.

The Deputy Speaker: Under Standing Order 29(2)(a) the hon. Member for Cardston-Taber-Warner.

Mr. Hinman: Yes. First, does the minister have a long-term plan on how many more of these specially trained officers we're going to have, and is this possibly a first level of training so that in the future we can have an Alberta police force and have people that are partially trained to move up and expand on that?

Mr. Cenaiko: Well, absolutely not, to the latter remark regarding an Alberta police service. No, absolutely not. The RCMP are our provincially contracted police service for Alberta. We are entering into negotiations with Canada regarding their contract, which is due in 2012. We have a tremendous working relationship with the RCMP, a tremendous amount of history regarding the RCMP in our province. I think that if we were going to look at a provincial police service, we wouldn't have added 200 officers last year, and as well we wouldn't add the number of officers to the RCMP that we're going to announce tomorrow. Obviously, they are the police service of choice for us in Alberta for our provincial police service. Therefore, no.

On the number of officers that we're going to be looking at for sheriffs in the future, obviously our program is expanding because the services have expanded into rural areas to look after the courts. There are 70 courthouses in the province of Alberta. That means that we have to provide court security, judicial security in some cases, as well as prisoner transport back and forth from those courts to the various holding facilities. Are we going to be looking at additional officers? You'll have to wait for tomorrow's budget.

The Deputy Speaker: Under Standing Order 29(2)(a) the hon. Member for Calgary-Varsity.

Mr. Chase: A couple of questions. Are the peace officer positions ranked in order of authority? Will Bill 16 clarify the various levels of authority? The second question is: what opportunity is there for moving up or across the existing ranks? For example, if you're a security officer or a prison guard, does that put you three steps up

from, say, a court security person? Will there be opportunities within the existing ranks, sort of levels of training where you could potentially move within the forces themselves with a little extra education to receive that upgrading in your position?

The Deputy Speaker: The time has elapsed for Standing Order 29(2)(a).

The next member to be recognized is the hon. Member for Calgary-Bow.

Ms DeLong: Thank you very much, Mr. Speaker. I had actually risen at the same time as the Solicitor General. I had meant to rise under 29(2)(a). There was a comment that the Member for Calgary-Varsity made which to me is a very important concept and which an awful lot of people don't understand. A lot of people have misconceptions about strength of character. He said that you're born with strength of character. You're not born with strength of character. Strength of character is something that one learns by doing difficult things.

The Deputy Speaker: Hon. member, we're not under Standing Order 29(2)(a), where you can question the previous speaker. We're speaking on the bill in second reading of the bill. If you wish to keep your comments on the bill, please proceed.

4:10

Ms DeLong: Yes. Thank you very much, Mr. Speaker. Police officers not only have strength of character, but they also learn strength of character by doing difficult things, when it's a difficult personal thing for them. And yes, strength of character is something that is learned.

The Deputy Speaker: Are there others? Hon. Member for Lethbridge-East, are you rising under Standing Order 29(2)(a), or are you rising to speak on the bill?

Ms Pastoor: To speak.

The Deputy Speaker: Please proceed.

Ms Pastoor: Thank you, Mr. Speaker. I would just like to make a few comments. Many that I would have wished to make have already been made, so I will certainly save the time. There are a number of things that give me pause for concern with this. I guess that I'm coming with an overlay from my experience in long-term care and, of course, the bill that I have on the floor at the moment.

One of my concerns – and perhaps the minister could address these later – is that I see what the qualification standards are. One of them is grade 12 or the equivalent. Then further down it says that stronger qualifications would be for a more stringent – if I was a kid getting out of grade 12 and my dream from early childhood was to be a police officer, I would think that that would be enough because that's what it says, and I'm going to be really disappointed when I find out that that's not enough. I'm not sure that that's not sending the wrong message. I think we need highly qualified people.

Also, somebody out of grade 12 will not have taken the psychology courses that deal with human behaviour, certainly with deviant human behaviour. I'm assuming that when these people are hired and trained, they may well end up going through your police academy – that may well end up in southern Alberta, Lethbridge in particular. But I would assume that they are going to go at that level of training because these are young people.

Yes, I agree with the hon. member across the way who said that character can be learned. But young 18-, 19-, and 20-year-olds,

when they consistently have people in their face – really, it takes more than two or three years to learn the skill of disassociation, where you can actually learn to deal with that and disassociate yourself from the situation and become professional. It takes many, many years of training for that, and I'm just not sure that young people out of grade 12 would have that.

One of the other things is – and I'm going to perhaps use a personal example. Trying not to be totally disrespectful, but I have gone through customs, and I'm hoping that these young people that are trained in Alberta are going to be trained to perhaps treat people with respect. I've really had some very unpleasant situations that appeared sometimes to just be, "Because I've got the uniform and you don't," a very bad attitude when you're alone on a highway trying to stop someone for a speeding ticket.

One of my other concerns is that once we have these people trained, I'm not sure what their pay scale will be, but I'm hoping that they would not be allowed to moonlight and perhaps end up being rent-a-cops. The reason I'm saying that is because I'm used to, as I'm sure the other police officer is – and I'm really not sure who it is. We've all done nights, and we know what it is to work shift work. You come off those, and you're bagged. You're really, really tired. But if your pay scale is such that you have to work two jobs, I don't want that person trying to stop me for a speeding ticket or anything else when they're so spun out from having to work two jobs because the pay scale isn't going to be high enough. It could well happen. I look at it in terms of LPNs. I look at it in the downgrading of the professional staff. Yes, there are people, certainly, within the health industry that work two jobs and do shift work. It's exhausting.

The other question that I might have is: would there ever be the possibility that a particular contract would go to a private firm that now can supply trained officers? I'm thinking of, perhaps, well, bars would be good, but security on different pieces of property particularly at night.

The other questions that I had were about the curriculum. Would it be a provincially applied curriculum? Would they all learn the same thing so that no matter where they go in the province, their behaviour has an expectation and their training has an expectation? Is there any possibility that at any time this curriculum or education would be delivered by a private contractor?

Another concern that I had was something that comes out of my experience of wanting legislated responsibility. I see that on page 17 the accountability is going to be between the Auditor General, the Solicitor General, and Minister of Public Security. In my mind, that's far too many people. The complaints can go round and around and around in a circle, not unlike what they do in continuing care. There is never one person that can take the responsibility of saying yes or no. It just goes around in circles, and it never ends.

I can see that there will be some complaints. I don't think that people are perfect, and there will be complaints. There will be young people that will overstep their boundaries. I can also see that this could well end up in frustrations, and if the complaints go around in circles and are not handled, I can see lawsuits coming.

The other thing on the monitoring of conduct is: would there be drug testing and would it be random?

I think those were some of my concerns that other people, perhaps, have not addressed.

At this point, I would like to adjourn the debate.

[Motion to adjourn debate lost]

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

Mr. Martin: Thank you, Mr. Speaker. I will not prolong this very long. I've listened to the debate and the minister's answers earlier on, and I appreciate what he's saying. There have been peace officers involved in Alberta for many, many years. I think these questions are more in terms of when it comes to Committee of the Whole, in case we're not here. I'd be interested to know, though, if there is a different direction, not clarifying what's in the bill. The minister has indicated that that's what they're trying to do, clarify the role and actually to codify what's already happening, as I understood what the minister was saying.

But, Mr. Speaker, I think what we're somewhat concerned about is: are we going in a direction where there's going to be a significant number more peace officers? I think therein lies the worry to some degree, that we may be attempting to do policing on the cheap. Now, I don't think that necessarily flows from the bill, but I guess that what I'm trying to do is figure out the numbers that we have now. Are we looking at significant new numbers in terms of peace officers? What is the direction that we are going?

I know that the minister has already spoken. I'm more interested in seeing what he says in Committee of the Whole. I'm not particularly worried about the bill as such. I think that to codify what these people do – and this minister is correct: we've had peace officers for many years. To repeat, I guess the concern is: are we changing the direction to where we're going to have more of these people? Is that the goal of the government? If that's the case, then I think we should have a serious look at our policing because, as some other members alluded to on the opposition side, some routine things can become not routine very quickly when people are dealing with it.

4:20

So I'm not sure. The bill is not necessarily what worries me because I think the minister is right that it makes some sense to codify, as I call it. But I guess what I'm trying to find out is the direction that we're going in the long run. What are the numbers of peace officers that we have now in Alberta? Is there some estimate about how many more we might want and what their role may be? As I said, I would hope that the minister could come back in Committee of the Whole and give us some idea of the government's direction in this whole matter.

Thank you.

The Deputy Speaker: Others?
Ready for the question?

Hon. Members: Question.

The Deputy Speaker: Does the hon. Member for Calgary-Hays wish to close?

Mr. Johnston: Yes, Mr. Speaker. I was prepared to answer questions from the members opposite, but I felt that that has been done very eloquently by our Solicitor General and Minister of Public Security. I would therefore like to call the question.

[Motion carried; Bill 16 read a second time]

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 17 Libraries Amendment Act, 2006

The Chair: Are there any comments, questions, or amendments to be offered with respect to this bill? The hon. Member for Edmonton-Ellerslie.

Mr. Agnihotri: Thank you, Mr. Chairman. I'm pleased to rise again to speak in support of Bill 17.

The Chair: Hon. member, I should have recognized the hon. minister first to have introductory comments.

Mr. Doerksen: Thank you, Mr. Chairman. I would like to make a few comments on behalf of the Minister of Community Development just to cover off some of the points that were raised during second reading. One member inquired about the municipalities' usage of the public library rate. At the moment only two municipalities that we know of have a public library rate. Municipalities continue to have the power to establish a public library rate; however, it comes from the Municipal Government Act, not from the Libraries Act.

Another issue raised during second reading was about the municipalities' ability to collect funds for libraries and service delivery. Bill 17 has no impact on a municipality's ability to collect money for libraries and to deliver services. Municipalities now provide funding for library service from the general tax base if they do not have a public library rate. In fact, in most cases the public library funding is minimal, so they do not even think it's worthwhile identifying as a separate rate.

Another member commented that the bill may provide a mechanism to allow municipalities to dissolve and leave the library behind. In fact, at the moment there is no process, and there have been libraries left behind when the municipality dissolved. In those cases, there was no legal board and no one responsible for paying salaries, for paying bills, or for providing service. Bill 17 provides a process to dissolve a library when the municipality dissolves. Bill 17 can allow the work of the board to wind down in an orderly manner when the municipality has dissolved, so that the service can be either transferred to a new municipality or be terminated if that council will not provide the service.

At this point, Mr. Chairman, I would ask that Bill 17 be moved through Committee of the Whole. Thank you.

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

Mr. Agnihotri: Thank you, Mr. Chairman. I'm pleased to rise again to speak to Bill 17, the Libraries Amendment Act, 2006. I know that this bill makes four very important changes in the library administration. I want to discuss that very briefly.

The first one is the creation of intermunicipal library boards. This is an updating of the Libraries Act to incorporate current practice. It allows up to three municipalities or municipal districts to join together to form a board to go on the local library. There are currently at least two examples of this in this province. For example, the towns of Black Diamond and Turner Valley have one library. The towns are proximate to each other, and sharing the cost allows the communities to provide a higher level of service.

The next one is financial supporting. The act adds intermunicipal library boards to the act and states that the intermunicipal board shall prepare an annual budget and submit it to the municipalities. The act also requires intermunicipal boards to keep financial records, audit these records, prepare a financial report, and submit it to each municipal council.

The third one is dissolution or amalgamation. This is a new section that allows for the dissolution or amalgamation of the library board in the event of municipal dissolution or amalgamation or annexation. There is currently no process to transfer public library services if a municipality is dissolved, amalgamated, or annexed. This amendment allows the Lieutenant Governor in Council to dissolve board services, assets, and liabilities or terminate services if public library service is not provided by the new municipality.

The fourth one is the special public library rate. The ability for municipalities to levy a special public library rate is being repealed by this act. This change was not included in the government press release. I want to know why this change to the act was not included in the press release. Did they complete a comprehensive survey of all the municipalities to see if any were using the public library rate? What consultation was done with the municipalities? This omission is cause for concern. The municipalities I contacted don't use it, but one of the 300 municipalities with libraries could. So we should be concerned that this may impact the municipalities' ability to collect money for libraries and, therefore, to deliver services.

Our position will depend on the answers to questions in this area. If no one is using the public library and if no one is using the public library rate, then you could make the argument to remove it for housekeeping sake.

The next one, section 11:

- (1) A council may, in addition to all other rates and assessments levied and assessed for municipal purposes, levy and assess from year to year a special annual rate on the assessed value of all property liable to taxation for municipal purposes, which rate is to be called the "Public Library Rate".
- (2) The money collected under the Public Library Rate must be used by the municipality
 - (a) to provide the municipal board with money with respect to the amount approved under section 8(3),
 - (b) if it is a party to an agreement described in section 13, to provide an annual grant to the library system board with respect to its budget under section 18, or
 - (c) to provide money to both the municipal board and the library system board with respect to budgets under sections 8 and 18.

4:30

This Bill 17 I think definitely would improve library services by making it easier for municipalities to co-operatively provide library services. There is a risk that more municipalities will choose to provide one large intermunicipal library rather than smaller libraries in each community if the stakeholders in the affected regions feel that the option is an intermunicipal library or no library at all. The bill will not help the significant problem with the libraries in Alberta, underfunding. Libraries have been funded at the same per capita rate funding for the last 14 years. I got the answer from the hon. member.

The next one is that Alberta's libraries will continue to have one or two jurisdictions that charge fees to access library resources. Why won't the government take action in any of these areas?

Mr. Chairman, the groups I consulted all are in favour of the changes. I believe that these improvements are long awaited. We always support local democracy – that is, local library boards – and support literacy. Learning begins with reading. Therefore, we encourage the library system to improve their services and make more books available. We believe in access to libraries in rural areas, and these changes definitely will make that easier. We would like to see greater funding for the libraries and the removal of library user fees.

Mr. Chairman, libraries are very essential, basic services for every citizen in this province. Alberta's first public libraries act – I'm not

sure, but I read it on the Internet – stated very clearly that the libraries should be free to the public. Even the website from Community Development says very clearly that the libraries should be accessible, accountable, with quality service and the proper funding. They're talking about the proper funding. The stakeholders that I've talked to so far in the library field are complaining that the funding is not properly given to them. Recently the \$20 million, whatever, lump-sum amount that the government announced – I don't have the full details of how they are going to utilize that money.

My point is that this act which I'm talking about, the first libraries act, which was made in 1907, did not say anything like that, that money should be taken from the people as user fees, so we should respect the first libraries act, and we should not charge user fees. According to the Community Development website, I found this very clearly saying that in Alberta public libraries may charge for the following. Please allow me to read five words. Number one is a penalty for overdue materials. I agree. If somebody is late in returning the books, definitely we should charge, but there should be some flexibility. If the weather is bad or somebody is ill, at least they should be allowed to extend the date through the telephone or through e-mail or something, which is not happening. It used to be like this in the '80s. If somebody is really not returning those books for a long, long time and not replying to their letter or something, yes, we can ask them to pay the penalty.

The next user fee at this moment is the library cards. I know that I introduced the motion urging the government to remove that fee. Some libraries charge \$12, some even \$30, and some people cannot afford that. Some people, yes, definitely can afford it. My point is that we all pay the tax, and once we pay the tax – this is a basic necessity. We should not charge money, especially the user fee, whether it's in the library or in the hospital or in the schools. Necessities are necessities, especially if we still charge for the library card. I know where the government is spending money in other departments. Why do they not spend wisely on literacy so that we can make the base of our children? This is very important, and the government should consider it very seriously. I know my motion was shot down; I think it was last year sometime.

Another user fee at this moment: we are charging for meeting rooms. I mean, some libraries may have meeting rooms. If a community or some students want to discuss something inside the library, I don't think anything is wrong. I mean, we should encourage them to sit and discuss the future. If they are planning, certainly, about something educational, we should encourage them to sit there, but we should not charge them money. If a group of businesspeople want to have the room, definitely we can charge money for that meeting room inside the library. If we charge money for the meeting rooms to some individuals who want to talk about something beneficial to the schools and colleges, definitely we should not charge for that.

The photocopying and other user fees that we are charging. Suppose I go to the library and see some things, very special material. I can't borrow that book, and I need to just photocopy one copy or two copies, so there should be some flexibility. The libraries should not charge to make two or three photocopies. To me, it's a library, and it's very important. If somebody makes some photocopies, why do we pay 20 cents or 25 cents per copy? Sometimes you don't have the change. There should be flexibility, and I think they should be allowed to make a few copies. If a group of people are making tons of photocopies, 100 or 200, from the library, then, yes, we can ask them to pay some money.

4:40

Another user fee we are still charging is for downloading onto

disk or paper in the library. This is ridiculous. I mean, kids normally use this. They don't always load onto disk. I don't know how much it will cost the library. We are the richest province and should encourage our children to learn more and more things.

The last user fee mentioned on this Community Development website is contracted services. If a group of people belongs to a private business and they want to research certain things, well, they can charge them money, but if a group of people like a community group wants to do some research on certain topics, sometimes it takes more time, and I don't think it's reasonable to charge them money. The library is there to help people, to encourage them to find out some more. I notice, you know, that sometimes the scholars, the very learned people, go to the library, and after reading good books, they enlighten some other people.

I'm trying to say that user fees – it's not according to the act, the first act I mentioned. It should be free, but if it's necessary, we should be flexible, especially for the six things I mentioned. I want the minister to make a note because the government has already spent too much money. If they can spend \$45 million on horse racing, why not spend money on the libraries, which are essential, basic necessities? The government is ignoring that.

Once again, I'm not against this bill. This bill makes really good changes, but if they consider those user fees, then it would make it even better. Thank you very much once again.

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

Mr. Flaherty: Thank you, Mr. Chairman. I would just like to briefly speak on this bill, Bill 17, Libraries Amendment Act, 2006. In the constituency of St. Albert and the city of St. Albert libraries are very, very important. I'm very pleased with this bill because I think it supports libraries.

Certainly, there are some suggestions I'd like to make. Maybe you could look at these things; the government could look at some changes. I think Lois Hole said it very well when she said: "A world without libraries is a world without education . . . without progress, without justice. Without libraries we can neither explore and learn from our past, nor build a better future." Our Rotary associations in northwest Alberta have taken a major stand on literacy, and in fact there was a national conference on the importance of literacy and libraries to help us alleviate this problem internationally, across the world.

I am very much in support of this amendment, and the only thing I would suggest is the question of regular grants. It would be important, I think, in the city of St. Albert if we could receive money, dollars, on an annual basis, every fiscal year, because it would help us with the operation of our library in St. Albert.

I'm in support of the amendments, and I look forward to supporting this.

Thank you very much.

[Mr. Danyluk in the chair]

The Acting Chair: Thank you very much.

The Member for Edmonton-Beverly-Clareview.

Mr. Martin: Thank you, Mr. Chairman. This particular bill is straightforward, and certainly on this end we're not going to have any problem supporting it. You like that, right?

I do want to draw some cautions, though, on this. As I said, the bill is straightforward. The municipalities are themselves responsible for voting on amalgamating boards. Of course, they have to get the minister's approval. I would hope – and I don't think this is the

intent of the bill – that it's not a choice way to cut funding to smaller municipalities with smaller libraries, because I see that as a problem.

I just want to allude to what I'm talking about, Mr. Chairman. Back in the early '80s, when I was in this Legislature, in my riding in the inner city there was a library that had the possibility of being shut down. Of course, we got involved in it in the community. This was in the inner city. The argument was that there wasn't enough usage in that particular library. There in the inner city – it was in Norwood – is precisely where they need libraries because the inner city often is where some of the higher illiteracy rates are. We fought hard to keep that particular library. It went through a possible chopping block just a while ago again, when I was a public trustee. What we found in that particular library, if I can use it as an example, is that now it's overfilled. It's busy all the time because they went out and marketed it and encouraged the community to become involved in it. It became friendly for the users. The computers are there, the books, the rest of it.

The point I make, drawing it to this bill, Mr. Chairman, is that whether it's in the rural areas or the inner cities, in some cases a small library in a small town or a small village, just like a school, might be very important to that village, and maybe there is a need for there to be a small board there. I don't think that's the intent of the bill, Mr. Chairman, but I do believe that that could possibly move in that direction.

I would remind people that we have some work to do. We do need more libraries not less libraries in light of the fact that 30 per cent of Albertan adults aged 60 and older do not have the literacy skills required to properly read the back of a bottle of Tylenol. Given that only 69 per cent of our teens are graduating high school on schedule, we need to seriously reinvest in literacy and education.

Now, I won't go on long about this, Mr. Chairman. The \$20 million is gratefully accepted that was announced March 2, to tie in with this particular bill, but what we need to do is look at more sustained funding because we have some serious literacy problems in this area.

I know it's not part of this bill, but another shame is what's been happening in our schools. If the school libraries are going down, usually that has an impact in terms of our other libraries. I noticed in Edmonton – and I'm sure it's pretty well true throughout the province – that the number of librarians has dropped dramatically. In Edmonton in the schools – in the Edmonton public, I'm talking about – the number of learning resource people, mainly librarians, dropped from 81.7 FTE to 12.1. Now, that's a pretty serious matter. We have to deal with literacy. We wonder about the high school dropout rates. I think that may be one of the reasons. We can talk about school counsellors too.

The bill makes sense. The \$20 million that was announced makes sense, but I would hope that we'd do it in a more sustained way. Again, Mr. Chairman, just a caution. It's true in the rural areas too, that where they need the libraries may be the first place that they are cut away under this amalgamation. I know that's not the purpose, but that's what can happen. That may be precisely, as it was in my case in the inner city, where they need the libraries the most. So that's a caution in terms of the bill.

Thank you, Mr. Chairman.

4:50

The Acting Chair: Thank you very much, Member for Edmonton-Beverly-Clareview.

The Member for Calgary-Varsity, please.

Mr. Chase: Thank you very much, Mr. Chair. I'd like to rise and echo what my colleagues from Edmonton-Ellerslie, St. Albert, and

Edmonton-Beverly-Clareview have pointed out in terms of support for Bill 17. I'd like to make three brief observations, and I have one question, which will hopefully be answered.

In my 34 years as a schoolteacher I have noted what was previously pointed out by the MLA for Edmonton-Beverly-Clareview, that school librarians have become an endangered species. The number has been greatly reduced. There are very few schools – elementary, junior high, high school – that even have part-time librarians, and in some cases they're the first to go. Librarians are intellectual guides, from preschool story corners to advanced postsecondary research. Librarians play a key role, and this bill recognizes that role to a degree.

As the Liberal opposition we would like to see greater funding for libraries and the removal of library user fees. We're not fans of either health care user fees or library user fees. The only concern I have with regard to Bill 17 is the fourth requirement, where it says that it removes the right of municipalities to levy a local property tax to fund the libraries. What I'd like to know is: what is the government's role in financially supporting libraries and assuring that libraries will be available in sparsely populated rural areas? I know at one point the bookmobile was the way that sparsely populated rural areas and reserves were reached. I would hope that this government, in recognizing the importance of literacy and investing in our youth, would consider support for such outreach concerns as bookmobiles.

As I say, I support the intent of Bill 17. I would appreciate an answer as to what role the government sees in financially underwriting the costs of libraries. Thank you.

The Acting Chair: I'd like to thank the Member for Calgary-Varsity.

The Minister of Innovation and Science.

Mr. Doerksen: Just on behalf of the minister, in response to the last speaker, I would certainly refer that matter to the Minister of Community Development. He can probably address that in third reading.

[Mr. Marz in the chair]

The Chair: Are you ready for the question on Bill 17, the Libraries Amendment Act, 2006?

Hon. Members: Question.

[The clauses of Bill 17 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 10
Engineering, Geological and Geophysical
Professions Amendment Act, 2006

The Chair: The hon. Member for Lac La Biche-St. Paul.

Mr. Danyluk: Thank you very much, Mr. Chairman. It is my pleasure to speak in Committee of the Whole on Bill 10. During

second reading of Bill 10 I outlined several reasons why this legislation is important to Alberta's registered professional technologists. I believe that the comments were fairly self-explanatory. It is my pleasure to ask that the government make amendment to this bill, which I will table now and which I believe is being distributed at this time.

Mr. Chairman, I believe that all the members have now received this amendment. It is my pleasure to move the amendment. To give all the chance to review the amendment before we sit in the Committee of the Whole next time and discuss it, it is my pleasure to adjourn debate on Bill 10 with the amendment on the floor.

The Chair: We'll refer to that amendment as amendment A1.

[Motion to adjourn debate carried]

Bill 12
Land Titles Amendment Act, 2006

The Chair: The hon. Minister of Government Services.

Mr. Lund: Thank you, Mr. Chairman. As I mentioned in second reading, the purpose of the bill was to try to deal with the issue of fraud primarily. There are a number of housekeeping clauses in there, and then, also, to define the purpose of the land titles office and the registration. Of course, the purpose of collecting that information is so that it can identify individuals and corporations with real interest in property.

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

Mr. Chase: Thank you very much. I'm primarily in support of the bill. I'm just looking for a couple of clarifications.

Section 17 of the act reads:

On receiving a request for a search and the payment of the prescribed fee and on the fulfillment of any conditions, criteria or qualifications prescribed by regulation, the Registrar shall furnish a search of the information contained in the register.

With regard to section 43.1(2) in the bill there may be some privacy issues to be raised here. There have been concerns raised in the past regarding businesses asking for personal information only when it is required for the purpose of the business transaction. This clause seems to imply that the registrar may arbitrarily scribble down an individual's social insurance number, driver's licence number and simply put it in a file. My question is: will this information be tracked? At what point would the information then be destroyed?

The other concern I have has to do with Section 50.1(1). Are registrars trained in identifying potential fraud? Is this completely subjective, or are there guidelines in place for identifying potential fraud? What happens after the registrar identifies the potential of fraud, and to what extent is the registrar obligated to report the incident to the authorities?

As I say, in general I support the bill. Just those two clarifications which I would appreciate a response on. Thank you.

Mr. Lund: If you don't mind, I'll just deal with them as they come up. That's a very observant point, dealing with 43.1 and how long the information will be stored. I will try to get you a more definitive answer, but it's my understanding that it would be kept on file long enough so that if there was an issue about the title, then it would be on file how the registrar actually, in fact, was convinced that the individuals that were signing the documents were actually those

persons. But I'll try to find out exactly, and I'll give you that information.

5:00

The identification of fraud. We are training our people to look for a number of areas that would trigger some suspicion. There are a lot of times that, actually, the titles are brought to the registrar; they tried to file them right at the office. That's one place that they will be looking very carefully at. The bulk of the titles are actually registered through a lawyer, but some of them are walked right into the office. The registrar then, of course, is going to be asking for the identification as in 43(1). If they see something there that they're a little bit concerned about, then we will start to investigate it further.

We have on staff special investigators. There's a whole unit that is trained. They're primarily ex-policemen, and they're trained in looking at this stuff. If, in fact, they do find that there is fraud, then, of course, there could be charges laid. The police would be involved and then take it to court.

There are a number of things that I mentioned in second reading. If a title is changing hands very frequently, and each time the price, the value goes up, that's worth checking out. That's one of the problems we're having today with the hot market, particularly in Calgary. Goodness. I read that people are buying homes that have been grow ops and paying a huge price for them. That's why it's even getting more difficult for us to find this stuff.

They will be watching for three or four transactions in a short period of time. Each time the price is up \$20,000 or \$30,000 on a \$250,000 home, that kind of thing. That's when they'll get suspicious that there is something going on, and that's when they would start checking it back to see whether, in fact, there is some fraud. That's another definition of fraud. One might think, "Well, as long as the individual can get that price, why are we worried?" Well, the problem is that often, too, you'll have a numbered company. Then when you start checking it out, you find out that it's the same individuals. They're selling it among a group.

The Chair: The Member for Edmonton-Beverly-Clareview.

Mr. Martin: Thank you, Mr. Chairman. I just have more questions that perhaps the minister can reply to. I think all of us want to reduce the number of fraudulent incidents in Alberta. We heard in the previous bill that we're the mortgage fraud capital of Canada, something that I don't think we're particularly proud of. I understand that the minister is trying to deal with this.

I have some questions dealing with the bill. For example, section 13 of the proposed amendment stipulates that proof of identification may be required in order to register. Just a simple suggestion: rather than leaving up to the discretion of the registrars who and what group may need to produce said proof of identity, it seems to me that it would be tougher if we said that the amendment should read that proof of identification must be required, the same as we often do when we're on a plane or whatever. You would have no choice about it, and that would take away some of the loophole. I'd like the minister to comment if that might be a possibility, to take away that discrepancy.

Another example, from a different perspective, is section 14, which gives the registrar the right to refuse registration if fraud is suspected. Of course, we support the registrar's right to do so, but I'm thinking of people that are in the inner city or whatever. Sometimes they don't have the proper identification, but maybe with some help they can get the proper identification. So I'm wondering why there were no provisions made for appeals by individuals refused, nor are there provisions for the registrar to report suspected

fraud. I hope to hear some elaboration on this, and maybe there's something the minister might want to take a look at.

I think I heard the minister talk about that in his department they have investigative officers, ex-policemen and that, that work in this area. Tying into that, white-collar crimes are getting more complicated, and often the criminals are ahead of us in technology and the rest of it. I think that's true in a lot of areas. So I'm wondering if the minister has addressed the question of training staff at land titles to recognize incidents of fraud. For instance, a question I'd ask: is land titles pairing with the police services of Edmonton and Calgary to help establish such training, perhaps with the investigative officers that he talked about before in a previous question? I mean, as criminal manipulations of the legal system continue to evolve, it becomes harder and harder to catch these people. We know that.

I guess the other thing is getting tough on crime. In terms of dollars and cents white-collar crime often costs society more than violent crime. We hear a lot about that. In terms of money lost or spent pursuing these criminals, I wondered if – and I know it's not just in his department; the Minister of Justice is here – we're looking at legislating penalties in addition to those handed down through court proceedings; for example, large fines for those who profit from mortgage fraud in addition to criminal proceedings. This is a growing problem.

Mr. Chairman, I'm more interested in where we're going with this. Obviously, we'll support the bill. Maybe we can cut down fraud, and we'll try to do it. But I'd like to ask the minister those questions.

Thank you.

The Chair: The Minister of Government Services.

Mr. Lund: Thank you, Mr. Chairman. Thanks for those comments. The reason that we're not saying that they must ask for identity. Often these are filed in a lawyer's office, and it's up to the lawyer to check and see that all of the people have signed it. The ones they'll really be watching are where individuals come in to the counter and file. That's when in some cases they will probably be going right back to the people that signed the affidavit, that they knew the person that signed it is that person. So it would be rather onerous to say that you had to ask for this identification.

No appeals from the registrar's decision. That was brought up in second reading as well. The fact is that if the registrar makes the decision to hold, they will do some checking themselves. If they feel that there needs to be more investigation, they'll call in the special investigation unit that looks at these things. Then, of course, from there if, in fact, they find out that, yes, there is something here, that it's not proper, they would involve the police. The penalties? It's theft. Fraud is theft, so immediately it will be turned over to the Solicitor General's department, and the appropriate charges would be laid.

The training of staff: that's an ongoing process. Of course, the advantage we got with the special investigators part of the unit: they're training our people on what to look for, what looks suspicious, and are part of it. There is a long training process. That's one of the difficulties we've got today when we try to hire more people. You can't just take somebody in off the street and train them in a couple weeks to do this type of work. It takes a lot of training and a lot of work.

I hope that covers your questions.

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

Mr. Agnihotri: Thank you, Mr. Chairman. I have a few more

questions on land titles. The first one is that when you pull out a land title, sometimes we don't see the full description. I suppose there's the property, the background, the ownership. How many owners were there, and how much money did they pay? A few years back when we used to pull out the land title, the full description was there. Now I don't see the full details in there. I want to know why we don't get the full information in the land title. I think this is one of the reasons that fraud is booming in Alberta.

5:10

My second question. You know, when you refinance something, maybe we should ask the registrar to accommodate some sort of help. There should be some collaboration between the banks and the registrar so that they can get all the information, especially about the refinancing. It's very important.

The third question. You know the registries where you get the land title? One of my friends was asking me: who gets it? What's the procedure for that?

Thank you.

The Chair: The hon. minister.

Mr. Lund: Thank you, Mr. Speaker. A good question about the number of owners. Quite frankly, the changes that we're making in the purpose of the land titles may address some of this problem. But under the Freedom of Information and Protection of Privacy Act there are instances where it's very important that a lot of the information not be disclosed.

Like I say, the reason we put in the purpose clause is so that if you have a good reason to be wanting to know the history of who owned this property, then you could get it. But the difficulty we have is that if people just willy-nilly develop themselves a data bank for whatever reason – maybe they're going to start soliciting from those individuals – that's not the purpose of land titles. Land titles is simply to show who has interest in this property. So while I can understand where you might want to know who the owners have been – for example, if you're concerned about a contamination of the site, you need to know what happened on that site – there are ways of getting it, but hopefully it will be more distinct now that we have that new purpose clause.

The refinancing: these amendments are really not about financing. That's another area altogether. This has really got nothing to do with that area. We do allow rollovers as far as land titles are concerned. We do allow that in Alberta, and that's a very valuable tool. But, really, what you were talking about, as I get it, is for the whole financing. That's not part of what we're doing here.

The history: I think I covered that in the answer to my first one. There are ways that you can get it through application.

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

Mr. Agnihotri: Minister, would you buy a car without knowing, you know, the whole details, like a couple of buyers in the past? This property archive, the full description in the land title, was always there. This stopped just a year or two years ago. Why did they suddenly stop giving us information? My point is that especially when the property is bought and sold by the government, it must be highlighted. People should know about property dealings, especially from the government side.

Mr. Lund: Mr. Chairman, I'll try to get you a more definitive answer before third reading. It's my understanding that if you're an individual looking for the history of the property that you're wanting

to buy, you can apply and get it. But you can't put in for a batch or identify an individual and ask for all the properties that they own. You can't get that. That's private. But we'll review *Hansard* and try to get a more definitive answer for you because I totally understand what you're talking about. I totally understand it.

The Chair: Are you ready for the question?

Hon. Members: Question.

[The clauses of Bill 12 agreed to]

[Title and preamble agreed to]

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

Hon. Members: Agreed.

The Chair: Opposed? It's carried.

Bill 13

Real Estate Amendment Act, 2006

[Adjourned debate March 13: Mr. Strang]

The Chair: The hon. Member for West Yellowhead.

Mr. Strang: Thank you, Mr. Chairman. It's a pleasure to stand and move out of committee Bill 13. Some of the questions that were asked related to the legislation's purpose. The Real Estate Council of Alberta's mandate as described in the Real Estate Act is "to set and enforce standards of conduct" of regulated members "in order to promote the integrity of the industry and to protect consumers," to provide services to "enhance and improve the industry," and also to administer the Real Estate Act and its regulations, bylaws, and rules.

We had talked sometimes, you know, about how these amendments are going to assist agents and look at combating the aspect of mortgage fraud. While these amendments make it easier for investigative agents, such as municipal police forces and lenders, to share information with the Real Estate Council of Alberta where feasible to do so, many of these agents are bound by information-sharing policies and privacy legislation wherein they are only able to share these with other bona fide investigative and enforcement agencies. Strengthening the Real Estate Council of Alberta's mandate to clearly an investigation and enforcement role in terms of mortgage fraud will go a long ways to ensuring that the Real Estate Council of Alberta is empowered to receive such information.

One of the other aspects that I heard some of the members talking about is: what else can we do to combat mortgage fraud? Well, amendments are being submitted from other acts which are also impacted by mortgage fraud issues. Government Services and the Real Estate Council of Alberta have also developed a tipsheet to help consumers, lenders, and real estate professionals protect themselves from mortgage fraud. The Real Estate Act was amended in 2004 for licensing of appraisers by the Real Estate Council of Alberta, and all industry members were also required to take mandatory mortgage fraud awareness courses offered by the Real Estate Council of Alberta.

5:20

Some of the other aspects that were sort of discussed earlier were on the Advisory Committee on Mortgage Fraud and who the members were. Well, because mortgage fraud impacts a variety of

sectors, it was important to work with partners to outline what the next steps should be. To review these issues and develop potential solutions, the Minister of Government Services struck the Advisory Committee on Mortgage Fraud. This committee brought together representatives from a cross-section of society, including the financial sector, the real estate sector, the legal community, law enforcement agencies, and representatives from four Alberta ministries: Government Services, Justice and Attorney General, Finance, Solicitor General and Public Security.

So these are some of the items that I thought I'd bring up, and if there are any more that I have missed from the members opposite, I'll bring them up and clarify them in third reading. Thank you.

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

Mr. Agnihotri: Thank you, Mr. Chairman. Yes, I attended that course about mortgage fraud a couple of years ago, and even two years ago they were talking about stopping the assumption of a mortgage. I think it is only this province which allows assumption of a mortgage. This rumour was going on for a long, long time. Why so far have we failed to enforce this law? Another thing: RECA I don't think has the power to enforce this type of fraud or illegal activities in the real estate market. Could you please clarify that?

The Chair: The hon. Member for West Yellowhead.

Mr. Strang: Well, thank you very much, Mr. Chairman. I think the main thing we're talking about here is the co-operation and co-ordination that we're working on with all sectors and sharing the information so that we can combat the aspect of mortgage fraud so that we can work with it so that we don't move forward and have people suffer a lot on these aspects. Like I mentioned before, the sharing of knowledge with the financial sector, the real estate sector, and the legal community as well as law enforcement agencies – at least they work in a cohesive group so that they don't allow this aspect of mortgage fraud in our province to continue, as we've seen in the earlier days when we had people possibly just paying a dollar to take over the mortgage of a home. So this way, they're working together to combat that.

Thank you.

Mr. Agnihotri: The problem has been there for a long, long time. Why are they not taking action?

Mr. Strang: Well, they are taking action, Mr. Chairman. They're moving forward on this and working together. I mean, we're just bringing this together now, bringing these amendments in so that they can work together co-operatively to make sure that this mortgage fraud is going to be under control. We've got to pass this first before they'll be able to work together.

Thank you.

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

Mr. Martin: Yeah. Thank you, Mr. Chairman. I'll be very quick here. [some applause] I love it when I get applause. It doesn't happen often.

The amendment is fine: "to protect against, investigate, detect and suppress." I mean, anything that we can do. We've already talked about Alberta being the mortgage fraud capital of Canada. I want to say that we can pass a lot of bills here, but we have some other serious problems because in an overheated economy, this is going to

go up. The police say that this is automatic. I think the member would agree with me that just by adding this as an amendment – it's a good one – we're not going to solve the problem. I don't know what else can be done. I'm not sure about the licensing, how people get into the business, whether that should be toughened up or not, but this is going to continue, I think, to be a major problem even with this amendment. I think the member would agree. I'm just asking the question – perhaps the member can't answer – if there is something else we can do in terms of licensing to try to deal with it.

Thank you, Mr. Chairman.

The Chair: The hon. Member for West Yellowhead.

Mr. Strang: Well, thank you very much, Mr. Chairman. What we're looking at right now is that these changes will involve considerable consultation with industry and investigation agencies on what practical steps will work best to combat mortgage fraud and help consumers. They reflect the ongoing and collaborative efforts on the part of government to ensure that it is taking the mortgage fraud issue seriously and that it deals with these areas in a proactive manner. So I think that's what we're looking at, and as the member stated, we've got to pass this to move forward. Sure, we've got a booming economy, but I think that with this amendment we'll make sure that we help curtail this.

So I'd move out of committee at this time.

The Chair: Are you ready for the question on Bill 13, Real Estate Amendment Act, 2006?

Hon. Members: Agreed.

[The clauses of Bill 13 agreed to]

[Title and preamble agreed to]

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

Hon. Members: Agreed.

The Chair: Opposed? Carried.

Bill 4

Daylight Saving Time Amendment Act, 2006

The Chair: The Minister of Justice and Attorney General.

Mr. Stevens: Well, thank you very much, Mr. Chairman. It's my pleasure to make a few comments with respect to this matter in committee. The first point I'd like to mention is that it really doesn't matter if we have the same time changes as other parts of the world. This is something that some of the members raised in their comments in second. Specifically, other jurisdictions have managed to exist without following the path of their neighbours. There has been one major difference with the decision made by these jurisdictions. They have simply not followed daylight saving time at all. We're not eliminating the time change, only discussing when we change. Changing the clocks at the same time as most of our immediate neighbours is the easiest way to make this happen. It's one change two times a year, and that's all. Simply, there is no confusion.

I'd also like to take a moment to discuss the safety of schoolchildren because that, again, came up in some of the comments in second reading. I certainly don't want anyone to be left with the impression that we're not concerned with the safety of our children. In fact, I think the evidence would indicate that the safety of our

children will be enhanced as a result of this initiative. Obviously, changing the clock earlier will affect how dark it is when the children leave for school, and I trust that parents, educators, and drivers will continue to be aware of the need for vigilance in the morning.

On the other side of that issue is the effect it will have in the afternoon. Transport Canada has advised that there will likely be a reduction in the number of pedestrian and motor vehicle occupant fatalities and injuries. They told us that most pedestrian injuries occur between the hours of 5 p.m. and 8 p.m. The extra daylight

during that period will make pedestrians more visible.

As one hon. member pointed out, we are not the first off the mark on this, and the only question remaining is: what will be made most easy for Albertans . . .

The Chair: I hesitate to interrupt the hon. minister, but under Standing Order 4(4) the committee stands adjourned until 8 o'clock tonight, at which time we'll reconvene in committee.

[The committee adjourned at 5:30 p.m.]