

Legislative Assembly of Alberta

Title: Monday, April 24, 2006 **1:30 p.m.**

Date: 06/04/24

[The sound system was not operational from 1:30 p.m. to 1:59 p.m.]

[The Speaker in the chair]

head:

Prayers

The Speaker: I would ask members to remain standing after prayers so that we may pay tribute to our former colleagues who have passed away since we were last in the House.

As we commence proceedings today in this Assembly, we ask for divine guidance so that our words and deeds may bring to all people of this great province hope, prosperity, and a vision for the future. Amen. [as submitted]

Mr. Edward Ewasiuk

September 24, 1933, to April 14, 2006

The Speaker: On Friday, April 14, 2006, Edward William Ewasiuk passed away. Mr. Ewasiuk represented the constituency of Edmonton-Beverly for the New Democratic Party. Mr. Ewasiuk was first elected in the election held on May 8, 1986, and served until June 15, 1993. During his years of service in the Legislature Mr. Ewasiuk served on the select standing committees on Private Bills, Public Accounts, Alberta Heritage Savings Trust Fund Act, Law and Regulations, and Public Affairs. [as submitted]

Mr. Frederick Colborne

November 14, 1916, to April 19, 2006

The Speaker: On Wednesday, April 19, 2006, Frederick Charles Colborne passed away. Mr. Colborne was first elected in the 10th Legislature by the servicemen's vote as the representative of the air force, August 8, 1944, to August 17, 1948. Mr. Colborne sat with the two other representatives as a group – navy, army, and air force – on the opposition side of the Assembly. He was elected in the 11th election, held August 17, 1948, and served until July 22, 1971. During his years of service he represented the air force servicemen and the constituencies of Calgary and Calgary Centre for the governing Social Credit Party. During his term of office Mr. Colborne served as minister without portfolio from August 2, 1955, to November 29, 1962, as Minister of Public Works from November 30, 1962, to May 26, 1969, and Minister of Municipal Affairs from May 27, 1969, to September 9, 1971.

Mr. Colborne also served on the select standing committees on Agriculture, Colonization, Immigration and Education; Municipal Law; Municipal Law and Law Amendments; Private Bills; Privileges and Elections; Public Accounts; Public Affairs; Agriculture and Education; and Railways, Telephones and Irrigation. Mr. Colborne served on the special committees on Education Assistance for Dependents of Deceased and Disabled Ex-Service Men; Electoral Boundaries; Hutterite Colonies; Redistribution/Redistribution Procedure; Rules, Orders and Forms of Procedure; and Workers' Compensation.

With our admiration and respect there is gratitude to members of their families who shared the burdens of public office. Family members of Mr. Ewasiuk and Mr. Colborne are with us today in the Speaker's gallery. Our prayers are with them.

In a moment of silent prayer I ask you to remember hon. member Edward Ewasiuk and hon. member Fred Colborne as you have known them. Rest eternal grant unto them, O Lord, and let light perpetual shine upon them. Amen. [as submitted]

Deaths of Canadian Soldiers in Afghanistan

The Speaker: I would also ask all members to remember four brave Canadian soldiers who died on duty in Afghanistan this past weekend: Lieutenant William Turner, a reservist and Canada Post employee in Edmonton; Corporal Randy Payne of CFB Wainwright; Corporal Matthew Dinning, a member of 2 Mechanized Brigade Group in Petawawa, Ontario; Myles Mansell, a member of the Victoria's 5th Field Regiment. [as submitted]

Hon. Jobie Nutarak

The Speaker: Please also remember the Hon. Jobie Nutarak, Speaker of Nunavut, who passed away yesterday near Pond Inlet, Nunavut. [as submitted]

Hon. Members:

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

head:

Introduction of Visitors

Mr. Ducharme: Mr. Speaker, I am pleased to introduce to you and through you to the members of the Assembly His Excellency Eduardo Tejera, the Dominican Republic's ambassador in Canada. Travelling with him is embassy counsellor Jamie Reed.

Alberta exported \$11 million worth of goods last year to the Dominican Republic, mainly in beans, oats, and tech equipment. Perhaps our greatest export to their country, though, is tourists. Canada is the second largest source of tourists in the Dominican Republic. Many Albertans have enjoyed the warmth of their climate and of their people.

Mr. Speaker, I ask that our honoured visitors, who are seated in your gallery, please rise and receive the traditional warm welcome of the Assembly. [as submitted]

The Speaker: Hon. members, it is an honour for me to rise today to introduce you to guests who are seated in the Speaker's gallery. These guests are family members of our former colleagues.

Mrs. Wynne Ewasiuk, widow of Mr. Edward Ewasiuk, former MLA for the constituency of Edmonton-Beverly, is here with members of their family: sons Chris and Randall Ewasiuk with Terri Grant and daughters Tina Bourcier and Debbie Lavallee with grandchildren Siobhan and Shivan Lavallee. If they would please rise and receive the warm welcome from the House.

Former MLA Fred Colborne, who represented the air force servicemen, Calgary and Calgary Centre constituencies, is represented by sons Tim, Steve, and Dan Colborne and Joe Abbey-Colborne, daughters Susan Thain and Anne Turnbull, and grandson Greg Colborne. If they would rise, please, and receive the warm welcome from the House. [as submitted]

head:

Introduction of Guests

[Mr. Cardinal, Mr. VanderBurg, Mr. Lukaszuk, Mr. Stelmach, Mrs. Jablonski, Dr. Taft, Ms Evans, Mr. Renner, Mr. Coutts, Mr. R. Miller, Mr. Eggen, and Dr. Pannu introduced guests]

head:

Ministerial Statements

Organ and Tissue Donor Awareness Week

Ms Evans: Mr. Speaker, I am pleased to recognize national organ donation awareness week, which is April 23 to 29.

Capital health is commemorating National Organ and Tissue Donor Awareness Week to increase public awareness about donation and celebrate Capital health's continuing excellence in transplantation. At this time I would like to introduce three guests seated in the public gallery who all play a key role in our province's organ and tissue program. They are Margaret Lidstone, organ donor co-ordinator with Capital health's human organ procurement exchange program, HOPE; Karen Elgert, organ donor co-ordinator, also with the HOPE program; and Jared Zsombor, tissue specialist with Capital health's Comprehensive Tissue Centre. If you could all please stand and receive the traditional warm welcome of the Assembly.

In 2005 Capital health transplant teams performed 300 organ transplants. In addition, the Comprehensive Tissue Centre distributed more than 1,700 tissues across Canada for transplantation. If families express interest in donating their loved ones' organs or tissues, Capital health's HOPE co-ordinators arrange for organ donation while tissue specialists with the Comprehensive Tissue Centre, CTC, co-ordinate tissue donation. The Comprehensive Tissue Centre, CTC, is one of only four fully accredited tissue banks in Canada. Working together, these skilled professionals help the donor family carry out their loved one's decision to donate and ensure final wishes are respectfully met.

The Alberta Legislative Assembly is currently considering changes to the Human Tissue Gift Act to strengthen Alberta's donation program. The Human Tissue and Organ Donation Act, Bill 32, clarifies how minors can be living donors, how consent must be obtained for donations, and how the wishes of the deceased will be respected in organ donations. The act will also ensure that every person who dies will be considered for organ and tissue donation with appropriate consent. The objective is to increase the number of donations.

More than 200 people are currently on Capital health's organ transplant waiting lists. More than 20 people are currently awaiting islet cells, and almost 140 people are awaiting corneas. Becoming an organ and tissue donor requires three steps: make your decision to become a donor, sign your Alberta health card, and discuss your wishes with your family because they provide final consent to medical staff.

This week you will see MLAs and many other supporters wearing green ribbon lapel pins to raise awareness for organ and tissue donations. My hope is that more Albertans will make a conscious decision to become a donor and provide the gift of lasting life and health to others. [as submitted]

Ms Blakeman: Mr. Speaker, I am pleased to join the minister in recognizing National Organ and Tissue Donor Awareness Week.

I am very proud of the Canadian tradition of giving freely of ourselves to assist those in need. Donations of blood, tissues, and organs are very much a part of our culture of giving, perhaps the most important part of all for these gifts bestow life itself upon the recipients. For no reward other than the knowledge that their actions will help others, countless Canadians have literally given of themselves that others might live on.

The minister's call for Albertans to become organ and tissue donors is worth repeating. Make the decision to become a donor, sign your Alberta health card, and most importantly of all discuss your desire to donate your organs with your family. Often, grieving

families find it hard to allow tissues and organs to be taken from their recently departed loved ones, but we must ask ourselves this: what better way to pay tribute to the memory of a loved one than to respect their desire to extend life even in the face of death? Donated organs and tissues can add years to the lives of others, and every extra day of life gained is a walking, breathing testimony to the generosity and compassion of the departed donor.

This is a week to celebrate the precious gifts of our province's organ donors and the health care professionals who make those gifts possible, and it is the perfect time for all of us to recommit ourselves to the culture of life that is one of Canada's most cherished values. If it is within your cultural or religious tradition to do so, please sign that card and tell your family why.

Thank you. [as submitted]

The Speaker: [not recorded] If you would make sure that you direct your comments through the chair, then they'll at least be able to read your lips to make sure that we can translate back to other members in the Assembly.

If we would recognize that, we'll now call on the hon. Leader of the Official Opposition.

Dr. Taft: Thank you, Mr. Speaker. That was quite a set-up.

head: 2:00

Oral Question Period

Health Care Reform

Dr. Taft: This Conservative government has repeatedly confused necessary reforms to the public health care system with dismantling it through misguided privatization schemes. All the evidence shows that these schemes don't work in practice and that Albertans don't want them in principle. The third way is the latest health privatization fiasco, but I fear it will not be the last. To the Minister of Health and Wellness: given that Albertans have so soundly rejected the Conservative government's two-tier proposal, will she rule out the delisting of services currently covered by Alberta Health?

Ms Evans: Mr. Speaker, the health policy framework that went out for discussion never recommended delisting for any service. It looked to the future. It looked to opportunities for full, evidence-based assessments before proceeding with any drug, any technology, or any new procedure.

The health care budget rose by \$30 for every man, woman, and child in Alberta – rose by \$30 – rose by \$91 million in this year's budget. Why? Because of an almost 20 per cent increase for the cost of pharmacare and for drugs. Mr. Speaker, for all new things that come on board it is responsible, with or without reform, with or without renewal, for anybody looking at that budget to determine what is responsible, what is necessary, and what we perhaps could live without. But the health care policy framework never once discussed delisting.

The Speaker: The hon. leader.

Dr. Taft: Thanks, Mr. Speaker. Thirty bucks is a cheap price to pay for a secure public health care system.

To the same minister: what assurances can the minister provide that the proposed process for, quote, determining essential services won't be used to expand a number of services open to private health insurance? Is that what Aon is recommending?

Ms Evans: Mr. Speaker, the hon. member will be pleased to know that our Premier has asked me quite specifically to arrange an

orientation, a briefing collectively for all Members of this Legislative Assembly on the Aon report, and we will do that as soon as we can make sure that our Aon representatives will be able to be there to fully answer. It should be, hopefully, this week.

In looking to what we do in terms of the health care or the provision of services in the future, looking to the definition of essential services, Mr. Speaker, when the legislation is introduced in the House, the members here will have an opportunity to view that and will have an opportunity, as well, to understand the full extent of the consultation we intend to initiate in order to be able to give thoughtful review to the legislative piece.

The Speaker: The hon. leader.

Dr. Taft: Thanks, Mr. Speaker. Again to the same minister: given that services proposed in the future may not be deemed essential enough to qualify for public coverage, can the minister explain how she plans to prevent this turning into two-tier medicine?

Ms Evans: Well, Mr. Speaker, that's very speculative. At best it's hypothetical; it reaches into the future. To the extent that I'm here, I will continue to do my utmost to make sure that we raise with Albertans not only the policies and legislation that we intend to initiate but keep them mindful of the elephant in the room, and that is the rising cost of health care, which will cripple us if we don't act soon to improve how we deliver health in this province.

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

Future Plans of the Premier

Dr. Taft: Thank you. Mr. Speaker, when the Premier announced this month that he would be stepping down from government at the end of this year, he acknowledged that he has received numerous offers to sit on the boards of different companies in Alberta. While these offers may be viewed as generous to the Premier, they also raise concerns over conflicts of interest and government accountability. My questions are to the Premier. Does the Premier feel that it is appropriate to be fielding job offers from private companies while he is still leading the Alberta government?

Mr. Klein: Well, first of all, Mr. Speaker, I can't stop people from offering me jobs. I have accepted none. I have accepted no positions. I haven't made up my mind what I am going to do other than to say that I want to keep reasonably busy, but I want to have time to do the things that I want to do, like golf and fish. I will be consulting with the Ethics Commissioner to find out what I can or cannot do. I will inform the House at that time if I'm asked the question, but I plan to do what is legally required of me.

The Speaker: The hon. leader.

Dr. Taft: Thank you, Mr. Speaker. To the Premier: the Premier can't stop people from offering him positions, but he can stop himself from discussing them. Will the Premier enforce a personal policy of saying, "No discussion on job offers until I'm no longer Premier"?

Mr. Klein: Mr. Speaker, you see those people sitting up there? If they don't ask me, I won't answer. Don't ask me any questions, and then I won't answer. You know, if I'm asked a question, I will provide an answer. I'm to say no to those people up there? They're the people who are asking the questions.

Mr. Speaker, basically, my answer to them is the same as my

answer will be to you; that is that I want to keep reasonably busy. I will consult the Ethics Commissioner as to what I can or cannot do, but I do want to have time to do the things I want to do.

The Speaker: The hon. leader.

Dr. Taft: Thank you, Mr. Speaker. Again to the Premier: does the Premier at least acknowledge a potential conflict of interest when he is both running the government and considering job offers from the private sector?

Mr. Klein: First of all, Mr. Speaker, I am not – I am not, not, not, not, not – considering any job offers at this time.

The Speaker: Third Official Opposition main question. The hon. Member for Edmonton-Mill Woods.

Persons with Developmental Disabilities Program

Mrs. Mather: Thank you, Mr. Speaker. This government has failed in its responsibility to protect vulnerable Albertans. The track record with long-term care and the \$100 million AISH settlement proves that seniors and people with disabilities are not given the attention or respect they deserve. Most recently the government failed to secure adequate funding for the persons with developmental disabilities program. My question is to the minister of seniors. Given that members of the disabilities community requested a \$20 million to \$30 million budget increase in order to continue providing safe and adequate service, can the minister explain why this community has been ignored?

Mrs. Fritz: Well, Mr. Speaker, I take issue with that preamble. I'm surprised that it's coming from this member. I can tell you this. I've been a very strong advocate for persons with developmental disabilities. The disabilities program, as I've indicated in the Assembly before, is now under one ministry. It's a program that has \$1.1 billion in funding. Persons with developmental disabilities receive funding through two streams. One is over \$500 million, and another is over \$500 million, so that's \$1.1 billion.

Mr. Speaker, also, I think it's really irresponsible and wrong to suggest to people that are vulnerable that they're going to have a funding cut or that they are having a reduction in services that would affect their health and safety. That has not happened. It will not happen, and it will not happen under this minister's watch.

The Speaker: The hon. member.

Mrs. Mather: Thank you, Mr. Speaker. Will the minister then guarantee that people with developmental disabilities will not have reduced care because of inadequate funding?

Mrs. Fritz: Mr. Speaker, I can guarantee that there will not be a reduction in funding and that there will not be a reduction in services. There has not been a reduction. In fact, the community had asked for a 4 per cent increase in the persons with developmental disabilities funding, and there was a 4.6 per cent increase in that area and an 18 per cent increase on the AISH side of the funding. So I can guarantee that it will not happen.

2:10 Speaker's Ruling Decorum

The Speaker: Okay. The sound system is not working very well here today. Mostly what I heard was the minister in the background

with a whole bunch of stuff going on on the other side saying: it isn't so; it isn't so. Let's not do that. I'll recognize somebody to ask a question, in this case the hon. Member for Edmonton-Mill Woods. Everybody will listen. Then she'll direct the question to somebody, and I'll recognize that person. Everybody will listen then, too, okay? Let's try it and see how it works.

The hon. member.

Persons with Developmental Disabilities Program

(continued)

Mrs. Mather: Thank you, Mr. Speaker. Given that insufficient funding will result in fewer caregivers and longer wait-lists to receive support, will the minister explain why quality of life for people with developmental disabilities is a low priority for this government?

Mrs. Fritz: Mr. Speaker, this is a very high priority, actually, for our government. There has been a significant funding increase, as I indicated to you, for persons with developmental disabilities. In fact, we are working very hard with the community. Our staff is working with the community. We're working cross ministry with Health and Wellness, for example, for the care for disabilities. As well, we're working with Advanced Education for the inclusion of people in postsecondary education with developmental disabilities.

The way I look at this – I wanted to tell you this, too, Mr. Speaker – is that this is a new beginning for people with developmental disabilities. By having come together under one ministry with a program for disabilities that is funded, as I said, with very significant funding, this is a new beginning for people with developmental disabilities. I can tell you that we are going to listen to people's voices, people from the community, as to what they would like to see within their communities and set the tone for what is right for this program for people overall. The funding is significant.

The Speaker: The hon. Member for Edmonton-Highlands-Norwood, followed by the hon. Member for Cypress-Medicine Hat.

Aon Consulting Inc.

Mr. Mason: Thank you very much, Mr. Speaker. The NDP opposition submitted a freedom of information request for a limited number of records concerning the \$1.5 million Aon Consulting study of private health insurance options way back on November 15, 2005. After months of stonewalling, in early February the Information and Privacy Commissioner imposed a final deadline of April 15, 2006, to complete this FOIP request. Health and Wellness's reply to this FOIP request is now nine days overdue. My question is to the Minister of Health and Wellness. What is the minister trying to hide?

Ms Evans: Well, actually, Mr. Speaker, I'm surprised, and I would apologize to the hon. member for the fact that it's overdue. My understanding is that it was released, that it was a separate document because of whatever you had asked for at the time.

We will be releasing the entire report. We will in fact be doing more than that because the Premier has asked for a briefing of every Member of this Legislative Assembly, full access to the report, full access to all the information, full access to the officials that did the report and anybody else. We are being as open and accountable as we possibly can. That request last November would not have certainly been able to capture the essence of what the results of the report have been, so I'm sure that the hon. member will be pleased

when either later this week or early next week we're able to give you an absolute, thorough report and accounting of that report.

Mr. Mason: Mr. Speaker, the request also included a request for information with respect to the terms of reference for the RFP and arrangements of which particular firms were bidding and what their bids were and so on. Will that be included as well?

Ms Evans: Well, Mr. Speaker, I see no reason why we wouldn't include all of those issues. Remember, though, that when we first had these contracts, there were some requests that were honoured of the people that put in bids for confidentiality. So to the extent that I can provide absolutely everything, I will do so.

The Speaker: The hon. member.

Mr. Mason: Thank you very much, Mr. Speaker. Well, given that the requested records included also the names, positions, and terms of reference of an industry panel advising Aon Consulting, will the minister also include that information in the release?

Ms Evans: Mr. Speaker, I didn't see the particulars of that request. I will review that request and see whether or not there's any reason that we couldn't release, with permission of those people that have been cited, their names. I see no reason why not, but I will review that in the context of my remarks earlier that we are doing our best to be very open and transparent on this.

The Speaker: The hon. Member for Cypress-Medicine Hat, followed by the hon. Member for Lethbridge-East.

Temporary Foreign Workers

Mr. Mitzel: Thank you, Mr. Speaker. My first question is to the Minister of Human Resources and Employment. There has been a lot of talk about labour shortages in Alberta, particularly the need for workers in the oil sands. We've heard concerns in this House that foreign workers are taking away jobs from Albertans. Can the minister remind this House what this government is doing to ensure that jobs go to Albertans?

The Speaker: The hon. minister.

Mr. Cardinal: Thank you very much, Mr. Speaker. That is a very good question because, you know, when you talk about Alberta, we probably have the hottest economy in North America. We have thousands of jobs for everybody. I think most jurisdictions in North America would love to have those challenges.

In relation to that question specifically, Mr. Speaker, I'd just like to explain first of all because there's some misunderstanding in relation to the temporary foreign workers. The temporary foreign workers' program, of course, is under federal jurisdiction. The hiring of temporary foreign workers for companies is a last resort. Once they've exhausted the process of recruiting locally here in Alberta and across Canada and training local people, then of course, you know, you have to look at other options. But our priority, of course, again is Albertans, the First Nations, persons with developmental disabilities, maybe the older workers that are displaced.

In addition to that, Mr. Speaker, the government is in the process of developing a long-range, actually a 10-year labour force strategy for Alberta to ensure that we do have the workers we need.

The Speaker: We'll go on. The hon. member.

Mr. Mitzel: Thank you, Mr. Speaker. My second question is to the Minister of Advanced Education. Can the hon. minister tell the House how many assessments of temporary foreign workers his ministry has completed?

The Speaker: The hon. minister.

Mr. Herard: Thank you very much, Mr. Speaker. Advanced Education's role I think, as the hon. member knows, is really one of assessment of credentials if they work in any of the 20 trades that require journeyman certificates. Essentially, we do this prior to their arrival in Alberta to ensure that they have the prerequisite experience.

To the specific number, Advanced Education has received 941 individual applications for assessment through the group application process. Of these applications, 836 have been approved, and 267 are working in Alberta.

The Speaker: The hon. member.

Mr. Mitzel: Thank you, Mr. Speaker. My third and final question is to the Minister of Energy. Given that recently the Minister of Energy announced that in the 2005-2006 fiscal year land sales set records for revenues for mineral rights, the average price per hectare, and the amount of hectares identified for oil sands, which means even more development, can the minister tell us if the current shortage of skilled labour is due in part to the scope and timing of oil sands construction projects, and what are the ministry and the energy industry doing to manage this issue?

The Speaker: The hon. minister.

Mr. Melchin: Thank you, Mr. Speaker. I'd like to first say that our land tenure system is one of the most open and transparent systems in the world in respect to . . .

An Hon. Member: In the whole universe.

Mr. Melchin: As I say, Mr. Speaker, it's one of the best, most open, transparent systems anywhere in the universe.

Mr. Boutilier: Or in the mother ship.

Mr. Melchin: I'm glad that they've been visiting beyond this planet. Sorry, Mr. Speaker.

One of the great challenges that came this last year: we raised just under 3 and a half billion dollars from land sales. With that, really, is going to come the start of planning of these projects. This only initiates industry to be able to go out and start their long-term projects. These oil sands projects are multidecade projects. They have to go through all of the permitting through Environment, the Energy and Utilities Board, Sustainable Resource Development, all of the regulatory environment, as well as raising their capital. Then industry likewise has to ensure that they have the labour and skilled workforce to deliver on those for their own shareholders. They are doing many innovative things to help reduce that labour, both through technology, through co-operation, and in many of their structures to help time these projects so that they can address the labour questions.

The Speaker: The hon. Member for Lethbridge-East, followed by the hon. Member for Red Deer-North.

2:20

Continuing Care Standards

Ms Pastoor: Thank you, Mr. Speaker. This isn't about the universe; this is about Alberta. A year ago this government promised Albertans that they will take action to improve the state of continuing care, but we need concrete action. Small amounts of money for interim improvements are only a band-aid solution, and it diverts attention away from the fact that there are no enforceable, province-wide standards for care and housing. My questions would be to the Minister of Seniors and Community Supports. Where are the standards that Albertans have been promised, and how much longer are we going to have to wait?

The Speaker: The hon. minister.

Mrs. Fritz: Thank you, Mr. Speaker. The accommodation standards, of course, are within this ministry, and the care standards are with the Minister of Health and Wellness. We are working together, hon. member, and our staff is working hard in putting everything together with the standards to bring them forward to the Assembly. The standards will cover all that there is in continuing care, the whole range of services that are provided. As I indicated to you in the Assembly before, hon. member, the area of accommodation for the room and board side of these standards, will have monitoring and enforcement and a concerns resolution process along with that.

When can you expect that? I'm hoping in the not too distant future, Mr. Speaker. As I said, we are working closely together, and the standards should be here fairly soon.

The Speaker: The hon. member.

Ms Pastoor: Thank you. Unfortunately, I missed some of the answer, but thank you. I'll check it again in *Hansard*.

Given that the government refused to support Bill 205 for an independent office with the power to inspect facilities and enforce compliance with standards, when will the minister be legislating standards and compliance mechanisms of her own? I have a feeling that that was partially answered, but I didn't hear it. I'm sorry.

The Speaker: The hon. minister.

Mrs. Fritz: Thank you, Mr. Speaker. The Minister of Health and Wellness and I worked together on the process, and, yes, that may include legislation in the future, which I would anticipate would be here most likely in the spring of 2007. There is a large area of the standards, a number of areas that we can certainly put into place without legislation.

The Speaker: The hon. member.

Ms Pastoor: Thank you. My last question would be to the Minister of Health and Wellness. Given that retraining staff is a critical factor in enhancing quality in continuing care, when will the minister implement appropriate staff mixes and increase staffing levels to four hours of care a day?

Ms Evans: Mr. Speaker, there's quite a bit in that question because it talks about the appropriateness of moving to four hours and talks about training. In the first instance, one of the announcements made last week was that the health policy framework will be amended to add an aggressive workforce strategy, that I'll be working on with the minister of advanced learning. Some of the issues that we will hopefully bring forward in an MR this spring will address all aspects

of the health workforce and will be inclusive of that work that we are doing to improve the numbers and the potential for care that will be able to be provided by the LPNs and the personal care aides and others.

On moving to the four hours, as the hon. member knows, in this year's budget we are moving to 3.6 hours. Mr. Speaker, the good news is that in places like Palliser they have just recently, since January, hired an additional 30 staff for long-term care. So we are making some strides in both retention and recruitment of more staff for long-term care facilities.

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

Walleye Fishery

Mrs. Jablonski: Thank you, Mr. Speaker. One of the most cherished pastimes in Alberta is fishing – I'd say that it's good for health care – and one of the most sought-after fish is the magnificent walleye. This government has closed many walleye lakes over time, and as a result we're starting to see the population numbers inch back up. It is also very good to see that they are trying new initiatives this year for stocking walleye. It can only help our fisheries in years to come. My questions are for the Minister of Sustainable Resource Development. When are we going to open up these lakes and give Albertans a chance to fish for the prized walleye?

Mr. Coutts: Mr. Speaker, we are seeing some recovery of the walleye populations after many years of hard work and conservation in this province, and we have opened up some lakes over the past few years. But the member is right: walleye is a much sought after fish, so to prevent overfishing, what we're hoping to try is an innovative fish tag solution approach to give people the opportunity to harvest walleye in a controlled way. We are proposing this, and we're going to test it on four lakes: Lac Ste. Anne, Wolf Lake, Pigeon Lake, and Lake Newell. It's a balance that we're trying to achieve between conservation and allowing Albertans to fish and to keep at least some of their catch.

Mrs. Jablonski: To the same minister: given that there's another fish conservation effort potentially being introduced this year, which involves licensing fish derbies, could the Minister of Sustainable Resource Development tell me: would even the small fishing derbies be charged for a licence under this new policy?

Mr. Coutts: Mr. Speaker, this is a very good question because none of us want to see the fish resource depleted. We do recognize that there are some fishing events that are small social functions, where the people may not be involved in big prizes or big crowds, while other organizations could actually have greater impact on the resource. I believe that the requirements for a big fishing derby should be different than those for a small derby, and that only makes sense. Our goal is to make sure that we have good, sound practices for all events and to promote low harvests and at the same time give people the ability to catch and release fish. The licensing would only be to Alberta residents as well.

Mrs. Jablonski: To the same minister: could the minister tell me if there is broad public support for these proposals?

The Speaker: The hon. minister.

Mr. Coutts: Yes, Mr. Speaker. We've had overwhelming support from licensing competitive fishing as well as the opportunity for a fish tag. We've done this through numerous consultations over the years, and both of these ideas that I have just mentioned have been endorsed by the provincial round-table on fisheries, which is a group of stakeholders. What they've said is that they've taken and shared these ideas with us, and we then have implemented them. We've also shared these ideas with the members and the executive of the Alberta Fish and Game Association.

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

Temporary Foreign Workers

(continued)

Mr. Backs: Thank you, Mr. Speaker. For many years there was a special discriminatory tax placed on Chinese immigrants wanting to work in Canada. This tax was called the head tax. It was designed to ensure that Chinese workers on projects here would not bring their families to Canada and become Canadians. The special temporary foreign worker program for the oil sands negotiated and signed by the Alberta government has the same effect. My question is to the Minister of Human Resources and Employment. Why will Chinese temporary foreign workers contracted to work in the oil sands for, potentially, years, to live in work camps here for years not be allowed to have their wives and children immigrate to Alberta?

Mr. Cardinal: Mr. Speaker, you know, first of all, I'd just like to clarify one thing. I don't think it's really fair for anyone to bring up these different nationalities in this House. That is not fair. We have a multicultural society here. We all live together and work together very, very well.

I mentioned earlier in the House today, Mr. Speaker, to a former question in fact, that the temporary foreign workers' program is under the federal government.

Mr. Backs: Signed by the provincial government.

A supplementary question to the same minister, Mr. Speaker: why would Chinese temporary foreign workers be indentured to their sponsoring employers for years if they want to stay in Alberta and not have the freedom to seek work elsewhere in Alberta?

Mr. Cardinal: Well, Mr. Speaker, you know, I've mentioned in this House over and over again that this is a free country. We have the hottest economy in North America. We have thousands of jobs. We have the best education system. We have good health care, good policing, low taxes. This is a wonderful place to live. Alberta attracts people from all over the country, and we're so lucky.

2:30

Mr. Backs: Mr. Speaker, to the same minister: why are meat cutters working as temporary foreign workers from countries like Sudan being denied places in the Alberta provincial nominee program for full immigration status because those places are being allotted to employers friendly to this government?

Mr. Cardinal: Mr. Speaker, that program is under another ministry, and I can't comment on that.

Postsecondary Opportunities in Calgary

Dr. Brown: Mr. Speaker, the city of Calgary, with almost a million people, is growing at almost twice the rate of Edmonton. It's also

creating half of all the new jobs in the province, yet access to postsecondary education in Calgary lags far behind that available in the capital region. In the latest round of access announcements Edmonton received funding for almost twice as many new postsecondary spaces as Calgary. This means that by Advanced Education's own figures there are now 9,000 more opportunities for postsecondary students in Edmonton than there are in Calgary. My question is for the Minister of Advanced Education. What will the minister's department do to address the growing disparity in access to postsecondary education that currently exists between Edmonton and Calgary?

The Speaker: The hon. minister.

Mr. Herard: Thank you, Mr. Speaker. I'm not sure I heard all of that, but I think I get the gist. Decisions about funding for new spaces are made based on the priorities put forth by the postsecondary institutions as well as student demand and Alberta's economy and the need for the province's postsecondary system as a whole. This year Calgary's postsecondary institutions are receiving 938 new spaces, worth \$11.3 million. Edmonton institutions are receiving 829 spaces, worth \$10.2 million. Since 1999 Calgary's postsecondary institutions have received funding for 5,812 new spaces compared with 5,804. So, you know, we could argue back and forth about this for years. I think we need to put that behind us and move forward and deal with the future.

Dr. Brown: My supplementary question is to the same minister. Will the minister commit to a capital plan to allow Calgary's postsecondary institutions to bring greater equity and opportunity to young Albertans in southern Alberta?

Mr. Herard: Well, Mr. Speaker, I think my job is to bring opportunities to all Albertans in all areas of the province, but we are working very, very diligently with the Calgary postsecondary institutions. In fact, I've already met with several Calgary postsecondary institutions, including the University of Calgary and the arts college as well as Bow Valley College. I was busy last week meeting with all these people. As a government we're already funding a number of postsecondary capital projects in Calgary, that will benefit thousands of students in the city and throughout Alberta.

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

Investment in Science and Technology

Mr. Elsalhy: Thank you, Mr. Speaker. It is essential that we actively pursue ways to diversify the economy by expanding our economic base. Alberta's reliance on oil and gas royalties is negatively impacting the technology sector. Investment in the oil industry is taking away from investment in the high tech sector, and the recent Alberta Technology Report survey suggested that almost half of Alberta's tech companies would consider leaving Alberta to go to provinces offering better incentives. My questions are to the Minister of Innovation and Science. When is the minister going to put incentives in place to make Alberta competitive with other jurisdictions?

Mr. Doerksen: Mr. Speaker, the hon. member references a very important report which is actually sponsored by the Department of Innovation and Science. Surveys were sent out to over a thousand different companies, of which only about 100 responded. Quite

clearly in the report the authors have indicated that you can't make a hard and fast decision based on such a small reply to that survey. I just mention that for background.

What is important in that report, because it does highlight a trend that we have been following over a number of years, is that companies in emerging businesses, particularly in the preprofit stage, have indicated a need for access to capital. Mr. Speaker, that is an issue that we have tackled. We announced earlier this year a \$30 million grant under AVAC that will actually go to assist emerging companies in the information technology, the biotech areas, to have access to that capital and mentorship to help them get established in our province.

The Speaker: The hon. member.

Mr. Elsalhy: Thank you, Mr. Speaker. To the same minister: given that this government offers royalty tax credits to oil companies, will the minister implement a similar 30 per cent provincial tax credit for investment in early stage Alberta-based technology companies?

Mr. Doerksen: Mr. Speaker, another important question, a question that we have asked repeatedly of members of our community. Quite frankly, on that question of tax incentives we get a very mixed response. We get half of the individuals saying, "Stay out of that area; continue to apply a low, broad-based tax regime to make sure that all of our businesses are on an equal playing field," and another half – and I'm generalizing – say: provide some specific incentives. It is a question we grapple with. The Minister of Finance may choose to respond. Her officials have examined this question on several occasions. At this point we have not moved in that direction.

The Speaker: The hon. member.

Mr. Elsalhy: Thank you, Mr. Speaker. This question is to the Minister of Advanced Education. Given that the new spaces announced on March 28 in relation to the 2006 provincial budget focused heavily on energy-related fields, what is the minister doing to increase the number of science and technology graduates?

Mr. Herard: Well, Mr. Speaker, I think that one of the things we have to be very proud of in Alberta is some of the initiatives that have been taken by this government to bring technology and science to the forefront: iCORE, for example, has brought in 23 new chairs serving, as a matter of fact, three universities in this province and a couple of hundred graduate students who, in fact, follow these people around the world to learn under them because they are so renowned in terms of their knowledge and their expertise. So I think we have a lot to be thankful for and a lot to be proud of.

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

Continuing Care Standards

(continued)

Mr. Martin: Thank you, Mr. Speaker. It's been almost a year since the Auditor General issued his scathing report on long-term care. At the time the Premier promised to take immediate action to implement all of the report's recommendations. But here we are one year later, and there has been little or no progress on the Auditor General's key recommendations. Many vulnerable seniors are still suffering under intolerable conditions. The horror stories continue. To the Minister of Seniors: why has this government failed to

legislate binding, enforceable service standards in all long-term care and assisted-living facilities as recommended by the Auditor General?

The Speaker: The hon. minister.

Mrs. Fritz: Well, thank you, Mr. Speaker. As I addressed in my earlier answer to the Member for Lethbridge-East, we do take the safety, care, and well-being of our seniors in continuing care with the utmost importance. I can tell you that the Auditor General's report, the recommendations that were made, the MLA task force on long-term care, the area that applies to this ministry – as far as standards are concerned, the accommodation side of the standards, those will address the room and board issues. That will include, for example, nutrition, the setting of accommodation rates, and whatnot. As indicated earlier, we are working toward making that possible very soon, that you will have the standards, and it will include monitoring, enforcement, concern resolutions, and other important elements. You will see that when it comes forward.

Mr. Martin: Well, Mr. Speaker, if we care so much about these seniors – we do – then why wasn't legislation brought forward in this legislative session, almost a year later?

Mrs. Fritz: Well, Mr. Speaker, it takes time when you go to the community as a whole, when you go out in the province. We went out in the province with a task force that had representatives not only from our side of the House but from the opposition. That task force listened to what people said. We actually took that back out into the community, which involves all residents in Alberta, including the stakeholders, including the caregivers, including the people in the whole long-term care system, whether it's lodges right through to designated assisted-living and on to the long-term care component, and that does take time. When we received that back, our staff rolled up their sleeves. They're getting the job done. Our Ministry of Health and Wellness is working with this department. We are working hard to ensure that we have the best standards possible in place, and you will see that soon.

2:40

Mr. Martin: Given that many of these seniors don't have a lot of time – that is, they're vulnerable – and given that the government is still busy changing designations from long-term care to assisted living, which have no minimum standards, how does this help vulnerable people?

The Speaker: The hon. minister.

Mrs. Fritz: Thank you, Mr. Speaker. We did put the funding in place in this budget through the Minister of Health and Wellness budget as well as my budget. I know that this budget was \$2.2 million to ensure that standards are put in place, and that will be coming forward soon, as I indicated to you.

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

Special-needs Education

Rev. Abbott: Well, thank you, Mr. Speaker. Some school boards in my constituency are having difficulty meeting the education needs of students with special needs within current funding profiles as determined by Alberta Education. My first question is to the

Minister of Education. How does Alberta Education determine special-needs profiles of the individual school boards?

Mr. Zwozdesky: Mr. Speaker, the short answer is that it's done on historic incidence of severe disability rates, which is charted throughout the province. This began a few years ago. In fact, we're only in the second year of the new renewed funding framework, which actually is where you'll find the funding specifications.

I should probably indicate to the hon. member and to others here that I think it was prior to 2001-2002, hon. member, that school boards were taxed with having to code and identify and submit claims on an individual, per-student basis. Now, that created quite a bit of an administrative burden and didn't allow them the total flexibility that they wanted. The renewed funding framework that was brought in a couple years ago does that now. So there's a combination of factors that goes into determining what the incidence rate was, but essentially it's based on birth populations that are expected to give rise to these kind of circumstances.

The Speaker: The hon. member.

Rev. Abbott: Well, thank you, Mr. Speaker. My second question is for the same minister. Given that some boards have to actually subsidize special ed funding from their regular instruction dollars, is the department considering a review of this methodology?

Mr. Zwozdesky: Mr. Speaker, in fact we are considering a review of not only the special needs aspect of education funding but everything that is contained within the renewed funding framework document. I would encourage members to pick up the latest copy, either through their MLA offices or wherever they wish. They can contact a number of sources in Education as well for that same information. We are proceeding with that review. I appointed a ministerial advisory committee to undertake it. We'll have those results soon.

The Speaker: The hon. member.

Rev. Abbott: Thank you, Mr. Speaker. Again for the same minister: is there a specific sunset clause on the current profiles so that a board can be audited to establish a new profile that may better reflect today's realities?

Mr. Zwozdesky: Well, Mr. Speaker, to answer the member's question, there's no specific sunset clause that I'm aware of. However, I should make it clear that if a school board wishes to have an audit done because they feel there is some discrepancy between the total number of special-needs students, be that mild, moderate, or severe, that they have enrolled versus the amount of funding they're getting on the profile jurisdiction basis, they could certainly approach us and ask for that audit to be conducted. We will do it, and then we'll both live with the results, so to speak.

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

Sale of Surplus Crown Lands

Mr. MacDonald: Thank you, Mr. Speaker. The department of infrastructure is responsible for the sale of provincial Crown lands that are surplus to the requirements of the Edmonton and Calgary ring roads and for ensuring that fair market value is realized from the sale of these lands. We all know that this government sold surplus

land in 1988 for as little as a dollar per parcel, and there has yet to be an adequate explanation from this government. My first question is to the minister of infrastructure. Given that during the last five years this government has sold surplus lands in the city of Edmonton for anywhere between \$2,000 and \$75,000 per acre, who is doing the real estate appraisals on these surplus lands before they are put on the market to be sold or given away?

Mr. Lund: Mr. Speaker, I'm not sure where to start on this. We've gone around and around. Trying to demonstrate with the Easter eggs apparently didn't work. I will go through this once again for the benefit of this individual. The fact is that we knew from the plans we had worked through that we needed some 504.39 acres. We knew exactly where we needed the land. [interjections]

Mr. Speaker, with all the chirping over there they obviously don't want to hear the answer. That's probably the problem, why they have never figured this out. They absolutely refuse to hear the answer.

The Speaker: Okay. Another question.

Mr. MacDonald: Thank you, Mr. Speaker. Again to the same minister: are these surplus lands, the lands that have been sold off in the last five years, those lands which are to be sold, are they available to all investors, or is it the policy of this government to allow only a select few insiders to bid on these lands?

Mr. Lund: Mr. Speaker, I'm going to go back to the first one. Of course, I'm going to try a different tack. I think this time I'll talk in the form of pies. We will see that, in fact, there are eight pies. He doesn't seem to be able to understand from the Easter egg one because that was too simple: you count them. Well, you're going to have to cut the pies. So that's the land that you're cutting now. We as the purchaser know that we want 504.39 ounces of pie. We know that there are eight locations where we're going to find these pies. We know that there's an individual that is offering to sell these pies to us, and there are some 795.18 ounces in all of these pies.

Now, we're going to take the pies, and we're going to cut out some 504.39 ounces of pie because that's what we need, Mr. Speaker. Of course, we give back to the seller, to the person that owned them at one time, the remaining amount so that, in fact, we end up with our 504.39 ounces of pie. Now, if they can't understand that, I don't know what other explanation we could give them.

The Speaker: The hon. member.

Mr. MacDonald: Thank you, Mr. Speaker. The hon. minister would make a better Santa Claus than an Easter Bunny because he wants to give the taxpayers' land away for nothing.

My next question: where does the government advertise these surplus lands for sale so that Albertans can place an offer if they are interested?

Mr. Lund: Mr. Speaker, this will take a little bit of time because there's a lot of explanation to do with how we handle public land. First of all, we look at the parcel that is for sale. If, in fact, it is something that would be used for a public-type facility in a municipality, we may offer it to the municipality for \$1. Then there are cases where the land will be appraised. If it can't be used for a public service, then it will be appraised, and we take two appraisals. Then, if the municipality that it's housed in is interested in purchasing this property for the appraised value from the two independent appraisals, we will offer it for that price. If they don't want to buy

it for that, then we put it on the market through a real estate agency, and we take bids.

That is the standard practice, Mr. Speaker. It's open to the public if, in fact, the municipality didn't take us up on the first right of refusal. That's the process, and it's always followed. Always.

The Speaker: I think that, unfortunately, the time has expired for question period. My apologies.

2:50 Vignettes from the Assembly's History

The Speaker: Hon. members, before I call upon the first of several to participate in Members' Statements, our historical vignette of the day.

By 1935 William Aberhart's *Back to the Bible Hour* had a weekly radio audience of over 350,000 people. In 1935 Alberta had a population of about 750,000 people.

On August 22, 1935, 81.8 per cent of Alberta's eligible voters, the largest ever, reviewed the platforms of 240 different candidates and gave the Social Credit Party 54.25 per cent of the vote and 56 out of 63 seats. William Aberhart had personally hand-picked Social Credit candidates in every constituency, but he himself was not a candidate. He became the Premier of Alberta but not a Member of the Alberta Legislative Assembly. William Morrison, the Social Credit member for Okotoks-High River, resigned, and William Aberhart was elected an MLA by acclamation on November 4, 1935.

Alberta was to enter a very stormy period. Premier Aberhart led the Social Credit Party into the March 21, 1940, election and emerged with 42.9 per cent of the vote and 36 out of 57 seats. He himself was elected in Calgary.

The political storms, however, were to continue. The press constantly ridiculed Aberhart. The Lieutenant Governor considered removing him from office. Major opposition came from ministers within his own cabinet who felt that he was not determined enough in advancing the Social Credit theories of Major C.H. Douglas.

On a trip to Vancouver on May 23, 1943, he died a painful death from cirrhosis of the liver at age 64. So embittered was his family for the years of criticism that he endured that they cancelled plans for a state funeral in Alberta and buried him in Vancouver.

In 30 seconds I'll call upon the first of six members.

The hon. Member for Lacombe-Ponoka just indicated to me that the signature of the Premier that I just mentioned, William Aberhart, is found within the desk of the hon. Member for Calgary-West. As, of course, is customary for hon. members who spend their time in here to etch—I shouldn't say this publicly. I hope the mike's not on. But as we're all school children at heart, you know, we always autograph. That's part of the history of this: the internal of these desks.

head:

Members' Statements

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

Deaths of Canadian Soldiers in Afghanistan

Mr. Lukaszuk: Thank you, Mr. Speaker. You and I enjoy the privilege of serving in this Chamber because we live in a democratic state. Our past Prime Minister the Rt. Hon. John Diefenbaker best described our freedoms by saying, "I am a Canadian, a free Canadian, free to speak without fear, free to worship God in my own way, free to stand for what I think right, free to oppose what I believe wrong, free to choose those who shall govern my country."

Mr. Speaker, these freedoms do not come without a price. So that Canadians may enjoy these freedoms, some of our finest young men

and women willingly sacrifice their lives in the protection and promotion of democracy. This past weekend we lost four such outstanding Canadians in Afghanistan. Corporal Matthew Dinning, Bombardier Myles Mansell, Corporal Randy Payne, and Lieutenant William Turner lost their young lives doing what they believed in: protecting us.

Mr. Speaker, during such times of sorrow our nation must bow its collective head, lower its flags, and offer its prayers so that our soldiers know that we believe in them, honour them, and appreciate them. Also, we must never forget the families of these soldiers, who must carry on without their husbands, sons, and brothers. We owe our collective gratitude to them as well.

Mr. Speaker, to those remaining soldiers deployed throughout the globe, we wish them safe return.

Thank you.

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

National Volunteer Week

Rev. Abbott: Thank you, Mr. Speaker. The voluntary sector is one of the most vital components of our society. This week we pay tribute to that sector through volunteer week. This is a nationally proclaimed week held to identify the beneficial and crucial contribution that volunteers make to our lives.

On behalf of my colleague the Minister of Community Development, who is responsible for the Wild Rose Foundation, I would like to ask this Assembly for its unanimous support in recognizing April 23 to 29, 2006, as volunteer week in Alberta.

All across this great province many events and activities are taking place to recognize and thank the volunteers, who play such essential roles in our communities. The Wild Rose Foundation in collaboration with Volunteer Alberta facilitates the provincial focus during volunteer week. This year 146 Alberta communities are participating in this week-long series of events.

According to the 2003 National Survey of Nonprofit and Voluntary Organizations there are about 19,000 nonprofit and voluntary organizations in Alberta, which accounts for 12 per cent of the 161,000 nonprofit and voluntary organizations in Canada. It is estimated that the voluntary sector in our province collectively contributes approximately 449 million hours of volunteer time. This is equivalent to approximately 234,000 full-time jobs. Alberta leads the way in the voluntary sector, and we can all take pride in this great accomplishment. Through the Wild Rose Foundation this government supports the voluntary sector of this province in many valuable ways.

I encourage this Assembly to continue its support and dedication to volunteerism in our province. Throughout Alberta our volunteer spirit is contributing directly to the health and well-being of our citizens and communities.

Thank you, Mr. Speaker.

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

National Victims of Crime Awareness Week

Mr. Johnston: Thank you, Mr. Speaker. Victims of crime deserve compassion and respect. April 23 to 29 marks Canada's inaugural National Victims of Crime Awareness Week. The theme is People, Services, and Laws.

As part of this week communities across Canada have been encouraged to promote awareness of victims' issues and the services and laws that help victims and their families impacted by crime. We

are also taking this time to recognize the contributions of those who support victims. In our province alone over 1,600 volunteers work with professional staff to serve victims of crime.

Here in Alberta we are working to improve awareness about victims' programs and services through a campaign launched in March by the Solicitor General and Minister of Public Security. The campaign includes a series of radio, transit, and other indoor media advertisements. Posters have also been distributed across the province to be displayed throughout communities, including courthouses, police stations, and probation offices.

After becoming a victim of crime, a person's life can be turned upside down and thrown into the confusing and intimidating world of the criminal justice system. Once they report the crime to police, we want victims to ask the police officer about services available to them or to pick up the phone and call their local victim services unit. Community and police-based victim services units in Alberta can provide information about the justice system, assistance through the court process, and referrals for legal, financial, or emotional support.

Victims deserve to be heard, and these awareness campaigns are an important step to show that we are listening.

Thank you, Mr. Speaker.

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

3:00

Alberta's Promise

Mrs. Mather: Thank you, Mr. Speaker. How do we make a promise a reality? I'm speaking of Alberta's Promise, a hope that is yet to be realized by many of Alberta's children. It is now three years since the government launched this initiative. Some critics may say that we should not be putting out in words what we're not prepared to put into policy. I do not agree. We need words to articulate a vision, but words are not enough.

C.S. Lewis once commented on the expression "a good egg." There are two things that can happen to a good egg: either it becomes something else, or it goes rotten. Mr. Speaker, I believe we're at this point in determining whether Alberta's Promise lives up to its intention. Children's well-being is more than the concern of one ministry. It involves all aspects of public policy. If we are to truly benefit Alberta's children, we must face the challenge of poverty for many children live in families under this shadow. If we are to have healthy children, we must provide health care for all. If we want wholesome children, we must have a healthy environment. If we want children free of intimidation, we must eliminate bullying in public life and in the marketplace. If we want our children nurtured, we must be prepared to support child care in whatever form it is needed.

I urge the government and those who aspire to lead it to review their priorities so that the worthy intention of Alberta's Promise can be a hope achieved and a promise kept.

Thank you.

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

Sale of Ring Road Land

Mr. MacDonald: Thank you, Mr. Speaker. Documents uncovered by the Official Opposition show that this Progressive Conservative government has failed atrociously in protecting the public interest when it comes to land development, a failure that this government would like to ignore. There are questions that this government cannot or, perhaps more accurately, will not answer. Why are certain land developers able to secure special conditions when

purchasing Crown lands? The answer may stem back to a government memo from 20 years ago which clearly states this government's policies for land purchases, a policy that favoured special-interest names at the expense of Alberta taxpayers. Are these policies still in effect? Only an independent investigation will determine this as this government has demonstrated that it has no interest in telling Albertans what went on.

Instead of pursuing justice on behalf of Albertans, this government chooses to protect its friends and predecessors. Instead of providing meaningful and relevant answers to the questions surrounding this issue, this government mocks the very notion of accountability by criticizing the opposition for raising such concerns. Instead of taking responsibility for their actions, the minister of infrastructure points the finger at his predecessors. Ironically, the same minister introduced Bill 20 this spring, which aims to hide government documents from the public for up to 15 years.

On the one hand we are asked to ignore the past, and on the other we are told that we should not have access to current information. This government's clear disdain for accountability and responsible leadership is becoming quite alarming. Will this government do the responsible thing and initiate an independent judicial inquiry into the land purchase and subsequent sale of surplus Crown lands for both the Edmonton and Calgary ring roads? Doing so would accomplish a number of things. First, it would determine if this government has mismanaged its responsibilities at the expense of taxpayers. Second, it would identify who is responsible for such failures and ensure that those are not repeated. Third, it would determine if such mismanagement continues today and if so who is benefiting and who is suffering. In short, it would ensure accountability for the future even if it was lacking in the past.

Thank you.

head:

Presenting Petitions

Mr. Prins: Mr. Speaker, I rise to present a petition from 60 residents of central Alberta from the Mirror, Bashaw, and Alix areas that says:

We, the undersigned residents of Alberta, petition the Legislative Assembly to urge the Government of Alberta to introduce effective and immediate measures to curtail the substantial increase in teenage smoking in Alberta as reported by Health Canada, that include but are not limited to; (1) a tobacco tax increase, (2) legislation to control tobacco sales and marketing, and (3) legislation to make all workplaces completely smoke-free.

Thank you, Mr. Speaker.

The Speaker: The hon. Member for Peace River.

Mr. Oberle: Thank you, Mr. Speaker. I rise today to table a petition that I received from 18 staff and students from Rosary school in Manning, Alberta, which is in my constituency. The petitioners are proposing some initiatives that they believe could be used to curb an increase in teen smoking.

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

Dr. Swann: Thank you, Mr. Speaker. I rise to submit a petition from 111 Albertans calling on the government of Alberta to "consider increasing funding in order that all Alberta Works income support benefit levels may be increased."

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

Mr. Eggen: Thank you, Mr. Speaker. I would like to table a petition

sponsored by the Friends of Medicare that has 938 signatures on it. It calls for the government to abandon its plans to implement the third-way health reforms and for the Assembly to defeat any legislation that would allow the expansion of private hospitals or insurance or allow doctors to work in both the private and the public systems. The NDP opposition has now tabled 3,300 signatures on this petition.

Thanks.

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

Mrs. Jablonski: Thank you, Mr. Speaker. I rise today to present two petitions, the first signed by 482 Albertans and the second signed by 98 Albertans. Both petitions urge the government of Alberta to introduce legislation allowing parents the authority to place their children into mandatory drug treatment and to fund urgently required youth drug treatment centres.

head:

Introduction of Bills

The Speaker: The hon. Deputy Premier.

Bill 35 Fuel Tax Act

Mrs. McClellan: Mr. Speaker, thank you. I request leave to introduce Bill 35, the Fuel Tax Act. This being a money bill, His Honour the Honourable the Lieutenant Governor, having been informed of the contents of the bill, recommends the same to the Assembly.

Mr. Speaker, Bill 35 would replace the existing Fuel Tax Act, which is outdated and no longer reflects how the tax is charged and collected. The tax framework used in the new act has been discussed with industry stakeholders, and they are in agreement with the framework proposed.

[Motion carried; Bill 35 read a first time]

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

Bill 36 Securities Transfer Act

Mr. Knight: Thank you, Mr. Speaker. I request leave to introduce Bill 36, the Securities Transfer Act.

This legislation, Mr. Speaker, provides a single, uniform source of rules for the transfer and holding of all corporate and noncorporate securities traded in Canada. Most other provinces and territories have either adopted or plan to adopt practically uniform legislation. Providing a single set of rules in Canada will enhance our market competitiveness with the United States and global markets.

Thank you.

[Motion carried; Bill 36 read a first time]

The Speaker: The hon. Government House Leader.

Mr. Zwozdesky: Thank you, Mr. Speaker. It's my pleasure to move that Bill 36, the Securities Transfer Act, be moved onto the Order Paper under Government Bills and Orders.

[Motion carried]

The Speaker: The hon. Minister of Finance.

Bill 37
Miscellaneous (Provincial Treasurer)
Statutes Amendment Act, 2006

Mrs. McClellan: Mr. Speaker, thank you. I request leave to introduce Bill 37, the Miscellaneous (Provincial Treasurer) Statutes Amendment Act, 2006.

Mr. Speaker, Bill 37 is a housekeeping act that will allow changes in legislation with references to "Provincial Treasurer" to be replaced with "Minister of Finance."

[Motion carried; Bill 37 read a first time]

head: **Tabling Returns and Reports**

The Speaker: The hon. Solicitor General and Minister of Public Safety.

Mr. Cernaiko: Thank you very much, Mr. Speaker. I'm tabling the proper number of copies of a response letter to Written Question 2, regarding provincial protection officers' traffic safety enforcement, from the hon. Member for Edmonton-Glenora. The use of sheriffs to supplement traffic enforcement in a pilot project came during follow-up work on the Alberta traffic safety plan. These individuals were identified as a potentially prudent use of resources. This concept is not new. Municipal special constables have been used in traffic enforcement on local roads for the last three decades. I have the appropriate number of copies to be handed out.

3:10

The Speaker: The hon. Minister of Education.

Mr. Zwodzesky: Thank you, Mr. Speaker. I'm pleased to rise today and table with the Assembly the appropriate number of copies of my response to Motion for a Return 49 from last session, which simply requires me to provide information pertaining to equating diploma examinations as referenced in the ministry of learning's annual report for '03-04.

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

Mr. MacDonald: Thank you very much, Mr. Speaker. I have two tablings today. The first one is a handwritten letter that I have been given a copy of. It's from Mr. Roland Poulin on 94th Avenue in the constituency of Edmonton-Gold Bar, and it's to our hon. Premier. It is in regard to the third way and Mr. Poulin's reservations about the third way.

My second tabling this afternoon is the appropriate number of copies of a magazine put out by the Historical Society of Alberta, of which our hon. Lieutenant Governor is a patron. The Historical Society of Alberta has put out this magazine called *A Century of Alberta Premiers*. It is excellent reading. In fact, there are many researchers involved with this, including Una Maclean Evans, and she was photographed on page 21 doing an interview with Richard Gavin Reid, the UFA Premier from 1934 to 1935. I hope, Mr. Speaker, that you get an opportunity to read this. You certainly are encouraging me to read Standing Orders. You must have been an excellent history teacher prior to your arrival here in 1979, from the historical vignettes you give us. Hopefully, this will provide more information for your most interesting vignettes.

Thank you.

The Speaker: Well, I do want to thank the hon. member for his generosity in providing me with a copy of the historical document on the leaders of the province of Alberta. The hon. member should

know that there is a reason why I encourage him to read Standing Orders.

The hon. Member for Calgary-Varsity.

Mr. Chase: Thank you, Mr. Speaker. It's my honour to table yesterday's program for the 11th annual Chrysalis achievement awards, which recognize the thousands of volunteer hours developmentally delayed individuals contribute to their Calgary community with the support of their families, enlightened local businesses, and the Chrysalis organization.

Thank you.

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

Mr. Elsalhy: Thank you, Mr. Speaker. My tabling today is from an Edmonton-McClung constituent, Miss Grace Wheatley, who wanted to relocate to a more affordable apartment to free up some money for health expenses because she's now working less and earning less but was told by Capital Region Housing that there was a one and a half to two-year wait period for funding to be released from this provincial government. She confirms that there are many people in her situation, and she wants us in this Assembly to promptly act on this ongoing concern.

Thank you.

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

Ms Pastoor: Thank you, Mr. Speaker. I would like to table today 31 letters, all of which are on continuing care standards and their enforcement, and they are signed by people who live and work within the system.

head: **Tablings to the Clerk**

The Clerk: I wish to advise the House that the following documents were deposited with the office of the Clerk. On behalf of the hon. Mr. Cardinal, Minister of Human Resources and Employment, pursuant to the Workers' Compensation Act a report dated March 2006 entitled the Status of Research on Occupational Causation of Selected Primary Site Cancers in Part-time Firefighters.

On behalf of the hon. Mr. Boutilier, Minister of Environment, a response to Written Question 4, asked for by Mr. Taylor on behalf of Mr. MacDonald on March 20, 2006, and return to order of the Assembly MR 5, asked for by Mr. Eggen on March 20, 2006.

The Speaker: Hon. members, before I call Orders of the Day, just a reminder that tomorrow Mr. Speaker's MLA for a Day program will have 83 young people attend. We'll do a special session with them tomorrow morning here in the Assembly, so I'd ask that as you leave today, tonight, you would make sure that whatever papers you have, you just lock them up and put them away because these young people should have no access to any information you have on your desks.

head: **Orders of the Day**

head: **Written Questions**

The Speaker: The hon. Government House Leader.

Mr. Zwodzesky: Thank you very much, Mr. Speaker. Proper notice having been served on Thursday, April 13, it is my pleasure to move that written questions appearing on today's Order Paper do stand and retain their places with the exception of written questions 15 and 29.

[Motion carried]

Resource Rebate Program

Q15. Mr. Taylor moved on behalf of Mr. R. Miller that the following question be accepted.
What is the total cost incurred to administer the \$400 Alberta 2005 resource rebate program?

The Speaker: The hon. Deputy Government House Leader.

Mr. Stevens: Thanks, Mr. Speaker. On behalf of the hon. Minister of Finance I wish to make a few remarks. First of all, I would encourage the members to reject the question. The reasons for that are as follows. Under the rules of the Legislative Assembly once a written question is accepted, response has to be tabled within 30 sitting days of the date of acceptance. The terms of the Alberta resource rebate 2005 stipulate that eligible Albertans have until December 31, 2006, to file their 2004 income tax returns in order to receive their \$400 cheques. For this reason the final cost of administering the program will not be tallied until approximately this time next year. Once the final amounts are known, the Department of Finance is quite prepared to provide this information to the opposition parties and to table it in the House at the first opportunity.

As a point of interest, in the Alberta Finance news release dated October 11, 2005, it states that administrative costs will be "less than one per cent of the program cost."

Thank you, Mr. Speaker.

The Speaker: The hon. Member for Calgary-Currie to close the debate.

Mr. Taylor: Question.

[Written Question 15 lost]

Human Rights in China

Q29. Dr. Swann moved on behalf of Mr. Bonko that the following question be accepted.
What measures has the government taken to work collectively with the federal government and the Alberta China office to address human rights concerns in China, specifically in regard to Falun Gong supporters?

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

Mr. Mar: Thank you, Mr. Speaker. The government accepts Written Question 29.

The Speaker: The hon. Member for Calgary-Mountain View to close the debate.

Dr. Swann: I call the question.

[Written Question 29 carried]

head: Motions for Returns

The Speaker: The hon. Government House Leader.

Mr. Zwozdesky: Thank you, Mr. Speaker. Proper notice having been given on Thursday, April 13, I would now like to move that motions for returns appearing on today's Order Paper do stand and retain their places with the exception of Motion for a Return 26.

[Motion carried]

Income Trusts and Income Trust Conversions

M26. Mr. Martin moved on behalf of Mr. Mason that an order of the Assembly do issue for a return showing copies of all documents, including legal opinions, briefing notes, backgrounders, or memoranda, that analyze the impact of income trusts and income trust conversions on Alberta government revenues from January 1, 2002, to April 1, 2006.

The Speaker: The hon. Deputy Government House Leader.

Mr. Stevens: Yes. Thank you, Mr. Speaker. On behalf of the hon. Minister of Finance I would urge members of the Assembly to reject. The reasons for this are that the current policy review of income trusts is at a very preliminary stage and, of course, that it is a very sensitive matter. We will not be providing the requested documents but will consider the release after completion of the policy review and the consideration of its findings by the hon. Minister of Finance.

The Speaker: The hon. Member for Edmonton-Beverly-Clareview to conclude the debate.

Mr. Martin: Well, thank you, Mr. Speaker. It's somewhat disappointing because we're dealing with a significant amount of money. I think the relevance should be that page 139 of the Budget 2006 fiscal plan provides a rationale. As stated in the budget, Alberta Finance has recently estimated the "net revenue loss at about \$400 million per year" from the shift to income trusts and further states that this issue is being examined. Well, would the minister mention this? How long will this take? This is significant cash, a lot of money, \$400 million. I point out that a \$400 million loss of public revenue from income trust conversions when added to the further loss of \$372 million of public revenue from the corporate tax reduction from 11.5 to 10 per cent represents an unacceptable loss of public revenues. This represents a loss to the public treasury of over three-quarters of a billion dollars per year. This is about the same amount as average Albertans pay in the form of health care insurance premiums.

3:20

Mr. Speaker, we talk about health care costs skyrocketing and not having the money and all the rest of it, and here is \$750 million going down the tubes to the wealthiest Albertans, the corporate sector. If we're going to say in the budget – and it's in there on page 139 – that there's \$400 million lost, surely it's our responsibility in this Legislature to know what we can about it at this particular time. It's not good enough to say that the government is reviewing it. How long is that reviewing going to take? How long are we going to bleed from losing this amount of money? As I say, \$400 million is a lot of taxpayers' money. The Legislature is supposed to control the purse strings, and the minister is saying: well, we're reviewing it behind closed doors. Surely it's the responsibility of this Legislature to be reviewing that amount of money and to know what's going on.

I am disappointed, Mr. Speaker, not surprised again but disappointed, that the government has taken it upon themselves to do this behind closed doors. I'm not holding my breath waiting for, you know, a miracle that they're going to vote for us, but I think all Members of the Legislative Assembly should say: this is pretty serious stuff, and we should have the responsibility to take a look at this. So I would certainly urge acceptance of Motion for a Return 26.

Thank you.

[Motion for a Return 26 lost]

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

**Bill 206
Designation of Child Access Exchange Centres Act**

[Adjourned debate April 10: Mr. Stevens]

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

Mrs. Jablonski: Thank you, Mr. Speaker. It's my privilege to continue debate on Bill 206 this afternoon. I think the debate that we have had so far has been very interesting, and the points made have been very good. What really strikes me about this bill is that we as legislators have to discuss this issue. I think it's very unfortunate that we are discussing the sad situation that has arisen in Alberta and Canada over the past 30 years. Bill 206 gives divorced or separated parents the opportunity to use a designated centre as a neutral site to drop children off so that the other parent can pick them up without conflict or contact with each other.

There are many situations out there, and there are statistics available that show that some parents are denied access to their children. The department has provided some statistics that show just how significant a problem this is becoming. It is estimated that as many as 48 per cent of all children of separated or divorced parents have little or no visitation with their fathers. There are approximately 166,000 children in Alberta with nonresidential fathers. If you take the 48 per cent I just mentioned and assume that these children have little or no visitation, one can estimate that 79,000 children have little or no visitation with their fathers. Research also shows that up to 24 per cent of nonresidential Canadian fathers do not get to see their children. If this percentage is applied to the estimated 126,000 nonresidential fathers in Alberta, somewhere between 25,000 and 30,000 fathers may not be seeing their children.

[Mr. Shariff in the chair]

The reasons for fathers not seeing their children are varied, and exchange is only a small part of this, but it is a part. I think we have to look at Bill 206 as one designed to help the majority of families who are having difficulty exchanging children, the difficulty as a result of one parent not being able to access their children because of the exchange situation. This is a bill that would work for that sort of situation. It would give parents the opportunity to voluntarily or by court order work together to ensure that their children have access to both parents. It is a bill that will work for those noncustodial parents who have difficulty gaining access to their children because of the situation that presents itself. I think this bill will work for the majority of families in Alberta that do have access/exchange issues. These are issues that we cannot overlook or brush under the carpet. There are parents that have issues, and I think the idea this bill presents is a very progressive step.

During debate there were many concerns raised, many of which were valid, and I think they have to be addressed. One concern raised by the hon. Member for Calgary-Shaw was the question of whether or not having access exchange centres would create a place where conflict could occur between parents in front of their children. The point of this legislation is that a parent could drop a child off at a certified centre, like a day care for instance, and then that parent could leave. That way, the other parent who is picking up the child does not have to run into their ex. That is the main intent of Bill 206, to have a place where there won't be any conflict between parents, where there is minimal contact between divorced parents.

I think this would lead to much more civil relations. This is a solution that will help those parents who are having difficulty with access exchange.

A number of members brought up the issue of what to do with violent parents, but this bill is not intended for those situations. In fact, I would argue that the number of children with violent divorced parents is very low, and we have other ways of dealing with that situation. Further, it could be argued that if you do have violence in a relationship, the person perpetrating this violence should not have any access to children. I realize that there is a need for a multitude of solutions to deal with the different situations that will arise when dealing with family law, but even though this is the case, we have to clearly look at a solution for the majority of children who need access to both of their nonviolent parents. We must not focus on only the high-profile violent cases. We have programs and laws that deal with that. This is for everybody else.

Now, even though I am in support of the intent of this bill, I think we have to come to the realization that there are some difficulties with it. Both the Minister of Justice and the Minister of Children's Services spoke about how projects in place are trying to address the problem that Bill 206 tries to solve. I think we have to recognize that this is being done, maybe not quite in the same way that this bill does it, but there is work being done. One of the things that the Minister of Children's Services rightly raised is the issue of rural communities and how this might work for those areas. I know that the intent of the Member for Calgary-Bow was to have this be as low cost as possible, but what happens when, for instance, a town does not have a facility to be designated? For example, just northeast of Red Deer are the towns of Joffre and Haynes. What happens if there is no facility willing to be designated as an exchange centre? Does this mean the parents are out of luck? I think that part of this idea needs to be thought out a bit more before we go too far with this bill.

As the Minister of Children's Services pointed out, there are many avenues that need to be explored before we delve into the solution that Bill 206 puts forward. The rural issue is only one aspect. I think the work that is being done through the cross-ministry initiative may result in some solutions being discovered that will be of benefit to the entire province. I think the hon. minister was completely on target when she stated that one single approach cannot work in circumstances that vary widely from family to family. The family unit has changed, and the government must evolve along with this change.

Further to this, the hon. Minister of Justice made some points as well that I think we need to consider. He stated that there are many reasons that parents are not able to access their children which make the situation very complex. Again, this ties in with what the Minister of Children's Services said, that a single approach just will not work. The Minister of Justice gave some examples of what his ministry and department are doing to ensure safe visitation and exchange with children. He mentioned that the cross-ministry initiative between Children's Services and Justice should be completed before we pass a bill such as 206. If we pass something before the cross-ministry initiative is completed, we may derail some of the solutions that may be found. I agree with the Minister of Justice and the Minister of Children's Services that we should allow the cross-ministry initiative group to complete its work before passing any legislation in this area. We need to have consultation, and we need to do more work on this issue and whatever solution we find. It must be for the majority of families and be a low-cost solution.

Therefore, Mr. Speaker, I would like to move that the motion for second reading of Bill 206 – do we hand these out now, Mr. Speaker?

3:30

The Acting Speaker: The Speaker doesn't know what you're trying to move, so maybe you can explain.

Mrs. Jablonski: I would like to move that the motion for second reading of Bill 206, Designation of Child Access Exchange Centres Act, be amended by deleting all the words after "that" and substituting the following: "Bill 206, Designation of Child Access Exchange Centres Act, be not now read a second time but that it be read a second time this day six months hence."

Thank you.

The Acting Speaker: Hon. members, in essence, this is a hoist amendment. Does anybody wish to speak on the hoist amendment?

[Motion carried]

The Acting Speaker: In essence, this drops from the Order Paper.

Bill 207

Traffic Safety (Driver Disqualification and Seizure of Vehicles Arising From Drug Offences) Amendment Act, 2006

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

Mrs. Jablonski: Thank you, Mr. Speaker. It is my privilege to rise and open the second reading debate on Bill 207, Traffic Safety (Driver Disqualification and Seizure of Vehicles Arising from Drug Offences) Amendment Act, 2006. I do not believe that anyone inside or outside this Chamber will argue that illegal drugs are a problem affecting every culture around the world. The drug trade spans nations and even continents with drugs and precursory materials being shipped to North America from as far away as the South American and Asian continents. Of course, there is a rampant production and distribution business here at home as well.

Having said that, the issue of drugs has long been on the social radar of North Americans. During the 1980s the Americans began their well-publicized war on drugs, and two decades later the battle of this war rages on. The drug culture seems to come in waves, with different drugs being popular at different times. Over the past 20 years the media has portrayed the rise of a variety of drugs, including heroine, cocaine, marijuana, ecstasy, and most recently methamphetamines. During this time many different tactics have been tried and utilized to stop the use of drugs in our society. However, I believe the most important lesson which has been learned from the past is that the drug problem is large, it's complex, and there's no single action or course of actions which will eliminate narcotics. It is necessary for people, communities, and governments to work together to address the problem of drugs on our streets.

On the whole, I believe that between our municipal, provincial, and federal governments as well as the involvement of nongovernmental organizations we have developed a multifaceted approach to tackling drugs at the street level. Through the federal government we see the criminal legislation which is designed to deter individuals from engaging in the drug trade. The Controlled Drugs and Substances Act is a very comprehensive piece of legislation which addresses almost every controlled-drug-related issue as it relates to criminal activity. As what is sometimes a joint effort, the federal and provincial governments both engage in educational initiatives.

Knowledge is a powerful tool, and television is a powerful medium. Combining the two has led to some spectacular results in

this province. The recent advertisements produced by AADAC, which graphically illustrate the effects of crystal meth on your body and your mind, are excellent examples. The feedback from these ads was so positive that it was decided to air them for a longer period of time than originally intended.

Also, at a provincial level the government has addressed and is currently addressing through the Protection of Children Abusing Drugs legislation the issue of children who are in contact with drugs. There is no doubt that we have an obligation to protect children from the dangers which are posed by illegal drugs.

In addition to the protection of children, there exist treatment programs to help those who are addicted to drugs. The list of initiatives to address illegal drugs is long, but my point is that our society is focused on the big-picture issues associated with drugs: prevention through information, treatment of addicts, and criminal prosecution of those who are involved in the drug trade. Because the drug issue is so large and varied, it is understandable that we are focused on the big picture, and some of the peripheral issues may not be as important. It is one of these peripheral issues which I would address with Bill 207.

Mr. Speaker, in a nutshell this bill, if passed, will amend the Traffic Safety Act to accomplish two things. First, it will give peace officers the option – and I do stress option – to seize a vehicle if the driver of the vehicle is charged under section 5 of the federally regulated Controlled Drugs and Substances Act. Just to make sure that there are no misunderstandings, section 5 of this act addresses the issue of trafficking in illegal drugs and possession of illegal drugs with the intent to traffic. It does not apply to a charge of possession of an illegal drug. The bill is worded to ensure that the registered owner of a vehicle is able to appeal for the release of their vehicle if they were not involved with or were unaware of what was being done with their vehicle. Additionally, the bill allows for a registered owner to post a security against their vehicle so that they are able to access it even if the registered owner was involved with the alleged crime.

The second outcome which Bill 207 would effect is disqualifying the accused from holding a driver's licence for one year from the date of their conviction.

The reason I have brought this bill forward is because I believe that when drug dealers are driving around dealing drugs, they pose a safety risk to other drivers on the road. There are those who would argue that the connection between these two is tenuous, but I disagree. In discussions with a police officer I was told about an incident involving a drug dealer travelling between Edmonton and Red Deer. According to phone records during less than a one-hour time span of being on the highway, this individual placed 60 calls from his cellphone. That's 60 calls. I would argue that this level of inattention to the road directly because of the drug dealers' business makes them a safety hazard.

Other sections of the Traffic Safety Act allow for the seizure of a vehicle or the disqualification of an individual for holding a licence based on the fact that they are unsafe on the roads. When someone is stopped for drunk driving, police seize the vehicle because this person poses a hazard to others on the road. For the same reason their licence is disqualified. These individuals have been determined to be a danger on our roads, so they need to be removed from them. Why are they a danger? Because their judgment is clouded. I argue that the individuals who are using vehicles to traffic drugs pose a danger to other motorists as well. These dealers are cruising, looking for customers, not being mindful of the road in front of them. They not only pose a danger to other motorists, but they pose a danger to members of society in general.

Mr. Speaker, drugs have a pervasive and negative effect on our

province. What was once an issue solely for the big cities has become just as prominent in small communities throughout Alberta. Dealers are heading out from urban areas to rural Alberta to peddle their destructive wares. By removing the means of transportation from these dealers who are spreading drug addiction across the province, we can begin to address the safety risks which they pose.

Mr. Speaker, I believe that it's important that we as legislators send a strong message to drug dealers in our province that this type of activity will not be tolerated in Alberta. I have spoken with police officers about this legislation and have received strong support for it, in particular from Superintendent Jim Steele and Staff Sergeant Keith Janes, both with the Red Deer RCMP detachment. They believe that would be a valuable tool for them to use.

I believe that Bill 207 takes a step in the right direction to increasing safety for Albertans. I would ask the support of all hon. members in this Chamber for this bill.

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

Dr. B. Miller: Thank you, Mr. Speaker. I rise to respond in second reading of Bill 207, Traffic Safety (Driver Disqualification and Seizure of Vehicles Arising From Drug Offences) Amendment Act, 2006. I think this bill is directed in the right direction, so I don't question the intention of the bill. I think that in all the discussion that I've read about the war on drugs, one has to be clear in distinguishing the demand side from the supply side, and this bill is clearly directed to the supply side and not the demand side. I think it's quite a terrible thing that through the years we have focused so much attention on the demand side, so we've criminalized the possession of drugs, and the prohibition of drugs has simply not worked in terms of being successful through the years and simply led to putting all kinds of people in prison.

3:40

Interestingly enough, in *The Economist* magazine some years ago there was a whole section of the magazine devoted to drugs, and they put the issue in terms of what they called the heart of the issue and raised the moral question: what duty does the state have to protect individual citizens from harming themselves? Now, that's the question directed to the demand side, and of course we have to be careful in passing laws that protect individual citizens from harming themselves. John Stuart Mill said: "The only purpose for which power can be rightfully exercised over any member of a civilized community, against his will, is to prevent harm to others." So this bill is directing itself to the right side of things, namely the supply side, because it's drug dealers whom we have to go after, not the addicts in terms of the demand side. I think the question of addiction is a health issue, and too much of our Criminal Code is directed to accusing people of possession of drugs. But it should be dealt with as a health issue. There should be all kinds of programs in place to deal with that, and there are programs available for people who have drug addiction problems.

Of course, one of the issues is the connection between drug addiction and crime, and that is a serious issue if we take a statistic, for example, that 50 per cent of crime is caused by 5 per cent of habitual criminals who are addicts. Of course, in that respect they need lots of programs. We need diversionary programs up front. People committing crimes because of drug addictions need the opportunity to choose between going to jail and going into a rehab program, and we have those kinds of programs here in Alberta. Also, we need rehab programs in our prisons so that people getting out can get integrated back into ordinary, everyday society, having dealt with their addiction issues.

But on the supply side we need to take, of course, a zero tolerance approach to drug dealers. The user is sick; the dealer is evil. I have no quibble with that kind of statement. Dealers, whether they are part of organized crime or part of biker gangs, are maliciously destabilizing society by exploiting human weakness and addiction, so there must be a variety of approaches in dealing with drug suppliers. So this bill is one approach. I mentioned a variety of approaches, the speaker who introduced this bill mentioned a variety of approaches, and this is only one aspect of the approaches that perhaps should be taken.

My only problem with this bill, even though its intention seems to be legitimate, focusing on the supply side of drugs and going after drug dealers – I mean, the Criminal Code already covers much of what this bill seems to direct itself to. If you look at section 5 of the Controlled Drugs and Substances Act, already in place there is this statement: "No person shall traffic in a substance included in [various schedules]" in respect of various drugs. If a person contravenes this section, then of course they are guilty of an indictable offence and liable to imprisonment, and there are a number of different terms, depending on what drugs we are talking about. Section 16 of the Controlled Drugs and Substances Act deals with the forfeiture of property. So if an individual is arrested and his car is towed away because their drugs were found in the car and it turns out that he is a drug dealer and he is charged and found guilty, then all the property is forfeited to the Crown. So I'm not sure what this bill adds to the Criminal Code.

Then there's section 462 of the Criminal Code, which covers forfeiture of property in all kinds of different situations, including the possession of illegal substances and the act of dealing in illegal substances.

I think the Criminal Code is there and should be used in the way it was intended to be used. I think what we need is to have courts that will actually carry through with the charges on the basis of the Criminal Code. For example, it would be good to have specialized Crown prosecutors for drug offences so that the Criminal Code can actually be effective in dealing with drug dealers.

I'm asking myself what, practically, this bill would do, making it possible for a person to lose their licence for one year if they're found guilty of possession and dealing in drugs, the seizing of their automobile. I think that if it's directed at dial-a-dopers, which is an expression that I've come to learn – namely, the transporting of drugs, a go-between, someone who is bringing the drugs from a dealer to the recipient – I'm not sure that this bill is really needed because if police stop a car and find that there are drugs in the car, they can have the car towed away. I'm not sure what this bill really adds.

Many of those who transport drugs on behalf of dealers to recipients actually don't use their own cars. They use rental cars, or they use stolen cars. So I don't know what this bill would really accomplish. Maybe it would only accomplish the fact that it would in effect lead to a greater number of people not having licences, having suspended licences, and maybe continuing to drive on the roads at great risk to the public. I'm not sure what, practically speaking, this bill really does.

The hon. member, in introducing the bill, mentioned that she had some advice from police in Red Deer. I've sought the same kind of advice from members of the Edmonton Police Service, and I'm not encouraged to think that this bill really does anything. If we're really serious about going after drug dealers, we have to have something that's a lot tougher than this.

I would ask: what is the research behind this bill? What is it really going to accomplish? Is this bill just a front, just a facade, just window dressing, giving the appearance that we are taking a tough

approach to dealing with drugs and drug dealers when, in actual fact, practically it doesn't have very much effect at all? It has very little effect and will certainly not lead us to really deal in a tough way with the illicit drug industry, which indeed is a huge, huge problem, destabilizing society throughout our world.

Mr. Speaker, those are my questions and the problems that I have with this bill. Thank you.

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

Mr. Stevens: Thanks very much, Mr. Speaker. It's my pleasure to rise this afternoon to make a few remarks with respect to Bill 207, the traffic safety, licence suspension for controlled substances violation, amendment act, 2006. The drug trade in our province should be a matter of concern to all Albertans. While I suspect that not all Albertans are in fact concerned about this matter, I can tell you in my experience as Justice Minister and Attorney General that a great number are. In fact, I would say that the majority of Albertans do care deeply about this matter.

3:50

Typically it comes up in my world in the context of the apparent inability of the justice system taken as a whole to appropriately address the plague that, as has been pointed out, is now not just part of the cities but also part of the rural environment in our province and, indeed, across Canada and North America. It involves marijuana. It involves cocaine. It involves manufactured drugs such as crystal meth.

When people ask the question, "What are you doing about it?" ultimately they talk in terms of additional resources for the system, in terms of additional police and prosecutors. In terms of prosecution, this is a matter which is handled by the federal government rather than the provincial government, and I point that out. But they still say, you know, that there should be additional resources. So much of what we're talking about in terms of addressing crime has something to do with attacking organized crime, which is big business. There's not always enough money. In fact, there is not enough money to appropriately address organized crime. Then, of course, you have to be able to prosecute these things.

The fact is that on the street so much of what happens does happen in and out of vehicles. Reference has been made to the dial-a-doper. It's in that context, when those folks are caught, that people complain because the sentences that typically go along with a conviction like that will involve in many instances conditional sentences. In other words, Mr. Speaker, we're talking about a sentence where individuals are told to go home and watch television with certain conditions which ensure that they don't have the same freedoms they had before but which fall far short of incarceration. Many people do not see that as an appropriate penalty.

The federal government has indicated that they're prepared to address that. In fact, I think it's currently in the press, that the conditional sentencing provisions will be changed. Sometime in the next few weeks, perhaps, we will see some legislation from them that addresses a reduction in conditional sentencing availability for serious crimes and, hopefully, serious crimes involving the drug trade.

Mr. Speaker, it's that background that ensures that we're always interested in finding new ways to keep our communities safer. Much of the discussion regarding this falls into the field of the federal government because of the comments I've made: the legislation, the Criminal Code, the Controlled Drugs and Substances Act. The resources relative to detection and prosecution are with them.

I appreciate very much the efforts of the hon. Member for Red Deer-North in coming forward with what is a provincial solution to this particular matter. I think it's worthy of discussion because it allows us to appreciate the issue. It allows us to appreciate the restrictions that we have here in the province in doing some of the things which appear, to common sense, to make so much sense. Why is it that we wouldn't take away a driver's licence and a vehicle from someone who is using that driver's licence and that vehicle to profit through trafficking of drugs, to damage our society? After all, a driver's licence is nothing but a privilege. If you are using a vehicle as your business centre, if you are driving the roads and using drugs and selling drugs out of that vehicle, as has been commented on, then why wouldn't we, as a matter of common sense, disrupt the drug trade by taking away the privilege of driving and by taking away by way of confiscation the vehicle that is owned by that person who is central to it?

Bill 207 would amend the Traffic Safety Act to give the province the authority to suspend the driver's licence of any individual who is convicted of drug possession or drug trafficking while in a vehicle. It would also give the province authority to seize that vehicle in those same circumstances. The drug possession and trafficking charges relevant to this bill are violations under section 5 of the federal Controlled Drugs and Substances Act.

Mr. Speaker, because these are offences under federal legislation, licence suspensions and vehicle seizures of this sort are complicated by the question of jurisdiction. We must be aware that the province is not completely free to enact provincial penalties for federal legislation. However, while it is not always the case, there are situations where we have authority to do so. For example, at this time the Traffic Safety Act provides for provincial driving disqualifications where there have been driving convictions under either the federal Criminal Code or the National Defence Act. Provincial driving suspensions for driving convictions under this legislation have been challenged at the Supreme Court of Canada. The Supreme Court found these convictions to be valid because the provincial driving disqualification relates to a federal driving conviction. This is an important point. For the province to have the authority to suspend a licence on a federal charge, there must be a driving-related conviction.

In the current proposal we would add provincial driving disqualifications for convictions under the federal Controlled Drugs and Substances Act when the person is in a vehicle. Unfortunately, Mr. Speaker, although the convicted person may have been in the vehicle with drugs, the federal conviction is not for a driving-related offence. This means that we do not have the connection between a federal driving-related offence and the provincial penalty. The current case law from the Supreme Court of Canada has said that this particular connection is necessary.

Mr. Speaker, there has been some discussion relating to legislation that exists in other provinces and how we might do something similar with this bill. Legislation in Saskatchewan and Manitoba allows the police to seize vehicles that belong to individuals who have been arrested for solicitation of a prostitute. Alberta enacted the same legislation in 2003, but that legislation has not yet been proclaimed.

Mr. Speaker, this legislation in Saskatchewan and Manitoba has not been challenged in the courts, but the same basic concern exists. The concern is that the underlying offence is a criminal matter and not under provincial jurisdiction. This may be perceived as an attempt to legislate in the area of criminal law a matter that is exclusively federal.

Before I conclude, Mr. Speaker, I want to clarify one thing. The province does have authority to restrict drivers' licences for

violations of provincial legislation. For example, in the Traffic Safety Act there are provisions for a driving disqualification where a person is not making their court-ordered maintenance payments. Maintenance arrears are, of course, not driving-related matters, but they are clearly within provincial jurisdiction. Therefore, the province has the authority to link them to driving disqualifications. Possession and trafficking in drugs are not provincial matters, and it is, in all likelihood, a real question as to whether or not we can say that there is jurisdiction to try and link driving and drug possession as Bill 207 purports to do.

I'm not concluding that there is a clear answer to this, Mr. Speaker. What I am saying is that there is a body of law that gives some very clear guidance in the matter, and what I have outlined for you and other members of the Assembly is what that law is as of this time.

Mr. Speaker, I recognize that there is a significant need . . .

The Acting Speaker: Hon. member, your time allocation has run out.

The hon. Member for Edmonton-Beverly-Clareview.

Mr. Martin: Thank you, Mr. Speaker. I think all of us here can agree that we need to get drug traffickers off the streets, but we have to figure out the best way to do it. I was glad that the Minister of Justice explained some of the problems with jurisdiction between the federal and the provincial because I was sort of curious about the fact that we did pass some legislation here, that the minister alluded to, having to do with johns and prostitution. It was our understanding, as the minister said, that they have passed the same laws in Saskatchewan and Manitoba. They are working. That was part of our concern. We can pass what we want here, but if we can't proclaim it after we pass it, there's not much point.

4:00

I was going back to the bill that the hon. Justice minister talked about. In going through that, beyond sort of the federal and provincial jurisdictions and who does what, before I would commit to offer our support to the bill – and I throw this out – the first major issue we have is the fact that in order to have a driver's licence suspended under this amendment, the drug trafficker in question must be the driver of the vehicle when committing an offence. I think the Member for Edmonton-Glenora and others have said that this is sort of problematic. The issue here is that being found guilty of an offence carries not only a fine but a potential jail sentence. Now, depending on the drug being trafficked, if it's not a conditional sentence, jail terms could range from a minimum of eight months to a maximum, I suppose, of life imprisonment.

I guess the first question then, if that's the case, is: what good, therefore, is a driver's licence suspension of a year if the person is in jail for two or five? It seems to us that the problem is partly solved there, and the bill doesn't allude to that. Does the amendment mean to apply a driver's licence suspension from the time of release from jail or from the seizure of the vehicle used? Section 3 of the proposed amendment seems to indicate immediate seizure. Is that, in fact, what it's doing? If the suspension does not apply as of the arrest and assumed near-immediate charge of drug trafficking, how are we stopping drug traffickers from simply going out and getting another car? As the Member for Edmonton-Glenora mentioned, we know that they borrow, they steal, they rent cars, whatever. We're wondering how that would stop them from doing that.

There is the obvious thing about the civil liberties too. The American Civil Liberties Union found that immediate seizure of

vehicles was contrary to law as it occurs before the individual is found guilty of the crime with which they are charged. Therefore, we must ask: if seizure is immediate but suspension is not, what message is being sent? It's still clear in the courts that you're presumed innocent until guilty. What if the individual charged is granted bail, and the trial takes a year to conclude? We know that in some of these cases that's, in fact, what happens. They are technically allowed to drive, albeit a different vehicle, until they are found guilty. So what is this amendment doing? In other words, you can suspend their car, it takes a year for this to come to court, and they can still drive another vehicle. Fairly easy to do. So what purpose is this suspension meant to serve? You see it around the inner city, that drug traffickers can just as easily walk to their sales or take other transportation. It's happening all the time.

Also, the stipulation that you must be the driver of the vehicle when you are caught in the act means that if your friend or acquaintance or spouse or sibling is the driver, their licence is not suspended, nor is yours. Again, you have to be the driver. If that's not the case, I'd certainly like the member to elucidate. What purpose is the suspension meant to serve?

Let me just conclude by saying that I understand the reason that the Member for Red Deer-North wants to come forward with a bill like this. It is a serious problem. We all recognize this. For instance, in the city of Edmonton the police in a northern part were telling me that they can recognize 23 different gangs – 23 different gangs – by names in the city. A lot of them have to do with drugs. No doubt about that. So we do have a very serious problem.

I suppose the advantage of bringing a bill like this forward is that at least there's some debate about the seriousness of the problem, but with due respect I say that I'm not sure that this bill accomplishes what we want it to accomplish. The fact that people are on drugs: I can point out that we'd better do a better job in our schools in such high risk areas. Full-day kindergarten, kindergarten, high school graduation: all those in the long run will probably have a bigger impact. The Minister of Justice talked about the justice system. There's obviously work to do there, but it's going to be a multifaceted approach if we're going to seriously deal with this particular problem.

Again I come back to the point that we said that if we're passing legislation, we can pass what we want here. If all of a sudden the Minister of Justice and the lawyers say, "Hey, we've got a problem; we can't get this through," and we don't proclaim it, then what's the point? The message I got from the Minister of Justice was that we'd be facing the same sorts of problems here if we pass this particular bill as the one that we passed dealing with the johns and cars back in 2003. We passed it. It passed in the Legislature here with all good intentions, but we haven't proclaimed it. So I would suggest that until we deal with that particular bill, because I think there's a similarity here – one that has already passed the House, and we can't proclaim it – there is not much point going through here, passing it through three readings, and then having it sit there for four years. I think we should probably go back to the drawing board on that particular bill.

Thank you, Mr. Speaker.

The Acting Speaker: The hon. Solicitor General.

Mr. Cenaiko: Thank you very much, Mr. Speaker. It gives me great pleasure to speak on the Traffic Safety (Driver Disqualification and Seizure of Vehicles Arising From Drug Offences) Amendment Act, 2006, Bill 207, before the Assembly this afternoon. I think the amendment to the Traffic Safety Act is very important, very critical, and where we want to move forward in the future regarding a

number of areas in protecting society: protecting those most vulnerable, including young boys and girls, young teenagers, from the effects of drugs and alcohol but, as well, as the Minister of Justice and Attorney General mentioned earlier in his comments, those involved in the prostitution, or sex trade, industry.

Mr. Speaker, as we go through the amendments to the Traffic Safety Act, or Bill 207, we talk about dealing with controlled drugs and substances, the CDSA as it's commonly referred to. The drugs involved in these types of cases are obviously drugs that are illegal in all parts of Canada but, as well, have created devastation for many families, for many children and adults. In attempting to look at new ways of service delivery or new ways of being able to investigate or looking at new tools for police officers or those in law enforcement, I think the hon. Member for Red Deer-North has come forward with a tremendous bill that will have that effect in the community, that will have that effect on those that want to continue to traffic illegally in those types of drugs or narcotics and who are really traffickers in sending kids through hell.

When I say that, Mr. Speaker, it's because I worked, in fact, undercover for a number of years. I saw the devastating effects of what cocaine, what crack cocaine can do, what heroin does to an individual. Now, with the scourge of crystal meth in our community, this is a tremendous bill that we can use and look forward to in the future.

I remember, Mr. Speaker, years ago, when I was giving evidence on a drug trafficking charge in Calgary, the justice in the Court of Queen's Bench at that time sentenced a cocaine dealer to three years in a federal institution for selling me one gram of cocaine. Obviously, those sentences have changed in the last 20 years. That's how devastating it was 20 years ago. Today it seems that a lot of drugs are allowed more in the community than others.

So when I see this bill coming forward, I think this is tremendous. It provides for the deterrent that will be out in the community for drug dealers, whether it be organized crime members, whether it be, you know, the eastern European gang members that are throughout this province, whether it's the bikers or the Hells Angels throughout this province, or whether it's any of the other aboriginal or Jamaican-based organized crime groups that Criminal Intelligence Service Alberta has reported yearly in their annual report, that's made public.

4:10

I want to assure, Mr. Speaker, that I fully support the fact that this law will provide all Albertans with the ability to ensure that this is another tool. This is another opportunity that there is a deterrent. If those who want to traffic in illegal drugs are going to be using a vehicle, if they're going to be transporting those drugs from Calgary or from Edmonton to Fort McMurray, and if they get stopped on the highway, that vehicle will be seized.

Mr. Speaker, just recently – and you're probably aware of the article that was reported by the Edmonton Police Service through IROC, integrated response to organized crime, two weeks ago, roughly – two individuals, one from Calgary and one from Lethbridge, were arrested here in Edmonton with, I believe, \$114,000 in cash and 20 kilograms of cocaine in their vehicle. Now, I don't know the details of the case, and I'm not going to speculate on what the details are, but obviously they were doing some travelling throughout the province. As good as Travel Alberta is – and that theme is great – they're trafficking in narcotics throughout our province, whether it be up in Grande Prairie or whether it be in Fort McMurray. I'm very proud of the officers that worked on that case and, obviously, the seizure of those drugs, taking them off the street and placing them in a lock-up but, as well, destroying the drugs,

which will occur later as their court case goes through.

Again, Mr. Speaker, these are issues and these are cases that are at the forefront. We've seen more of this type of activity as this province grows and as the economy grows. We aren't just getting, you know, the individuals that will want to come to Alberta to work hard to earn a good salary and a good living and to raise their kids in the best environment that they can. Many of them come from economic areas throughout Canada that don't have the financial capability that can provide them with the necessities of life, so they are moving to Alberta. Yes, there are various problems that come with that, and one of those is the drug trade.

As I mentioned, Mr. Speaker, where an individual has his vehicle seized, I think it's going to be a tremendous deterrent to those that want to be in that field. We know for a fact that in some of the drive-by shootings that have occurred throughout the province and from the description of vehicles that have been laid out, many of them have been newer, fancy cars: some BMWs, some Hondas, and some other fast and fancy and all decked-out cars. This, again, ties in with the drug industry, ties in with that gang activity. Obviously, if they're going to be using that motor vehicle for trafficking in these types of substances, I am all for the Member for Red Deer-North's bill to move forward.

The hon. Minister of Justice spoke regarding the effects of a conviction. He spoke regarding the procedures regarding laws, regarding court cases, regarding appeals. I'm not going to speak about that, but I do want to just mention that we've seen a societal breakdown in our inner-city communities, whether it's in Edmonton or Calgary or whether it's Fort McMurray or even Grande Prairie now, and including Lethbridge and Medicine Hat and our larger centres, where we can see a degree of population within those inner cities that are succumbing to the social ills of our society today, whether that be drugs, whether it be alcohol related, whether it be prostitution related. All of these tie in with each other. The drug trade is tied in with the prostitution, or the sex trade, and it is tied in with alcohol abuse.

It also provides, Mr. Speaker, some of the worst things, that we don't want our children to see. Those are the condoms and the needles, the used needles in the front yards and on the front streets and the driveways and back alleys of our communities. The only way is for us to come up with laws that are going to create a deterrence for individuals to continue this practice.

So, Mr. Speaker, I think Bill 207 is a driving force of where we want to go. I think this will provide police officers with a tremendous tool in the surveillance that's done regarding major investigations. As well, a police officer that's checking a vehicle on the side of the road for speeding and/or if they found that there were drugs in the vehicle could in fact seize the vehicle because of the fact it was being used to transport illegal drugs. Obviously, those illegal drugs would be listed as they are now under the CDSA, Controlled Drugs and Substances Act.

Mr. Speaker, in conclusion I'd just like to say that I support this bill a hundred per cent. There are a number of areas that as government we have a responsibility for. As I mentioned earlier in my comments, these are opportunities for us as a government to look forward to and move toward changes to make our communities safer, to make our communities more secure as well as to ensure that those who want to traffic in these types of illegal substances are apprehended and that their net worth can be investigated by Revenue Canada and that their vehicle can be seized and provided to the government.

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

Mr. Backs: Thank you, Mr. Speaker. I'm very pleased to rise to speak on Bill 207, the Traffic Safety (Driver Disqualification and Seizure of Vehicles Arising From Drug Offences) Amendment Act, 2006. First off, the motivation behind this bill – and I very much agree with it and agree with the push to try and do something to deal with the great problem we have with drug dealers in our society and the problems that the Member for Red Deer-North has so aptly described and the difficulties that we have in this area to provide our police officers with a tool, as the Solicitor General so aptly described. You know, to provide something different, something new I think is very important. I don't know if this exactly provides something new, but it is good to have something here that we can begin to bring greater public pressure, bring a greater sense of the feeling of Alberta and Albertans to those, perhaps, who have some of this jurisdiction federally to limit the use of drugs through whatever means – the crystal meth, the heroine, the cocaine, the crack, whatever, you know, the always very, very debilitating substances that drug dealers prey upon the ignorance, I suppose, of many young people and the problems that arise from the use of these drugs. It is very, very important to try and come up with some ways to deal with that.

I've had a number of complaints in my constituency, which has a large rural component even though it's a constituency in the city of Edmonton. There are farms, there are acreages along Manning Drive and along Fort Road and through that whole area who have had regular complaints because it is an area where some of the drug dealers drive out to meet their customers, I suppose, and to make deals, and it's up the driveways of some very, you know, responsible members of the community, community league leaders and such. They've been coming through with complaints. They're a little too far from north division to see a quick response. There's usually not a ready and regular police presence. Like in almost any rural area you're not going to have a regular police presence down a country road, and this is what we have in some big sections of northeast Edmonton. This is where we seem to be having a number of these drug deals coming down and people going to buy and dial-a-dopers picking out certain driveways and dealing with this problem where some of the individuals that own these homes have resorted to having scare-away devices, lights that'll flash on them and all the rest of it, just to keep the drug dealers away from their area.

4:20

If we were to have some sort of legislation and to speak here about it to ensure that our federal counterparts will be pushing, those that enforce the laws and those that deal with them in the courts will understand that the Legislature is very concerned about this and that we want to see some action and some use of those federal provisions that are already there. As the Member for Edmonton-Glenora aptly put forward, there is already some power on the part of the federal government to go forward on this problem, and sometimes we just have to see some of these powers used.

The problem that may arise with this bill, though, is that it seems like it is ultra vires. The BNA Act or the division of powers between the federal and provincial governments may bring about a number of problems in that way, and it may never see the light of day. There may be charges where it is to some degree grandstanding, but in many ways I don't mind that this type of an issue is brought forward so that, as I said earlier, the Legislature lets it be known that it is very important for the people of Alberta to see some action on this issue and to see some moving forward to try and control the devastating aspects, the devastating effects that the drug trade in many of these substances has had on our communities.

When I was in Fort McMurray a few years ago – and I've heard

similar things in other parts of Alberta – there were even drug dealers hanging outside the playgrounds of elementary schools. This was related to us by the RCMP there, that they were selling – the term that was used was the dragon, which is heroin, selling that in elementary schools. It's just almost beyond belief for me that such drugs would be marketed to elementary students in our schools. I can think of worse things to do than seize the car of those people that are trying to prey upon our young people by doing such things.

The Member for Edmonton-Glenora certainly spoke about the difference between going after supply and demand, and certainly some of the other members did speak to trying to reduce the demand through I think education, trying to ensure support of families of those kids that are at risk, trying perhaps to have some extra kindergarten time, to just having some recreation.

Although my riding's actually outer city and much of it would be deemed suburb, it has some inner-city aspects in certain of the neighbourhoods. I was at a school here just last week speaking to a couple of grade 6 classes, and then I had a chat with the principal afterwards. Many of these students are new to Canada, and they're new to Edmonton, new to Alberta. What happens with many of these families is that they are low income, sometimes almost no income. These kids don't get anywhere, and they're preyed upon somewhat. You know, you hear about their visit to the Legislature being such a special visit to the kids from the school because many of the families don't even visit a park. They've never been to the zoo. They've never been out to our lovely Legislature Grounds. It's a far ways away, and for some of them even a few dollars for the family to make such a visit is a lot, or the time, if their parents have been working long hours, is very, very difficult.

The need to deal with, you know, greater recreation, greater things for the kids to do I think is key, is important, is something that we have to be looking at to ensure that we take away the demand, that we take away the ability to influence these kids from some of these drug dealers, that we take away the influence of a number of the gangs. The Solicitor General mentioned many of them. There are many, many, many gangs active in Alberta, active in Edmonton, and those gangs will prey upon kids. They'll prey upon some of their runners. This will perhaps . . . [Mr. Backs' speaking time expired]

Thank you, Mr. Speaker.

The Acting Speaker: The hon. Member for Cypress-Medicine Hat.

Mr. Mitzel: Thank you, Mr. Speaker. It gives me great pleasure to rise today and address the Assembly on Bill 207, the Traffic Safety (Driver Disqualification and Seizure of Vehicles Arising From Drug Offences) Amendment Act, 2006. I've been very pleased – and I'm sure the people of this province will join me in saying so – with the recent efforts made by this government in an attempt to curb the manufacture and sale of illegal drugs.

It's this last point that I'm glad we're addressing: the sale of illegal drugs. I think that when we discuss strategies to stamp out the drug trade, we often don't give enough consideration to the mechanics of how these poisons are actually distributed or purchased within our communities. When criminals go out to push drugs or score drugs, they often do so with the help of an automobile. We've all heard of the infamous dial-a-dope networks where a quick phone call gets drugs delivered to your door in the space of a few short minutes.

The implications of this practice are very disturbing. Think about it. We have individuals driving around in our communities with thousands of dollars in drugs and drug money, peddling their poison door to door. To a drug dealer a car is a business tool that makes business easier and more profitable.

Mr. Speaker, we also have the opposite situation where people looking to score drugs drive around streets and alleyways looking for drug dealers. Once again, this presents the obviously dangerous situation of drugs and money changing hands, an activity which we all know can and often does lead to violence and gunplay.

Aside from this and aside from the obvious evil of drug trafficking in general, we must also consider the implications of automobile use by those engaged in these illegal transactions. It's a case of people who are flagrantly disregarding the law. They're already thumbing their noses at social responsibility. They have no regard for themselves or those around them, and when they climb behind the wheel of a two-tonne automobile, there's a recipe for disaster close at hand.

Criminals and cars are a bad mix. Throw in narcotics and they have the potential to become deadly. Driving while high, fleeing the police or a deal gone bad, hurrying to get to the next transaction, or any combination of the three makes the combination of these people and their automobiles a ticking time bomb.

Mr. Speaker, we already have laws in place that place prohibitions on impaired driving and trafficking or buying narcotics. I've already mentioned that these people have no regard for the law. They obviously don't care about the consequences that are currently in place. As a result, they pose a distinct safety risk to honest, hard-working Albertans. This is why I believe that Bill 207 presents us with a unique opportunity, an opportunity that will enhance public safety and get those caught drug-trafficking off the road by proposing two unique and effective measures.

4:30

Mr. Speaker, the first provision of Bill 207 that I wish to address is the one that would allow a peace officer to seize the vehicle of anyone who is charged with drug trafficking or possession with the intent to traffic. This is a good idea, an idea that will serve two important functions in making our streets and our neighbourhoods safer. By seizing the vehicles of those charged with these drug offences, we would effectively be cutting off their livelihoods at the knees. Without a car it becomes difficult, if not impossible, to continue dealing drugs or, at least, to continue dealing in the same quantity with the same efficiency.

The best feature of this bill seems to be its application to those who have been charged. Mr. Speaker, if the offender is out on bail in the period of time between being charged and convicted, they wouldn't have a car unless they put up a substantial security deposit. If they are convicted and don't do jail time, they still wouldn't have a car. The loss of the car would be permanent upon conviction, which represents a significant financial setback for the drug dealer. In order to recommence illegal activity, a new vehicle would have to be purchased, a measure which could prevent further illegal activity.

Mr. Speaker, the deterrent factor would also be extremely high. I'm sure that many aspiring drug pushers would change their plans if they knew that they faced the potential loss of a multi-thousand dollar investment. This might present even more of a deterrent than the threat of jail time. I think that we've all seen examples of drug dealers whose vehicles aren't transportation; they're ego extensions. The profits that they make off the pain of the innocent often find their way into big engines, loud stereos, and custom rims. While they can already be seized as proceeds of crime, the provisions of Bill 207 would add to and reinforce existing laws. For people such as these a loss of status might be even more frightening than the loss of freedom, not for all but maybe for some, and if we can make even one drug dealer choose his car over his profession, then we've succeeded.

Mr. Speaker, realistically, there are no easy solutions to winning the war on drugs. We can't fight on one front. We have to engage in small battles that address the multilevel nature of the drug trade. Drugs are everywhere in our society. They're being manufactured and grown in our neighbourhoods. They're being sold on our streets and taken into our schools.

The people who sell them are innovative, so we, too, must be innovative in stopping them. Bill 207 represents such innovation, and it serves to challenge our traditional notions about fighting crime and improving the safety of our society. We must build on what is already in place. We must continually find new ways to discourage criminal activity.

Mr. Speaker, the second action proposed by the bill is the disqualification of a drug dealer's driving licence for one year following conviction. This takes the seizure measure one step further and serves as another vital means to decrease the threat that these people pose to the citizens of Alberta. Such a disqualification is only fitting. I think that I've made it quite clear that drug dealers present a huge danger to the public on our streets and highways. Seizing their vehicles will get them off the road. Taking their driver's licence away is a logical extension to this. It presents an extra measure of insurance.

Driving is something that we all take for granted. Most of us do it every day and don't give it a second thought. We share the roads with thousands of other people on a regular basis, and we depend on their responsibility. We drive to work. We drive our kids to school. We frankly don't pay much attention to the person in the next car. We take it as a matter of course that they are like us, that maybe they're taking their kids to soccer practice or taking a briefcase full of papers to the office. Maybe they're taking a bag of cocaine and a loaded handgun to a drug deal. If that's the case, Mr. Speaker, then I think that the safety risk they pose on the road is fairly self-evident, and they shouldn't be on it.

Driving is not a right; it's a privilege. A vehicle is not just a means of transportation. It can be a weapon in the wrong circumstances. If a criminal is caught with a gun, the gun is taken away, and it's not given back because it's a public safety risk. In narcotics-related cases a car should be treated the same way. I don't want drug dealers in our society at all. I especially don't want them on the same roads used by my family and my friends. If they insist on using their vehicles to spread their poison, then we should prevent them from doing so by any means necessary.

Bill 207 provides us with those means. It provides a way to severely cut into the livelihood of drug traffickers by taking away their transportation. It will discourage them from continuing or, hopefully, even starting to sell drugs by threatening their means of transportation. It will help make Alberta's roads safer for the thousands of innocent people who use them every day.

Mr. Speaker, in conclusion, I believe that Bill 207 will be another valuable weapon in the fight on drugs and an excellent means of enhancing public safety. I wish to offer it my full support, and I encourage my colleagues to do the same.

Thank you.

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

Mr. Prins: Thank you, Mr. Speaker. I'm also privileged to be able to rise in this Assembly today and join the debate on Bill 207, the Traffic Safety (Driver Disqualification and Seizure of Vehicles Arising From Drug Offences) Amendment Act, sponsored by the hon. Member for Red Deer-North.

For far too long those who use motor vehicles in the commission of a crime have endangered the lives of Albertans. Numerous

criminology studies have demonstrated a direct correlation between crime and motor vehicle collisions and fatalities. For example, a 1975 study demonstrated that those who were involved in criminal activity were also more likely to cause a fatality with a motor vehicle. Additional studies have shown that the antisocial behavioural traits displayed by criminals tend to manifest into aggressive and dangerous behaviour behind the wheel. We simply must put a stop to this. More Albertans are dying every year due to the callous and reckless actions of criminals who turn an automobile into a murder weapon.

Of particular concern is the use and distribution of narcotics and other illegal drugs and their ability to detract from traffic safety. There is overwhelming evidence to suggest that narcotic consumption impairs cognitive faculties and awareness and is a major contributor to motor vehicle collisions and fatalities. Moreover, illegal drug activity creates a culture of violence that, when combined with an automobile, can be lethal. The distribution and consumption of illegal drugs is unacceptable under any circumstances but is particularly damaging when combined with the operation of a vehicle.

We already have existing laws that provide for the disqualification of those who drive while under the influence of narcotics or alcohol. Further to this, it is essential that we do everything possible to ensure that those who are involved with illegal drugs in other ways are kept off our roads and prevented from harming innocent Albertans.

Mr. Speaker, the purpose of Bill 207 is to give law enforcement and traffic safety officials a tool that will allow them to remove from the road those who disregard our society's laws against the trafficking of drugs. Specifically, Bill 207 provides for the seizure of any motor vehicle that is used for the purpose of trafficking drugs. Additionally, this bill would amend the Traffic Safety Act so that an individual convicted of drug distribution would automatically be disqualified from holding a driver's licence for one year from the date of conviction. By removing drug traffickers from our roadways, we will undoubtedly increase overall traffic safety and prevent senseless motor vehicle collisions that end and destroy the lives of many Albertans every year. The greatest strength of Bill 207 is that it allows us to make our streets safer while at the same time fitting into a comprehensive strategy for preventing the distribution of drugs in Alberta.

The use of illegal drugs, especially among youth, is having numerous detrimental effects on Alberta's communities. Drug manufacturing, the use of drugs, and trafficking contribute to violence, health problems, environmental degradation, and other long-term social problems. All across this province there are examples of lives ruined and communities threatened by problems that are caused by the distribution and use of drugs.

Currently we are working on a strategy to stop the distribution of illegal drugs in Alberta. This strategy includes new mechanisms to educate citizens about drugs and treatment programs to rehabilitate those who have become users. It also includes enforcement mechanisms to encourage respect for the law and impede the manufacture and distribution of illegal drugs and narcotics. Bill 207 fits into this strategy because it aims to stop the spread of drugs by putting an additional weapon in the arsenal of law enforcement and removing a tool from the hands of criminals.

4:40

Motor vehicles are an important tool of the trade for drug traffickers. Dial-a-doper networks use vehicles to deliver drugs to the homes of users at a moment's notice. Moreover, vehicles are an important link between the manufacturers, buyers, and sellers of these drugs. By removing this link, Mr. Speaker, we will help to

staunch the flow of illegal drugs in our province and ultimately make our communities safer and better places to live.

Some have expressed concerns that this bill could lead to administrative delays and put additional demands on the time of our peace officers and the resources of our law enforcement agencies. May I remind this House, however, that enforcing existing drug laws and dealing with all the safety concerns and social problems that drug activity creates already puts a considerable demand on the resources of this government.

The most important job of our peace officers is to ensure the safety of Albertans. Making it more difficult for drug dealers to do business will ultimately lead to a safer Alberta and, therefore, will make the jobs of our peace officers less challenging. In the long term this could make it easier for our peace officers to perform their jobs, which will increase efficiency and save the taxpayers of Alberta a considerable amount of money. Moreover, drug use puts increased pressures on other government programs, such as health and social services. Reducing the proliferation of drugs in Alberta and increasing overall traffic safety will help to take the pressure off these programs, thereby saving resources.

Mr. Speaker, licence disqualification has proven to be an effective deterrent against various forms of crime and other harmful and illegal behaviour. It has been an integral part of programs that have successfully reduced the incidence of impaired driving, thereby saving lives. Vehicle seizure has also proven to be an effective deterrent against certain types of illegal activity. Several provinces have already put in place laws that provide for the seizure of a motor vehicle that is used in the commission of various types of offences, most notably prostitution. I think that it is very encouraging that society is recognizing that motor vehicles play a very important role in criminal activity and, therefore, that this criminal activity has many negative ramifications for traffic safety.

Mr. Speaker, society and, particularly, we as politicians and lawmakers are just sick and tired of drug activity and all the negative impacts of the drug trade and drug use. We need every tool that we can get to help fight this scourge. This is one more tool that we can use to slow down or stop the drug trade and protect our children. So I applaud the hon. Member for Red Deer-North for introducing Bill 207 because this bill takes into account the effect of drug trafficking on traffic safety and provides a workable solution that will help to protect Alberta motorists while at the same time tackling the problem of drug distribution, a problem that negatively impacts our communities.

I urge all members of this Assembly to take action to promote safety on Alberta roads and empower law enforcement officials to protect Albertans by preventing those who traffic drugs from operating any kind of motor vehicle. Supporting Bill 207 will help to achieve these goals, so I would encourage everyone to support this.

Thank you, Mr. Speaker.

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

Mr. Taylor: Thank you, Mr. Speaker. It is my pleasure to rise and join the debate on Bill 207, the Traffic Safety (Driver Disqualification and Seizure of Vehicles Arising From Drug Offences) Amendment Act, 2006. I rise in this House to join the debate, as I often do, with a sense of bemusement. I mean, this bill and the logic behind it as expressed by a number of people who have participated in the debate so far, a number of the hon. members, has so many holes in it that you could drive a fleet of tractor-trailers through it.

You know, if you want to do something positive about traffic safety in the province of Alberta, something that will make a real

difference, wear your seat belt. If you want to do something positive about the war on drugs, something that will make a real difference, do something about tobacco. In fact, this House about a year ago had a chance to do just that with private member's Bill 201, and government members so watered it down as to cut the legs out from under it, and I don't know why they did. I honestly don't know why they did. I honestly don't know what the threat to peace, order, good government, individual liberty, civil rights, and public safety is by having a uniform, province-wide ban on smoking in all public places. It makes sense to me. It makes a good deal more sense to this hon. member, Mr. Speaker, than it does trying to take away the cars of drug dealers.

Government members opposite, when they're unshackled from the party line and actually able to speak out and speak their mind, like to say that one of the reasons why they belong to the party opposite is because they don't believe in passing laws if the laws are going to be inherently bad laws. Well, this is inherently a bad law. It's based on a number of fallacies, one of which is a stereotype expressed just a few minutes ago about the drug dealer being the sole proprietor in the province of Alberta of a souped-up car, you know, one of those lowered-down, tricked-out usually Hondas or Acuras, in my experience, that if you see somebody driving one of those cars anywhere in the province of Alberta, he must by extension be a drug trafficker. Well, where is that written, Mr. Speaker? Where's the evidence for that?

I remember back in 1975 when I was living in Toronto and working an evening shift, which brought me home usually at somewhere between 1 or 2 o'clock in the morning, being pulled over regularly by metro Toronto's finest because at the time I was driving a blue, four-door, nondescript, mid-size Chevy with no chrome on it and black-wall tires and because I was in my early 20s and, I was going to say, had hair down to my shoulders. But what the heck? I had hair back then. To metro's finest I looked like a suspect. You know what? I wasn't. [interjections] I know. To the government members opposite I still look like a suspect, but that's my point exactly: they are the victims of stereotypical thinking.

You know, if you want to talk about a class of vehicle, perhaps, that we ought to be talking about seizing on a regular basis – because we all know that this ties in directly to drug trafficking; at least I thought we did – why don't we just seize every Harley-Davidson on the roads of Alberta? That's the vehicle of choice of motorcycle gang members, and they deal drugs. I haven't heard a word about Harleys. Now, I'm not recommending that we seize every Harley-Davidson in the province of Alberta because that would capture in that net I think a lot of innocent people who don't deal drugs. But, I mean, a stereotype is a stereotype.

If you want to talk about taking away an important tool of the drug trafficker's trade – and I refer back now to the opening of debate on this bill – why not take away their cellphone? You know, the driver that the hon. Member for Red Deer-North referred to, the drug trafficker who made 60 cellphone calls in the space of – what was it? – an hour, 28 minutes, however long it was, certainly didn't do that by pushing the buttons on the AM/FM stereo in the tricked-out Acura. He did it by dialing the keypad of the cellphone. Let's take away the tool that is responsible here. I don't know, by the way, I have no more idea how you would enforce a law banning cellphones or seizing cellphones from drug traffickers than I have any idea how you're going to enforce this ridiculous law. If you could do it, that would more severely hamper a drug dealer's ability to ply his trade, to sell his wares, to deal drugs to people than taking away his car.

You know, if you take away his car, he's only going to steal another if he's really doing well at the drug trade because it will be worth his while. He already knows how the system works. He

already knows that he's not going to get much time for stealing a car. First of all, as any drug dealer will probably tell you, it ain't illegal if you don't get caught. He's banking on not getting caught. As long as he doesn't get caught, it's worth the risk to steal another car when you take his tricked-out, souped-up Acura away, so he can continue doing his dealing.

4:50

There's an awful lot of money to be made in the trafficking of drugs. I think it's about time we stopped and asked ourselves the question: why is that? Why is there so much money to be made in the trafficking of drugs? It's because there's demand, hon. members. There's demand for illicit drugs. If I had a dime, even a penny, for every dollar that the governments of the western world have spent fighting the war on drugs, I'd be a very, very, very unimaginably wealthy individual. Yet as the hon. Member for Red Deer-North herself alluded to, the war on drugs has been going on for 30-plus years now led by the White House, which is doing just about as well in that war as it is in Iraq. I think it's time to revisit the strategy, folks. I really do. I think it's time that we stopped trying to fight this war on the supply side and started getting really serious about the demand side, about what we're going to do to drug-proof our kids, to begin with.

Now, I don't have the time to debate that here today, but I would invite you all, before you just put up your hand and say, "Yes, motherhood, hot dog, apple pie, and tricked-out Acuras; let's pass Bill 207 because it's an easy thing to do to make us look like we're doing something about a problem when we're not doing a thing about it," to think about that. I would invite you to think about really getting serious about the war on drugs and attacking it from the side where the problem exists, and that's the demand side.

Thank you, Mr. Speaker.

The Acting Speaker: The hon. Member for Dunvegan-Central Peace.

Mr. Goudreau: Thank you very much, Mr. Speaker. It gives me great pleasure to rise today and join the debate in support of Bill 207, the Traffic Safety (Driver Disqualification and Seizure of Vehicles Arising From Drug Offences) Amendment Act, 2006. I would also like to recognize the hon. Member for Red Deer-North for bringing forth this initiative because I believe that this debate will go a long way in helping the fight against drug crime in our province.

The illegal drug trade is an ever-increasing problem in our society, and Alberta is no different. In our province alone there are thousands of cases each year involving the possession or the sale of narcotics. The sobering reality is that illegal drug activity in this province has the potential to affect all Albertans from schoolchildren to our senior citizens.

Whether it is happening on their neighbourhood street corner in broad daylight or whether it is concealed from the public after dark, drug activity affects us all. The people who choose this sort of lifestyle pose a legitimate threat to everyone, Mr. Speaker. Their actions involve personally consuming or distributing harmful chemicals and substances, usually with little concern for anyone else around them. Additionally, the means by which drugs are being sold and distributed is also worrisome. Any method of distribution that helps dealers to circulate their product, including motor vehicles and operating licences, should also be considered a threat to our public security.

Of course, Mr. Speaker, not all citizens within our province have or will directly experience the negative effects of illegal drug

activity, but preventative actions taken now could guard against the possibility of that happening in the future. The very fact that some individuals choose to bring these harmful and dangerous substances into our communities, jeopardizing our comfort and security, creates the need for the government to do all that it can to protect the citizens of Alberta in any way possible. I feel that Bill 207 is simply another weapon. It's another tool that authorities could utilize in the fight against drug activity.

This proposed piece of legislation and its underlying concept is not a complex idea. Nor is it a new idea. Precedent has already been set in the form of the Traffic Safety (Seizure of Vehicles in Prostitution Related Offences) Amendment Act, 2003, which is currently awaiting royal proclamation. Under this act authorities have the ability to seize a vehicle from an individual in the event that prostitution-related charges are laid. There are obviously other means which aim to discourage prostitution-related activity. However, the act awaiting proclamation is yet another method to fight this sort of crime in our province. Mr. Speaker, Bill 207 could have a similar effect on drug-related crime in Alberta by removing from our roads vehicles and drivers that are unsafe due to drug-related activity.

There may be debate regarding the possibility that Bill 207 could infringe on the constitutional rights of the individuals who have been apprehended by police. Nevertheless, I believe that it is important to first protect the rights of innocent Albertans who could experience the negative effects of this type of criminal activity. This bill could be added to the growing collection of deterrents that intend to help rid our communities of hazardous drugs and the people who control them.

A vehicle seizure could really hit home for these individuals, proving it to be quite difficult for them to continue functioning the way they once did. A dial-a-doper operation provides a good example in this case. This venture is very similar to a common food delivery service. Typically a client will contact the restaurant to place an order to be delivered directly to their home, where the client will pay for the food, usually with an extra delivery service charge. The dial-a-doper business works in a similar fashion although here drugs are the product of choice. Users need only to make a simple phone call to have hard drugs delivered right to their front door. The ability for a distributor to use a vehicle to transport the drugs directly to the buyer's home allows for the entire activity to be conducted discreetly, making it very difficult to detect.

Mr. Speaker, this type of activity is becoming more prevalent in our province because it offers drug dealers the opportunity to go about their business with relative freedom and continue to endanger the safety and well-being of others on the road in the process. By using their vehicles as means to deliver these dangerous goods, the vehicles themselves become threatening to our communities. We should be doing something to remove them from our roads. Bill 207 will help to do that.

Our government should constantly be looking for new and innovative ways to serve the citizens of Alberta. Our legal system should be a reliable structure, an intricate collection of laws that complement each other and come together to provide Albertans with an extremely effective and efficient system of governance. It is a foundation that must be continuously built upon to ensure that our laws are always becoming better and stronger.

In the case of illegal drug activity, Mr. Speaker, we should arm ourselves with as many tools as possible to get traffickers and their vehicles off the streets. I feel that it is important to build a strong, united front when taking a stand against the drug trade. We should let it be known that drug trafficking will be handled without leniency

in our province, and Bill 207 is another step in that direction.

This piece of legislation, Mr. Speaker, will give peace officers another instrument to combat the drug trade while maintaining the efficiency of the system as the foreseeable costs of the process will not be the responsibility of the government. An individual who has been charged with a drug-related offence will be held fiscally accountable in that they would have to pay for towing charges, storage, and any related insurance costs and any fees relating to returning the vehicle to the owner when appropriate. Giving authorities the power to seize their vehicles provides an opportunity to cripple the ability for individuals to complete their drug transactions.

Furthermore, Mr. Speaker, Bill 207 would give the province the authority to deliver an even more serious blow to the drug trade by disqualifying individuals who have been convicted of a drug-related crime from holding a driver's licence for up to one year. Not only would this provision get offenders off the road; it would serve to keep them off the road for a sustained period of time. Denying access to vehicles while potentially eliminating the ability to drive any other vehicle gives the authorities a very powerful method to aid in the fight against drug crime in our province. It is important that we use any means necessary to take a stand against the illegal drug trade in Alberta, and Bill 207 would significantly limit the ability of individuals involved in drug activity to conduct their business.

I strongly urge my colleagues to support this proposed legislation as I feel that it will help to develop even stronger laws that intend to send the message that drug activity will not be tolerated here in Alberta.

Thank you, Mr. Speaker.

The Acting Speaker: The hon. Member for Leduc-Beaumont-Devon.

5:00

Mr. Rogers: Thank you, Mr. Speaker. This is a very important issue, and I'm glad to be given the opportunity to stand today to join the debate on Bill 207, the Traffic Safety (Driver Disqualification and Seizure of Vehicles Arising From Drug Offences) Amendment Act, 2006. This is an interesting and important bill and one that I'm hoping all Members of the Legislative Assembly will consider and support.

Anything that distracts you from driving potentially poses a danger when an individual is operating a motor vehicle. People who are using their vehicles for the purposes of facilitating the trafficking of illegal substances are no doubt distracted by a variety of factors. Such individuals could potentially be distracted by talking on their cellphones to conduct their dealings, possibly trying to find a location. They could even be working directly with their product; bagging pills, for example. In the worst-case scenario they might even be sampling their product while they're driving. My point is that these individuals will be distracted while driving and not giving the needed attention and care they should be giving to their driving, endangering the public and themselves.

Individuals who traffic and possess illegal drugs obviously have little respect for our laws, Mr. Speaker. Thus, it is feasible that this would include our traffic laws. These laws, namely the Traffic Safety Act, ensure the safety of Albertans. Bill 207 provides our province with the ability to make certain that these traffic safety issues are not taken lightly and that Albertans remain safe while travelling our province's roads and highways.

Mr. Speaker, Bill 207 provides a system for addressing this problem. Firstly, if an individual is charged with trafficking drugs

or possessing drugs with the intention of trafficking them while operating a motor vehicle, a law enforcement agent will be able to seize their vehicle under the Traffic Safety Act. If people are using vehicles in such a way, why should we not find a way to prevent this from occurring in the future? By seizing their vehicle, we will be seriously restricting their ability to traffic drugs in the future. Drugs are a serious issue in this province and across the entire country. With the increase we have seen in methamphetamine production in every passing year, we need to do everything in our power to protect Albertans against the scourge of drugs in our communities.

Mr. Speaker, we are doing a great deal as a province to fight drugs, such as investing \$14 million in increasing addiction services for youth through AADAC. This is a great way to help Alberta's youth battle drugs and to discourage Albertans from using drugs in the first place. We need to do everything we can to ensure that the spread of drugs within our province is discouraged. We must – we must – frustrate and disrupt the business of drug distribution. Let's be clear: this is a big business.

Another positive aspect of Bill 207 is that if the individual is charged and the vehicle is seized, then it is the responsibility of the registered owner of the vehicle to pay for the towing and storage. Thus, individual municipalities will not be responsible for the costs associated with storage of these vehicles. This is a very important distinction, Mr. Speaker. Those who are charged should foot the bill and not the taxpayers. We want to make it much more expensive to conduct this nasty business.

Of course, Bill 207 makes provisions for the registered owner. Were they not involved in the trafficking of drugs or the possession of drugs for the purpose of trafficking, these individuals would have the option of appealing the seizure of their vehicles with the Alberta Transportation Safety Board.

After granting the ability to seize vehicles, the second major aspect of this bill is the ability to disqualify individuals who are charged with drug trafficking or possession of drugs with the intent of trafficking from holding a driver's licence for one year after the date they are convicted. Mr. Speaker, this aspect of the bill will do a great deal to ensure that those individuals who choose to traffic drugs within our province do not pose a threat on our roads. While taking away their vehicle may slow some drug dealers down, taking away their licence for a year will make certain that if they're able to get their hands on another vehicle, they will not have the legal right to operate it. This also ensures that those individuals who borrow someone else's car or who use a rental car to traffic drugs will have a good deal of difficulty continuing with such practices.

Mr. Speaker, driving is a privilege; it is not a right. This is definitely true, and in circumstances such as this, I do not feel that it is something that can be expressed enough. Rights are things that cannot be taken away. However, privileges must be exercised with great responsibility. People who are caught trafficking drugs within our province certainly should lose the privilege to operate a motor vehicle. It is a responsibility that should not be taken lightly, and it is hard to imagine that individuals who are out polluting the minds and bodies of Alberta's youth with drugs or endangering them on our roads should hold such rights. Individuals need to learn that abusing the privilege to operate a motor vehicle has a very real negative consequence.

We have done this already, Mr. Speaker, with the Traffic Safety (Seizure of Vehicles in Prostitution Related Offences) Amendment Act, 2003, which gives the power to seize vehicles when prostitution charges are laid. As a Legislature we passed this bill on November 24, 2003, and by all accounts it is set to be proclaimed in the very near future. If we can seize vehicles in prostitution-related offences,

we should have the same power when vehicles are being used for the purpose of trafficking drugs. Both are abuses of the privilege to drive and therefore should result in serious consequences for using a motor vehicle in making illegal activities possible.

Mr. Speaker, this bill will serve not only to address some of the traffic safety issues that can potentially arise from using a motor vehicle for the purposes of trafficking drugs, but it will also be another tool for our law enforcement agents in their work to prevent crime from taking place and in protecting Albertans generally.

Mr. Speaker, drug trafficking is a major part of criminal activity in our province, and the numbers speak volumes. For example, in 2003-04 there were 2,201 cases of drug trafficking in our courts, 881 of which resulted in guilty verdicts. Of these, only 365 resulted in jail time, 412 resulted in conditional sentences, 117 resulted in probation, 92 received a fine, three received restitution, 21 received absolute or conditional discharges, and 678 are cases for which there are no statistics or information on the outcome of the case. This data is already approximately two years old, and it is quite likely that there are many more individuals involved in the drug trade in our province than there were two years ago.

Bill 207 would help ensure that officers had some flexibility in seizing the vehicles of those charged with trafficking drugs. This would be another beneficial tool for law enforcement agents in the fight against drugs and crime in Alberta. We have the opportunity today, Mr. Speaker, to act proactively in the efforts to rid our province of drugs and the negative consequences that result from the drug trade. We have the opportunity to ensure that our roads and highways are safe. With this bill we can give our law enforcers another resource to protect our streets and the citizens of this province. We have the capacity to take away the privilege to drive from those who choose to abuse it by using their vehicles as an instrument in the trafficking of drugs. Essentially, Bill 207 gives us the ability to strengthen traffic safety within this great province.

I'd like to thank the hon. Member for Red Deer-North for bringing this piece of legislation forward. This is a practical bill, and I hope all members of this Legislature will join me in supporting it today.

Thank you, Mr. Speaker.

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

Mr. Cao: Thank you, Mr. Speaker, for allowing me the opportunity to speak on Bill 207. First, I would like to thank the hon. Member for Red Deer-North for the thought and hard work she put into this legislation. It is important to find new ways to address the fact of illicit drugs in our province. Drug use and distribution is a growing problem in our province, and it is important that we take the necessary steps to reduce and eliminate the harm they cause to individuals, families, and communities.

To begin, Mr. Speaker, I must say that fighting the war on illicit drugs has to be multifaceted. It's obvious and common sense that like many other activities, it's demand and supply. We should do all we can to fight on these two sides. Indeed, the bottom line on drug dealing is money, so we need to fight it on the financial side, tracking the financial transactions from drug money and personal wealth generated from it. We need to fight it by tracking the substances and equipment used to make the drugs too.

5:10

Mr. Speaker, I can continue to be politically rhetorical on the ways to fight the war on drugs. I can keep debating on the ways of fighting this and other social ills, but as a responsible legislator like many of you here I want to speak on a concrete step taken to fight

this nasty social war. The primary purpose of Bill 207 is to improve the safety of Alberta's roads by removing from our roads vehicles and drivers involved in the drug trade that endanger the safety of other motorists. This would be accomplished in two measures: number one, giving peace officers the authority to seize the vehicle of a driver charged with drug trafficking or possession with the intent of trafficking while operating a motor vehicle, and number two, giving the province the authority to disqualify individuals convicted of the offences previously mentioned from holding a driver's licence for one year.

While there are several examples of vehicle seizure and licence disqualification laws similar to those proposed by Bill 207 both in our province and in other jurisdictions, I would like to focus the majority of my remarks this afternoon on these measures. In Alberta peace officers and the registrar of Alberta currently have the ability to suspend the driving privilege of individuals for a variety of reasons. The rationales for the licence suspensions range from impaired driving offences to accumulation of too many demerit points to one's licence to certain convictions under the federal Criminal Code and National Defence Act. Criminal Code convictions resulting in the disqualification of one's operator's licence include impaired driving, dangerous driving, and hit-and-run offences. Additionally, individuals may also be disqualified from holding an operator's licence for failure to meet maintenance enforcement obligations.

Now, this list is certainly not exhaustive but shows that our province already has similar legislation on the books regarding driver disqualification to deal with issues relating to safety and Criminal Code convictions. A peace officer in Alberta also has the authority to seize a vehicle under certain circumstances, and the Traffic Safety Act also provides for seizure of vehicles in prostitution-related offences.

Now, Mr. Speaker, we also look at other jurisdictions. For example, in Nova Scotia they include a provision in its Motor Vehicle Act to allow the seizure of a motor vehicle for contravening the section of the province's Motor Vehicle Act or of the federal Criminal Code relating to motor vehicle suspension. Manitoba and Saskatchewan also have similar legislation in place. In addition, Nova Scotia recently passed legislation that amended the Motor Vehicle Act to enlarge the list of offences for which an individual's driver's licence can be revoked if convicted. Bill 250 from the Minister of Justice is an interesting part of the legislation. When it was first introduced in second reading, it became, as Bill 250, An Act to Further Discourage the Theft of Gasoline and Diesel Oil. The bill was designed to punish individuals convicted of theft of gasoline and diesel. Essentially, if someone was convicted of the crime of gassing and dashing, he could have his or her licence revoked for six months for the first offence and two years in the event of subsequent offences.

California is another jurisdiction that offers a good case for study of legislation similar to Bill 207. In 1998 the state of California passed legislation that provided a revocation of driving privileges for persons convicted in specified drug offences. Mr. Speaker, the legislation authorized the Department of Motor Vehicles to suspend immediately and delay the issuance of a driver's licence to any individual convicted of possessing, selling, or manufacturing illicit drugs. Driving privileges are suspended or revoked for six months on the receipt by the DMV of a court abstract noting conviction.

Mr. Speaker, Bill 207 would provide one more tool for our enforcement officials to protect and enhance the safety of Albertans and solidification of legislation based on sound public policy. Drug dealers who use their vehicles in the commission of these crimes

pose a danger to other motorists and pedestrians. These traffic safety concerns are often overlooked when discussing the larger drug problems in our province.

I want to suggest and encourage our Legislative Assembly to support this bill and urge all members to see it through second reading. With this, I want to thank you.

The Acting Speaker: The hon. Member for Vermilion-Lloydminster.

Mr. Snelgrove: Thank you, Mr. Speaker. Very briefly on this bill. I appreciate what the hon. members have said about how every little bit against the drug trade helps. Quite frankly, from my point of view, if we are serious about this, if we find a vehicle with crystal meth or crack cocaine in it – I don't care if it's in minuscule amounts – seize the car, put it in a pound, and when we're done going to court with these kids, then we'll talk about getting it back.

The hon. member talked about how we could have had a province-wide smoking ban. Well, then, let's support a province-wide ban on crack and crystal meth in any amount. Not just pushers. Who are the pushers pushing it to? Our kids. If kids realize that when they're out with a friend who uses this crystal meth or crack cocaine and they pick him up in mummy's or daddy's Excursion and they get caught, they're going to have a hard time explaining to them why they don't get the vehicle back for six or seven months or as long as this character can have a lawyer to keep it out of court. If we're serious about it, let's forget all of this crap about human rights and personal rights and freedoms. You know, let's start to put real pressure on dope dealers.

It's astounding, Mr. Speaker, that we have people say that there's a dial-a-doper thing that works, that people can actually phone and get drugs delivered to their home. The RCMP can't figure that out? I mean, where do they get the numbers? Bathroom walls; from their other friends. You would think they would phone and have the drugs delivered and put the guy in jail. But nearly a decade – and I shouldn't use the term, but I just can't help myself – of liberal judges telling us that we have to be more worried about the rights of the criminal than protecting our kids have made a system that puts provincial bodies like this in a difficult spot. We don't make criminal law, and the RCMP have their hands tied in many ways. What they'd like to do is probably get most of these pushers off the continent, put them on the planet that we were going to visit before.

If you're asking Albertans or Canadians, "Do you think we're going to be tough on people by seizing the vehicle of a pusher?" they would say: take them all. If you're around crack, around crystal meth, take the car, take the truck, put somebody in jail, do some real time. Treat the seriousness of this epidemic with some real penalties, and you might start to make – people don't go from goody two-shoes to hard-core drugs overnight. They start with a little bit. They ride around with their friend. They have a little dope. The friend might do some crystal meth. They might do some crack. It's not worth the police time to bring them in, give them two weeks of phys ed. Can't even give them a spanking. I would say: take the car; let's talk about it down the road.

Mr. Speaker, these laws don't satisfy some of us, but they're the best that we can do in this Chamber.

5:20

The Acting Speaker: The hon. Member for Red Deer-North to close debate.

Mrs. Jablonski: Mr. Speaker, making our roads safer and interrupt

ing the flow of drugs on our streets is a good thing. One of the members spoke about having a new or a different tool to help deal with interrupting the flow and keeping the roads safer by giving police officers an effective tool to use. I find it disturbing that the member opposite thinks that the attempt to help keep our communities free of cruising cars selling drugs is amusing. Drugs, organized crime, addictions, and death are not amusing. Quite the contrary.

Mr. Speaker, it is a defeatist who says: "Oh, they'll just get another car. They'll just lease another car, or they'll drive while suspended anyways." Does this mean that it's better to do nothing? This bill will not be a panacea, a great cure for a big problem. What it will do is interrupt the flow of drug trafficking on our streets for a moment, maybe for an hour, maybe for a day. I would suggest that the more we interrupt the flow of drugs on our streets and the more we try to tackle the safe driving issues, the more we make dealers

and traffickers understand that we won't roll over while they take over our streets.

Mr. Speaker, I now call the question.

[Motion carried; Bill 207 read a second time]

The Acting Speaker: The hon. Government House Leader.

Mr. Zwozdesky: Thank you, Mr. Speaker. It has been a very interesting debate this afternoon. Given that good progress and the fact of the hour I would move that we call it 5:30 and adjourn until 8 this evening.

[Motion carried; the Assembly adjourned at 5:22 p.m.]

