

## Legislative Assembly of Alberta

Title: **Wednesday, November 14, 2007** **1:00 p.m.**  
 Date: 07/11/14  
 [The Speaker in the chair]

head: **Prayers**

**The Speaker:** Good afternoon and welcome.

Let us pray. As Canadians and as Albertans we give thanks for the precious gifts of freedom and peace which we enjoy. As Members of this Legislative Assembly we rededicate ourselves to the valued traditions of parliamentary democracy as a means of serving our province and our country. Amen.

Please be seated.

head: **Statement by the Speaker**

### Gift of Mace Rest to the Legislative Assembly

**The Speaker:** Hon. members, at the top of the Speaker's dias is the coat of arms of our province. Beneath the crown is Castor canadensis, the Canadian beaver. The significance of this animal and the trade in furs to the development of what became our province is well known. Our Legislature Building is within 100 metres of the fifth and last Fort Edmonton, constructed in 1832. From 1795 until 1891 Fort Edmonton was the regional centre of the fur trade. Then as now the fur industry continues to support our rural economy. It allows many of our aboriginal and Métis citizens as well as others who are living on the land to do so in ways that make use of a sustainable and renewable resource.

Today in the Speaker's gallery are board members and staff of the Alberta Trappers Association. They and their 2,700 members from throughout the province have given the Legislative Assembly a unique and fitting gift. This kind gesture celebrates our province's long and continuing connection with the land, its animals, and a way of life so integral to the development and character of our Alberta.

I would now ask the pages to unveil the gift. [The mace rest was uncovered] Through the generosity of the Alberta Trappers Association the Assembly's mace rest has been completely covered in the finest Alberta beaver pelt dyed in our Chamber's green livery. On it is engraved a silver lozenge which reads, "Presented to the Legislative Assembly of Alberta by the Alberta Trappers Association, November 2007."

From that group and with us today in the Speaker's gallery are Ted Callbeck, director from Onoway; Dennis Wohlgenuth, director from Sexsmith, with his son Nolan; Margaret Kidner, director from Edson; Linda Stolberg, administrative assistant; and Karen Lebeau, executive manager. Unfortunately, Mr. Gordy Klassen, president, and Ross Hinter, vice-president, both of whom had planned for some months to be here, could not be in attendance. I would now ask the Assembly to welcome our guests and give the gratitude of this House for the kind gift. [applause]

head: **Introduction of Guests**

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

**Mr. Ouellette:** Thank you. I'd like to introduce to you and through you to all members of the Assembly a group of individuals who are visiting the Alberta Legislature today from my constituency. I think it is so important for these bright kids to visit the Legislature. As you know, Mr. Speaker, they will be tomorrow's leaders. We have with us today 38 grade 6 students from Bowden Grandview school,

that are seated in both galleries. They are accompanied by teachers Teri Patterson and Tracy Dreher and parent helpers Charlie Brooks, Kevin Robertson, Janna Miller, Jackie Berggren, Maggie Peckham, and Brenda Sherwood. I would ask them all to rise so that others may join me in giving them a warm welcome to the Alberta Legislature.

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

**Mr. Hancock:** Thank you, Mr. Speaker. I have two groups of introductions today. First of all, it's my honour today to introduce a number of people who are involved in today's very important initiatives surrounding the treatment, research, and prevention of diabetes. As we recognize World Diabetes Day today, we are also celebrating a significant milestone in the fight against the disease right here at home with the opening of the Alberta Diabetes Institute.

The people who are about to stand before you all represent organizations that are making significant advancements in the prevention and treatment of diabetes, helping Albertans to live healthier lives now and into the future. I'd ask them each to stand as I name them.

With us today from the Canadian Diabetes Association are James Gibbins, executive director for the prairie region; Rami Chowanec, regional chair for northern Alberta and Northwest Territories; Jack Ballish, regional director for northern Alberta and the Northwest Territories; from the Juvenile Diabetes Research Foundation board members Lorna St. Thomas, Susie Marano, Sarah Lord, and Denis Baumgartner; youth ambassador Shayne Baumgartner; and Celina Paley, fundraising co-ordinator; from the Alberta Diabetes Institute, Dr. Ray Rajotte, founding scientific director – if I may, Mr. Speaker, Ray has been a very significant player in diabetes and leading the team that discovered the Edmonton protocol – and his successor as scientific director of the Alberta Diabetes Institute, Dr. Ron Gill, new to us, from Colorado: welcome to Alberta; representing Capital health, Dr. Richard Lewanczuk, medical director of chronic disease management for Capital health and professor in the University of Alberta department of medicine. I would ask you to give our guests a warm and resounding welcome to the Alberta Legislature and a thank you for the work that they're doing for Albertans.

Mr. Speaker, it's also my pleasure to introduce to you and through you to the House five leaders of Alberta's voluntary sector. There are more than 19,000 voluntary sector organizations in Alberta working in a variety of ways to improve the quality of life of Albertans. The staff and volunteers of these organizations are active in areas ranging from education to recreation to social services to much, much more. Over the last few months many of us have heard from these organizations as they contributed to the public discussion on Bill 1. We're pleased to have these five representatives in the House today as we consider that bill further.

I'd ask our visitors to stand when named: Russ Dahms, executive director of the Edmonton Chamber of Voluntary Organizations; Lois Gander of the Legal Resource Centre of Alberta; Scott Lundell, Volunteer Alberta's volunteer board chair; Katherine van Kooy, president of the Calgary Chamber of Voluntary Organizations; and Bob Wyatt, executive director of the Muttart Foundation. I'd ask the House to give these visitors our warmest welcome and thanks for the work that they do for Albertans.

**Mr. Lougheed:** Mr. Speaker, Diane Gramlich, her husband, Marlin Styner, of the Premier's Council on the Status of Persons with Disabilities, and executive director Mark Nicoll are accompanying a distinguished visitor seated in your gallery. I'm pleased to introduce to you and through you to the members assembled Ms

Susan Scott-Parker, the founding chief executive of the Employers' Forum on Disability, a group founded in the United Kingdom 16 years ago to get more persons with disabilities into the workforce. Susan, a former Albertan and a member of the Order of the British Empire, is one of the world's leading authorities on the employment of persons with disabilities. I'd ask Susan to rise and receive the traditional warm welcome of this Assembly.

**The Speaker:** The Associate Minister of Affordable Housing and Urban Development.

**Mrs. Fritz:** Thank you, Mr. Speaker. I'm pleased to introduce to you and through you to members of the Assembly some very special guests who have joined us today. These are seven outstanding individuals who are providing strong leadership in their communities with the development of regional strategies and 10-year plans to end homelessness. I had an opportunity to meet with them today, and I look forward to working closely with them in the future. I would ask each of you to please rise as I introduce you to the Assembly and to stay standing. We have Jim Burke from Fort McMurray, Maribeth Friesen and Pam Ralston from Red Deer, Susan McGee from Edmonton, Lynn Pack and Heather Manarey from Grande Prairie, Diane Randell from Lethbridge. Wayne Stewart was here earlier but was unable to join us for the introductions. I'd ask the Assembly to please give your warm welcome to this very special group of people.

**1:10**

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

**Mr. R. Miller:** Thank you, Mr. Speaker. In what may well be a first for Rotary but certainly a first in my three years in this Assembly, the Rotary Club of Edmonton Gateway held their regular meeting this afternoon in the Legislature Annex Building. We had about 20 members join us for a tour of the Legislature this morning, approximately 30 members and guests were with us for lunch, and a number of those have managed to rearrange their schedule so that they could stay and observe question period this afternoon. I would like to briefly introduce them and ask them to rise as I do so. We have with us today Hazel and John Bellingham, newly arrived from the U.K. and new residents of the town of Beaumont – they're guests of a Rotarian today – Cec Blackburn, a past president of the Rotary Club of Edmonton Gateway; Al Buchanan, a member of the Edmonton Sunrise club; John Drebit; Agnes Fisher; Richard Fryga; Timothy Haak; Michael Lawal; Doug McEwan; Tereena Morelli; Otto Nuoranne, who is an exchange student from Finland and hosted by the Rotary Club of Edmonton Gateway this year; Lorne Parker; and Judy Wilson, who is a member of our club and also a chief of staff with the Alberta Liberal caucus. Oh, did I miss Jim Jones? You're not standing. I would ask them all to please receive the traditional warm welcome of this Assembly.

**The Speaker:** There also are a number of members of this Assembly who are Rotarians. Perhaps they would like to stand as well.

The hon. Member for Edmonton-Centre.

**Ms Blakeman:** Thank you very much, Mr. Speaker. I am very pleased to introduce to you and through you to all members of the Assembly a really committed group of students who are joining us in the public gallery today. These students are with the international pharmacy bridging program at the Bredin Institute. These are internationally trained pharmacists who are completing upgrading here so that they can join our health professionals in Alberta, and I

appreciate very much the time and effort that they are putting in to do that. If I could recognize Cynthia Lambertson-Poon, who is their teacher – if you would please rise, Cynthia – Tariq Chughtai, Shatha Hanna, Sukhpreet Birdi, Iqbal Shahid, and Ahmad Abouzeed. If the Assembly would please join me in welcoming these students.

Thank you.

**Ms Evans:** Mr. Speaker, I am very pleased again today to see two guests in the gallery from the Alberta Chambers of Commerce. Well known to this Assembly are Ken Kobly and Terri Kembal, formerly an editor of *Sherwood Park News*, now serving with the Alberta chamber. They make a dynamite team, and we're sitting here wondering just exactly what bill might be on the Order Paper today that would interest them. I would ask them to please rise and get the warm welcome from this room.

head:

### Members' Statements

**The Speaker:** The hon. Member for Strathcona.

#### Employment for Persons with Disabilities

**Mr. Louheed:** Thank you, Mr. Speaker. This morning the Premier's Council on the Status of Persons with Disabilities co-hosted Real People, Real Jobs, a workshop here in Edmonton that helped Alberta employers understand the opportunities and benefits of hiring persons with disabilities. Our partner in this event was the Edmonton Chamber of Commerce. The chamber has done a tremendous job in recent years through its Edmonton Employer Consortium to co-ordinate services for employers and persons with disabilities. The consortium includes regional businesses, government authorities, educational institutions, business associations, staffing organizations, and service providers. Its promotion of inclusion and the employment of persons with disabilities has led to an increase in the number of persons with disabilities joining Alberta's workforce.

Encouraging employers to recognize the value of persons with disabilities and see job candidates with disabilities as a good hiring opportunity is important, particularly in the Alberta labour shortage and climate. Susan Scott-Parker brought this message to Alberta as keynote speaker for this morning's workshop. Ms Scott-Parker is founder and chief executive of the Employers' Forum on Disability, a group founded in the United Kingdom 16 years ago but whose influence is now sweeping the globe. I'm pleased that Susan Scott-Parker, a former Albertan, and now one of the world's leading authorities on the employment of persons with disabilities, is with us today.

The Employers' Forum on Disability makes it easier for business to employ persons with disabilities, serve customers with disabilities, and engage stakeholders with disabilities. Barclays, Cisco Systems, Merrill Lynch, the UN, and the European Union are just some of the global players in business and government that are moving to get more persons with disabilities into the workforce. The group's message is simple: there's a significant advantage to business and to society in releasing the potential of the world's population who have a disability.

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

#### Alberta Diabetes Institute

**Mr. Rogers:** Thank you, Mr. Speaker. It is my honour today to recognize the opening of the Alberta Diabetes Institute. As is well known, diabetes is reaching epidemic proportions in Alberta. In

fact, more than 14,000 Albertans are diagnosed with diabetes each year. That's approximately 40 people per day. More than 150,000 adults are currently living with this disease.

Diseases like diabetes are the leading causes of avoidable illness, health system utilization, and premature deaths in Alberta. But, Mr. Speaker, there is good news. The Alberta Diabetes Institute, located at the University of Alberta, officially opened today. This facility will bring eight groups of researchers under one roof for the first time. The Alberta Diabetes Institute will enable researchers to improve diabetes prevention, develop new treatments, and ultimately work towards a cure for this dreaded disease. Their research has already produced groundbreaking results. The Edmonton protocol for diabetes is a world-leading, life-enhancing procedure for transplanting pancreatic islet cells to the liver of a patient with type 1 diabetes.

Today we are also marking World Diabetes Day. The Canadian Diabetes Association and the Juvenile Diabetes Research Foundation are using today's activities to increase awareness of this major chronic disease, to celebrate milestones in treatment and research, and to remind us not to take our health for granted. With the efforts of these groups, Mr. Speaker, our province will continue to be a world leader in responding to diabetes. Please join me in congratulating everyone whose hard work has made the Alberta Diabetes Institute a reality. To those who are raising awareness on World Diabetes Day, we wish them every success in the future.

Thank you.

**The Speaker:** The hon. Member for Peace River.

#### Members' Statements

**Mr. Oberle:** Thank you, Mr. Speaker. It's my pleasure to rise today to deliver a member's statement on, well, members' statements. I rise today to urge that all hon. members of this Assembly use caution in the exercise of the great latitude that members' statements allow them.

Yesterday the hon. Member for Calgary-Varsity used a part of his member's statement to criticize the attendance practices of one of our members. What would the constituents of Calgary-Varsity think if I outlined the attendance record of their MLA today? Mr. Speaker, for that matter, what would Albertans think if I pointed out that that member's leader sometimes leaves the House before the completion of question period, a practice that the Member for Calgary-Varsity apparently takes exception with?

The Member for Calgary-Varsity also takes great issue with incorrect or incomplete quotes and outlined this in his statement. What would his constituents or, for that matter, his former students think if I were to outline today that he himself incorrectly quoted George Orwell by adding a word to the quote? Could you imagine, Mr. Speaker? The member seems to be concerned about using quotes out of context. What would his constituents think if I pointed out that his statement referenced a public forum that he attended, yet the government system in George Orwell's book clearly would not have allowed any form of public debate or input? Would his constituents accuse him of using a passage or perhaps an entire book out of context? Could you imagine?

What would the member's constituents think if I pointed out today that the injurious words that he freely tosses about, Mr. Speaker, words like "deception" and "manipulation," are words that in some contexts have been ruled to be unparliamentary? Would his constituents conclude that the rules established to allow for civil debate are . . . [Mr. Oberle's speaking time expired]

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

1:20

#### Ethics in Government

**Mr. Agnihotri:** Thank you, Mr. Speaker. It's a terrible thing when citizens lose trust in their government, but that is exactly what happens when the government keeps giving the people good reason to lose that trust. Earlier this year the people begged the government to take action against rent gouging. Months later Albertans across the province are still struggling to deal with the huge rent increases.

Landowners in rural Alberta, traditionally strong Tory supporters, are finding that their trust is being taken for granted as Bill 46 threatens to take away their right to be heard.

The province's public boards, which make decisions that affect hundreds of thousands of Albertans, are overwhelmingly dominated by members of the Tory party. This government has severely undermined the credibility and objectivity of these vital boards, and when they are undermined, so is the public trust.

The government forced through Bill 20, which hides ministerial briefing notes from the public for 15 years, a gross breach of the Premier's promise to be accountable to the people. What kinds of secrets do ministers need to hide from the people for a decade and a half?

Mr. Speaker, when a government comes to feel that it has a divine right to power, it is inevitable that they begin to take the trust of the people for granted. That attitude is not only an insult to the citizens of Alberta, but it is dangerous to our democracy.

Thank you.

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

#### Funding for Nonprofit Human Services Agencies

**Mrs. Mather:** Thank you, Mr. Speaker. This province is home to quality dedicated nonprofit organizations that provide care for families, youth, and children at risk. Some have been serving for more than a quarter of a century, yet since 1994 certain costs have not been addressed by the funding formula used by the government. While rapid growth is pushing up costs, these agencies are not receiving help with gasoline, insurance, and electricity. Any increases have been for salaries and benefits only. These are minimal and do not take into account the experience of staff and allow them to move on the salary grid.

Mr. Speaker, these are good people doing good work for a vital cause. They are not in it for the money. Yet oversight is putting their operations into poverty, increasing demand on their services, and forcing them to beg, like the theme where Oliver brings his bowl to Mr. Bumble in the workhouse and plaintively asks: please, sir, may I have more?

There's injustice added to this injury. Children's Services and other ministries recognize the calibre of staff of these groups and attract them with higher wages while using the private sector as a training ground and source of expertise. In a province where this government professes not to compete with the private sector and to be committed to dealing with the challenges of growth, workers in these organizations find it hard to accept, as I do, how those giving to meet a public need can be taken for granted by those pledged to serve the public good.

I appeal to the government to take this under consideration, to bring support for these groups from welfare basement to a level appropriate to one of the world's leading economies.

**The Speaker:** The hon. Member for Cardston-Taber-Warner.

### Remembrance Day 2007

**Mr. Hinman:** Thank you, Mr. Speaker. It's with pleasure to rise and to recognize the achievement of two remarkable young women from my constituency: Corley Farough and Sarah-Anne Jozsa, both students from the St. Mary school in Taber who remembered to remember. Corley placed first nationally in her senior division of the Royal Canadian Legion's Remembrance Day poetry competition and was invited to Ottawa to participate in the national Remembrance Day ceremony by laying a wreath on behalf of all the youth of Canada. Last year Sarah-Anne placed first in Alberta in her junior division and read her poem here in Edmonton.

I would like to say how much I appreciate the emphasis of Remembrance Day that occurs in my constituency. It is inspiring for all, especially for other youth. It raises the understanding and awareness of the sacrifices of our veterans and their families. We as citizens enjoy the freedom bought with their lives. We should make sure to pass it on to young people in the understanding of that sacrifice. Sarah-Anne and Corley's poems show us that their parents and teachers are doing just that.

I would like to share a part of Corley's poem *Crosses with the Assembly*.

Crosses are standing row after row  
A silent reminder of men we don't know  
Men who have given up all of their lives  
Men who left children and warm loving wives . . .

This pain in his gut is not hunger or fear  
But the loss of his innocence and all he holds dear . . .

In the pit of his soul is an ache he can't mend  
The news hit him hard of the death of a friend  
The sickening feeling of loss only grows  
As the fields keep filling with crosses in rows . . .

If tomorrow will come, he does not know  
But crosses are standing row after row.

In closing, I would like to share Sarah-Anne's closing lines from her poem *I Will Never Know*.

I will never know what you went through  
To set our country free.

But this I know, I won't forget,  
That your death was for me.

head: **Presenting Reports by  
Standing and Special Committees**

**The Speaker:** The chair of the Select Special Personal Information Protection Act Review Committee.

**Mrs. Ady:** Thank you, Mr. Speaker. As the chair of the Select Special Personal Information Protection Act Review Committee I'm pleased to table five copies of the committee's final report. Copies are also being circulated to members.

I'd like to thank Mr. Tom Thackeray and the staff from Service Alberta for the time and expertise that they contributed to this project. I'd also like to thank Mrs. Karen Sawchuk, committee clerk of the Legislative Assembly Office, for her professionalism and dedication during the entire process and to acknowledge the contributions of committee members from all three parties for the completion of the committee's mandate.

head: **Presenting Petitions**

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

**Mr. Johnson:** Thank you, Mr. Speaker. I'm rising today to present

a petition signed by 65 constituents of Wetaskiwin-Camrose and area. It reads:

We, the undersigned residents of Alberta, petition the Legislative Assembly to pass Bill 45, the Smoke-free Places (Tobacco Reduction) Amendment Act, and not dilute its contents so as to compromise the version approved at second reading, in order to address the enormous health, social and financial implications of tobacco use in Alberta.

Thank you.

**Mr. Doerksen:** Mr. Speaker, like the previous member I am pleased to present a petition signed by 39 people from Red Deer and central Alberta to petition the Legislative Assembly to pass Bill 45, the Smoke-free Places (Tobacco Reduction) Amendment Act, 2007.

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

**Mr. Mitzel:** Thank you, Mr. Speaker. Likewise, I have two petitions: one from 18 residents of Cypress-Medicine Hat and one from three residents of Highwood urging the Legislative Assembly to pass Bill 45.

**Mr. Martin:** Likewise, likewise, Mr. Speaker. I'd like to present a petition signed by 60 Albertans also urging the Legislative Assembly to pass Bill 45, the Smoke-free Places (Tobacco Reduction) Amendment Act, 2007.

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

**Mr. MacDonald:** Thank you very much, Mr. Speaker. I have a petition today that reads:

We the undersigned residents of Alberta, petition the Legislative Assembly to urge the Government of Alberta to launch a full public inquiry under the authority of the Public Inquiries Act into spying practices by the Alberta Energy and Utilities Board (AEUB) and the Minister of Energy's oversight role of the AEUB.

This petition is signed by concerned citizens from Bowden, Bashaw, Ponoka, Innisfail, Bluffton, and Lindale to name a few.

Thank you.

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

**Ms Blakeman:** Thank you very much, Mr. Speaker. Two petitions today. I join my colleagues in also presenting a petition signed by 542 individuals, mostly from Calgary and Edmonton, who are urging the Assembly to pass Bill 45, the Smoke-free Places (Tobacco Reduction) Amendment Act, 2007.

The second petition that I have today, Mr. Speaker, is signed by several hundred Albertans who ask the government to ensure that remuneration paid to employees working with persons with disabilities is standardized, that they are fairly compensated and their wages remain competitive, that they have improved access to professional development opportunities, and for the government to introduce province-wide service and outcomes-focused level of care standards.

Thank you.

head: **1:30 Oral Question Period**

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

### Royalty Revenues

**Dr. Taft:** Thank you, Mr. Speaker. The Auditor General has exposed the fact that Department of Energy annual reports presented

false and unsupported claims to Albertans. This isn't about how one interprets fair share. This is really very simple. It's about this government deliberately misleading the people of Alberta. My question is to the Minister of Energy. Does the minister accept that he has a responsibility, a personal and legal responsibility, for his annual reports to this Assembly to be accurate, to be backed up by the facts, or is telling the truth simply a policy decision? [interjection]

**The Speaker:** That would be a point of order? Yes.  
The hon. minister.

**Mr. Knight:** Thank you very much, Mr. Speaker. With respect to this question, again, it came up yesterday. We answered it yesterday. I'm well prepared to stand here today and for the rest of this session and answer that question again and again and again if it's necessary. The truth of the matter is that Alberta Energy and I stand behind the information that was included in the annual reports in question, particularly the one for '03-04.

#### **Speaker's Ruling Parliamentary Language**

**The Speaker:** Hon. Leader of the Official Opposition, I paraphrase what you said in the last statement – we are going to have a point of order on it – but I'm going to caution you to avoid innuendo such as along the lines: telling the truth is a matter of policy. There's a very, very strong innuendo in there that I will not tolerate.

Proceed to your second question.

#### **Royalty Revenues (continued)**

**Dr. Taft:** Thank you, Mr. Speaker. Well, the decision to ignore evidence of failing royalty regimes and ignore recommendations from experts in the department is a policy decision, one made by governments, not civil servants. This Tory government was certainly entitled to make that decision, and unfortunately for the people of Alberta they did. But they are not entitled, despite what they think, to deceive Albertans about that decision. Albertans own the resources. This government broke the public trust and deceived the owners. My question is to the Minister of Energy. Will the minister admit that the decision to report false and misleading information in the annual report was a political decision, one made by members of the government with the support of this Premier?

**The Speaker:** We've got a second point of order with respect to this and its language.

The hon. minister.

**Mr. Knight:** Again, Mr. Speaker, this is getting to the point of being absolutely ridiculous. I have said that I stand behind the report that was done, the 2003 report that the hon. gentleman across the way speaks about.

In fact, in that period of time there were three commodity reports delivered and work done with respect to three commodities in the province of Alberta and the royalties issue around those. The information was made available to the Auditor General. Whether or not there was a cross-commodity report done that he didn't feel was complete, the cross-commodity reports are there if he wishes to look at them all. I understand they weren't all reviewed. The information is there. The truth is there, and I stand by it.

**Dr. Taft:** Well, then, if the minister is so confident in the truth, let

the people judge. Will he make public all the internal documents itemized by the Auditor General in his report, and will he do it uncensored?

**Mr. Knight:** Mr. Speaker, every government in every democracy in the world has legislative protection with respect to some information that's provided to the cabinet. There are documents that are internal to every government, and those documents that are protected we will continue to protect.

What I will say is that in 2003-04 reports were done. The Auditor General is free to look at them again if he wishes.

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

**Dr. Taft:** Thank you, Mr. Speaker. The only thing this minister is protecting is his government's butt.

For seven years – seven years – this government has covered up the fact that it deliberately failed to collect billions of dollars in royalties. The minister and the Premier deny that the Department of Energy's annual reports contained false information on royalties, but those denials ring untrue. To the Minister of Energy: page 13 of the Department of Energy's '03-04 annual report states: "A review of Alberta's royalty structure and competitiveness was completed." Will the minister admit that this statement is false and that his department's annual report deceived the Legislature?

**Mr. Knight:** Mr. Speaker, every day and every year from the year 2003, if we want to go into the history, till the year 2010 we have and we will continue to protect the rights of Albertans, and we will collect the royalties that are due to the people of the province of Alberta on resources they own. We have done it in the past, and we'll continue to do it.

**Dr. Taft:** The same government annual report claims:

This review compared Alberta's royalty competitiveness against other North American and international jurisdictions. Alberta's conventional oil and natural gas regime was ranked as among the most rigorous regimes in Canada and the world.

It turns out to be completely untrue, and this government knew it, Mr. Speaker. To the Minister of Energy: how could he stand by when his government was misleading the people of Alberta so deeply?

**Mr. Knight:** Mr. Speaker, I'll tell you what's misleading. What's misleading is the statements that are being made by the member opposite. I'll tell you what happened in '03-04. I'll tell you some facts: \$15 billion in royalty revenue to the province of Alberta, '03-04; \$2 billion in lease sales and bonus bids; \$43 billion in capital investment, 2003-04; jobs for Albertans. That's what we created.

**Dr. Taft:** Mr. Speaker, let's just see where the Minister of Energy actually stands. Is the Minister of Energy saying that the Auditor General is deceiving the public? Is the Auditor General wrong, Mr. Minister? Is he wrong?

**Mr. Knight:** Mr. Speaker, I can tell you emphatically – and I can tell you that I believe that the people of Alberta agree with me – that who is wrong is the member opposite. That's who's wrong.

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

**Dr. Taft:** Mr. Speaker, this government wants to play forgive and forget with billions of dollars in royalties that rightly should have gone to the people of Alberta. Those dollars would have meant so much, for example, to the seniors of this province, many of whom bit the bullet for this government's cutbacks only to now learn that this government was squeezing seniors while letting billions of dollars slide out the back door. To the Minister of Energy: will this government come clean to the seniors of Alberta and make public all internal government reports on royalties, described in the Auditor General's report, uncensored?

**Mr. Knight:** Mr. Speaker, let's take a look at what's happened since I've been the Energy minister. We have a Premier who recognized that the royalty structure should be looked at from an independent point of view. Our Premier has done that. As we move forward in this province, the royalty regime for the future of the province of Alberta will serve this province and the people of this province very well.

**Dr. Taft:** Mr. Speaker, the billions of dollars that this minister and this government want to pretend away were real dollars. They could have done so much. The people of Calgary, for example, are reporting a dramatic drop in their quality of life in recent years, citing concerns over roads and schools and hospitals. The people of Edmonton are facing double-digit tax increases, but this government let billions of dollars slide out the back door and then covered it up with misleading reports. To the Minister of Energy: will this government please do the honourable thing and tell the truth about what it knew about the failing royalty system and when it knew?

1:40

**Mr. Knight:** Mr. Speaker, I'll tell you something that I know about the royalties. There is a royalty review that took place in the province of Alberta. It was delivered to the people of Alberta on the 18th of September. Shortly after that I sent a letter to the member opposite and asked him – I asked him – for his input so that we could add it – add it – to our own report that we did, that we generated. To this day I have absolutely no information from the people opposite. Nothing. None. No response.

**Dr. Taft:** Mr. Speaker, the people of Alberta placed their trust in this government. The people of Alberta took the hit to their public services: public servants took pay cuts, thousands of people were laid off, hospital construction was delayed, schools were postponed. To the Minister of Energy: why did this government let billions of dollars slip away and then deceive the people of Alberta about it? Why did it betray the trust?

**Mr. Knight:** Mr. Speaker, we seem to have some kind of a broken record. Nevertheless, what I'll do is respond again. What I can tell you is that from 2000 to 2007 there weren't so many missing billions.

I'll tell you about billions. Royalty revenue to the province of Alberta: \$66.14 billion. Capital investment in the energy industry in the province of Alberta: \$202.7 billion. That's where the billions are. They're invested in this province.

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

### Quality of Life in Alberta

**Mr. Mason:** Thank you very much, Mr. Speaker. While this government justifies its bottom-of-the-barrel royalties because of

out-of-control growth, the evidence is mounting that conditions are actually getting worse for most Albertans. Yes, most Albertans. While corporate profits and the incomes of the richest 10 per cent of Albertans are way up, thousands of ordinary families are one or two paycheques away from financial ruin or homelessness. In Calgary alone there are at least 20,000 people with a family income of less than \$15,000 who are paying more than 50 per cent of their income for housing. My questions to the President of the Treasury Board: what has this government got to say to those Albertans whose families are at risk of becoming homeless as a result of uncontrolled growth, sky-high rents, and a government . . .

**The Speaker:** The hon. President of the Treasury Board.

**Mr. Snelgrove:** Mr. Speaker, there's no question that we are compassionate, that we have programs to look after those in Alberta that are less fortunate. But the biggest difference is this: our government tries to lift people to the top, and their philosophy pushes people to the bottom. Most Albertans want to strive for the top.

**The Speaker:** The hon. leader.

**Mr. Mason:** Thank you very much, Mr. Speaker. Well, the minister can say that, but the facts are otherwise. Yesterday the city of Calgary released its 2007 citizens' satisfaction survey. Sixty-one per cent of Calgarians surveyed said that their quality of life has worsened in the last three years. The largest number cited overpopulation and pace of growth, but there are other reasons as well, including crime, cost of living, traffic congestion, poor infrastructure, housing costs, poverty, and homelessness. They are all identified by Calgarians for why they believe things are getting worse in their quality of life. My question is to the minister: how, with all of Alberta's wonderful opportunities and advantages, is this government able to make life for 61 per cent of Calgarians worse?

**Mr. Snelgrove:** Mr. Speaker, if someone was listening to the question period from the start, they would wonder what on earth the facts have to do with the questions. That aside, there is a migration to Alberta from people all across the world. They're coming here to share in one of the most dynamic economies that we've seen. We are offering the highest average income, the highest standard of living. We provide the best health care system in the world and the best education system in the world, too. This government has consistently strived to lift people to the top, not attempted to drag them to the bottom.

**The Speaker:** The hon. leader.

**Mr. Mason:** Thank you very much, Mr. Speaker. Here's the chart from the Calgary report. These are the people that think things are getting better, these are the people that think that it's the same, and these are the people that think that it's getting worse. When will this government wake up and stop subsidizing big corporations with the lowest royalties in the world, tax cuts on corporations that are earning record profits, and do something for working families who are at risk of becoming poor or homeless?

**Mr. Snelgrove:** Mr. Speaker, it wouldn't surprise me at all if the hon. member had his chart upside down. It wouldn't surprise me at all. But we really want to ask Albertans: what do they want? They want an education system that's first class. They want a health care

system that's first class. They're coming here by the thousands, by the hundreds of thousands. They're coming here to get away from some of the provinces that his kinfolk have run into the ground. Alberta has become the destination for those with hopes and dreams.

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

#### Report of Premier's Task Force on Crystal Meth

**Ms DeLong:** Thank you very much, Mr. Speaker. Over a year ago government accepted the report of the task force on crystal meth, which recommended improved access to treatment as well as prevention programs to address crystal meth addiction in Alberta. Some of my constituents have been asking me: what happened to that report?

**The Speaker:** The hon. minister.

**Mr. Hancock:** Thank you, Mr. Speaker. Last year my department, the Department of Health and Wellness, was asked to take the lead in preparing a cross-ministry response to the crystal meth task force report. The cross-ministry review concluded that addressing the effects of crystal meth effectively actually should be done in the context of dealing with a broader focus on illicit drugs and substance abuse. I'm pleased to report that the crystal meth review has evolved into the more comprehensive Crime Reduction and Safe Communities Task Force, which has now reported. The report of the task force provides the broader focus needed to address addictions to illicit drugs and substance abuse as well as mental health issues, another key contributor to crime.

**The Speaker:** The hon. member.

**Ms DeLong:** Thank you very much, Mr. Speaker. My supplementary is for the same minister. Have any of the recommendations of the crystal meth task force been implemented, or is this another taxpayer-funded report collecting dust on a shelf somewhere?

**The Speaker:** The hon. minister.

**Mr. Hancock:** Thank you, Mr. Speaker. Most of the health-related recommendations of the crystal meth report have been addressed either through the crime reduction and safe communities response or through the ongoing programs of my department and agencies like AADAC. For example, under the leadership of AADAC the Alberta drug strategy was developed in 2005 on the principle that a comprehensive approach to the use and abuse of alcohol and illicit drugs is necessary. The Alberta drug strategy focuses on prevention, treatment, crime reduction as well as policing and enforcement. Under the drug strategy, the PCHAD legislation, funding for local drug coalitions, initiation of Better Together school projects in a total of nine school boards, all contribute directly to the reduction of crime and addiction.

**The Speaker:** The hon. member?

The hon. Member for Edmonton-Gold Bar, followed by the hon. Member for Lacombe-Ponoka.

#### Alberta Utilities Commission Act

**Mr. MacDonald:** Thank you, Mr. Speaker. My first question is to the Minister of Environment. What are this government's intentions regarding the buying and selling of water?

**Mr. Renner:** Mr. Speaker, the issue that the member raises with respect to water is one which has to do with the licensing of water and the transfer of licences in a water basin that is fully allocated. The ministry has been developing a policy, will continue to develop a policy to allow for the transfer of licences from one licence holder to another, but it does not and will not condone the sale of water.

**The Speaker:** The hon. member.

**Mr. MacDonald:** Thank you, Mr. Speaker. That certainly was an interesting response.

My next question is to the Minister of Energy. Under Bill 46 the Utilities Consumer Advocate is not only responsible for the purchase of electricity and natural gas . . .

#### Speaker's Ruling Hypothetical Questions

**The Speaker:** Okay. Please sit down. The third time now I've said this: Bill 46 hasn't been introduced for second reading. It hasn't been approved by this Assembly. It has no status. You're not going to use question period to debate a bill that hasn't even reached second reading. It's the third time I've said this now.

#### Alberta Utilities Commission Act (continued)

**Mr. MacDonald:** My question, Mr. Speaker, is: why is this government planning on turning water into a commodity to be traded and sold to other jurisdictions under the sections in this bill?

**The Speaker:** Okay. Last question. Proceed.

**Mr. MacDonald:** I'm sorry?

**The Speaker:** The hon. Member for Lacombe-Ponoka, followed by the hon. Member for Edmonton-Mill Woods.

#### 1:50 Olymel Pork Processing Plant

**Mr. Prins:** Thank you very much, Mr. Speaker. A few days ago, in fact on Monday of this week, an order was imposed on the Olymel pork processing plant in Red Deer, temporarily preventing them from shipping pork products to the U.S. My question today is to the Minister of Ag and Food. Can this minister provide us with an update on this situation?

**The Speaker:** The hon. minister.

**Mr. Groeneveld:** Thank you. Mr. Speaker, it seems like it never rains but it pours. As we know, this is a temporary measure, the slowdown at Olymel. The CFIA has been in contact with the USDA, and together they're working with Olymel to help resolve this issue. Apparently, these infractions are only minor, so we're hoping it's only a short matter of time before they're resolved. Delisting doesn't happen very often, but from time to time it does, and we'll deal with it.

**The Speaker:** The hon. member.

**Mr. Prins:** Thank you, Mr. Speaker. My next question is to the same minister. How will the temporary delisting of this Olymel plant by the USDA affect our pork producers in Alberta?

**The Speaker:** The hon. minister.

**Mr. Groeneveld:** Well, thank you, Mr. Speaker. The Red Deer plant is still open, and it's still processing pork. Olymel can ship to the rest of their customers throughout Canada and to export markets other than the U.S. They do have other Canadian plants that can ship to the U.S., but the particular Olymel plant in Red Deer cannot.

**The Speaker:** The hon. member.

**Mr. Prins:** Thank you, Mr. Speaker. To the same minister: with the ongoing challenges that face the pork producers and their industry in Alberta today, what is the government of Alberta doing to help this industry?

**The Speaker:** The hon. minister.

**Mr. Groeneveld:** Thank you, Mr. Speaker. I guess that's why when it rains, it pours. The pork industry and the red meat industry certainly seem to get hammered from time to time. I met with the pork industry in September. We have the short-term program, of course, the Alberta farm recovery plan, where we're going to make \$165 million available to the red meat industry as a transition program for the short term.

Long term, Mr. Speaker, the pork industry recovery plan on their own is now under way, where the pork people are coming up with their long-term plans, and we'll try to work with them on their plans as they move forward into some stability.

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

#### Contracted Human Services Agencies

**Mrs. Mather:** Thank you, Mr. Speaker. When I last questioned the Minister of Children's Services regarding the wage discrepancies between government employees and contracted agencies, the minister answered that the issue is being reviewed. Given this government's track record on so-called internal reviews, this may never see the light of day. We need assurances now. Since these agencies provide a government-sanctioned service, why doesn't the government discontinue its practice of paying these people less immediately?

**The Speaker:** The hon. minister.

**Ms Tarchuk:** Well, thank you, Mr. Speaker. First, I want to say that I agree with the comment that the same member made just a few minutes ago that we have good people doing good work for a good cause. I do believe that.

It's not just that it's been under review. I can tell you that we've worked very closely with our contracted agencies in the last two years. We've given increased funding of \$20 million to address the issues that they have laid out for us. As recent as last week we gave another \$26 million, and I can tell you – and I said this last week as well – that I am committed to working with them on their current and their ongoing issues.

**Mrs. Mather:** Last week the minister assured this House that these funding and allocation practices were currently being examined. Despite the one-time funding patch awarded, there are still many agencies projecting the possibility of shutting down as early as this winter. Agencies provide for the majority of administered government services in this province. If they are forced to close, what will the government do with all of these children, youth, and families at

risk? Is this acceptable treatment for the most vulnerable citizens of Alberta?

**The Speaker:** The hon. minister.

**Ms Tarchuk:** Thank you, Mr. Speaker. I can tell you that we will never put a child at risk in this province. We are working closely with the association, like I said. We did offer a lot of relief with their current situation. I can tell you that as early as this weekend I am once again meeting with the association for Alberta families and children to make sure that we are in line and on target for working with them to meet their needs.

**The Speaker:** The hon. member.

**Mrs. Mather:** Thank you, Mr. Speaker. This government's practice of case-by-case contract allocation is yet another factor causing unnecessary problems for an already strained sector. The extreme competition that is fostered by these practices is sometimes resulting in less qualified agencies receiving a class of vulnerable individuals that they are ill prepared to handle. Will the minister commit to standardizing the contract award system for social agencies charged with taking care of our most vulnerable citizens based on merit and service rather than detrimental competition?

**The Speaker:** The hon. minister.

**Ms Tarchuk:** Thank you, Mr. Speaker. I'm actually glad that you've raised this issue. It was just within the last couple of weeks that I've asked for more information on the case-by-case contracting situation that we have, and it also will be a topic of discussion this weekend.

Thank you.

**The Speaker:** The hon. Member for Red Deer-North, followed by the hon. Member for Calgary-Currie.

#### Child Care Licensing Regulations

**Mrs. Jablonski:** Thank you, Mr. Speaker. In Red Deer, like in many other Alberta communities, child care continues to be of high importance to parents. The Child Care Licensing Act was passed in the spring session with the understanding that a regulation would also be developed. My question is to the Minister of Children's Services. Can you tell me the status of the child care licensing regulation?

**The Speaker:** The hon. minister.

**Ms Tarchuk:** Thank you, Mr. Speaker. I'm pleased to briefly give you an update on the consultation. Between May and July we have consulted with Albertans. We heard from 1,500 of them through 16 public meetings in 11 communities as well as online. I do want to take a moment to thank everyone that took part. It's very valuable information to be moving forward with. We did commit to putting the results of the consultation on the website, and we did that last week, so people can go onto the Children's Services website and see what it is that we heard. I can tell you that we'll now look closely at all of the results and all of the viewpoints that were shared with us and move forward on what will be acceptable to parents, operators, and children in this province.

**The Speaker:** The hon. member.



**Mrs. Jablonski:** Thank you. My second question to the same minister. My constituents are concerned that the new regulation will make it even harder for them to find affordable child care. Can you assure Albertans that this is not the case?

**The Speaker:** The hon. minister.

**Ms Tarchuk:** Thank you, Mr. Speaker. I'd like to remind everyone that the consultation, the proposals were just for discussion purposes. It is a very open process, and like I said, it is on the website. When you go on the website, you can see that we had a variety of opinions. We have some of the proposals that were well accepted, others that were not. I can tell you that we will pay attention to the results of what Albertans had to say, and we will have a reasoned response for all of the proposals.

**Mrs. Jablonski:** To the same minister: when will the child care licensing regulation come into effect?

**The Speaker:** The hon. minister.

**Ms Tarchuk:** Thank you, Mr. Speaker. We do expect that the act will be proclaimed in the spring. I can tell you that between now and then we will continue working with the child care community. Also, I would like to just assure Albertans that for any changes, we will make sure that there are reasonable timelines for implementation when we do agree with the regulations.

Thank you.

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

### Regional Municipal Funding

**Mr. Taylor:** Thank you, Mr. Speaker. I'm sitting here listening to all these problems being enumerated today, and now the citizens of Edmonton face a big, fat tax increase, a double-digit property tax hike. Edmonton city council is talking about that in order to pay for the necessities of life in a city: fire, police, ambulance service, snow removal, affordable housing, plus a whole host of services and infrastructure used by residents of all the surrounding suburban communities. The Conservatives' municipal funding plan doesn't sound all that sustainable to me. To the minister of municipal affairs. It's his responsibility to fix this. What's he going to do to get needed dollars into the hands of city governments so they can do the job they were elected to do?

**Mr. Danyluk:** I'm not sure what the member opposite is trying to suggest, if he's trying to suggest that the government should take over those municipalities. Municipalities have asked for autonomy. This Premier and this government have very much addressed the sustainability and predictability for the future for municipalities with a municipal sustainability initiative that amounts to \$11.3 billion over 10 years – \$11.3 billion – and, speaking to Edmonton and area, amounts to over \$3 billion to support those municipalities.

2:00

**The Speaker:** The hon. member.

**Mr. Taylor:** Thank you, Mr. Speaker. You know, cities are in this pickle because the Conservatives first failed to collect billions in royalties over the years. Now they're trying to fix things by throwing billions at the municipalities, talking a good game about autonomy but without a plan. Funny darn thing. Cities are still

having to raise their taxes to provide services to their citizens. That's not the way it should be. To the minister. Cities shouldn't be forced to raise taxes to pay for the province's incompetence. Is the minister prepared to rework municipal sustainability funding so that it's there and equitable to all municipalities?

**Mr. Danyluk:** Well, Mr. Speaker, maybe I should ask the Minister of Energy to again supplement the amount of funding that has been supported to this province of all the investment by the industry, which, in turn, makes this province the most attractive province in Canada. We have a hundred thousand people that are coming to this province to invest their lives into this province. Looking 10 years into the future for predictability for municipalities and sustainability is not a short-term solution.

**Mr. Taylor:** Mr. Speaker, size doesn't matter. It's what you do with it.

The Conservatives continually dodge the issue of mandatory regional planning. The bills for providing the services for all the people of the capital region come to city hall in Edmonton, but neither the MLA for Sherwood Park nor the mayor of Strathcona county has any interest in sharing tax revenues from the refineries and the upgraders. You know, in Sherwood Forest Robin Hood took from the rich and gave to the poor. I think the Member for Sherwood Park has it backwards. To the same minister. Strathcona county has clearly indicated no interest in sharing their vast tax base. What will this minister do if an agreement cannot be reached on regional planning? Is he going to yell at them? What's the plan?

**Mr. Danyluk:** Mr. Speaker, I do want to say that Strathcona county and 24 municipalities, including the city of Edmonton, are around the table in the discussion of the capital city integrated plan. We are working with those municipalities, looking at ways that we can cooperatively work together and find solutions to some of the challenges we have. This is a province that has a lot of growth, a lot of prosperity. With that growth there are some challenges, and we are working on those challenges.

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

### Affordable Housing

**Mr. Martin:** Thank you, Mr. Speaker. Forecasts from the Canada Mortgage and Housing Corporation indicate the following. In 2008 some 55,000 new people are expected to move to Alberta, the number of new multifamily homes being built will decrease, and the average rent for a two-bedroom apartment in Edmonton will rise to \$1,090 from \$950 while vacancy rates drop to .5 per cent. Calgary rents will go from \$1,075 to \$1,140 with a vacancy rate of 1 per cent. My question is to the Minister of Municipal Affairs and Housing. When is your government going to stop being ruled by right-wing ideology . . .

**The Speaker:** The hon. minister. [interjection] The hon. minister. [interjection] The hon. minister for the third time.

**Mr. Danyluk:** Mr. Speaker, to call a plan of 11,000 units over five years in support of housing I do not say is an ideology. It is the proposed plan. Two hundred and eighty-five million dollars extra this year in support of housing is not an ideology; \$143 million to high-growth communities, \$68 million in support . . .

**The Speaker:** The hon. member.

**Mr. Martin:** Well, Mr. Speaker, the reality is that the rents are still going up, and more and more people are being thrown out and are homeless. Those are the rates that are going up.

My second question is to this minister, then. Along with rent guidelines why are we not prepared to plug the loopholes in dealing with condo conversions? We're losing more rental apartments to condo conversions than we can build. That's the reality.

**Mr. Danyluk:** Mr. Speaker, we do have more and more people coming to Alberta because Alberta is the place of opportunity. That is why this government is looking at supporting the housing and not only supporting the housing but supporting the rent supplement for those who need it. The prevention and eviction fund is for those individuals that may find hardship in paying their rent or being able to get their first month's rent. This government is addressing those needs and working with the people of Alberta.

**Mr. Martin:** That's why 61 per cent of Calgarians think they're worse off than they were in the past, Mr. Speaker.

The government's response, frankly – and the minister has alluded to it – has been pitiful. The homeless and eviction fund – yeah, it's taxpayers' money, running out of control, up to \$17.6 million, fraud charges. The mortgage fund subsidy is being tapped out. How can this minister justify his answer, using taxpayers' money, when all he has to do is bring in rent guidelines and condo conversion controls? That would solve the problem.

**Mr. Danyluk:** Mr. Speaker, rent control does not work. It does not add any units to the system. We have a hundred thousand people moving into Alberta. When you have a hundred thousand people coming into Alberta, they do not bring services with them, but more importantly they do not bring housing. We need to have initiatives for housing to be built.

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

#### Off-highway Vehicle Restrictions

**Rev. Abbott:** Well, thank you, Mr. Speaker. Many of my constituents, some who have recently moved here from other provinces, like to go outdoors and enjoy Alberta's beautiful trails on their off-highway vehicles; however, many of them have been telling me that more and more restrictions are being placed on where they can go. My questions are for the Minister of Sustainable Resource Development. Why are these Albertans facing so many limits on public lands?

**The Speaker:** The hon. minister.

**Dr. Morton:** Thank you, Mr. Speaker. The answer is simple: our ever-rising population. In the last 25 years we've seen the population of this province grow by a million people, from 2 million to 3 million. In the next 20 years we expect another million people. So while the number of people keeps growing, the size of our province doesn't. There are more and more people doing more and more activities on the same piece of land. We've reached a tipping point. The old policy of allowing anyone to do anything anywhere any time just isn't going to work anymore, and that's why we're bringing in the land-use framework.

**The Speaker:** The hon. member.

**Rev. Abbott:** Well, thank you, Mr. Speaker. To the same minister:

given that 99.9 per cent of these OHVers are hard-working, law-abiding citizens, what should I tell my constituents who feel that off-road enthusiasts are being singled out and no one else faces such restrictions?

**Dr. Morton:** Mr. Speaker, the reason that the off-highway vehicle community feels perhaps particularly affected by this is that they're the fastest growing recreational group in the province. In the last 20 years the number of registered off-highway vehicles has grown fourfold, from 17,000 to over 82,000. It's predicted that as many as another 30,000 will be sold just this year. So with these kinds of numbers come new challenges and conflicts. The land-use framework will be addressing these, but we already deal with some of these issues through the forestry land-use zones, the FLUZ activities.

**The Speaker:** The hon. member.

**Rev. Abbott:** Well, thank you, Mr. Speaker. My second supplemental to the same minister. Again, my OHV-riding constituents provided a lot of feedback to the land-use framework of which you speak. When can Albertans expect to see this land-use framework and see it in action?

**Dr. Morton:** Mr. Speaker, the off-highway vehicle community indeed provided a lot of very useful information to the land-use framework process. We consulted both with the public and also with stakeholder groups, including the off-highway vehicle groups. All this information is now in the department. We're developing our draft, and Albertans can expect to see the draft framework early in the new year.

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

#### Government Employment Contracts

**Mr. R. Miller:** Thank you, Mr. Speaker. Billions of dollars in uncollected royalties, yet we continue to see top Tories benefiting at the teat of this government and yesterday a refusal from the minister of international and intergovernmental affairs to address the contracts and an effort to explain away not making them public.

Today I'd like to talk about the contracting practices of the Calgary health authority. When they appeared before the Public Accounts Committee this past September, Mr. Speaker, we learned that Kelley Charlebois was given \$12,000 by the Calgary health authority to help write a speech. He didn't even write the speech by himself; he helped to write it. Untendered contracts . . .

**The Speaker:** I'm afraid we're now out of time for your question, so I don't know where we're going to go with this.

2:10

**Mr. R. Miller:** My question is . . .

**The Speaker:** Sorry. The time is over by the rules of the House, so go to your second one.

**Mr. R. Miller:** I'll go to my second question. That's not the only one, Mr. Speaker. You know what happens? The gravy train seems to go on forever. The gravy train goes on forever if you're a top Tory. Rod Love, \$42,000, sole-source contract, no performance measurements. They didn't follow their own contracting procedures. The question is to the minister of health. When is he going to put a stop to this?

**Mr. Hancock:** You know, Mr. Speaker, what I'd really like to put a stop to is people rising in the House and besmirching the character of individuals by throwing out unsubstantiated allegations. The Calgary health authority has the full authority to hire the people it needs to do the job it does. They're not told who to hire by this minister, and if they think they need consultants for a reason, I'm not going to spend my time going into the depths of why they believe they need a consultant. The health operation is a \$12 billion operation. The Calgary health authority is close to \$3 billion, and they've got competent people running their business. But what I do decry is somebody rising in this House and besmirching . . .

**The Speaker:** And I have to go to the hon. member now.

**Mr. R. Miller:** Well, Mr. Speaker, it's not this hon. member that raised those names; it's the Auditor General of this province who has a problem with the way that your department issues contracts to your top Tory friends. It's time that we put a stop to it, and he suggested that you do. I want to know when your department is going to deal with it. When are you going to stop the secrecy? When are you going to stop the favouritism? When are you going to start following your department's own policies in terms of issuing contracts? And it's not wrong. Tell the Auditor General it's wrong.

**Mr. Hancock:** I don't have a problem complying with the Auditor General's request with respect to contracting and everything else with respect to accountability. What I do have a problem with is people who believe that just because you've ever done work for this government or have ever been involved in the political process, you ought not to ever do any contract work. This is an appropriate process for people to engage in, and individual reputations ought not to be taken lightly as these members opposite try to do day after day after day. [interjections]

#### Prairie Grasslands Land Exchange

**Dr. Brown:** Mr. Speaker, members of the Alberta Wilderness Association and others have recently contacted me regarding a proposed land exchange. [interjections]

**The Speaker:** The hon. Member Calgary-Nose Hill has the floor. You may start over again.

**Dr. Brown:** Thank you, Mr. Speaker. Members of the Alberta Wilderness Association and others have recently contacted me about a proposed land exchange in the Hays area of southern Alberta. The association is concerned that ecologically sensitive public land is going to be swapped for potato production. My question is to the Minister of Sustainable Resource Development. What can he advise the House about this specific land exchange that the Alberta Wilderness Association is referring to?

**The Speaker:** The hon. minister.

**Dr. Morton:** Thank you, Mr. Speaker. I appreciate the concerns of the hon. member and also that of the Alberta Wilderness Association. The land-use framework has focused greater public attention on the importance of habitat conservation, including the native grasslands in southern Alberta.

I am aware that there have been inquiries with respect to the project referred to here, but this is pretty routine. We get inquiries all the time about the rights and obligations of leased land, of public land, and we answer those. I can tell the hon. member that as of

today my department has not received any formal application regarding this specific land exchange, so it would be premature and hypothetical for me to respond to that question now.

**Dr. Brown:** To the same minister: what is his department's policy regarding the protection of Alberta's native prairie grassland?

**Dr. Morton:** Mr. Speaker, in addition to the agricultural use of these prairie grasslands, they have significant environmental value that is recognized in our department's policies. Our policy is to protect these areas and to limit the footprint of any activities that occur on them. Prairie grassland under most circumstances is not normally sold, and if it were to be exchanged, it would only be exchanged if the private land obtained were more environmentally valuable than the public land given up; in other words, we only trade up.

**Dr. Brown:** Again to the same minister: will the minister advise the House what the policy of his department is with respect to land exchanges and particularly with respect to land being broken out of the native prairie state?

**Dr. Morton:** Mr. Speaker, in this context two criteria must be met. First of all, the private land that we would obtain in such a swap would have to have, again, equal or greater public value than the public land that would be transferred to private ownership. Public value here includes the conservation of habitat such as that of fescue grasslands. The second criteria is that the real estate value for the land that the government obtains, again, must be equal to or greater than the value of the land that we would swap. We also review these proposals through other departments to see how other interests might be affected. That allows us to detect if there are any other concerns. So I repeat: if we do trade, we only trade up.

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

#### Temporary Foreign Workers

**Dr. B. Miller:** Thank you, Mr. Speaker. It's not a good time for temporary foreign workers in Alberta. Reports of abuses continue to pour in: employers providing housing with 14 people in a three-bedroom house, deductions from paycheques for housing, lower wages than promised. When workers finally find the phone number for the foreign worker information line, which is not effectively advertised and which is available in English only, they are referred to several other government departments. My question is for the Minister of Employment, Immigration and Industry. How will these workers be informed about their rights and be provided with adequate government assistance instead of the runaround that they currently receive?

**Ms Evans:** Mr. Speaker, it's true that we get sometimes as many as a thousand, sometimes over a thousand, calls a month on our foreign worker hotline. These calls are not all about complaints relative to employers. There are frequently other questions about some of our programs, like earn while you learn. If anybody isn't able to access the phone number, obviously, calling the RITE government number of 310-0000 is available anywhere in Alberta. But we've had such a response to this that I'm pretty confident that most know it's 877-427-6419. Since October 2006 we've had a great deal of positive response to our number.

**The Speaker:** The hon. member.

**Dr. B. Miller:** Thank you, Mr. Speaker. Temporary foreign workers are not a commodity to be purchased for a limited time and then sent back home. They are people, many of them with families. In view of the fact that a high percentage of these workers are filling low-income, unskilled positions, my question is to the same minister. What programs are in place to help new workers settle in Alberta and be made, also, aware of their rights?

**Ms Evans:** Mr. Speaker, this year with the federal government doubling up their money and with continued support from ourselves, integrated settlement services have been available in several communities. We have had tremendous success with programs that provide them low-cost funds for loans if they need that for accreditation and other purposes. We have had tremendous fortune in working with nonprofit organizations both in Calgary and Edmonton. The Edmonton Mennonite Centre for Newcomers is a particular advantage for people in this city. I would say that we've had a very positive response, not only from the temporary foreign workers but others who have come here accompanying some of our PNP program candidates, too.

**Dr. B. Miller:** The United Kingdom has an excellent program of licensing brokers, agencies, and labour providers. It is called the Gangmasters Licensing Authority. If brokers exploit foreign workers, they are subject to hefty fines and even jail time. The British Gangmasters Licensing Authority is concerned with identifying the more persistent and systematic exploitation of workers rather than concentrating on isolated cases of noncompliance, as has been the practice of this government. Will the Alberta government put in place this kind of effective monitoring agency?

**Mr. Snelgrove:** Mr. Speaker, we have in place – and I would like to think we wouldn't call them gangmasters – very strict legislation with very severe penalties around those who would abuse temporary foreign workers.

**The Speaker:** The hon. Member for Whitecourt-St. Anne.

#### Alberta Diabetes Institute

**Mr. VanderBurg:** Thank you, Mr. Speaker. Diabetes touches all of us, and there is no cure. I had the opportunity this morning to attend the official opening of the diabetes research institute at the University of Alberta. My questions are to the Minister of Health and Wellness. What financial contribution has our government provided to date to this new institute, and what will your department do to continue to support this institute?

2:20

**The Speaker:** The hon. minister.

**Mr. Hancock:** Thank you, Mr. Speaker. It was a very important day, as we learned earlier both in a member's statement and in the introduction of some very important visitors to our Legislature. Dr. Ray Rajotte has led the Diabetes Institute for some time, and now we can be proud of a very solid facility, which will bring five departments at the University of Alberta together – the minister of advanced education may wish to supplement – into a common research facility. So it was a very proud day. The government of Alberta has contributed \$246 million to the health research innovation facilities at the University of Alberta, and other research dollars have of course been provided by the Alberta Heritage Foundation for Medical Research, about \$20 million specifically to the Diabetes

Institute project. The Diabetes Institute could be one of the pinnacles of success in this province of Alberta.

**Mr. VanderBurg:** Back to the same minister. We need to create environments that support healthy choices, Mr. Speaker. Minister, when will your department start tackling other issues, like obesity, that contribute to diabetes? It's a nascent problem.

**The Speaker:** The hon. minister.

**Mr. Hancock:** Thank you, Mr. Speaker. Again, a very good question. I've been tackling my own problem of obesity for some months now and, I think, with some success, but I do that as minister of health because I want to walk the talk that I've been talking with Albertans about for the last nine months or 10 months, maybe, since I've been appointed to this ministry. Talking about Albertans taking responsibility for their own health, weight is a very important issue. It's particularly important with respect to adult-onset diabetes. Members may have read in the newspaper on the weekend, as well, about the impact of obesity or weight with respect to those persons who have prostate cancer and their morbidity rates. So obesity is a very important program, and we need to talk to Albertans about taking that personal responsibility.

**The Speaker:** The hon. member.

**Mr. VanderBurg:** Thank you, Mr. Speaker. Diabetes is on the rise within our First Nations communities. To the minister responsible for aboriginal affairs: do you think that this new world-class Diabetes Institute that has opened today in Edmonton will assist in mitigating the rise in diabetes within aboriginals?

**Mr. Boutilier:** Thank you, Mr. Speaker. I want to say as a type 1 diabetic that on my first day in Alberta 30 years ago I was diagnosed with type 1 diabetes. I want to thank every member of the Legislature who joined the Premier and the minister of health today at this world-class opening. It was interesting that last year, you recall, we had: who is Canada's greatest Canadian? My wife and I – no disrespect to Tommy Douglas, who truly was a great Canadian – voted for Banting and Best. I think this institution today is a shining example in this world that the next Banting and Best will come from right here in Alberta through this great institution that we have.

**The Speaker:** Well, that concludes Oral Question Period. There were 94 questions and answers this afternoon. We must now return to the Routine. When we broke from the Routine for Oral Question Period, we were on the Routine subject known as petitions, and I was in the process of recognizing the hon. Member for Edmonton-McClung.

head:

#### Presenting Petitions

(continued)

**Mr. Elsalhy:** Thank you very much, Mr. Speaker. This particular petition is extremely popular in this province. I am tabling 187 more signatures on the petition which reads that the undersigned residents of Alberta urge the government to "ensure that the remuneration paid to employees working with people with disabilities is standardized across the sector" – we had some questions in question period today on this – ensuring that the employees "are fairly compensated and that their wages remain competitive." Number three would be "employees' access to professional development opportunities," and

number four would be to “introduce province-wide service and outcomes-focused level-of-care standards.”

Thank you.

**The Speaker:** The hon. Member for Cardston-Taber-Warner.

**Mr. Hinman:** Thank you, Mr. Speaker. I’d like to stand and present two petitions to the Assembly today. The first one is signed by 122 oil and gas workers and people from the province asking the government to “discard the Royalty Review Report and eliminate restructuring of the Oil and Gas Royalties.”

The second one is signed by 160 of my constituents regarding Bill 45 and ensuring that it passes and that we don’t water down the smoking law that’s coming in place.

**The Speaker:** The hon. Member for Edmonton-Highlands-Norwood, did you have a petition?

**Mr. Mason:** A couple of tablings, Mr. Speaker.

**The Speaker:** No, petitions.  
Are there others?

head: **Introduction of Bills**

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

**Bill 48  
Health Facilities Accountability Statutes  
Amendment Act, 2007**

**Mr. Hancock:** Thank you, Mr. Speaker. I’m pleased to rise today to introduce for first reading Bill 48, the Health Facilities Accountability Statutes Amendment Act, 2007.

Bill 48 amends three key health statutes: the Hospitals Act, the Nursing Homes Act, and the Regional Health Authorities Act. These amendments clarify roles and responsibilities within our regional health system to ensure that regional health authorities have the authority and the responsibility to plan for and direct the delivery of health services in their respective regions.

The bill also addresses a need to clarify accountability, a need identified by the Health Quality Council of Alberta during its review of infection prevention and control practices. All health facilities in our province must be operated safely and effectively. Albertans expect and deserve no less.

The proposed amendments follow through on the government’s commitment to make needed legislative changes to better assure Albertans of the quality and safety of the health service delivery system.

Mr. Speaker, I would move first reading of Bill 48.

[Motion carried; Bill 48 read a first time]

head: **Tabling Returns and Reports**

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

**Mr. Backs:** Thank you, Mr. Speaker. I have two tablings today that highlight health research in our Alberta. One is the program for the recent successful Northern Alberta Brain Injury Society event which I attended.

The second is the program for this morning’s official opening of the Alberta Diabetes Institute, attended by many members here and

mentioned by other members today. That was a very successful opening. It brings to mind the fact that the Alberta building trades have raised almost \$950,000 for diabetes research in the last four years alone. This centre is vital. It’s making our capital city and our province proud of the work being done on this devastating disease.

Thank you.

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

**Mr. Mason:** Thank you very much, Mr. Speaker. I do have a petition. But it wasn’t in the appropriate form, so I’m doing it as a tabling. That’s probably the confusion. It’s a petition of citizens in Airdrie, Calgary, and Crossfield who are concerned about Bill 46. They identify nine flaws in the bill, including lack of input farmers will have on future EUB activities, especially in light of the debacle surrounding the 500 kV line.

The second tabling is from Rhondda Dugdale, yet another Albertan who is very concerned that Bill 46 will be stripping away the democratic rights of Albertans to protect their property. She asks: who benefits from this bill, landowners or industry?

Thank you.

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

**Mr. Martin:** Thank you, Mr. Speaker. I’d like to table correspondence from Peter Harvey of De Winton. He’s gone through a terrible ordeal for months in getting the medical attention he needs for a severe shoulder injury. He’s had to close his greenhouse business, which he had operated for 32 years. He’s imploring the government to take action on surgery wait times.

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

**Dr. Pannu:** Thank you, Mr. Speaker. Today I’m tabling a three-page-long letter from Sharon Malott of Red Deer addressed to the leader of the NDP opposition. Sharon served our country in the Canadian armed forces in Wainwright in the ’70s. Unfortunately, she now suffers from several mental health problems and is trying to survive in the face of an out-of-control rental market and low AISH rates. She has written this letter hoping to draw the attention of this Legislature to the plight of Albertans in the same position as she is in.

Thank you, Mr. Speaker.

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

**Mrs. Mather:** Thank you, Mr. Speaker. I would like to table letters from 18 individuals concerned about the implications of proposed regulations for child care in Alberta.

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

**Mr. MacDonald:** Thank you very much, Mr. Speaker. I have three tablings today. The first one is a letter dated June 27, 2007, that I wrote to the hon. Minister of Energy regarding the invasion of privacy in Rimbey that occurred through the EUB.

The second tabling I have is an e-mail. This is the say no to Joe e-mail. This is an e-mail dated Wednesday, October 24, 2007. It’s from the Department of Energy, saying no and “please exclude Joe Anglin from the meeting.” I can only assume, Mr. Speaker, that that was about Bill 46.

My third petition is a flyer that I got last week in Lacombe, and it's called killbill46.ca. I would urge all hon. members to have a look at this website.

Thank you.

2:30

**The Speaker:** Well, there's no such thing as Bill 26, as far as I can see.

**Mr. MacDonald:** Excuse me, Mr. Speaker. I said Bill 46, killbill46.ca. Sorry for the confusion. It's certainly Bill 46.

**The Speaker:** Okay. That's fair. I heard 26. There was no 26.

Anyway, any more kill bills? Any more tablings?

Hon. members, actually we had 94 questions and answers today, so it went along a lot quicker than I thought.

We had three points of order. The third one from the hon. Member for Edmonton-Gold Bar has been withdrawn.

Hon. Government House Leader, your first point of order.

### Point of Order

#### Parliamentary Language

**Mr. Hancock:** Thank you, Mr. Speaker. During Oral Question Period today we saw a shocking and bizarre performance on behalf of the Leader of the Official Opposition, which breached, in my view, *Beauchesne's* 485 with respect to the use of unparliamentary language; 489, which references statements which are unparliamentary. There were so many unparliamentary statements in the member's presentation today that I can't list them all. I don't have the benefit of the Blues, but essentially they amounted to misleading the public, lying, deliberately misleading, false and misleading information. That was the tenor and the tone, if it was not the exact words, of the member.

He also breached *Beauchesne* 64 in terms of reflection on a member. *Beauchesne* 64, Mr. Speaker, specifically references, "The House has occasionally taken notice of attacks on individual Members." It goes on to indicate the types of attacks, including one particular attack in which the quote was "a cheat and a swindler." I would suggest that the tack that the hon. member took today in question period against the Minister of Energy clearly falls into that category in terms of suggesting – well, more than suggesting – directly, outright stating that the minister was deceiving the public, was lying to the public, that the government was lying to the public in annual statements. That, clearly, is unparliamentary. It was totally unsupported, and I'll get into the detail on that.

Also, Mr. Speaker, *Beauchesne's* 409(3) is relevant. *Beauchesne's* 409(3) refers to: a question ought to seek information and therefore not be based on a hypothesis. Clearly, the whole gist of the member's questions was based on the hypothesis that there was something wrong in an annual statement, and I will deal with that particular piece. But also it should not be argumentative or make representations. Clearly, the member's questions were outside of *Beauchesne's* 409.

*Beauchesne* 409(7) also is a prohibition against casting aspersions.

**Mr. Taylor:** We get the point.

**Mr. Hancock:** You don't get the point. You've been belabouring the point over and over again, and you've been doing it in an unparliamentary way.

*Beauchesne* 409(7): "A question must adhere to the proprieties of the House, in terms of inferences, imputing motives or casting aspersions."

Mr. Speaker, the questions also breached the conventions of this House that one treats members in the House honourably and with respect and takes them at their word unless there is some proof that their word should not be taken. So let's get past the citations and into the substantive matter here.

The Member for Edmonton-Riverview has today and I think in past days – but let's focus on today – gotten up and tried to ask questions and in his questions put a hypothesis that somehow this government misled, deceived, lied, and all those things and referenced an annual report.

Mr. Speaker, we have a Public Accounts Committee, and the Public Accounts Committee has the designated role of reviewing annual reports. If that hon. member believes that there is something inaccurate in an annual report or something that's in error in an annual report, he should be taking that to the Public Accounts Committee and exploring that. The hon. member should not be getting up in question period and casting aspersions on a member or using unparliamentary language to make political points. He should be doing his job as a member of this House and taking any error he finds in an annual report if he finds an error – and I submit to you that he won't find one, but if he did find an error, there's an appropriate way to deal with it, and that's not by using unparliamentary language, it's not by attacking members of the government, and it's not by using inflammatory language in this House.

Mr. Speaker, let's go further into the merits of what has been happening. The hon. member has been referencing the Auditor General's report. I need not remind that member or this House that the Auditor General is an officer of this House. Taking out of context out of the Auditor General's report, which is also, by the way, in the purview of the Public Accounts Committee to look into, they've been talking about lost billions of dollars. I believe the actual quote in the Auditor General's report on page 121 of volume 1 is that "the calculation estimates a range of \$0.7 to \$1.4 billion per year of un-captured rent, but this can only be considered a rough estimate." A rough estimate.

So the Auditor General's report doesn't say there was \$1.4 billion of lost revenue. That quote I have taken slightly out of context because there's a whole paragraph talking about what the calculation he's referring to is. But it's clear as you read through several pages of the Auditor General's report that the Auditor General was dealing with how you deal with a policy issue and doesn't come to the conclusion, not that I've seen in the report, that the Auditor General actually has a role in terms of determining public policy on behalf of the government of the people of Alberta but, rather, takes the role of pointing out some of the policy issues that he thinks should be undertaken, some of the reviews that he thinks should be undertaken, some of the issues that he thinks should be undertaken, none of which is done, Mr. Speaker, in the context of other aspects of government policy, none of which deals with the whole issue of whether there's an economic impact of a royalty change, none of which comes under the context of whether or not there might be an environmental policy, whether or not a gas flaring program might deal with another issue of importance.

I would submit to you, Mr. Speaker, that the hon. member, by taking these out of the Auditor General's report and out of context without putting any framework around it, which, of course, he doesn't have time to do in a 45-second question, which is why he should be doing it in the Public Accounts Committee, and then suggesting, by using that language, that there's somehow lying in the annual reports of the government is not only substantively wrong but is definitely unparliamentary. I think the hon. member ought to be called to account now and ought to be asked to apologize to this House for his indiscretions.

**The Speaker:** The hon. Official Opposition House Leader.

**Ms Blakeman:** Thank you very much, Mr. Speaker. Well, that was certainly a very wide-ranging discussion, considering it was a point of order called on two specific phrases that were used in the House. I think what's important here are two things. The first is the role of the opposition. I note that on page 32 of *Marleau and Montpetit* they outline how important that is. I quote, if I may:

The role of the opposition is key to our system of parliamentary democracy. Prime Minister Wilfrid Laurier put it succinctly when he said: "... it is indeed essential for the country that the shades of opinion which are represented on both sides of this House should be placed as far as possible on a footing of equality and that we should have a strong opposition to voice the views of those who do not think with the majority."

The opposition, it's well recognized, has a role to play in this House, and that is about holding the government to account. We have a situation that has been referred to several times. In fact, I will take the same effort with it that the Government House Leader did. We have a situation where an annual report states some facts or holds something out that we are expected to take as true, and then we have other reports that challenge that.

Now, we have repeatedly asked the government and tried to hold them to account by saying, "Provide the information that backs up what you're saying because we can't get access to it," and the government is not forthcoming with those documents. We have an Auditor General's report which in three different places is saying that the information in that annual report is questionable. The Auditor General clearly had access to government documents which the government will not give us access to as well, so the questions arise.

**2:40**

Now, the issue of freedom of speech and the ability to raise those questions is a really important one in this House and allows the opposition to do its job. If I may reference page 74 of *Marleau and Montpetit*, specifically,

this freedom is essential for the effective working of the House. Under it, Members are able to make statements or allegations about outside bodies or persons, which they may hesitate to make without the protection of privilege. Though this is often criticized, the freedom to make allegations which the Member genuinely believes at the time to be true, or at least worthy of investigation, is fundamental.

Mr. Speaker, we have a situation where the Official Opposition under the guidance of the Leader of the Opposition has been pressing the government to release some information, and the government has chosen not to do so.

The Government House Leader spoke quite a bit about the tenor and the tone of recent exchanges in the House, and I agree. The rhetoric has inflamed; it has accelerated; it has become inflammatory on both sides of the House. I think that if we want to examine the *Hansard* with as much leeway as my colleague has done, we would find, in fact, that that tone, which is mostly set by members of the government, has elevated itself in this House. Simple answers and simple tablings would have cooled the heat that has accelerated in the words on both sides of the House here. There is an escalation of inflammatory language, and it exists on both sides of the House.

I've set out that it's important that the opposition hold the government to account; that there is an upholding of freedom of speech, which is important to allow the members of the opposition to press the government on those questions; that we do have a back-and-forth, a give-and-take; and, indeed, that the rhetoric on both sides has been inflammatory in recent time and particularly over this issue.

The reflection on the individuals. I will respectfully disagree with my hon. colleague the Government House Leader in the particular set of questions that were asked today, on which he called the point of order and then took a flight of fancy over several weeks' worth of interplay between the Leader of the Official Opposition and the government. Those specific questions today were not particular reflections on an individual, if you look at the Blues, and I'm assuming that the Speaker has access to the Blues. I'm looking at the questions that the leader in fact asked. He's asking – I don't need to repeat the questions – does the minister have a responsibility for his annual report to be accurate? That's not an unfair reflection on someone.

The Government House Leader also raised the idea of a hypothesis and under 409(3) somehow suggested that we should not be questioning the government based on this. Well, we do have a situation where we have sets of documents that are conflicting, and we are trying to get to the bottom of that conflict between documents, where we have one set of documents that says one thing and we have an equally respected legislative officer whose document indicates that there is something else at play here, and in three different places he does mention that quite specifically.

On page 125:

The Department does not reconcile the one . . . to the other, so it is not clear how sensitive the measure is in comparison to detailed technical review . . . Indeed until the 2005-2006 Annual Report, the measure indicated successful performance by the royalty regimes while technical review suggested a different result.

Well, we can't get access to that technical review; that's why we keep asking for it. The government won't provide it, so they should be expecting increasing rhetoric in the questioning.

The quote on page 92 of the Auditor General's report, again: "In fact, for several years the measure portrayed satisfactory performance by the royalty regimes while detailed analysis in the Department indicated otherwise." Well, let's have the rest of the detailed analysis, please.

Let's look at page 106. Again, quoting from the bottom of that page: "The brief description concludes that Alberta's royalty regimes 'successfully encourage continued development while collecting a fair share of resource development profits.'" The AG goes on to say, "While the Department did technical work during that year, no detailed cross-commodity internal report suggests this assertion in the Annual Report."

So we do have conflicting information. It is our job to press for answers on that. We have a situation where this particular issue is becoming very heated in this House, but it is the job of the Official Opposition to press the government to be open and accountable and to press for that information to be released. I would argue, therefore, that there is no point of order.

Thank you, Mr. Speaker.

**Dr. Brown:** Mr. Speaker, I rise in support of the arguments made by the hon. Government House Leader. Yesterday I rose on a point of order under *Beauchesne* 484, 485, and 486 in regard to a number of remarks which I contended were unparliamentary and which I believe impugned the motives of some of my colleagues in this House, and I asked that the hon. Leader of the Official Opposition be called to order and required to apologize for those remarks. However, you ruled on that occasion that the derogation was in reference to a report and not to any one person or persons.

In my submission, Mr. Speaker, the nature and the tone of those remarks have continued in question period today. If anything, they have become more personal in nature. As a consequence, I believe that the order and decorum in this Chamber is suffering. I would

implore you through your good offices as the Speaker of this House to rule on these points of order in a manner that will restore and enhance the order and decorum in the Chamber. It's my respectful submission that the Leader of the Official Opposition should be called to a point of order on this issue, and he should be required to apologize to the House.

**The Speaker:** Are there others? No others?

I take it, Government House Leader, that in essence that was both points of order in one submission? And that's fair to the Official Opposition House Leader that the two could be dealt with at the same time.

Hon. members, there was a deterioration today, in my view. Yesterday we basically had certain words used in the Assembly. There were points of order dealt with. The chair basically indicated that as both of those points of order and the usage of the words generally dealt with a report, they could not be targeted to a particular individual and that on that basis the custom and tradition of the House basically allowed us to proceed in a certain way.

I'll give you this analogy. In an earlier life I once had the ability to be an educator, and when you walked into the classroom, you set rules. There was always little Tommy or little Mary who wanted to know exactly where that line was. They would creep right up to where that line was and stop their fingers right there at the edge of the line or put their little toe at the line, and you got through the first day. But the next day little Harry or little Billy saw this happen the day before, so he went crawling right up to the line, put his little toe or his finger one inch across the line, wanting to see what the teacher would do. Well, there were some who came down – I'm sure the hon. Member for St. Albert has experienced this once or twice – and stomped on that little toe or that little finger. As a result, little Billy or little Harry withdrew within the line, and the other members in the class observed this, saw this, and said: "Okay. The rule was there."

It seems that wherever the line was set yesterday, we crossed it today. It just seems to be this human kind of trait that doesn't distinguish from men to boys or women to little girls. When you're younger, you test it; you get older, you test it.

2:50

However, this is a kind of responsible place. This is not a schoolyard. This is not a hockey rink. There are rules of decorum, and there are traditions and everything else. There were a lot of citations given yesterday for parliamentary language.

Quite clearly in what was said yesterday and was said on a previous occasion, it is unparliamentary – underline "unparliamentary" – to insinuate that another member is not telling the truth. Now, whether the statement is artfully crafted or unartfully crafted – to just simply come up and tell somebody that he's a liar would not be very artful, or you come from another direction – it is incumbent upon the chair to intervene in such circumstances, and the chair did such today at the conclusion of the first set of comments by the Leader of the Official Opposition.

Anything that can possibly create an innuendo that another member is not telling the truth is not acceptable in this House, is not acceptable in any parliament. When I take a look at the words of the Leader of the Official Opposition, and I've jumped into the first part of the question, "It's about this government deliberately misleading the people of Alberta. My question is to the Minister of Energy," no intervention from the Speaker or anyone else at this point in time.

Then the next part of the question, "Does the minister accept that he has a responsibility, a personal and legal responsibility, for his annual reports to this Assembly to be accurate, to be backed up by

the facts": put a stop there with a question mark; everything's fine. But, you know, he's just got to add the following: "or is telling the truth simply a policy decision?"

Now, if I take a look at 409(3) in *Beauchesne*, it says: "The question ought to seek information and, therefore, cannot be based upon a hypothesis, cannot seek an opinion, either legal or otherwise, and must not suggest its own answer, be argumentative or make representations." I have a great difficulty believing in my head that that last phrase complies with *Beauchesne*.

Then we go on. After there was an interjection, after there was an intervention, a point of order raised, and an intervention by the chair, another question. It's midway through the preamble, then the question: "My question is to the Minister of Energy. Will the minister admit that the decision to report false and misleading information in the annual report was a political decision, one made by members of the government with the support of this Premier?"

Well, I'm going to repeat 409(3). "The question ought to seek information and, therefore, cannot be based upon a hypothesis, cannot seek an opinion, either legal or otherwise, and must not suggest its own answer, be argumentative or make representations." Clearly, to me, that was offside again. Twice in the same time. So I don't know what the jig is. I have been here long enough to know that some members deliberately will push the envelope to see where it will go.

There are other options than pushing the envelope. One option is, of course, that the chair can get up once, twice, three times, name the member, and the member's gone. I've seen that happen before, done deliberately, too, by some members: deliberately provoke and reach that point. The chair has experienced this, has seen it. Only once in 10 years that I've had the pleasure of being the Speaker have I named such a member. I'm prepared to do it if need be.

We've also seen a situation whereby part of the jig might be: well, let's all just sort of storm out if we don't get our way. I've seen that happen too. Things went on; life went on; civilization did not come to an end.

There are a number of comments that the chair wants to make as well. With respect to the hon. Opposition House Leader's explanation about the role of the opposition, this is not in question by any member in this Assembly and is most certainly not in question by the chair. The Official Opposition has a very responsible role to play. It must – it must – have an opportunity to express itself. It must hold the government to account, but it cannot interpret the account to its will for its own pleasure, at a minimum, or go to the extreme, fabricate the account to in fact find a benefit. It must hold the government to account, but that account must be one that is based on decorum, truth, honesty, integrity, and the like.

It doesn't help to say that the tone today was "mostly set by members of the government." If that isn't inflammatory in itself, I don't know what is.

Hon. members, the fact that one does not get one's way is not a legitimate reason to violate decorum, good manners, and responsibility. Yes, the opposition must hold the government to account. Yes, the opposition has every right to press the government to release documents. But there's a way of doing it without, in fact, providing personal innuendo.

The bottom line and the conclusion to all of this is that in listening and in reading, I do believe that there were words here that did cause offence. I don't think that's appropriate, and I'm going to ask that the hon. Leader of the Official Opposition find a better way of expressing, "Is telling the truth simply a policy decision?" and "Will the minister admit that the decision to report false and misleading information in the annual report was a political decision, one made



by members of the government with the support of this Premier?" The intent there is to say through the back door that that was absolutely false. I think those comments have to be withdrawn. I do believe there is a point of order, and I find that that is the case today.

The question is: how do we proceed with this now? Can I accept that the message will be conveyed to the hon. Leader of the Official Opposition by the Opposition House Leader?

**Ms Blakeman:** Mr. Speaker, I am empowered by the Leader of the Official Opposition to follow the ruling of the Speaker. I therefore withdraw his comments and apologize for the offence that was given to the House.

**The Speaker:** Hon. member, all hon. members in this House should accept that apology and withdrawal. This matter is now closed.

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## Orders of the Day

head:

### Government Bills and Orders Third Reading

#### Bill 45

#### Smoke-free Places (Tobacco Reduction) Amendment Act, 2007

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

**Mr. Hancock:** Well, thank you, Mr. Speaker. On to the positive work of this Legislature for Albertans. I'm pleased to move today third reading of Bill 45, the Smoke-free Places (Tobacco Reduction) Amendment Act, 2007.

Mr. Speaker, I believe this to be a historic moment in Alberta. I answered a question in the House earlier today with respect to the role of obesity in terms of human health as we move forward and the importance particularly relative to diabetes but also other chronic conditions. I made a statement earlier this year that in order to deal with the issue of wellness, in order to talk to Albertans with some sincerity and credibility on the issue of how we keep ourselves well, we needed, first, to start with the most obvious and most direct health hazard that we have in our society, and that's smoking. I was very pleased, therefore, to be able to bring forward Bill 45, which does accomplish a number of things with respect to helping Albertans with their own personal health.

The bill speaks to smoking in public places and enhances the Smoke-free Places Act with respect to places in which smoking can be undertaken or, more particularly, places where it cannot be undertaken so as to protect other Albertans from the hazards of second-hand smoke. We haven't gone so far in this province – and I don't think I know of a jurisdiction where they have gone so far – as to tell people that they cannot smoke themselves. That's up to them. But in terms of being able to affect other people's lives with smoke, that is a public policy issue, and that is an issue of the protection of persons' health status.

The bill does provide for a broader range of areas in public places in which people are prohibited from smoking. That's an advantage. I think it's an advantage to say that not only can you not smoke in a public place, but you can't smoke within a certain distance from a door, from an open window, from an air conditioning vent. You can't draw the smoke back into the public place. You can't force people to walk through the smoke to get into a public place. This bill enhances the protection of Albertans from that perspective.

3:00

Are there other things we could do? Obviously there are, Mr.

Speaker, but I think this bill goes a long way to help Albertans with the stated goal of protecting their health and enhancing their health status.

We go further in the bill, of course, to prohibit advertising in certain places, the banning of the so-called power walls. The words "power wall" are not in the bill, but the effect of the bill is to prohibit the advertising and promotion of tobacco products in any place where they are sold or offered for sale or in any manner if the advertisement or promotion is visible from outside a place in which tobacco products are sold or offered for sale.

[The Deputy Speaker in the chair]

The sale of tobacco is also prohibited in certain facilities: health facilities, campuses, pharmacies. Mr. Speaker, the prohibition of sale is in some cases symbolic because, certainly, people can go somewhere else and buy their cigarettes. That is true. But I think it's important to make a clear distinction that a healthy area should be a healthy area, and when we're promoting health, we should be promoting health. So the act does that.

I think the act goes a long way to take away from the public view, again going back to the power walls, particularly, in my opinion, where it is focused on encouraging children or young adults to start smoking. Power walls are clearly aimed at advertising the sale of cigarettes, encouraging people to take up the habit or to resume the habit or to continue the habit at a higher level. This bill will at least slow that process, at least take that out of the faces of our children.

I think it is significant, Mr. Speaker, that over the course of the last several years we've had a number of children who have been advocating. I speak to grade 6 classes often, and when I do, I often talk to them about my role as a representative in this Legislature and what it means to be a representative. I also talk to them about the need for them to play their role as citizens, that I can't be a representative without them playing their role as citizens.

Well, it's absolutely encouraging, Mr. Speaker, that in the course of the discussion of this act, in the time that it has been in the House and over the course of the summer as the House was in recess, we've had numerous representations from students, from school groups. We had the BLAST team in, I think, both in June when the bill was introduced and was first discussed in the House and again just the other day while the bill was in committee, the students from Nellie McClung who have been very active in this promotion. That has been very important. It's been very important to me as a legislator that we've had students come forward and say: "We know this is bad for our health. We think there should be a law because we think that others should not be able to affect our health."

Quite frankly, I've had representations from students and from others that we ought to go further, that we ought to look at banning smoking in enclosed places like cars where children can be affected. This bill doesn't do that. But what I'm really pleased about is that we've engaged young people in this province in advocacy on a public policy issue that is so important to their health and to their future.

Mr. Speaker, I also want to acknowledge the hundreds of other Albertans who took time to make their views known on this bill. We've come a long way in a short time in terms of recognizing the need for this type of legislation. This speaks to the hard work and dedication of a number of organizations that are increasing awareness of the hazards of second-hand smoke and of the health concerns.

I was at the opening of the Alberta Diabetes Institute today, a very valuable facility which brings researchers together. In managing

chronic conditions, whether it's diabetes, whether it's stroke, whether it's the whole cardiac area, pulmonary disease, whether it's lung disease, we know that cigarette smoke is hazardous to our health. We know that it is a very significant factor in the health care costs that we all bear as a public. We know that reducing the amount of smoking is one of the first elements that we can undertake as a society and as individuals so that we can have a health care system that's sustainable, we can have a population that's healthy, and we can make sure that the acute care services that Albertans need and want are there for them when they need it because we're not using them unnecessarily. We're reducing the pressure on that system, and we're improving the productivity and quality of life of Albertans as individuals and in our communities by addressing a very, very important issue.

So I would like to ask members of this House to support Bill 45 in third reading.

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

**Ms Blakeman:** Thank you very much, Mr. Speaker. This is a good day, I think, in the House when we're able to see third reading of a bill like Bill 45. It's so often referred to just as the smoking bill; we forget what the real name is: the Smoke-free Places (Tobacco Reduction) Amendment Act, 2007. I will quite likely repeat a number of the points that the Minister of Health and Wellness has already made because in many ways my progression through this has exactly mirrored his.

As the Speaker is aware, in second reading and in Committee of the Whole I was able to invite into the gallery members of the BLAST team from the Nellie McClung school in Oliver school in my constituency because they had been so instrumental in energizing their peers and colleagues in other BLAST teams in other schools to really get on this particular issue and follow it through. It was a great opportunity for me as a legislator to work closely with a younger group of people in teaching them about how important public advocacy and citizen representation is. I come from a social activist background, and I sometimes despair that that generation is no more. I was really excited by the reaction of the BLAST teams at Nellie McClung and also in other schools to jump onto this issue and really grab hold of it and run with it. I think it was a good experience for them. It was a good experience for me, and clearly the Minister of Health and Wellness also benefited from it.

I'm sorry that I can't remember the names of the other schools that participated, but about six months ago, in the spring, on a fairly chilly day, there was a rally held on the steps of the Legislature by a number of different BLAST groups from different schools. Again, it was co-ordinated by the group from Nellie McClung. So those folks certainly recognize the effect that smoking certainly could have on them as probably they've seen the effect that it's had on their parents.

We understand the numbers now of the effect that smoking can have on our health. We're starting to be able to get some hard data about what it costs us in financial terms. I think that many of us for many years have understood the human toll that cancer, particularly lung cancer, can cause us.

I was going to talk about some important people. You lose them to lung cancer. I lost someone to lung cancer this summer, and it makes me angry. So I'm very grateful to see this bill. I'm very grateful for the people that worked on it. I wish it could have come sooner to save people that I loved. I know we all feel like that in here. I'm sorry to get emotional on you, but this kills people. It's a human cost to our society. It's a tremendous financial cost to our

society. We have to do everything we can to be able to combat it. We're legislators. We're leaders. We should be able to do this work, and I'm glad we've done this work today.

Thank you to everybody that worked on it.

**The Deputy Speaker:** The hon. Member for Wetaskiwin-Camrose.  
3:10

**Mr. Johnson:** Thank you, Mr. Speaker, for the opportunity to share a few thoughts on Bill 45, the Smoke-free Places (Tobacco Reduction) Amendment Act, 2007. As an advocate of anti-smoking legislation throughout my tenure in this Assembly I am pleased that this piece of legislation has received the support it requires to reach third reading.

Through the Alberta tobacco reduction strategy, introduced through the work of AADAC a few years ago, and other legislation brought by other private members we have made good progress with tobacco legislation in this province. The goal has always been to achieve a comprehensive strategy. This bill adds to what we have been trying to do; that is, to have a comprehensive strategy for tobacco reduction. We are responding to the concerns raised by our health officials and many other citizens regarding tobacco use, including many from my own constituency. They have been strongly urging that we adopt legislation that will help to reduce smoking, and I'm sure that everyone involved in public health and those concerned for smoke-free places are encouraged by the progress that we are making here today.

Mr. Speaker, I believe that as elected members we have a responsibility to promote healthy choices, and it is in the best interests of all Albertans to be able to interact in smoke-free environments. I want to congratulate the hon. Minister of Health and Wellness for bringing this legislation forward. It serves a valuable purpose by acknowledging the shared responsibility that we have to each other's health and well-being. I believe Bill 45 is a very positive step forward for this province, and I will be supporting it.

Thank you.

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

**Dr. Pannu:** Thank you, Mr. Speaker. I'm pleased to rise and speak in support of Bill 45. Bill 45 is a very positive step forward. I want to both thank the Minister of Health and Wellness for taking the leadership in bringing this piece of legislation forward and congratulate him for getting it through this session of the Legislature so that it becomes law in this province and we begin to enforce the provisions of the bill in order to reduce the dangers to health that result from both smoking directly and second-hand smoke, which affects the health of those who don't smoke but may yet suffer from the hazardous consequences to health. Those hazards are very serious, you know, leading up to loss of life, death.

Mr. Speaker, this bill brings us a long way from just a few years ago when we found it impossible in this House to move forward in the way this bill is moving the province forward, so it really is a good day. It's refreshing to see a consensus on all sides of this House with respect to what this bill proposes to do and the almost unanimous support that it seems to enjoy around this House, this Assembly, for the measures that it proposes to take.

Mr. Speaker, it's talking about the health hazards that smoking creates and the cost of it to society, to individuals, and to the health care system, I think, something that must be kept in view when debating this bill and speaking in support of it.

In 2002 approximately 470-some million dollars was spent on Alberta's health care system, caring for tobacco-related illnesses that smokers and victims of second-hand smoke perhaps suffered because of the use of tobacco products. They're, of course, in addition to the health care costs which we must try to contain and reduce as much as we can through prevention and through taking measures such as this bill proposes to take.

There are other societal costs which arise from lost income due to premature death, illness, disability, worker absenteeism, reduced productivity, and other such losses. Tobacco is often responsible for a substantial loss of life and property damage, accounting for 1 in 4 fire deaths in Alberta from smoking. You know, people fall asleep or accidentally start a fire in their dwelling or their workplace, resulting in entirely unnecessary and tragic deaths and property damage.

Mr. Speaker, every well-designed study that we know of produces the same evidence, strong evidence which shows that the economic impact of smoke-free laws is quite substantial. There were concerns in this province by some businesses a while ago. I'm glad that we don't have that concern anymore. These studies indicate that after the initial adjustment period, the so-called feared negative consequences of preventing people from smoking in hotels and motels and restaurants are very temporary. They're transitional, and after a while the hospitality industry does not suffer from what at one time was feared might result in terms of consequences for them.

Mr. Speaker, I hope that in drawing up the regulations for this bill, some of the amendments that are proposed, some by the hon. Member for Edmonton-Centre, with respect to expanding the list of smoking-prohibited places could be expanded. We had an interesting discussion during the debate on the bill during the committee stage. Some of the proposals that were brought forward in the form of an amendment by the Member for Edmonton-Centre which has proposed the inclusion of recreational facilities and other places where cultural and artistic activities are performed, undertaken, would be a good start.

We do need to protect very young children from smoking. This bill is about public places, so we can't really perhaps talk about what happens to very young children when parents smoke when they're travelling in the car and the child is seated in the back seat. Given the conception of the bill, that it talks about public places, I think perhaps there are some constraints on us to seek the inclusion of the definition of a motor vehicle, a family automobile which has infants and young children travelling in it with adult parents who are smoking, to be included in the public spaces. It's a suggestion that's worth considering. We need to protect from the very, very severe, hazardous effects of cigarette smoke, tobacco smoke, our own children who are travelling with us.

I think some provision needs to be made either in the regulations or perhaps when there's an opportunity to revisit this piece of legislation to encourage Alberta parents, encourage adults travelling in family automobiles, private automobiles with their young children, to desist from smoking. We need to discourage as much as possible smoking activity in automobiles as well as in other places.

With those remarks, Mr. Speaker, again I want to reiterate our support for this and want to congratulate the minister for piloting this bill through this House to its conclusion, hopefully, today. Thank you.

3:20

**The Deputy Speaker:** Hon. members, Standing Order 29(2)(a) is available for questions, comments.

The hon. Associate Minister for Capital Planning.

**Mr. Zwozdesky:** Thank you very much, Mr. Speaker. I just want to make a few brief remarks with respect to Bill 45, the Smoke-free Places (Tobacco Reduction) Amendment Act, 2007. It's a bill that I'm going to support, quite obviously. I want to begin by saying on the record how much I appreciate the hon. minister of health and his efforts in bringing this particular bill forward.

We've heard a lot of talk over a lot of years in this Assembly with respect to the ills of smoking and tobacco use in general, with respect to the lethal consequences of some of its use or overuse. We know about the costs not only to one's personal health that arise from this. We also know about the cost to the pocketbook. We also know about the cost to the health care systems across this great dominion and, in particular, right in our own province. We also know about the cost of damage to property that often arises as a result of careless smoking and/or from improper extinguishing of those cigarettes. Property damage, forest fires, a number of things in some cases have been traced to improper extinguishing, and we're all well aware of those. The intention is not to blame one segment of society but to point out the ills and some of the consequences that may arise with respect to this particular habit.

We all know how addicting smoking can be. We all know that we need more emphasis being put on the prevention side, research on prevention and, ultimately, treatment, as we heard earlier with respect to another situation involving diabetes. While I'm not drawing a parallel between one and the other, I'm drawing a parallel between what goes into these programs to help educate the public. In this particular case we're doing a wonderful job educating them. Not only are we educating. We're also enforcing through this bill the serious commitment that our government has to helping people overcome smoking and in many cases overcome the commencement of smoking at an early age.

There are specific rules in the act, which we're all familiar with, that talk about how we will not tolerate the advertising or promotion or displaying and so on, and we also talk about the serious consequences of the contravention of these laws. The fines and the penalties that are reflected in the bill range anywhere from \$10,000 on the first offence up to, I believe, \$100,000 for a next offence up to the revoking of one's licence if necessary. I'm talking about retail licences.

I also find it very interesting that while we are again leading the way for some, we should be mindful of the impact that this kind of a discussion in this Assembly is having on other jurisdictions. Mr. Speaker, I was in England over the summer, and I noted that after several years of debate they have decided to go smoke free in that country. It's tremendous kudos to them as of July 1 of this year to have taken that step. Obviously, there are other jurisdictions that are following suit. So we should be mindful of how powerful a message like this can be elsewhere. Hopefully, it will influence others to take appropriate actions.

My final comments really are just with respect to the tragedies that sometimes engulf the young people who get hooked on this habit far too early. As a former schoolteacher myself and a business owner I saw all too often how negatively and how quickly our youth can be impacted by following peer pressure or following in the footsteps of adults. I think this bill will go a long way toward curbing that, hopefully putting the butt out forever.

I'm grateful, again, to the Assembly for its unanimous support. I'd like to thank the Member for Calgary-Lougheed and also the Member for Wetaskiwin-Camrose and others who have made very eloquent and passionate presentations and/or bills. In particular with Wetaskiwin-Camrose, I recall when I was the associate minister for health some eight, nine years ago, when he first brought it up in

some discussions at the time. I'm sure he's having a joyous day of it today, as is Calgary-Lougheed, as is my colleague and friend from Edmonton-Whitemud.

Thank you very much for this. I will be pleased to support it.

**The Deputy Speaker:** Standing Order 29(2)(a) is available again. Seeing none, the hon. Member for St. Albert.

**Mr. Flaherty:** Thank you, Mr. Speaker. I would again like to support the minister on his bill and bringing it forward. I know that from the constituency of St. Albert there's been a lot of interest and a lot of support for this piece of legislation. I see in the research that was done by our people that 80 per cent of the population of Alberta supposedly are looking for a complete ban on smoking in public places.

I often wondered about the power of cigarettes, and I remember one of my good football colleagues who recently died in the States: good looking, beautiful voice, good actor, had everything going for him. Yet he had a tendency to smoke, and the power of that was unbelievable. I don't smoke, yet this thing seemed to grab hold of this gentleman.

You know, the influence of smoking on young people is just amazing. I would hope that we not only look at this as a start. I think that we should continue to do sound research into why young people, especially young women, smoke cigarettes. I'm always amazed when I go to chapel sometimes at the Sturgeon hospital on Saturday that there seems to be a tremendous number of people in the hospital that are sitting outside in the cold weather smoking. It's a very powerful addiction, and I think we have to remember that and continue to work at it as to the reasons why. I won't say much more about this. The eloquent speakers before me have suggested all the reasons.

The only other thing I would mention that amazes me is that where I live now – I've just recently moved to a condo that I think is going to be completed in 2014. They don't seem to be able to get the workpeople to do the job. But the amazing thing I'm noticing is the power of cigarettes at the coffee rounds in the morning and the number of workmen that smoke cigarettes. The implication of that to me is absolutely frightening from the health perspective and from the property perspective because I wonder what's going to happen to this condo that's in development in the future. Is it going to be destroyed by fire? I think there's a tremendous economic cost, and there is a strong addiction in the workplace, so I think there has to be some looking at that as well, Mr. Speaker, in terms of research.

Certainly, the government, the people that have worked on this bill deserve credit. I know that I am fully supportive of it, and I think it's a step in the right direction. Thank you very much, Mr. Speaker.

**The Deputy Speaker:** Again Standing Order 29(2)(a) is available. Seeing none, the hon. Member for Calgary-Fort, followed by the hon. Member for Edmonton-Mill Woods.

**Mr. Cao:** Well, thank you, Mr. Speaker. I just take this opportunity to express my support for Bill 45. The point I really like is to think about the advertisement attracting people. I have been told that first it starts out with some thoughts, some thinking, and then it becomes words and becomes actions and then becomes habit. So if we can't have control of this smoking habit, we have to go backward a bit and stop the action of it and then to advertising and thought, starting out. I believe this bill will help to at least remove the habit of smoking.

I don't want to go into the debate of how bad smoking is to health

and other matters. That's been evidenced in health care. Also, I can say that in my personal family matters, among our family members I have a brother who started smoking very early, and then he developed health problems. The whole family clan worried about it and spent a lot of effort to help. Unfortunately, he did die at an early age because of the result of smoking affecting his health. From that personal perspective I really believe that we need to at least reduce or eliminate smoking in terms of health and cost to society.

[Reverend Abbott in the chair]

I travelled around the world a bit before I came and lived in Canada. Recently I travelled back to some places. I found that tobacco smoking in developing nations is increasing, and that makes me worry. When I got back here, I saw this bill, and I think this should be a beacon or an example that we can show to other parts of the world that we are doing something here that other parts of the world should look into and use us as an example or model.

With this, I want to commend the Minister of Health and Wellness for bringing this bill forward and the support from all my colleagues in the House for this bill. Thank you very much.

3:30

**The Acting Speaker:** Thank you.

The hon. Member for Edmonton-Mill Woods.

**Mrs. Mather:** Thank you, Mr. Speaker. It's a pleasure to speak in the third reading of Bill 45, Smoke-free Places (Tobacco Reduction) Amendment Act, 2007. I also would like to thank the minister of health and his staff for bringing this bill forward.

This bill will allow tobacco control measures to be implemented in Alberta, which include a province-wide smoking ban in all workplaces, including bars, casinos, and bingo halls; a ban on prominently placed point-of-sale tobacco displays, commonly called power walls; and prohibit tobacco sales in pharmacies, public colleges, and universities.

In 2002 the Premier's Advisory Council on Health, the Mazankowski report, included recommendations to reduce tobacco use such as regulating advertising and promotion targeted at youth and regulations to prevent smoking in public places. In 2005 legislation was introduced here to ban smoking in all workplaces. Unfortunately, that bill was watered down, allowing smoking in any building where minors are not permitted. This led to municipalities being forced to take the heat when it came to deciding on instituting a complete smoking ban in their community.

I want to make a note here and commend the work of our Alberta Liberal health critic, Laurie Blakeman. She has been working for over a year to increase public awareness of tobacco industry tactics, especially the use of power walls, and she did a lot of this work with students in Edmonton schools.

We know that teen smoking in Alberta is rising. As a former high school administrator it was often a great concern of ours where they could smoke, how we could discourage the smoking, and so forth. We became really aware that the number of female students smoking was increasing. Given that the majority of smokers begin smoking before turning 18, we need to take action to reduce the youth smoking rate. I know the answer is always education, but it is not enough. We do need restrictions to support education. Power walls placed at eye level at point of purchase influence consumers, especially the youth.

I particularly like section 6 of this bill because it adds a section restricting the display, advertisement, promotion, and sale of tobacco

products. It prohibits the display of tobacco products in a place visible to customers. That's power walls. It prohibits retailers from advertising tobacco products anywhere the public is permitted access or anywhere that is visible from outside the premises, such as windows. It prohibits the sale of tobacco in health facilities, postsecondary institutions, pharmacies, and retail stores containing a pharmacy.

According to the government's own numbers every year 3,400 Albertans die from tobacco-related causes. This province spends \$471 million annually on health care costs directly attributed to tobacco use and \$1.8 billion on lost productivity, fires, and property damage. Taking action to reduce these risks and costs is the duty of a responsible, accountable government. We must as politicians be leaders and take action on something the public has supported for years and most other provinces have already done. Even the government's own Mazankowski report from 2002, as I said, made these recommendations.

[The Deputy Speaker in the chair]

If we are concerned about the retail losses, I'd like to quote from an Action on Smoking and Health news release of June 7, 2007, where it says:

Data supplied by Canadian tobacco manufacturers under Health Canada reporting requirements show that Alberta retailers received 11.8 million dollars from tobacco companies last year for stocking and displaying their products. The same data shows that tobacco industry payments to retailers in provinces that have outlawed powerwalls have remained largely unaffected. For example, payments to retailers in Saskatchewan have declined by only 5 per cent since the province's powerwall ban took effect in 2004.

"Alberta will be the first province to implement a powerwall ban and a tobacco sales ban in pharmacies at the same time," this Action on Smoking and Health news release says. "This coordinated approach will greatly reduce any potential impact on remaining tobacco retailers due to increased consumer traffic."

A few years ago 77 per cent of Alberta pharmacists voted in support of a tobacco sales ban in pharmacies following a referendum conducted by the Alberta College of Pharmacists. Both the Alberta Pharmacists Association and the Alberta College of Pharmacists have called for a ban on tobacco sales in any premises containing pharmacies.

It is time for a comprehensive action to support health for Albertans. This includes protection from second-hand smoke. We need legislation that is consistent across the province, that does the right thing; that is, a complete smoking ban in workplaces and public facilities. So I'm pleased to support Bill 45.

**The Deputy Speaker:** Hon. members, Standing Order 29(2)(a) is available.

Seeing none, the hon. Member for Calgary-Fish Creek.

**Mrs. Forsyth:** Mr. Speaker, thank you for allowing me to get up and speak to this particular bill. I'm going to be very brief. Years ago people could smoke anywhere, even in hospitals. After more than 40 years plus of warnings and reams of information that we're receiving from Health about the effects of smoking, we're finally at the point in Alberta where, I think, it's a momentous moment.

I harken back to '93 with one of my friends, who is sitting in the gallery, when I met them at a policy conference. I think it was in 1993 in Red Deer. We were having this particular discussion. At that particular time I smoked. [interjections] See, Mr. Speaker? It's a good thing we can't see the colour of my face on the camera. But

we had this discussion about smoking, and I think I took him aback somewhat because when we were talking about this issue, I supported AISH at that particular time on their initiative in 1993. I happened to be one of those people that was hooked on cigarettes morning, noon, and night. I would get up, I'd have my cup of coffee, and I'd have my cigarette, and I'd be happily, merrily going.

If you remember, Mr. Speaker, through the period of this Legislature – I go back to some pictures when there used to be ashtrays and cigarettes in the Assembly. I think you've been around long enough to know that we used to be able to puff away in our caucus. So we have come a long way just since I've been elected, since 1993.

If I may, Mr. Speaker, I would like to acknowledge the hundreds of people that have worked hard on this bill and over the years have pushed the initiative to get where we are today. I'd like to acknowledge the Canadian Cancer Society, the Alberta Cancer Board, the Alberta Lung Association, the Alberta Heart and Stroke Foundation, Action on Smoking and Health, and the Campaign for a Smoke-Free Alberta.

If I may, Mr. Speaker, I would like to acknowledge two people that I have a great deal of respect for. One is Les Hagen, who has been pushing this initiative for as long as I can remember. The other person that I'd like to acknowledge is a friend and a constituent, Christian Velthoen, who has kept me abreast and has not let me forget about this particular issue from day one.

Thank you, Mr. Speaker.

3:40

**The Deputy Speaker:** Standing Order 29(2)(a) is available for anyone for questions or comments.

Seeing none, the hon. Member for Lethbridge-East.

**Ms Pastoor:** Thank you, Mr. Speaker. I was privileged to be able to speak to this bill in committee, so I'm pleased to be able to speak to it at the moment that it will be passed. Certainly, I would like to thank the Minister of Health and Wellness and congratulate him for using his skill and many years of parliamentary experience to get this bill to this momentous moment where, in fact, we will pass it.

In committee I spoke about my father having died of lung cancer 40 years ago. It was in those days that it was just starting to be a kernel in people's minds that there was the connection between smoking and cancer. My mother certainly made it and did live to be 95. I was pleased that the Solicitor General, I think, of the United States actually had started to bring that up because it made her think, and she quit instantly upon my father's death.

I think that my hon. colleague from St. Albert had mentioned about young women starting. Now that we have set this path that hopefully society is on in terms of not smoking, I think that where young women and some young men are influenced is that it's quite obvious that the increase in smoking in movies and on television is just very apparent. Hopefully, society will be able to put some sort of pressure on the movie companies that at this point in time actually depend on the cigarette money to produce their movies. That may well be the next big step towards having all of the planet clear of smoke.

But at this point in time I would just again like to thank the minister and am privileged to be able to vote and be in the House for the third reading of this momentous bill.

**The Deputy Speaker:** Standing Order 29(2)(a) is again available.

Seeing none, the hon. Member for Edmonton-Manning.

**Mr. Backs:** Thank you, Mr. Speaker. I'm honoured to rise to speak

to Bill 45, the Smoke-free Places (Tobacco Reduction) Amendment Act, 2007. I must commend the minister for bringing this bill forward. Smoking isn't cool in Alberta anymore. Addiction to smoking tobacco is a brutal and devastating addiction. Bill 45 will certainly have a great effect in reducing this devastation and giving addicts a greater incentive to quit. The health effects and the discomfort to others through second-hand smoke in public places will be further constrained, the effect on children who see their parents in public places and other places and other people that they look up to will be further limited, and this will limit the pressure that they see to smoke. The societal pressure will be reduced.

Mr. Speaker, you know, the Member for St. Albert mentioned the tradesmen who smoke on construction sites. I worked on a lot of sites and spent a lot of time in lunch shacks in the past. Sometimes the blue haze was hard even to see through, and it still does continue to some degree to this day even though it is lessening. I hope that this will have some effect in helping to ensure that smoking isn't cool anymore.

The effect on young women who do seem to still have some desire to smoke – some of that I know anecdotally from talking to many – is that they think that, you know, it's helpful in keeping their weight under control, but I don't think that's true. I've lost a bunch of weight without having to get into smoking again or anything like that, and I think it's important.

When I did work in the trades, it was often, you know, seen to be sort of cool to smoke. But when I went back to university, I wrote a paper. Actually, it won an award, and it was published. It was on asbestos specifically, but it spoke also to the relationship between other factors and asbestos. One thing that a lot of us at one time would do was work with asbestos. Gosh, I remember even sticking it through table saws and watching and saying how neat it was to watch the asbestos fibres just float in the air around us. Everybody knows now how devastating that is. But one thing I found out in that research when I did that paper, Mr. Speaker, was that the incidence of lung cancer and the incidence of asbestosis was increased not once, not twice, but 40 times for people who are moderate smokers. Forty times, almost a death sentence. That has, you know, been seen in our health costs.

I helped people in later times to access the Johns-Manville class action suit, which settled asbestos-related matters. Also, because their addiction to smoking went along with their asbestos exposure – and you see this with other materials and other fibres. Mr. Speaker, the need to reduce smoking and the way that Bill 45 will help with that, the way that Alberta is breaking its societal addiction to smoking, which is helped by this bill, is very, very important.

I'm very pleased to support the minister, to support the bill, to support the government in this bill, and I commend the minister for bringing it forward. Thank you, Mr. Speaker.

**The Deputy Speaker:** Standing Order 29(2)(a) is again available.

Seeing none, the hon. Member for Edmonton-McClung.

**Mr. Elsalhy:** Thank you very much, Mr. Speaker. It's my pleasure to rise and participate in this discussion on Bill 45, the Smoke-free Places (Tobacco Reduction) Amendment Act, 2007. As was said before, this is a good bill which attempts to ban smoking in all public places, to prohibit tobacco product displays in retail outlets, otherwise known as power walls, and to ban tobacco sales in pharmacies and on postsecondary campuses.

Now, as you know, Mr. Speaker, I am a pharmacist by training, and this is something that I voiced my support for before in this Assembly, and it is something that my entire profession has

supported. It should come as no surprise that I like this bill, and in particular I like the piece around section 5 of this bill, which removes the exceptions which were put in place before, in previous acts, which allowed smoking in designated public places or where minors were not permitted. In essence, what we're doing is making the province truly smoke free in its entirety, and this is a direction that I am fully supportive of.

We don't want to leave these decisions to municipalities to make, and then it's hit and miss: some municipalities adopt that direction in their bylaws and regulations; some choose not to. I think direction and leadership had to come from the provincial government, and I am glad that the provincial government, now with the support of the Assembly, is sending that message – and we're sending it very clearly – that no one municipality should feel free to allow smoking in any of its public facilities, that it is provincial policy, that this is not allowed to happen.

It was also mentioned that in a plebiscite or a referendum amongst members of the pharmacy association – now it's called the Alberta College of Pharmacists – some few years ago 75 per cent plus or even a higher number, 77 or 78 per cent, of pharmacists surveyed indicated that they did support a total elimination of tobacco sales from drugstores in this province. I have said on record here before that this was a direction that I supported as one of these people who voted, and one of the things that I wanted to make clear was that we were not going to allow any exceptions, that regardless of size, regardless of the type of facility, or regardless of the design, any location that had a pharmacy, any location that employed a pharmacist would not sell tobacco products.

Again, I find this positive. I find it timely and a healthy move on the part of the government, and I urge all members of this Assembly to also support it at this stage.

We all know, Mr. Speaker – and you should as well – that second-hand smoke is dangerous. Second-hand smoke is hazardous. We're trying to help people to quit smoking for their own benefit, but we're also trying to protect others around them. Chemicals that are found in second-hand smoke include things like carbon monoxide, which is found in your car's exhaust. You're looking at ammonia, which is found in window cleaners. You're looking at things like cadmium, which is found in batteries, and arsenic, which is found in rat poison. These are but a few of the chemicals that are incorporated into tobacco products. You don't need me to tell you how dangerous these molecules are.

3:50

Second-hand smoke makes you sick. If it doesn't kill you, it makes you sick, and it makes you sick chronically, so you have many, many years of suffering as a smoker. There was once a study published that basically talked about what length of time it takes for your lungs to come back, for your lungs to heal, to restore themselves to their original state after you've been smoking. I can't remember the statistics quite clearly, but I know that they said that it takes at least two years for every year of smoking. If you have smoked for 10 years, for example, it would take 20 years for your lungs to come back to their original state.

**Ms Blakeman:** I smoked for 32 years.

**Mr. Elsalhy:** Who did?

**Ms Blakeman:** I'll be dead by that time.

**Mr. Elsalhy:** Okay. Some of the members here have indicated

they've smoked for 30-plus years. Well, I think it's hopeless for them.

Second-hand smoke hurts children as well, Mr. Speaker. It hurts babies because babies cannot detoxify their bodies. They cannot handle that onslaught of poison. It hurts older children as well, and it also hurts pets. Everybody that is close and dear to you, if you're a smoker, would be adversely affected.

One of the other things I wanted to briefly mention is that as we're talking about banning smoking and banning the sales of tobacco and making it harder for people to inflict that type of harm in terms of second-hand smoke, I would also like to draw the Assembly's attention again to the issue surrounding smoking cessation: smoking cessation aids, smoking cessation programs, and so on. As I mentioned before, most of our insurance plans do not cover smoking cessation aids.

If we look after the ill person after they have been diagnosed with an affliction or a disease like lung cancer, for example, and we cover their medications because we need to help them and come to their assistance, I think it would be also equally prudent to support people who want to make that decision, who want to quit early on, before they actually deteriorate and before they get extremely sick and it costs taxpayers more in terms of medication and operations and things like that. I am repeating my call for the minister of health and for his colleagues to maybe lean on and talk to insurance companies like Blue Cross and others to see what we can do as a government and as a society to get these insurance plans with the program, to get them thinking about what they can do to add to their formularies, to add to their benefit lists things like the patch, things like chewing gum, nicotine gum, things like the inhalers, and so on and so forth, and then even medications like Zyban, which I mentioned in the House before.

Mr. Speaker, again I repeat that I am in support of this. I commend the government, and I commend my colleagues in the Official Opposition for quickly realizing how beneficial this is and voicing their strong support as well. I urge all members to do the same.

Thank you.

**The Deputy Speaker:** Standing Order 29(2)(a) is available. Did you want to speak on 29(2)(a)?

**Dr. Brown:** Yes.

**The Deputy Speaker:** Please proceed.

**Dr. Brown:** Thank you, Mr. Speaker. I just wanted to draw the attention of members of the House to the principles on third reading of a bill. I refer to *Marleau and Montpetit* page 533, where it states, "Debate on third reading is designed to review the legislative measure in its final form and is strictly confined to the contents of the bill." I think that if all members adhere to that, we would make further progress in the House.

**The Deputy Speaker:** Standing Order 29(2)(a) is available for questions or comments, and I'll take that as a comment.

**Mr. Elsalhy:** Well, since I was the last speaker, I can only assume that the hon. member stood on 29(2)(a) to react to my comments. Or was that more general as to everybody in the Assembly? We hear the hon. member, and we know his expertise as a former lawyer, and we understand that he wants us to be focused on the effects of the bill in third reading. I thank him for drawing our attention to it. As one member I promise to adhere to that.

Thank you.

**Dr. Brown:** Well, I can assure the hon. Member for Edmonton-McClung that the reference was not a personal one with respect to his debate. However, it was one of more general application to the proceedings in the House today.

**The Deputy Speaker:** The hon. Member for Edmonton-Centre on 29(2)(a). This is becoming popular.

**Ms Blakeman:** Thank you. I think, generally speaking, the Member for Calgary-Nose Hill has quoted a specific reference, but there are a number of other references which quote third reading as being on the anticipated effect of the bill when passed. So it's perfectly appropriate for my colleague for Edmonton-McClung to be commenting on the fact that once this is in place, a smoking cessation program would be appropriate because that is following on the anticipated effect of the bill. We want more people to quit as a result of this bill, and assisting them to do so with smoking cessation programs is more than warranted. I realize this wasn't a point of order, but I'll contribute to the discussion thus.

**The Deputy Speaker:** Anyone else on Standing Order 29(2)(a)?  
If not, the hon. Member for Edmonton-Castle Downs.

**Mr. Lukaszuk:** Thank you, Mr. Speaker. I won't indulge in a lengthy speech in support of this bill as I know all members are ready to vote on this, but I would be remiss if I did not express my support for this very important piece of legislation. I think in the closing aspect of this bill I would like to send my regards and send kudos to our minister of health for bringing this bill, which often was met with vocal criticism, albeit from a vocal minority but nonetheless with criticism. It took a lot of courage to bring legislation of this nature forward, and it is a progressive piece of legislation.

We all know that costs of health care are rising in this province. One of the drivers of our costs of health care is smoking, and there is just no way of denying it. As a parent of a young girl there is nothing that could be . . .

**An Hon. Member:** A beautiful girl.

**Mr. Lukaszuk:** Well, thank you. Yes, a beautiful young girl. There is nothing that is as important to me as making sure that she doesn't take up the awful habit of smoking.

There are also other individuals instrumental. I know that a large community of medical professionals and other professionals in Alberta have been supportive and instrumental in drafting this bill, and they should be thanked at this point. The Member for Calgary-Fish Creek listed many of them in her previous comments that I heard, but one that she would like to add, I know, and I will add on her behalf is Dr. Roger Hodgkinson, who has also been instrumental in drafting the bill.

So, Mr. Speaker, I hope that with our young people in mind, with our health care system in mind, and with the health of Albertans in mind all members of this Assembly will find it in their hearts to support this piece of legislation.

Thank you.

**The Deputy Speaker:** Standing Order 29(2)(a) is again available.

Seeing none, are there any others who wish to participate in the debate?

**Hon. Members:** Question.

**The Deputy Speaker:** Does the hon. minister wish to close debate?

**Mr. Hancock:** Thank you, Mr. Speaker. Just very briefly I'd like to thank all members of the Assembly for speaking. I've heard every member speak in favour of the bill. I do not want to anticipate the Legislature, but I look forward to passage of the bill and thank my colleagues in this Legislature for what I think is a very good piece of public policy work.

[Motion carried; Bill 45 read a third time]

**Bill 37  
Tobacco Tax Amendment Act, 2007**

[Adjourned debate November 8: Dr. Oberg]

**The Deputy Speaker:** The hon. Minister of Finance.

**Dr. Oberg:** Thank you very much, Mr. Speaker, and considering the wonderful accolades of the previous bill brought – and I certainly would lend my support to that – I believe that Bill 37 is a partner in this in that it increases the price of tobacco that will be paid, which ultimately decreases the availability of tobacco to a lot of people.

There were some questions raised about why the tobacco revenue was not specifically designated. As you know, we have a habit here of not dedicating revenue. We feel that all revenue should be put into one pot, and each particular area should be weighed against the other one for its importance, whether it's education, whether it's health care, whether it's infrastructure.

4:00

There was also a question about AIMCO and the investment in tobacco. I want to make a couple of points. First of all, there's about a \$57 million investment either directly or indirectly in tobacco-related industry in AIMCO, and one of the reasons for that, quite simply, is that we have tasked them in our policies to go out and make the best possible investments for Alberta. In saying that, I would also add, though, that the cancer prevention legacy fund, which also has very close to \$500 million in it, does not invest in any tobacco-related companies.

Mr. Speaker, we are also in the process of taking a look at exactly how we look at policy when it comes to investing. As you know, there is presently a financial investment advisory committee that is out, and we'll have the report in by the end of the month, so I wait with bated breath as to what they're going to say.

Mr. Speaker, this is but one of the reduction strategies that are out there. The hon. minister of health has brought in a wonderful bill that has brought together a lot of other components. As Minister of Finance it's my job to bring in the taxation component. Indeed, in this last budget it may have pre-empted a little bit – and for that I apologize – Bill 45, but it had to be brought in in Budget 2007, or it could not have been brought in until Budget 2008, and there's really no point in wasting that extra year in putting forward a project that we know will stop smoking, that will decrease the number of people that smoke.

Mr. Speaker, I would ask the Assembly to grant third reading to this bill. I think it's an important bill. I think anything that we can utilize to stop the amount of smoking that is being done is extremely important, and I would ask the Assembly to vote on this.

One other question, though, that I will touch on very briefly is the whole idea of illicit tobacco use and tobacco importation. When you raise the taxes, you open yourself up to having contraband tobacco brought into the province. I still feel, though, that ultimately the contraband tobacco is illegal and therefore should be dealt with under the courts, under the legal system. I believe that raising the

taxes is still the most important way to do it and that the majority of people are not going to be buying their tobacco from the back of a semi-trailer and that the police and the court system should come down very hard on those people bringing in contraband tobacco.

Mr. Speaker, when it comes to our neighbouring provinces, which tend to be where contraband tobacco would come from, we are very close to the taxation in British Columbia and Saskatchewan. As a matter of fact, if you exclude the provincial sales tax, we're actually higher. I will not comment as to what is going to be in Budget 2008, but I would anticipate that people out there know my feelings well enough about tobacco.

Mr. Speaker, I would ask that the Assembly grant third reading of this very important tax bill, this very important adjunct to Bill 45, which we just passed, and I would ask for consent as soon as possible.

Thank you.

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

**Ms Blakeman:** Thank you very much, Mr. Speaker. I'm pleased on behalf of members of my caucus to support Bill 37, Tobacco Tax Amendment Act, 2007.

I agree. We do see this as a companion bill to Bill 45. It's something that this caucus has been urging the government to do for some time. At the same time we have also been urging the government to be very careful and, in fact, to regulate itself on investments in tobacco companies through the heritage savings trust fund. There have been some minor nods towards that, but I think that anything we can do to discourage smoking – as a smoker, you know, the cost didn't really deter me. A lot of people said that when cigarettes hit a buck a pack, they were going to quit, and they're still smoking at \$10 a pack. But I think there is a psychological break point for just about everybody. Increasing taxes is a disincentive, and I hope it's going to work.

I disagree, respectfully, with the minister that the funds shouldn't be targeted, particularly around the cessation programs. I would like to see more of a direct tie between the revenue collected through this and smoking cessation programs or support for AADAC and the programming that they offer there.

Clearly, we are all aware of the money that's involved here. Something around \$880 million will be collected this year in tobacco taxes. I would prefer to see some direct connection with how much is going into smoking cessation because at this point it's \$9 million. It should be more, particularly if we talk about funding through Blue Cross and making that available to more people than the approximately 50 per cent that can get it now. This is definitely a cost to the health care system. I think I heard the minister say that somewhere in the range of \$1.3 billion is a direct effect from smoking on our economy and our cost, so \$890 million and more isn't going to hurt if this bill passes.

Again, on behalf of my caucus I'm pleased to support this, and let's hope this is another useful tool in that toolbox to move us towards a healthier population overall. That will put us in a better place to be able to resist some of the other health issues that are coming our way in the future. I'm willing to support this bill.

Thank you.

**The Deputy Speaker:** Are there others? The hon. Member for Edmonton-Strathcona.

**Dr. Pannu:** Thank you, Mr. Speaker. I rise to speak on Bill 37, the cigarette tax amendment act. Interesting to see two bills related to



addressing the whole problem of smoking and seeking reduction in the consumption of tobacco by way of smoking and other ways being discussed back to back. I think it certainly underscores the importance of taking a variety of actions, introducing interrelated policy initiatives together in order to achieve the real benefits of reduction in tobacco consumption.

Mr. Speaker, when such measures were introduced in California, for example, between 1988 and 2004, lung and bronchial cancer rates declined in that state at a rate four times that of the rest of the U.S.A. in reaction to decreases in tobacco and cigarette consumption. Similarly, close to 59,000 heart disease related deaths were prevented during the first nine years of the California tobacco control program. So there's no doubt that legislation and public policy initiatives intended to reduce consumption of tobacco by way of smoking and other activities is certainly a measure in the right direction, is a measure that needs to be supported by us.

I think that in addition, insofar as this bill is concerned, Bill 37, it's one step among many that are needed – Bill 45 is one – to discourage smoking in public places. This one will make it more expensive to consume, to smoke, but I think that when we talk about consumption, we also need to be mindful of the pattern of consumption of tobacco in society. There's a good bit of information available on this, that unfortunately people who are in the low-income bracket, in fact, are likely consuming tobacco and cigarettes on a larger scale than those who are not in those income brackets.

While the measure is well intended and based on the assumption that by taking this economic initiative – by making it more expensive to smoke, that is – it will discourage all kinds of people from smoking, two things, I think. The economic side effects of it will be borne, I think, primarily by people who can ill afford it unless at the same time we do invest more resources into smoking cessation programs to help the people who will bear the brunt of the economic burden that will increase as a result of this.

#### 4:10

I think the point has been made already. The Minister of Finance, of course, while conceding that there may be a contradiction in the investment policies that the government presently has – that is, it continues to invest some money in the tobacco industry because of the returns that that minister was saying Albertans get from those investments as part of the heritage fund and other funds that may be invested that way – also drew our attention to the cancer prevention fund, \$500 million. That fund does not invest in this. Now, if the logic behind not investing from the \$500 million is a sound one, then surely the same logic should apply to any other investments from public funds that are made in the tobacco industry.

I will urge the minister to reconsider the investment of heritage fund related investments in the tobacco industry and to try to convince his caucus and colleagues to change the policy. True, it's the policy for now, but it's not a policy that can't be changed. If the logic behind the other investment, the \$500 million for the cancer prevention fund, is a sound one, I think it will be equally sound and appropriate to apply it to any other investment, be that from the heritage fund or others.

Mr. Speaker, I think it's time for the minister and the government to consider increasing funding in tobacco cessation programs. Nine million dollars is presently used, but it's not enough. Smoking tobacco has, as was pointed out by my neighbour here from Edmonton-Manning, devastating consequences in terms of afflictions. It also has devastating effects as an addictive drug. Addiction is a very, very crucial part of stopping smoking. I have known many friends over the years, colleagues that I worked with, well-educated

men and women, who struggled to quit smoking. They knew that it was hazardous to their health, that it could in fact lead to fatal illnesses that they would suffer from, yet they couldn't stop smoking because of the addictive nature of smoking.

That's the other side where I think attention needs to be paid. If this bill is to have a payoff, if this bill and Bill 45 are to bear results, I think more attention needs to be paid, more effort needs to be made in treating smoking not only as an indulgence that can be prevented simply by increasing the cost of indulging in it, but I think we need in a resolute manner to treat this smoking habit as a serious addiction. We should develop public policy measures that address the problem of smoking as an addiction and therefore help reduce its incidence and hopefully prevent disease and the waste of financial resources that we need, once smokers begin to suffer from it, to provide medical treatment.

With that, Mr. Speaker, I'll take my seat and hope the Minister of Finance is taking some note of a few of the suggestions that I made and will try and address them as we move forward. Thank you.

**The Deputy Speaker:** Hon. members, Standing Order 29(2)(a) is available for questions or comments.

Seeing none, are there others who wish to participate? The hon. Member for Lethbridge-East.

**Ms Pastoor:** Thank you. I'll be very brief. I just want to take a moment to disagree with the Minister of Finance. I really do believe that he probably has access to people who could find a better way of using that \$57 million than having to invest in tobacco companies. There are a lot of oil companies out there that I understand make a really good return on their dollar, so perhaps we could change our tobacco money to oil money.

Thank you.

**The Deputy Speaker:** Standing Order 29(2)(a) is available for questions or comments.

Seeing none, are there others that wish to participate?

Does the hon. Minister of Finance wish to close debate?

[Motion carried; Bill 37 read a third time]

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

**Bill 11  
Telecommunications Act Repeal Act**

[Adjourned debate November 8: Mr. Dunford]

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

**Mr. Elsalhy:** Thank you very much, Mr. Speaker. I promise to be fairly brief on this bill given how thorough and extensive it is. It basically repeals the name for Alberta Government Telephones, AGT, which is an old, old company that used to exist many years ago. I don't think we're necessarily opposed to that. It's something that doesn't exist anymore.

But I have to ask a question as a layperson. AGT ceased to exist quite a few years ago. Why did we have to wait until 2007 to actually sort of wake up one morning and say: "You know what? It no longer exists. Let's deal with that?" That's just one question I had, you know, as to the delay. I don't want to call it tardiness. [interjection] Yes, it was initially in something called a miscellaneous statute, which we deal with here, as you know, Mr. Speaker,

something that is typically minimal or of very minor impact. I think it was pulled out because it somehow raised a flag for some member of the opposition, and I need to seek clarity from the government as to why it would do something like this. I think it was the hon. Member for Edmonton-Rutherford who actually raised that flag, and I will be eagerly anticipating his explanation why he deemed it worthy of more scrutiny.

As a retailer – and many retailers in this province do this. We sometimes sell prepaid phone cards. Some of these prepaid phone cards are actually from the big companies, you know, the typical big players in the market like your Rogers and your Fido and your Telus. But some are also from the smaller companies, and I'm not going to mention their names because we have hundreds, literally hundreds of them available at grocery stores, at gas stations, in drugstores, and even in the bigger box stores like Zellers and the Bay and places like that. Everybody sells these prepaid phone cards now.

I wanted to remind my hon. colleagues and yourself, Mr. Speaker, that in the spring I was talking about consumer protection and the need for more recourse for consumers in this province who are sometimes wronged or deceived or lied to or robbed of their money. People buy these prepaid phone cards, and they're promised as per the displays and the advertisements that this particular card for \$5 gives you 500 minutes in Canada and the U.S., or this particular card allows you to phone the Philippines. For five bucks you get 37 minutes or whatever. People trust these outlets, these companies, and they buy these cards. They try the product, and then sometimes it doesn't deliver what it promised. Instead of your 500 minutes you get only 200, or instead of the 37 minutes to the Philippines you get 12.

4:20

Then some of them have hidden fees as well. They have, you know, per-minute charges and per-day charges and per-week charges. Not everything is listed in that brochure or that advertisement, and sometimes they offer you a website, but most times, no, they don't. Sometimes if you have a complaint, they give you a toll-free number and you try phoning it. Good luck. Nobody typically answers, and then should you get an answer, it's usually: oh, it's because you used it the wrong way or because you didn't finish it all in one call. Well, who's going to talk for 500 minutes in one call?

[The Speaker in the chair]

Anyways, I have experienced a lot of trouble with these products, Mr. Speaker, and as we're talking about telecommunications, I'm talking about updating our way of doing things and, you know, getting with the program. I think the government, hopefully, would address issues of this nature. People are losing money, and some people might argue: well, a card for \$2.50 or a card for 5 bucks or even for \$10 is not that much. But if you multiply that by the number of people who get ripped off and scammed, then you're looking at a lot of money.

I'm hoping that the Minister of Service Alberta, being in charge of our consumer protection division, would maybe task some of his employees in his department with maybe an investigation into this practice. I bet him and I bet you that it's a lot of money at stake, and many people, if asked, would come forward and even testify that they lost that kind of money for those types of products.

I have to repeat my call for better consumer protection legislation in this province, and I also would advocate that maybe we need a secretariat or a separate arm of the government that just handles that and is not tasked with other competing jobs because this is of utmost

importance, in my opinion. You know, if you get five people doing it or 10 people doing it, I don't think that's enough. I think it should be what it used to be under previous administrations, a stand-alone agency or arm of the government that handles consumer complaints, fair trading concerns, and unfair market practices.

Thank you, Mr. Speaker. Again, I am not opposed to Bill 11, and I would urge all members to vote in favour as well.

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

**Mr. R. Miller:** Thank you very much, Mr. Speaker. I'm pleased to rise this afternoon and speak for a few minutes on Bill 11, the Telecommunications Act Repeal Act. I actually think it's quite appropriate that we be here today to discuss this act because this act really is the final nail in the coffin of publicly owned telephone companies in this province.

I'm going to begin my remarks by thanking the Legislature Library for the good work that they do in providing information to us. One of the really neat features that they have is a page on the website called Scrapbook *Hansard*, and I'm sure Mr. Speaker will be familiar with that. Before *Hansard* was actually kept in this Legislature, they have gone back into newspapers, and they've managed to pull archival material from newspapers to represent what was said in the building, even though *Hansard* wasn't actually kept.

One of the first nuggets that I gleaned from this website was a reprint of the Speech from the Throne in full, the very first speech that was given to the Legislative Assembly of Alberta, on March 15, 1906. Of course, Mr. Speaker, it was a Liberal government and Premier Rutherford who drafted that speech. The Lieutenant Governor read from it, and he read as follows:

The growing necessities of commercial and social activity in the Province require that telephonic communication between the different sections of the Province should be rendered as inexpensive and effective as possible, and your careful attention will therefore be directed to the consideration of providing means towards this end.

So there we have a Liberal government in the very first throne speech in this province espousing the need for a publicly owned utility, that being telephone companies.

Now, only a matter of a few days later the *Edmonton Bulletin* reprinted some more material from this House, and actually March 20, 1906, is when this particular piece appeared, again courtesy of the Scrapbook *Hansard* on the LAO website. In this particular piece, Mr. Speaker, the Leader of the Opposition – and I have to confess I didn't verify whether or not Mr. A.J. Robertson was a Conservative Leader of the Opposition, but I'm going to suppose that that might have been the case. Anyhow, he responded to the Speech from the Throne with these words. He said that the government mention of telephonic communications was rather colorless; that it did not suggest or frame any plan. I thought that was rather ironic, that we had a Conservative Leader of the Opposition suggesting that the government had no plan. How times have changed.

It went on to indicate:

Possibly this was because the Government had no plan and had to meet the House in order to get one. The Conservative party he intimated believed that Government ownership was the proper solution of the telephone question and that they would be found coinciding in any move in that direction, but that they would have liked something more definitive in the speech.

That was the response to the Speech from the Throne and the suggestion that we should have a publicly owned telephone company.

Now, another piece that I found quite interesting – and this

appears to be an editorial column from the *Bulletin* on February 15 of 1907, and the headline is Telephone Policy. It says,

Hats off to the . . . government! Hats off to the Hon. W.H. Cushing! The telephone policy enunciated by the Minister of Public Works in the legislature yesterday marks an epoch in the history of Alberta. It is the most important step in public ownership ever taken by any government in Canada, and is a knock-out blow to the Bell Telephone monopoly in this province. There is no proposition to buy the Bell company out or to do business with them in any way, the government policy is a clear cut business proposition to build and operate telephones for the public. If the Bell has anything for sale or feels like selling they must come forward of their own accord.

Mr. Speaker, it goes on, and I'm not going to read the entire article into the record, but I do believe there are some interesting lessons there for all of us, coming from just over 100 years ago.

Now, of course, Mr. Speaker, Alberta Government Telephones wasn't the only publicly owned telephone company at the time. Edmonton Telephones was actually established about the same time, and I found it interesting to note that in 1911 and 1912, according to an article that appeared in the Edmonton Real Estate Board's publication, *Real Estate Weekly*, there was a two-storey brick building built at the corner of 101st Street and 112th Avenue, and this building, interestingly enough, was designed by a gentleman by the name of Jeffers, who, as you well know, also designed the Alberta Legislature Building. So that was a neat little melding, I suppose, of history.

The article went on to say that the two exchanges that were built in those two years along with the Strathcona Telephone Exchange, constructed in 1908 by Alberta Government Telephones, "were the electrical lifelines that kept people in touch." The Strathcona Telephone Exchange was purchased by the city of Edmonton after the two cities amalgamated in 1912.

The history of Edmonton Telephones and its relationship with Alberta Government Telephones, of course, became quite controversial at one point in the 1990s, and I thought it was relevant to discuss for a brief moment the role that former leader of the Official Opposition and a former mayor of Edmonton, Laurence Decore, played in that particular period. Those of you who have been paying attention to telephone companies in Alberta will probably remember that there was a period of time when Edmonton Telephones got into a bit of a dispute with AGT because while the rest of the province was served by Alberta Government Telephones, Edmonton Telephones had to purchase all of their long-distance service, all of their access from Alberta Government Telephones, and that wasn't just for other parts of the province but, actually, international calling as well. It all had to come through AGT, and therefore AGT had an awful lot of control over the rates that Edmonton Telephones charged.

The mayor of Edmonton at that time, Laurence Decore, decided to put a fight against that and fight for autonomy for Edmonton Telephones. Part of the agreement that they had with Alberta Government Telephones at the time was that we would submit Edmonton's telephone records to Alberta Government Telephones by magnetic tapes. Well, Laurence Decore did that, as required by the contract, but he encrypted the magnetic tape so that AGT's system could not read those tapes, and therefore they had no way to actually bill Edmonton Telephones for the long-distance services that had been used. This dispute was eventually settled, and life returned to normal, I suppose.

4:30

Ultimately, Mr. Speaker, in 1995 Edmonton Telephones was sold to Alberta Government Telephones – by then they had become Telus

– and that was the end of that chapter in terms of a publicly owned telephone company by Edmonton. However, there is a legacy that carries on to this day.

City council in Edmonton decided to take that money, the proceeds from the sale of Edmonton Telephones, and turn it into the Ed Tel endowment fund, and that fund is doing quite well today. Initially, it was established in 1995 with \$467 million. At the end of the last business year that fund was now worth \$704 million. In fact, it's generating so much excess revenue that the city budget recently benefited to the tune of \$8.8 million. The city council decided to take some extra money out of that endowment fund and move it into their revenue so that they could lessen the blow of – I think it was mentioned earlier today – what is expected to be a double-digit tax increase.

The last thing I'd like to point out, I suppose, about AGT and the connection to this place that we do business in is the Annex building, that many of us have the pleasure of calling home, and it really is home. I have actually slept in my office in the Annex building a couple of nights since I've been here.

Mr. Speaker, the library staff were very accommodating once again in confirming for me what I had suspected, already knew, and that is that the building that we refer to as the Annex was actually constructed for Alberta Government Telephones in 1953 and was known as the AGT Building for many years. In the years 1963 and 1964 it was added to – it was originally only six storeys high – to the current 12 storeys. I'm not sure whether or not they added asbestos at that time. Certainly, there is asbestos in the building from its original construction. We heard earlier the Member for Edmonton-Manning referring to the negative effects of asbestos, and I'm going to guess that there may have been more than a few employees that worked on the Annex at one time or another that may also suffer from the effects of having been exposed. In 1966 the building was sold to public works, and presumably some time after that the Legislature started moving into the offices.

I just thought it was important to go over a little bit of the history of the public telephone companies in this province, Mr. Speaker. It's with some regret that I see this bill coming forward, not because it isn't a necessary bill. Clearly, we've spoken in the past about the need to review legislation and get rid of pieces that are no longer valid, and this is one that qualifies for that. But I think it would have been sad to let it go without a little bit of commentary on the long history that public telephone companies have had in this province and the great service that they've provided to the citizens of this province, and I'm glad to have had the opportunity to do so.

Thank you.

**The Speaker:** Hon. members, Standing Order 29(2)(a) is available.

Would there be additional speakers on this bill?

Should we call the question?

**Hon. Members:** Question.

[Motion carried; Bill 11 read a second time]

#### Bill 41

#### Health Professions Statutes Amendment Act, 2007

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

**Mr. Hancock:** Thank you, Mr. Speaker. It's my pleasure to introduce for second reading Bill 41, the Health Professions Statutes Amendment Act, 2007.

Bill 41 was referred to the standing policy committee after first reading, and I'm pleased that the standing policy committee did recommend to the House that we proceed with Bill 41.

Health care professionals play a very critical role in the health care system, and in this province as in all provinces in the country governance of health professions is done through regulatory colleges. It's a process that works well. Self-governance has served us well and will continue to serve us well. Regulatory bodies function independently of each other and the health system operators, so there's an issue of assurance that we need to deal with, hence Bill 41. Government's role is to provide that assurance to the public, notwithstanding that we have self-regulated professions and that those professions do operate in the best interests of the public, that they do have the capacity to provide for the most part the governance in the way of bylaws, codes of conduct, standards of practice.

The health care system is in fact becoming more and more complex. We're operating now where we have a stated policy of government that we want to have health care professionals working to the fullest extent of their capability, training, and expertise. We're working very diligently with health care professionals on multidisciplinary teams, methods in which health care professionals, different professions can practise collaboratively and collectively for the better good of Albertans. So it's important as we do that to make sure that our codes of conduct, our ethical standards, and standards of practice are synergized, that they work collaboratively together, and that they are synchronized appropriately.

It's also very important, as we have a range of health care professionals working together not only at cross-profession but within, if you want to call it, a range or a hierarchy of the profession, that their standards of practice, codes of conduct, et cetera, work together. So there's a role for the government, the Minister of Health in particular or through the Minister of Health, to work with the professions to make sure that we have that kind of a collaborative practice and that the codes of conduct, the standards of practice, and the ethical standards are working in concert.

Now, earlier this year we had a very unfortunate circumstance with respect to issues around infection prevention and control, which has been discussed in this House before, so I won't go into the details on it. But coming out of that incident, I as Minister of Health asked for a number of things to happen. One of the things which we did was ask the health professions to respond with a review of what they had in place with respect to infection prevention and control standards, and we had a report on that, which was released in August of this year.

While there are – and I want to say this – many very positive things happening in the province by the professions in respect to quality of care, infection prevention and control, there are gaps. There are issues that need to be addressed. So it's important when that happens, when you see that, to work collaboratively, to encourage the health professions to work both independently and to work collaboratively with each other to make sure that those gaps are filled.

But there is a responsibility as well on government. There's a responsibility on government to provide assurance to the public that those gaps are being filled. So I want to be very clear that it's not my intention as minister and it's not government's intention, nor would it be appropriate, for us to step in and do things with respect to the standards of practice or the codes of conduct. In fact, many of them, Mr. Speaker, are standards which are negotiated by the professions with their sister and brother professions across the country. It's not that easy to step in and tinker with bylaws or standards of practice or codes of conduct, but it is still fundamentally

important to be able to say to Albertans that the role of assurance that government holds is there, is being fulfilled, and that we have the capacity and we have the authority to do it if and when necessary.

4:40

With respect to Bill 41, then, I would just highlight that there are four categories of amendments being proposed to the Health Professions Act. The bill itself is called Health Professions Statutes Amendment Act because the medical professions are not yet, in fact, under the Health Professions Act. They're still under their own act. We anticipate the medical professions being brought in perhaps by the spring. So it's necessary to amend both acts in one circumstance.

Within Bill 41 there are four categories of amendments. The first category of amendments provides, as I've been speaking about, for greater accountability. Amendments are proposed to both the Health Professions Act and the Medical Profession Act, and it's really around this ability of the minister – and I want to emphasize – in extreme circumstance to be able to direct the profession to change a code of conduct or bylaw or standard of practice. I say in extreme circumstance because the expectation, the reality will be – it has to be – that one would not make such a change unilaterally or, as some have said in public discussion on this bill since its tabling in the spring, on a whim.

This is not about taking away self-regulation. This is not about defeating the very effective process of self-regulation of the profession, but it is about re-establishing the ability of the government to fulfill its role of assurance to the public.

It is about recognizing the complexity of the system and understanding that health care professionals are working together not only, as I say, in the hierarchy of the profession – in other words, nurse practitioner, RN, LPN, nursing assistant or personal care attendant, doctors, physicians' assistants, whatever other subsequent professions we might put in place there – but across professions, where you have, such as they proved so effectively in the bone and joint institute, the ability of health professionals to work together as a team and work with others, with the technicians and other support personnel, to make much more effective use of the health care resources and much better use of patients' time and provide a much better outcome to patients by working collaboratively. But if they're going to work collaboratively, they have to work with an understanding of a consistent set of ethical standards, of codes of conduct, and standards of practice.

It's government's role because if there was ever a problem, people wouldn't go back to the profession about the problem. They'd come to government. In a SARS pandemic, in a Walkerton situation, in any of those, to use extreme examples, it's not the individuals involved – sure, they're held accountable, but it's not those individuals that are expected to provide the assurance to the public. It's government that's expected to provide the assurance, so it's necessary for government to have the tools to actually do that assurance.

It should be clear that while the amendments that we're bringing in in this first category are about authorizing the minister to give direction to a health regulatory body to make, adopt, or amend regulatory bodies' bylaws, regulations, or standards of practice, it's to do so when there are gaps or inconsistencies. It's to do so after full discussion has happened, after you've gone through a process of discussion, unless there's an emergency. It's to do so only if after consultation, facilitation, mediation, and arbitration there needs to be a mandate. It should be clear – and I want to make that clear on the record – that this is not a first-in solution. This is a last-resort solution.

The second category of amendments basically talk about strengthening reporting on public health matters. Again, this comes out of discussions we were already having but was highlighted by the events this spring at East Central health, particularly at St. Joseph's hospital, and the necessity to make sure that there is a clear understanding of the primacy of the Public Health Act and the requirement on health care professionals to immediately report threats to public health to a medical officer of health. That provision, that requirement to report, prevails over any of the confidentiality provisions in the Health Professions Act, the Medical Profession Act, or any of the other regulations or bylaws governing health professions. It must be seen as paramount that the assurance of public health comes first, and if there's any question about the primacy of any of the various acts or regulations or bylaws, the duty to report has priority.

The third category of amendments that are being brought forward in Bill 41 deal with, in essence, the ability to provide support to colleges. This also had some degree of concern being expressed by members of the profession because you have, in fact, under the Health Professions Act a structural regime that applies to all of the colleges. But, in fact, one size doesn't fit all. Although it was a useful exercise, it's a very important structure to have a Health Professions Act and to have a standard organizational framework and a process for public involvement and those sorts of things.

In fact, when you have newer professions, when you have emerging professions, when you have some smaller professions that perhaps do not have the capacity to carry out all the functions that are required of a profession, there may be a need for support. It's in that vein that these amendments come forward, to say that in appropriate circumstances there can be an administrator appointed to perform a registrar function or to assist with a complaints director or to do the conduct and competency committee functions, that, in fact, these are helping provisions, but they also are fail-safe provisions. You could appoint an administrator in a circumstance where a profession fell on hard times and was not able to actually carry out its functions.

So while the major professions, the ones that we've known and loved for a long time – the College of Physicians and Surgeons; CARNA, the College and Association of Registered Nurses; the College of Pharmacists – are well-established, very strong professions, one would not expect to see the need to use this provision with respect to those professions. I can't even imagine a circumstance where that might come into effect. However, it might be very important to be able to have these provisions with respect to supporting a new or emerging profession.

Again, under our health workforce plan one of the things that we want to try and accomplish is to have new and emerging professions be able to come forward, be able to practise their profession in the province and add to the health workforce in an appropriate way to really, again, use the full skills that people might have, the education that people might have to provide appropriate health outcomes for Albertans.

The Standing Committee on Community Services recommended imposing limits on the term of office for any person appointed as administrator. The bill currently allows for a term of an administrator to be set in the appointment. The intention is to help colleges eventually operate without an administrator. I'm not anticipating an amendment coming forward in that regard, but I wanted just to highlight that that came out of the standing committee's report.

The fourth and last category of amendments really provides for greater clarity. Members will know that the Health Professions Act came into effect a number of years ago. It has been our practice, as we've learned and grown and as we've brought professions into the

act, to do amendments from time to time which, basically, update and improve the act. So the changes in that category, for example, deal with the responsibilities of employers and employees. Employees must provide evidence to their employers of valid professional registration. Employers must ensure that they employ the right health professional for the right job. Those are the types of amendments in that portion of the act.

Mr. Speaker, Bill 41 I would commend to the House. I would ask the House for support. I think it's a very important piece of amending legislation which will provide the minister and the government with the tools it needs to provide the assurance to the public of Alberta not only, as we've now introduced in Bill 48, that with respect to the regional health authorities there is a clear line of authority in process and accountability but that with respect to health professions there is a clear line of assurance and responsibility. While we do delegate significant opportunities to professions to self-regulate and responsibilities to professions to self-regulate, there is still a role of assurance that government must have, and Bill 41 provides the tools.

It's also important, as I said, because there needs to be a clear indication – and this is the appropriate place for it – that whether health professionals are practising on their own, in their own practices, or whether they're employed by or working within a health authority, they have a duty as health professionals to report any public health concern to the medical officer of health.

With those words, Mr. Speaker, I would ask for the support of the House on Bill 41.

4:50

**The Speaker:** The hon. Member for Edmonton-Centre, followed by the hon. Member for Edmonton-Beverly-Clareview. If a government member would like to participate, kindly advise.

**Ms Blakeman:** Thank you very much, Mr. Speaker. Well, this is one of these interesting bills that you see occasionally coming from the government which has something good in it, and then that is balanced by bad things in it. We were willing to support the government in the amendments that they are proposing in Bill 41, the Health Professions Statutes Amendment Act, in providing clarity and certainty around the situation that arose specifically with the College of Physicians and Surgeons in Vegreville in which there was uncertainty about who was supposed to report to whom or even if there was a requirement to do that. I am a fan of certainty, particularly where public health is involved, so those amendments and the section that contains those amendments I'm certainly willing to support as the shadow minister for Health and Wellness.

I have not heard any complaints from any section of the health professions or members of the public who weren't supportive of this. I think it helps everybody to know exactly what the expectations are and that they're laid out clearly: what are the lines of communication, what is the timing around it, and who's supposed to do it to whom? That kind of clarity is very helpful.

We certainly had a scare around infection control both in Lloydminster and Vegreville earlier this year. It scared a lot of us and really brought into high relief the need to have those lines of clarity and authority. Certainly, the Health Quality Council report, from which flows much of the legislation that the minister has referred to, was pointing that out. In addition, when we look at some things like a pandemic preparation, as the minister alluded to at the end of his remarks, that is one of the key ingredients. It is around clear lines of communication and clarity of roles and responsibilities. So the first section that appears in Bill 41 under Public Health Threat

and the changes that flow through the Health Professions Act and others I think: we have no problem with that. That's the good.

Now the bad. A number of members of the health profession took advantage of the policy field committee public consultations to come and present, and I'm glad that they did. They were able to get their concerns well on the record. I may repeat some of those concerns, but I think it's important to have them laid out in this House.

I think the second part of this, specifically what's included in section 135 that's being amended, is pernicious, the part that's under Part 8.1, Direction, Support and Variation, specifically the minister's direction under 135.1 and everything that follows after that. I know that the College of Physicians and Surgeons really objects to this, and frankly so do I. This I think is an excessive reaction to the situations that arose. This is granting the minister an unwarranted extension of powers, and it is unwarranted.

Further, it fundamentally challenges the concept of self-regulation, and that is what we were trying to set up under the Health Professions Act. We have these professions. They're experts in their field. We recognize their right, essentially, to self-regulate and that they are the best people to be doing it. Then what we have is this overlay from the minister that says: well, yeah, all of that's true except if I decide that it isn't. So I would argue that this sort of thing fundamentally challenges that whole concept of self-regulation and all the other things that fall under that new Health Professions Act.

It's all about self-regulation. They've made every possible health profession conform to that by setting up a college, an association, a series of criteria for meeting standards in the profession, for self-regulating on discipline procedures, on training, on ongoing, lifelong evaluation of professional qualifications and practice. We've done all of this work to set this up. We've been operating under that assumption. It's worked pretty well for us so far, and now we have this overlay where the minister can basically interject himself into any component and for no good reason. The reasons that the minister has laid out are not good enough, not to make that kind of a change in what we have in a system that's working pretty well for us, not perfectly but, you know, pretty well.

I think there are a number of possibilities that arise out of a change like that. For example, how keen will the pressure be to capitulate on a negotiation in another area to avoid having the minister decide that this is such an enormous case that they're going to have to invoke these powers and come in? Pretty strong. I can speak from experience on that one. The not-for-profit sector in this province has been under enormous pressure to be careful, not to make too much noise, not to distress the government by pushing too hard on certain advocacy things because they held all the money strings in a lot of cases.

[The Deputy Speaker in the chair]

I think we can look not too far in the province for other examples where the government has not played ball on this kind of thing and where there is a coercion factor that comes into play. You know what? Sometimes that's our own fault, Mr. Speaker. Sometimes we self-censor. Sometimes we make choices about our organizations or our companies in fear of some sort of interference from the government because they have the power to do it. Okay. That's our fault. We shouldn't have self-censored ourselves or made decisions based on that. But you know what? We do it because of fear. We do it because the government has already given itself the power to interfere with us. That's what's wrong with the whole second section of what's anticipated in this act, in Bill 41.

The minister says: oh, we're not really going to use these powers; you know, this is just really for an unanticipated extreme emergency.

Well, you know what? If the powers are not to be used, they should not be legislated. The government surely has another way to deal with this problem. If this extreme, far-reaching, highly unlikely situation is ever going to arise, then they have a number of other tools at their disposal. This makes it too easy, and it's too darn tempting.

I think we've seen a couple of other examples where we have major conceptual legislation that gets adjusted a bit by this government and as a result other things happen that, I hope, were not anticipated, but perhaps they were. You know, the idea of collective bargaining that got tinkered with when the government in negotiating with CNRL changed the division 8 labour code. That has now allowed for changes in master agreements. So there's an example of where they gave themselves the power. They changed something that was conceptual legislation, and then they've gone back and used it not for good but for evil, I would argue, if I may paraphrase, Mr. Speaker.

5:00

Where is another example? Well, that would be around the confined feedlot operators, where they tinkered with it and allowed those to be closer to things like schools and communities. You know, we can find examples of where this very same government, these very same people – not 25 years ago, Mr. Speaker, not 40 years ago or 70 years ago, but this group of people – have made changes in other substantial pieces of conceptual legislation, and that resulted in them then coming back and using it, again, I would say, not for good but for evil.

What underlying problem is being solved by the changes that the minister would like to see in this legislation? Again I'm not talking about the beginning part, about the public health, about that clarity. I'm talking about the other sections, where the minister is now able to go in and arbitrarily change regulation power and a number of other powers that are delegated now or are allowed to be evoked by self-regulatory organizations. What powers and what problem is being solved by this? I don't think the minister was able to articulate exactly. It's all sort of, "Well, maybe it's this," or "Maybe it's that," or "I could imagine possibly at some point in the future." Uh-uh, uh-uh. That is not what legislation is for: some whimsical, magical, possible thing in the future. It has to be more concrete than that to be giving itself such enormous power.

If it's not a problem that's being solved, then what policy issue is being addressed through this? Again, I can't see what policy issue is being addressed. What policy issue needed to be advocated that's now being addressed by the minister giving himself powers to be able to go in and arbitrarily change self-regulatory groups? Again, that can't be answered.

I heard the minister say: well, this was being done for what if or role of assurance. Well, again that brings up the issues of trust. This government continues to give itself very expansive powers, especially through regulations, which are not open to scrutiny by this Assembly. The discussions and reasons behind it do not appear in *Hansard*. They're not streamed through live audio or through live video streaming on the Internet. The citizens and the members of the opposition have no ability to scrutinize the government on why they arrived at those particular decisions. It's behind closed doors, and for the kind of changes that are being anticipated here, that is inappropriate.

There are a couple of things really wrong around those issues of trust. There are issues around transparency and accountability. What kind of report back do we get if the minister decides that he wants to come in and do this? What sort of accountability and

transparency do we the public or members of the opposition in this House on behalf of the public get to have to scrutinize when the minister decides to do this? It's not there, Mr. Speaker, and that is wrong.

There also need to be checks and balances on power. Power corrupts. Absolute power corrupts absolutely. This government continues to give itself more and more intrusive powers into every aspect of our lives. That is inappropriate, and we the people have to curb that power. That's part of the push back that citizens should have against a government. They should be able to advocate to keep the government in check, and so is it the role of the opposition to do that.

I will not support this legislation as it stands. As I said at the beginning, I'm more than willing to support the public health concerns that were being addressed because of the confusion that arose over those situations that started with St. Joe's hospital and then moved beyond that last spring. But the second part of what's anticipated in this legislation is inappropriate. It's more than that. It is pernicious. I don't trust this government with that kind of power. I'm not willing to give them that kind of power if I can't trust them with it. I have enough examples in front of me of where that government took that kind of power before and then did things that were against the tenor of what was expected out of that, and I feel they misused and abused that. I don't think it's appropriate to do that.

**An Hon. Member:** Do you have some examples?

**Ms Blakeman:** I gave the two examples, if the member was listening. He's welcome to check with *Hansard*.

I won't support it because this is being made unilaterally. I don't like it being made through regs, which this government tends to do. There are other opportunities for the government to react to pandemic situations. This kind of power should be used only as a last resort, and I don't see anything on the horizon that would justify the minister giving himself and the government that kind of power at this point in time.

I will look at amendments for this, but I do not think what's being anticipated here is appropriate in any way, shape, or form.

Thank you.

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

**Mr. Martin:** Well, thank you very much, Mr. Speaker. I'm glad to participate in debate on Bill 41, the Health Professions Statutes Amendment Act, 2007. You know, some of the bill is, I suppose, absolutely necessary. We learn things as we go along, and the bill aims to provide for greater accountability to Albertans about the consistency of health care standards of practice, require the reporting of public health issues despite any other confidentiality in the respective acts, and provide for professions to be regulated in the Health Professions Act.

Now, Mr. Speaker, as the previous speaker said, most of that's desirable, and certainly we learned things recently by what happened in east-central Alberta. But I think the other part of the bill, that we all know is the most controversial part, is that the minister gains new power to intervene in professional bodies. I notice that the minister said that one of the purposes of this act was to increase collaboration between the various health professions. He's done that indirectly because I think he has almost all the associations against him in section 135. They all seem to be of one mind about that, so I think

there is an amount of collaboration going on, probably not the kind that the minister wanted. We notice, I think, right across the board that the College of Physicians and Surgeons, CARNA, the pharmacists all strongly opposed to the new section, section 135, which creates new powers for the minister to intervene in the affairs of what are supposedly self-governing bodies. I know this was brought forward to the policy field committee, but they decided, I think unfortunately, to not recommend any substantive changes to section 135.

Now, I've listened to the minister. I wasn't on the committee, but I believe he said to the policy field committee that, really, this is just a what if, sort of, and he can't imagine – I heard him say today – for whatever reason that he would ever interfere with the established professional bodies such as the pharmacists, physicians, surgeons, nurses, and others, but maybe there are some emerging health professions that may need some help. Well, Mr. Speaker, it seems to me that this is sort of taking a sledgehammer to a nail. If there are some particular smaller professions that are coming that need help, surely there's a way around it to put it into regulation that that's who we're to deal with, but to say that you take a broad approach and say that for all the health professions the minister has the right to intervene seems to me to be overkill.

As the previous speaker said, the minister said that he can't imagine ever having to do that. Well, why would we legislate it if you can't imagine us ever doing it? I mean, that just doesn't make a lot of sense to me. What could be a good bill we've now got in a controversy here with the minister. I know the minister himself is from a profession that's self-governing. I can imagine the outcry within that group of professionals if this sort of bill was coming forward. In the legal profession they'd be as angry as the other groups are, Mr. Speaker.

5:10

Last night in this Assembly I recall debating Bill 24, the Real Estate Amendment Act, 2007. Interestingly enough, in that particular bill dealing with mortgage brokers – we were supposedly dealing with mortgage fraud – we were actually opening it up to more self-governance so that they can deal with these problems within the real estate industry. The next day, Mr. Speaker, we have a bill here dealing with established professions that have been around forever, and now we're taking away some of their rights. That just doesn't make a lot of sense with two different bills that we're debating right here in this Legislature.

You know, I say to the minister that I would have thought one would have wanted to be particularly careful when we're dealing with this. As I say, the collaboration, the groups – he's got the message, I'm sure, about section 135. So you've taken a good bill and learned from it, and now we have this controversy, unnecessarily, I would say, in terms of taking away rights of the professions. That doesn't make much sense to me, Mr. Speaker, because these are precisely the groups that we want to have on board on this accountability.

Now, I notice – and I'd like to come to this – why we have to do this. The minister was good enough to brief us about a bill that's coming forward, Bill 48, the Health Facilities Accountability Statutes Amendment Act, 2007, and he alluded to the problems with infection control in Vegreville, in east-central Alberta. This particular bill, Bill 48, seems to me to be solving his problems, Mr. Speaker, because he's working, correctly – and I believe it's a good bill – on accountability. Obviously, the minister is accountable overall.

Then the health regions. We've laid that out in Bill 48. It seems

to me that there's where the minister has the power to do the things that he needs to do. So why would we be taking this bill and messing around with the professions when we don't need to, Mr. Speaker? I just come back to what the minister said. He said that it's basically there for emerging professions. Well, surely you can put in some guidelines and that without going and saying: well, it may be down the way that I need to interfere in the professions that have been operating in this province for a long time. I really do say to the minister: imagine in the legal profession, that he's in, if a similar bill like this came forward, what the outcry would be. He knows very well what that outcry would be, and they'd probably be even more vociferous, because they're used to being in court, than the doctors and everybody else, I can imagine.

You know, if I may just quote from a letter sent recently to Mr. Hancock, that was delivered to all of us, from PARA, the Professional Association of Residents of Alberta. I think they put it very well. They talk about co-operation. I'll just quote the one paragraph: as resident physicians we have witnessed an era of productive collaboration between the Alberta government and its physicians; introducing legislation which may undermine the ability of Alberta's physicians to regulate themselves risks making the province a less attractive environment for new physicians deciding where to practise.

That's an important point, Mr. Speaker, because we're all in competition for health workers right across Canada, around the world, for that matter, and they're saying that this may have a detrimental effect, especially getting new young physicians. It says: resident physicians value sound discussion and good evidence from a broad perspective to implement codes of ethics, regulations, bylaws, and practices. I think they're offering their hands out and saying, "We'll help whatever way we can." They're saying: "Why are we doing basically this? We've had a good round of collaboration with the government." They're praising the government; they just don't understand the purpose of this.

Mr. Speaker, as I say, most of the bill is an important part of accountability and certainly, when we bring it in with Bill 48, absolutely a necessity, as we've learned in east-central Alberta. But I'd just say to the minister and to this government: why would we undermine a good working relationship with established health professionals that we need to make it a sound health care system by even saying that we may need this power somewhere down the line, that we may need it? As I say, the minister hasn't given us a good reason why he would interfere within the self-governance model of these established professions. He said, you know, that emerging professions may need help. Well, it seems to me that you can deal with that rather than what you're doing here. I think it's a major mistake, and it detracts from the good parts of the bill, and it certainly detracts from the bill that the minister brought forward today.

I'd just, with all due respect to the minister, say that I think we don't have a Senate here, but sober second thought – well, that's always a misnomer in the Senate. We need some sober second thought here by the minister and the government, and I would hope that they would take a look at this before it comes back in Committee of the Whole.

Thank you, Mr. Speaker.

**The Deputy Speaker:** Hon. members, Standing Order 29(2)(a) is available for any questions or comments.

Seeing none, the hon. Member for Edmonton-McClung.

**Mr. Elsalhy:** Thank you, Mr. Speaker, for this opportunity to rise

and speak on Bill 41, the Health Professions Statutes Amendment Act, 2007. I have to start by saying that this is a new phase in democracy in this province because this is one of four bills which were referred to the newly formed standing policy field committees – I know, Mr. Speaker, that you and I together sat on one of them, the Standing Committee on Government Services; this is the other one, Community Services – which is really a direction that I like and I commend. We know that members from both sides of the House approached this exercise with open minds, and I know that for the most part it did pay off. I was more than pleased with the co-operation and the progress that we experienced in Government Services, and I'm sure that was the case as well in Community Services.

Now, Bill 41 as proposed by the minister has good parts and questionable parts. When we're amending the Health Professions Act to require immediate notification of the medical officer of health by a health professional, a college employee, an officer, or an agent of any threat to public health, well, that's okay. I think that is good in terms of, you know, public safety and in terms of reaction times and in terms of being quick on our feet to respond to an emergency or to a threat, so I don't see any reason to oppose this particular part of the bill.

But as my hon. colleague for Edmonton-Centre mentioned, it has become more the tradition and the custom of this government to lump good things with bad things, and I'm going to remind the House that this was the case last year when we were talking about Bill 20, the changes we did to the privacy legislation. We had some good components, which everybody agreed to, components that strengthened protection of personal information, components that made it difficult for personal information to be misused or abused, but then we also had components from the government which made government operations more secretive and added another layer of concealment to, you know, government decisions and blocked access to government information and so on.

5:20

So we were faced with a very difficult situation last year, Mr. Speaker: do we support a bill that has questionable parts, or do we oppose it? You try to amend it. You try to remove the offending parts, you try to stick to the good parts, and you try to move forward, but then the government responds by saying: "No. It's take it all or leave it all." This is a similar situation.

I mentioned the positive component. The negative component here would be the part that amends the Health Professions Act and the Medical Profession Act to give the minister that extra power, that added power, the concentration of power in the hands of one person, to either replace the functions of the entity that's in question – take the College of Physicians and Surgeons, for example – or direct a college to adopt certain bylaws, regulations, or standards.

Now, as the minister explained in his opening remarks, the College of Physicians and Surgeons, the college of pharmacy, nursing, and so on and so forth, all of these entities, are long standing. They are strong in their mandates, they are strong in their history and tradition, and we don't have many complaints against them. We don't have many troubles with these agencies or entities. So why are we doing this now?

Definitely the concerns that were heard in the committee, from my brief scan of their transcripts and from talking to members of the Official Opposition that sat on that committee, regarding changes to existing medical health professions' self-governance were definitely the more pronounced concerns, the concerns that were heard the most.



Now, I think that this is in reaction to the crisis in Lloydminster, for example, and in similar situations with respect to infection control and things like sterilization and things like this. Responsibility for these situations rests with the health regions, and I have to mention, Mr. Speaker, on the record that I would have much rather seen health regions continue to be elected, but what's behind us is behind us. They are now appointed. Anyway, they are ultimately responsible for what goes on in the facilities in their immediate region.

Then I would like to see a strengthened central monitoring role for the ministry of health to have that oversight capacity, that oversight function centrally, that basically they would look after sterilization. They would look after equipment. They would look after most of these things. That would then hopefully alleviate the concern that maybe the health regions are to blame. I don't want to be pointing blame, and I don't think the minister is trying to do this here. But I think he's trying to react very forcefully. I think, you know, that co-operation with the health regions and maybe having that central monitoring function would alleviate that concern, and he doesn't have to really intervene in this fashion.

The committee received submissions, Mr. Speaker. They received written as well as in-person submissions, oral submissions. Again, sort of the uniform reaction, the most received feedback was: what are we trying to do here? The most important question was one given by the College of Physicians and Surgeons, and I don't think they've received an answer yet: "What problem is being addressed? What is this legislative change attempting to do?"

Now, when we take a professional organization that has been there in some cases even longer than the government – I actually attended the centennial celebration of the Law Society. This Law Society was here before the province became a province. Similarly, I would bet you that the College of Physicians and Surgeons, the college of pharmacy have been here for decades and decades, some of them before the province even became a province. Now we're telling them: you cannot continue to do what you do because we know better. I think this would be classified, in my book at least, as short-sighted. I think it would be too much government, and we know that too much government is not necessarily better. Sometimes we enter into places that we shouldn't, and we venture into new places that maybe we should stay away from.

The other question I had. I know this is second reading, Mr. Speaker, so I'm talking to the essence of the bill. I'm talking to the basics of the bill, which is about the recommendation from the committee to the minister to impose limits on the term of office for an appointed administrator. Is the minister leaning towards that? Is he going in that direction? I need to maybe hear from him as to his rationale, what good he's hoping to achieve, and what problems, again, we are trying to fix or address. Appointed administrators: you know, I would classify them as employees. They're basically there to do a job. Have we heard anything that maybe advises us or tells us that maybe two terms is enough because the longer they stay, they lose their effectiveness or there are mistakes made or certain things that maybe we don't like to see?

I need to know the rationale and if, in fact, the minister is leaning towards that, if he's going to accept that recommendation from the committee. I'm not necessarily against it. Don't get me wrong, Mr. Speaker. I just need the clarity to make up my own mind whether, in fact, this is something I am going to be willing to support.

In terms of the minister using public interest as his trigger, who is going to define public interest? Is that interpretation or that opinion going to be one that the minister exercises himself? When we have situations where public interest is the focal point, the deciding factor,

who's going to make that decision? Again, I don't think it should rest in the hands of just one person because too much power concentrated in one person's hands is not necessarily the way I'd like our government to be going. Subjectivity and sometimes settling scores or personal agendas might get in the way of being objective and being a good manager.

I can go on and on, but I realize this is second reading, and I want to give the opportunity to other members of the House to put their thoughts on record and put their comments and questions on record so that we can all gain a better understanding. If we're forced to have the situation where we take it all or leave it all, I have to tell you, Mr. Speaker, that I am probably going to oppose Bill 41 unless the offending sections are removed, and I'm hoping that this would happen in Committee of the Whole.

Thank you for the opportunity.

**The Deputy Speaker:** Hon. members, Standing Order (29)(2)(a) is available.

The hon. Member for Peace River.

**Mr. Oberle:** Mr. Speaker, at this time I'd like to move that we adjourn debate on Bill 41.

[Motion to adjourn debate carried]

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

[Mr. Marz in the chair]

**The Chair:** Hon. members, I'd like to call the Committee of the Whole to order.

### **Bill 1 Lobbyists Act**

**The Chair:** Are there any comments, questions, or amendments to be offered with respect to this bill? Hon. Member for Calgary-Buffalo, I understand you're offering some amendments to this bill.

**Mr. Cenaiko:** Yes, sir.

**The Chair:** I'd like to point out to the Assembly that this is an historic event in the province of Alberta. This is the first time that the newly formed standing committees are reporting directly to the Legislative Assembly.

With that, the hon. Member for Calgary-Buffalo.

5:30

**Mr. Cenaiko:** Another historic event for the MLA representing Calgary-Buffalo.

Thank you very much, Mr. Chair. It's a pleasure to rise today before the Committee of the Whole to speak to Bill 1, the Lobbyists Act. This bill passed second reading on March 22, and on May 29 it was referred to the Standing Committee on Government Services. The committee met a total of 10 times, including two days of public hearings. We heard from 48 citizens and associations through both written submissions and public hearings. A number of issues were raised throughout the committee's review, and we had the opportunity to explore those issues with stakeholders.

I think it is important to note that the Department of Justice brought several proposed amendments to the committee so that the committee could consider all amendments. I would like to move a

package of amendments that are found in the committee's report and ask that they be marked A1. The committee recommended the following amendments.

Part A. Amendment (a) to section 1 was proposed by the Department of Justice. The addition of a definition of client will clarify that consultant lobbyists hired by individuals or organizations must register. Amendment (b) was also proposed by the Department of Justice and makes the definition of consultant lobbyist consistent with that of organization lobbyist without changing the intent of the bill. Amendment (c) would change the definition of organization lobbyist by adding a 100-hour threshold. Those organization lobbyists who lobby for fewer than 100 hours annually will not be required to register under the proposed legislation. The 100-hour threshold amendment has been proposed to exempt small not-for-profit charitable organizations, among other groups. The committee listened closely to the concerns of the not-for-profit sector, and this amendment is an attempt to address those concerns.

Part B. Amendment (a) has been recommended by the committee and proposes the exemption of members of boards of trustees under the School Act and the staff of those members or the officers or employees of the boards. This proposed amendment is recommended because school boards are publicly elected bodies, like municipal governments, and should be similarly excluded. This proposed amendment clarifies that unpaid volunteers are exempt from the bill. Amendment subsection (b) was proposed by the Department of Justice and clarifies that the exemption of certain submissions extends to submissions made on behalf of individuals as well as those made on behalf of organizations.

Part C. This amendment to section 6 of the bill was considered extensively by the committee. This proposed exception to the prohibition against lobbying and providing paid advice to government on the same issue at the same time would exempt those who are involved in multistakeholder committees and would permit the Ethics Commissioner to grant an exemption from this prohibition when it is in the public interest to do so. Persons are appointed to these committees due to their expertise in their field. The intention of the legislation is not to penalize a person or organization for participating on advisory boards and committees.

Part D. Amendment subsection (a) is a technical amendment proposed by the Department of Justice. The amendment proposes striking out a phrase because it is no longer necessary given proposed amendments to other sections of the bill, which clarifies the role of the Ethics Commissioner. Amendment subsection (b) would further amend section 11 by expanding the scope of the information to be kept by the registrar in the registry.

Part E. This amendment to section 14 was proposed by the Department of Justice and clarifies that only the Ethics Commissioner may issue advisory opinions and interpretation bulletins.

Part F. Amendment subsection (a) provides authority and a mechanism for making public reports submitted to the Speaker when the Assembly is not sitting. Amendment subsection (b) is a committee amendment proposed by the Department of Justice which clarifies the role of the Ethics Commissioner with respect to the publication of the details of a report.

Part G. Amendment subsection (a) was proposed by the Department of Justice and addresses concerns that only the designated filer is guilty of an offence if a lobbyist conducts lobbying activity while knowing that the designated filer has not registered or filed a return on his or her behalf. Amendment subsection (b) proposes a reduction of fines for violations of the bill. Fines for violation of the proposed legislation would be reduced by one-half. This proposed amendment is to bring the maximum fines in the bill in line with the

maximum fines in similar legislation in other jurisdictions. There was also the concern that the large fines may discourage some smaller organizations from lobbying due to the fear of inadvertent mistakes leading to prohibitively large fines. Amendment subsection (c) was proposed by the Department of Justice and clarifies that only the Ethics Commissioner may exercise the powers, duties, and functions in section 19(5), (6), and (7).

Part H. This proposed amendment would give the Lieutenant Governor in Council the authority to make determinations regarding definitions of time spent lobbying and to communicate. The committee felt that this was necessary so that adjustments can be made to the legislation regarding what constitutes lobbying under the proposed 100-hour threshold for organization lobbyists.

Part I. This proposed amendment would reduce the time frame for first review of the proposed legislation from five to two years. Given the nature of this proposed legislation, the committee believed that an earlier first review is warranted. It would also allow the not-for-profit and volunteer sectors an opportunity to evaluate the operation of the act at an earlier date.

Part J. This amendment was proposed by the Department of Justice, which clarifies what information must be provided when the client is an individual and not an organization.

Part K. Amendment subsection (a) was proposed by the Department of Justice and clarifies that a business address does not have to be provided for an individual. Amendment subsection (b) was also proposed by the Department of Justice to increase clarity.

Mr. Chairman, with that, the recommendations from the committee are before this Assembly.

I would just like to take the opportunity, then, having worked with all members of the committee from all parties, to address who the members were. The deputy chair was the MLA for Edmonton-McClung. We had representation from the MLAs for Calgary-East, Calgary-Nose Hill, Livingstone-Macleod, Calgary-Bow, Drumheller-Stettler, Olds-Didsbury-Three Hills, Edmonton-Highlands-Norwood, Lethbridge-East, Whitecourt-Ste. Anne, Edmonton-Strathcona, and Edmonton-Calder. Mr. Chairman, it was a tremendous opportunity to work together as MLAs and, as well, to ensure that legislation coming before this Assembly does meet the needs of the public, and we attempted to do that with the original drafting of Bill 1.

With that, I'll end my comments. Thank you.

**The Chair:** The hon. Government House Leader.

**Mr. Hancock:** Thank you, Mr. Chairman. I'm pleased to rise and speak to this amendment. I understand that there may be a move to sever the amendment so we can vote on the sections one by one, but I did want to speak prior to that admonition being made, so I thank you for allowing me the opportunity to do so.

First and foremost, I want to say that this is, in my view, a very historic occasion and an important one. We had a standing policy committee, or, as we call them, a policy field committee, which was able to hear from the public with respect to a bill and not just any bill, Mr. Chairman, but Bill 1. Bill 1 normally is a bill sponsored by the Premier as the first bill of any session, and often it deals with noncontroversial items. Often it doesn't deal with as important an item as what we're dealing with today with Bill 1. Certainly, it's unheard of to have the Premier's bill referred to a standing committee of the Legislature for this type of scrutiny and public input. It truly shows that the reform initiatives that this government proposed and that were worked on with members of the opposition and the opposition House leaders, both from the Liberal opposition and from

the third-party opposition – it shows the effectiveness of that process.

**5:40**

I wanted to go on record, first and foremost, by commending the members of all of the four standing policy committees, and particularly this one, for the service that they provided over the course of the summer break in the session and for hearing from the public and doing good work. I particularly wanted to recognize the hon. Member for Calgary-Buffalo as the chair of this particular committee but all the members of this committee because I think this is a very, very important step forward for our Legislature and one which was promised by our Premier and one which I as House leader was pleased to be able to bring forward and work, as I said, with the opposition House leaders on.

Now, having said that, it's important to recognize that the House has final control over a bill. So while I think there's been very good work brought forward, I have to say that I don't think the work that's brought forward completely captures the true concerns that were raised by the volunteer sector in our province. I just want to highlight that at the appropriate time I will be bringing forward a further amendment which will deal the question of what I would call a public-good exemption, an exemption which would make it very clear that charitable organizations and voluntary organizations are not part of the registry process unless they are constituted to serve management, union, or professional interests not having a majority of members that are profit-seeking enterprises or representatives of profit-seeking enterprises.

The reason I mention this now, Mr. Chairman, is, first and foremost, because it may impact how we consider all the rest of the amendments that we're bringing. If we're going to deal with them on a one-by-one basis, I think it's fair for the House to know that there's going to be a government amendment come forward to the bill to deal with this concern that has been raised by many members of the public, members of voluntary organizations. It's important as we deal with each of the amendments that's being brought forward that we understand that there will also be an amendment brought forward to consider, which I have stylized as the public-good amendment. I thought that in the context of the possibility that you might recommend that we vote on this package of amendments on a section-by-section basis, it was important to put that acknowledgement before the House and advise the House that this additional amendment would be coming forward, which I had proposed to bring forward after this package of amendments was dealt with.

The House may discuss as to whether or not some of these other amendments are required, but in reviewing the full package and the impact of the public-good amendment on the full package, I don't believe it's necessary to change the package as recommended by the committee. It's just to provide this additional public-good exemption. Having not circulated the amendment that I'm talking about, I would just reference it to be very similar to the Quebec act, which provides for an exemption for any person. Our language in this bill talks about directors, officers, or employees, but in any event it makes it very clear that persons who are in a voluntary organization which is truly a charitable or a public-good organization, as opposed to a special-interest organization, would be exempted from the registration under the Lobbyists Act.

Mr. Chairman, again, I want to say thank you to the committee for the work that they've done. This committee and all four committees this summer have done, I think, a service to this Legislature in carrying forward the interests of the policy field committees, or, as they're referred to in the Standing Orders, the standing policy

committees, and to bring the true interests of the amendments that we made that we agreed upon, first as House leaders and then embodied as temporary Standing Orders, to really bring that process to fruition. This is the first amending results of that process. I think the committee has done great work. The amendments that I'm bringing forward will intend to supplement that work, not to replace it.

With those comments, Mr. Chair, I would look forward to our dealing with amendments on the floor.

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

**Ms Blakeman:** Thank you very much, Mr. Chair. In my role as House leader for the Official Opposition I would ask that the package of amendments that have been brought forward be severed into parts. Those would be the parts that are as presented, outlined by the alphabet A to K, which I believe gives us 11 separate amendments.

I am aware that we've had some people very patiently waiting with us in the gallery. They are representatives of the not-for-profit sector. So I am delighted to hear the Government House Leader speak of amendments to come following this package that would be addressing their concerns specifically around what's been referred to as the Quebec amendment, and I will be very glad to be reviewing these 11 amendments with that screen or focus put in place. I do look forward to that amendment coming forward, and I certainly appreciate the members of the sector staying with us all afternoon to see the launching of this bill. I'm pleased to hear what the House leader has put forward, but I do ask that the whole package be severed into parts, please.

Thank you.

**The Chair:** Okay. It's the decision of the chair that the amendment be tabled as amendment A1 and that we will deal with each part with subamendments. We will label each different part separately.

**Ms Blakeman:** We will end up dealing with different amendments, though, correct? I am asking this to be severed, not to be done as various subamendments. Am I correct in that?

**The Chair:** Yes. Separate parts.

**Ms Blakeman:** Thank you.

**The Chair:** Okay. The hon. Member for Edmonton-McClung.

**Mr. Elsalhy:** Thank you very much, Mr. Chair. In responding to amendment A1 now, which is section 1(1) which is being amended, first of all, let me thank the hon. chair of the Standing Policy Field Committee on Government Services, whom I had the pleasure of working with for at least 10 meetings. I have to thank all the colleagues who sat on this committee for their open-mindedness and their patience as we all struggled to reach that balance, you know, that fine midpoint between our desire and our attempt to make government and the dealings of government more open and transparent and the reaction we had to give to members from the nonprofit sector and the volunteer sector when we heard their cries loud and clear when they said, you know, that the net of the act was cast too wide and it wasn't them that the act intended to catch.

It was a balancing act, and I think the committee actually achieved a good balance when members from the media, for example, were criticizing us for watering down a bill that was attempting to make

government more open and transparent and to allow us to govern with integrity. But then, on the other hand, you get members from the nonprofit sector saying: you guys went too far. I thought to myself that maybe we actually reached that balance. Knowing that all we do and all we did in the committee was going to end up on the floor of the Assembly in Committee of the Whole for all 83 members of this esteemed Assembly to work on and to debate and to talk about, that was the added level.

I am pleased that the Quebec amendment is coming forward. Had the Government House Leader not done it himself, I was more than prepared to do that on my own. Me and everybody else, Mr. Chairman. It was basically a good step. It was a good measure. The committee was really a positive exercise, and it was eye opening for me. I understand that this is one of the few times we've done it in this province, if ever. In that regard I am definitely pleased.

5:50

Now, to focus on the amendment that we have before us, this one here is renumbering some clauses and striking out some clauses, substituting another. I'm going to tell you in layman's language, Mr. Chairman, what we're attempting to do here. I'm speaking on behalf of the committee and all the members. What we're trying to do here is say that a consultant lobbyist has to register and report regardless of how much time the consultant lobbyist spends. So for somebody who is paid a fee or is under contract to lobby on behalf of a certain agency or a certain entity and gets paid, there is no threshold. If you spend one minute lobbying, you are caught under the act, and you have to register and report versus an organizational lobbyist, somebody who is in-house.

The committee deemed that an in-house lobbyist or an organizational lobbyist who is not paid, you know, somebody who is totally volunteering, does not have to register and report. Now, if that person is paid for their transportation, for example, or something like this just to compensate them for expenses that they incurred, they still don't have to register and report. But if they're paid any type of fee or any type of honorarium, then they have a threshold. If they meet that threshold, then they have to register and report.

We struggled in the committee between different models and different suggestions: the 20 per cent threshold, as you remember, Mr. Chair, and, you know, the eight days or 12 days and so on and so forth. We picked the Quebec approach, which is 12 days, but we further clarified it as 12 working days. Typically a working day has eight hours. We multiplied eight by 12; it gave us 96. We actually rounded it up to 100. We said that if somebody individually or collectively within an agency reaches that threshold and exceeds it, then that person or that entity has to both register and report any lobbying that they do.

This is, in essence, what we're trying to do in this amendment, that we're now calling amendment A1. As a member of the committee but then also just as an MLA in this House I think that that provides the clarity that was necessary to make that distinction very clear between who is a consultant lobbyist, somebody who makes a living lobbying on behalf of a cause or an agency or a group, and then somebody who is doing it as a volunteer in-house. Then if that volunteer gets paid, you know, we have that threshold here, which also offered a bit of clarity. Not having a threshold was an undue burden, in my opinion, on most of our volunteer-run associations, charities, nonprofit service providers, and so on.

Now, is 100 hours too little or too few? No. I think it's a reasonable thing. We're talking 12 days, which is one day a month.

They might argue that they need to do more. I'm hoping that with the Quebec exemption, then, we would address that, but till then, you know, till tomorrow or next week, this should offer the relief that is necessary in this case, in my opinion, because 100 hours is a lot of time.

We've heard the concern that maybe preparation time is also included. Maybe some people thought that that was not fair because how can you account for prep work? How can you account for research? How can you account for time you spend online trying to determine, you know, who does what in government and who is the person to talk to and who is the person to approach? Well, we struggled with this because you can't really discern what is prep time and what is actual lobbying time. So we said that it all counts. But then I'm hoping that with the clarity from the amendment, with the Quebec exemption, this might not be necessary.

The threshold is here to stay, and the threshold is fair, in my opinion. The distinction that we made was extremely important and useful to make to members of the nonprofit community and the volunteer community. An organizational lobbyist who is just one person, like a one-man show, a sole proprietor, or somebody who is a partner in a partnership: then they don't need to make a payment, and they don't need to receive a payment because they're basically running their own show, so they're still captured. I think that is also a good direction.

So, Mr. Chairman, speaking to this particular amendment, I do support it, and I thank you for the opportunity.

**The Chair:** Pursuant to Standing Order 63, I will now ask the Government House Leader to rise and report progress. The hon. Government House Leader.

**Mr. Hancock:** Thank you, Mr. Chair. I would move that the committee rise and report progress on Bill 1.

[Motion carried]

[The Deputy Speaker in the chair]

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

**Rev. Abbott:** Well, thank you, Mr. Speaker. The Committee of the Whole has had under consideration a certain bill. The committee reports progress on the following bill: Bill 1. Mr. Speaker, I wish to table copies of all amendments considered by Committee of the Whole on this date for the official records of the Assembly.

**The Deputy Speaker:** Does the committee concur in the report?

**Hon. Members:** Concur.

**The Deputy Speaker:** Opposed? So ordered.

The hon. Government House Leader.

**Mr. Hancock:** Thank you, Mr. Speaker. It being approaching 6 o'clock, I would move that we adjourn until 1 p.m. tomorrow.

[Motion carried; at 5:58 p.m. the Assembly adjourned to Thursday at 1 p.m.]