



Province of Alberta

The 27th Legislature
First Session

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The Honourable Kenneth R. Kowalski, Speaker

Legislative Assembly of Alberta

The 27th Legislature

First Session

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Mitzel, Len, Cypress-Medicine Hat, Deputy Chair of Committees

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[Errata, if any, appear inside back cover]

Legislative Assembly of Alberta

1:30 p.m.

Tuesday, October 28, 2008

[The Speaker in the chair]

Prayers

The Speaker: Good afternoon and welcome.

Let us pray. Give to each member of this Legislature a strong and abiding sense of the great responsibilities laid upon us. Give us a deep and thorough understanding of the needs of the people we serve. Amen.

Please be seated.

Introduction of Visitors

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

Mr. Bhardwaj: Thank you very much, Mr. Speaker. It is a great pleasure to rise today and introduce to you and through you a beautiful couple from my constituency of Edmonton-Ellerslie, Ralph and Marjorie Cosens, seated in your gallery. On Saturday, October 25, 2008, Mr. and Mrs. Cosens celebrated their 70th wedding anniversary. I had the privilege of attending their anniversary party, which was held on September 6.

Mr. Cosens has lived in Alberta all his life. Aside from a couple of years, Mrs. Cosens has spent her entire life in Alberta as well. From their years on the family farm outside Morrin to enjoying retired life in Edmonton today, the Cosens have been proud Albertans for many decades. In their 70 wonderful years of marriage they have been blessed with three children, four grandchildren, 10 great-grandchildren, and two great-great-grandchildren. Today Mr. and Mrs. Cosens are joined by their baby boy, George, and his lovely wife, Linda. I ask them to please rise and accept the traditional warm welcome of this Assembly.

The Speaker: Hon. members, as we express congratulations on 70 years of wonderful marital bliss, I would like to point out that there is not one member in this Assembly who has reached that number of 70 yet. That statement, though, having been made, will no longer be true as of October 31, 2008.

Introduction of Guests

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

Mr. Lindsay: Thank you, Mr. Speaker. It is my distinct pleasure today to introduce to you and through you to all members of this Assembly a group of Alberta's brightest students from Forest Green school in my constituency of Stony Plain. There are 30 students today who are joined by their teacher, Leslie Kronewitt, and her assistant, Pam Getzinger. I believe they are seated in the members' gallery, and I would ask them to stand and receive the traditional warm welcome of this Assembly.

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

Mr. Xiao: Thank you, Mr. Speaker. It gives me great pleasure to introduce to you and through you to all members of this Assembly a group of 31 grade 6 students from St. Martha school in my constituency. The group is led by their teacher, Shelley LaFontaine,

and Mrs. Labrie, Mrs. Abdouch, and Mrs. Kammermayer. They are in the members' gallery, and I would ask them to rise and receive the traditional warm welcome of this Assembly.

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

Dr. Taft: Well, thank you, Mr. Speaker. Today there was a Families Who Care rally on the steps of the Legislature, and I'm delighted to introduce a number of people who were at the rally to the Legislature. I would ask them to rise and stay standing as I read their names: Joanne Marcotte, Corinne Kopjar, Trevor Clark, Shelly Beck, Lois Sloane, Sherri Doyle, Kristan Downey, Richard Malone, Rebecca Prieston, Kevin McIntosh, and Kevin Nooskey. I am encouraged that these people have come in some cases a long distance to participate in the democratic process, and I would encourage all MLAs to give them a warm welcome.

Thank you.

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

Mr. Liepert: Thank you, Mr. Speaker. It's my pleasure this afternoon to introduce to you and through you to members of this Assembly Mr. Ed Gudaitis, president of Gilead Sciences Canada, and Mr. Brett James, principal of Sussex Strategy Group. They're accompanied by someone who is well known around these parts of the country, Mr. Jim Dau, of Prismatic Group Inc. They're seated in the members' gallery, and I'd ask them to rise and receive the warm welcome of this Assembly.

The Speaker: The hon. Minister of Employment and Immigration.

Mr. Goudreau: Thank you, Mr. Speaker. It's my pleasure to introduce to you and through you to all members of the Assembly 17 employees of Alberta Employment and Immigration. I had a chance to meet with them a few minutes ago, and I can say that this staff is very dedicated. They work in the city centre office in downtown Edmonton, delivering Alberta Works programs which help Albertans meet their basic needs and upgrade their skills so that they can fully participate in Alberta's workforce. I ask these staff, who I believe are in the public gallery, to rise and accept the warm welcome of this Assembly.

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

Mr. Bhardwaj: Thank you very much, Mr. Speaker. It is a pleasure to introduce to you and through you two very important ladies seated in the members' gallery: Shannon Hamelin and Joan Cannam. Shannon is my full-time constituency manager and has been with me since the beginning of my tenure as MLA. Shannon has put in many hours of overtime to help get the great constituency of Edmonton-Ellerslie up and running as efficiently and as thoroughly as possible. Joan joined us on September 10, for which I'm extremely grateful. In order to do our jobs more efficiently and effectively, it is important to have skilled support staff. I want to thank Shannon and Joan for all the hard work they're doing to aid my constituency and all Albertans. At this time I would like them to please rise and receive the traditional warm welcome of this Assembly.

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

Mr. Weadick: Well, thank you, Mr. Speaker. It's my pleasure to introduce to you and through you to all members of this Assembly a group of community leaders from 12 major organizations in the

city of Lethbridge, Team Lethbridge, who are here to promote their support of the success of our province and our country. I'm pleased to have them all here, and I would ask them to rise as I call their names: Suzanne Lint, Ian Randell, Christopher Babits, Bruce Galts, Melody Garner-Sparrow, Jean Greer McCarthy, Barbara Lacey, Tom McKenzie, Rajko Dodic, Rick Braden, Cheryl Dick, Mayor Bob Tarleck, Jody Nilsson, Dennis Hatt, Paul Pharo, Jacinda Weiss, Steven Dyck, Tracy Edwards, Peter LeClaire, Del Allen, Blayne Janssens, Colin Ward, Rudy Friesen, Georgina Knitel, Don Young, Dave Adams, Sharon Sproule, Noella Piquette Tomei, Gary Bartlett, Barry Litun, Lea Switzer, Bill Cade, Chris Hosgood, Richard Westland, Larry Lux, and Shilpa Stocker. Please rise and receive the warm welcome of this House.

Thank you.

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

Mrs. Sarich: Thank you, Mr. Speaker. It's my pleasure to rise today to introduce to you and through you Lorrie Baer, who is a proud and dedicated mother of two special-needs children. Lorrie and her family are constituents of Edmonton-Decore. Lorrie is visiting the Alberta Legislature today to bring forward important information regarding the staffing crisis that is resulting in the decline or closure of day programs and group homes throughout our province and met earlier with the hon. Minister of Seniors and Community Supports, the Member for Red Deer-North, and the hon. Minister of Children and Youth Services, the Member for Banff-Cochrane. I would like to thank Lorrie for her courage to dialogue on this important issue, and I would ask her to rise now and receive the traditional warm welcome of the Assembly.

1:40 Members' Statements

The Speaker: The hon. Member for Strathmore-Brooks.

Brooks Cactus Pheasant Classic

Mr. Doerksen: Thank you, Mr. Speaker. From October 30 to November 2 the Brooks Curling Club will be hosting the second annual Cactus Pheasant Classic. Although only in its second year the first Cactus Pheasant Classic, held last year, gained international recognition, being named the event of the year by the World Curling Tour.

This year's event promises to expand on last year's successes. Close to 10,000 spectators will be supported by the work of nearly 200 volunteers. This event will feature some of the world's top curlers, including last year's classic champion Kevin Martin; Scotland's 2006 world men's champion, David Murdoch; the United States' first medalist in curling, Pete Fenson; and Alberta's own Randy Ferbey. Twenty-four teams will be competing for a \$70,000 purse, with \$22,000 going to the first-place team.

The Brooks Cactus Pheasant Classic World Curling Tour Committee is a nonprofit organization whose mandate is to promote curling and junior curling in Brooks and surrounding communities. Last year \$35,000 was raised, and this year's event promises to double that amount to about \$70,000. These funds will help promote curling across Alberta and bring new and young competitors to the sport in the Brooks area. Events like this are truly a credit to the many volunteers in our community and will draw competitors and spectators to Brooks and Alberta from across Canada and around the world.

I'm pleased to rise today to recognize the volunteers and organizers of the Brooks Cactus Pheasant Classic and to congratulate them on making this event such a great success.

Thank you.

The Speaker: The hon. Member for Peace River.

World's Biggest Walk

Mr. Oberle: Thank you, Mr. Speaker. This past Saturday morning the World's Biggest Walk was held to highlight and advance the cause of organ and tissue donation. A five-kilometre walk involving thousands of people around the world was co-ordinated to happen at noon Greenwich meridian time, which was 6 a.m. local time. My wife, Debbie, and I were proud to join the walk in Peace River along with 66 others to support the volunteers who work tirelessly to educate us on the reality of organ and tissue donation. We were proud to do so because one of the most ardent and active volunteers lives in my constituency. Maria Stranaghan has been a powerful advocate. She has moved mountains to put our northwest corner of the province on the map, where we now have some of the highest donor rates in the country. Maria herself is a donor mother, having lost a daughter many years ago, and she has devoted 15 years of her life to this cause.

I ask my colleagues, Mr. Speaker, the members of this Assembly, to join me today in honouring the efforts of this great Albertan. They can do so vocally, of course, but better yet, I ask them to sign their donor cards. By this simple act we can grant a second chance or an enhanced life to someone else. I think it's the best way that we can thank Maria.

Thank you, Mr. Speaker.

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

300th Anniversary of the Sikh Scriptures

Ms Woo-Paw: Thank you, Mr. Speaker. It is my honour to rise today to recognize the 300th anniversary of the Sikh scriptures, Sri Guru Granth Sahib Ji. These scriptures are important to Sikhs as they contain the words and verses as spoken by Sikh gurus and others. In 1708 it was instated by the Tenth Guru as the last and infinite guru of the Sikhs. The scripture was to be used by Sikhs as an eternal guru of support and guidance, though not in the form of a human. This compilation had its start centuries before and was worked on by several of the Sikh gurus. There are 1,430 pages, divided into 39 chapters, representing not only a religious history for Sikhs but a representation of a guru that provides peace and guidance. The scriptures are the focal point of Sikh temples and the lives of Sikhs.

Mr. Speaker, Guru Granth Sahib stresses the importance of equality. It promotes an understanding that all human beings, regardless of caste, creed, gender, or religion, are equal. In Sikhism equality of all kinds, especially gender equality, is of utmost importance.

There is also universality in the scriptures. The first words in the scripture are Ik Onkar, simply translated, meaning there is one light, one source, or one God. The scriptures promote an understanding that there are many paths to enlightenment. The scriptures include words from not only the Sikh gurus but also saints of many faiths, including Islam, Hinduism, and nondenominational figures. The scripture offers Sikhs a daily reminder of the importance of meditation, humility, service, and honesty, which are virtues that would serve anyone well, regardless of religion.

Congratulations to the Sikh community and to my colleagues from Calgary-Montrose, Edmonton-Manning, and Calgary-McCall. It is a rich and holy document, and I'm proud to recognize its 300th anniversary, and I acknowledge the important role it has played in the life of Sikhs in my community.

Thank you, Mr. Speaker.

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

Diwali

Mr. Bhardwaj: Thank you, Mr. Speaker. Today is a very auspicious day in the Indian culture as we celebrate Diwali, otherwise known as Festival of Lights. Diwali is a very important festival in the Indian heritage, as it reaches across many religions, including Hindus, Sikhs, and Jains, just to name a few.

Mr. Speaker, approximately 120,000 Albertans of Indian descent will be celebrating the Diwali festival this year by lighting candles in their homes, signifying love, prosperity, and unity. The evening is then celebrated by a traditional meal and fireworks displays.

The Diwali festival is significant for two major reasons. There is a religious aspect, as Diwali is a celebration of the victory of good over evil in every human being. It marks the homecoming of goodwill and faith after absence. The second significant aspect of Diwali is culture. The most common belief is that Diwali originated as a harvest festival, marking the last harvest of the year before winter.

Mr. Speaker, Diwali is not only celebrated in the Indian subcontinent but all around the world. In fact, approximately 1.2 billion people of Indian descent will be celebrating Diwali around the globe this year.

Diwali represents important core values that are not only shared by people of Indian origin but all Albertans and Canadians. These are the messages of unity and the triumph of good over evil. Today I commend those who support these important values and wish everyone happy Diwali.

Thank you very much.

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

Scarboro United Church

Mr. Hehr: Thank you, Mr. Speaker. It pleases me to inform this House that this month Scarboro United Church in Calgary became the 50th church in Canada to recognize that sexual orientation should not be a barrier to becoming a minister of the faith. I'm quite proud of this leap forward, not simply because I happen to be a member of this particular church but because it's another sign that Alberta's spiritual leaders recognize the inherent worth of all human beings.

We live in exciting and extraordinary times. Merely a few years ago most Canadians couldn't imagine a day when gay men or women could take leadership roles in the church. Now we are becoming accustomed to the new reality and recognizing how it enriches our faith, our culture, and our society. Slowly but surely we are building a more accepting, compassionate, more liberal – small "l" – society, and we are all better off because of it.

Mr. Speaker, in Alberta we have a Progressive Conservative government. They do well at the conservative end of that moniker. How about doing a little something on the progressive side by writing protection for sexual orientation into Alberta's human rights legislation? Churches across the nation are showing leadership on the issue while our government lags behind. It's really such a simple thing, amending legislation that should protect all Albertans. Right now we're falling short, and as a result some of our citizens are marginalized. That's not fair, that's not right, and the status quo is simply not good enough.

I congratulate Scarboro United Church, its leadership, and its members for their tolerance and understanding and leadership on this issue. I hope this government will one day see the light and follow in their footsteps.

Oral Question Period

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

Monitoring Health Care Standards

Dr. Taft: Thank you, Mr. Speaker. Society expects there to be policing of everything from speed limits to environmental standards to cleanliness in restaurants to financial dealings of business, yet yesterday the Minister of Health and Wellness said repeatedly in this Assembly that there are no "cops," to use his term, investigating and enforcing standards for infection control in Alberta hospitals. To the Minister of Health and Wellness: why does the minister not want a group of health professionals "running around the province investigating hospital sites"? What good are standards if they aren't enforced?

1:50

Mr. Liepert: Mr. Speaker, unlike all of the various professions that the member alluded to, the health care industry is regulated by some 29 different health professions. These professions are responsible for ensuring that their members adhere to not only the code of conduct of their own professional organization but standards that are put into place by, in this case, the provincial government. Occasionally you will have a situation that would evolve like yesterday, and in that particular case both the colleges of registered nurses and of physicians and surgeons are notified.

Dr. Taft: Well, again to the same minister: if the government feels it's justified in having wildlife officers police the length of a fish a person is allowed to catch or police the depth of tire tread on commercial trucks or police whether food sold in farmers' markets is safe, why doesn't it feel compelled to have a system that polices whether or not proper standards are being met in health care?

Mr. Liepert: Well, Mr. Speaker, obviously there would be a cost associated with that, a pretty significant cost. This particular member, I think, was asking questions yesterday about why we spend so much money. Beyond that, though, we do have, as I said, some 29 professional colleges that are responsible for ensuring that standards and codes of conduct are adhered to.

Dr. Taft: Again, to the same minister: can this minister confirm that he is also failing to police personal care standards, drug dispensing, and dietary standards in long-term care centres? Is he failing to police those as well?

Mr. Liepert: Well, again, Mr. Speaker, in the particular instance that the member refers to, there are two things: one, if it's drug dispensing, there are clearly standards and codes of conduct around dispensing of drugs, but there is also monitoring that takes place with all of our facilities in the province. If the member has something specific rather than just, sort of, tossing out these allegations, I'd be happy to look into it.

The Speaker: Second Official Opposition main question.

Enforcing Health Care Standards

Dr. Taft: Mr. Speaker, we now post restaurant inspections online for all the public to see. It's time we consider posting hospital compliance reports for the public to see as well. To the Minister of Health and Wellness: in the spirit of open accountability can the minister tell us which facilities the standards compliance branch has monitored and audited and which ones have not been monitored and audited?

Mr. Liepert: As I mentioned yesterday, Mr. Speaker, the new standards were introduced in January. We have been working with the health regions up until the merger into one health board, and we're now working with Alberta Health Services to ensure that the provincial facilities all comply with the standards that are in place, and that will continue.

Dr. Taft: Mr. Speaker, to the same minister: how is he going to ensure that standards are complied with if he doesn't enforce them, if he doesn't have anybody out inspecting, if he doesn't follow through on the requirement to meet the standards? Isn't it all just empty words on blank pieces of paper?

Mr. Liepert: Well, Mr. Speaker, what's inherent in the question by the Leader of the Opposition is that the various colleges around this province are not doing their job. I resent that, and I'm sure so do they. We also have an open policy, and it worked in High Prairie, where if a particular employee sees or even questions whether something is right, they have the full ability to ask questions and report it, and we act on it.

The Speaker: The hon. leader.

Dr. Taft: Well, thank you, Mr. Speaker. This minister is dodging the issue. This government pays the bills, so this government should enforce the standards. If this government is paying the bills, why isn't it also accepting responsibility for enforcing the standards?

Mr. Liepert: Mr. Speaker, that's precisely what we did. When this came to our attention, it was stopped immediately, and at the same time the provincial medical officer of health has asked other officers of health around the province to do a review to ensure that the practice is not taking place elsewhere. We have asked the Health Quality Council to review and look at the root cause analysis and make a report, and they may recommend that we do things differently. We'll wait for the report.

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

Municipal Funding

Mr. Taylor: Thank you, Mr. Speaker. Calgaryans are facing a 22 per cent property tax hike over the next three years. One of the most conservative members of Calgary city council says this is because for years this government has failed to ensure critical infrastructure was built in cities. To the Premier: what are you going to tell the people of Calgary facing tax increases in a time of economic uncertainty because your government didn't do its job?

Mr. Stelmach: Mr. Speaker, what we will be telling all municipal taxpayers in Alberta is that we are providing the single largest source of funds to municipalities ever in the country of Canada. This is all new money, \$11.3 billion over the next 10 years to Alberta municipalities.

Mr. Taylor: Clearly, Mr. Speaker, it's not enough. There's only one taxpayer. [interjections] Well, if it was enough or if it was being spent wisely, perhaps the Premier could enlighten this House as to why it is that Calgary city council faces this revenue shortfall.

Mr. Stelmach: Mr. Speaker, sorry for smiling a little bit before

because yesterday we were browbeaten by the opposition leader, who said we were spending too much. I don't know. Today there's not enough.

You know, we are working with all municipalities. It's not only the new funding we're providing for critical infrastructure, the \$11.3 billion; we're also supporting them in other services, supporting more police officers. We're also helping the cities through other studies, connecting municipalities to rapid transit. We've got \$2 billion there on the table that municipalities can apply for. It's simply outstanding in terms of the resources available to Alberta municipalities.

Mr. Taylor: Mr. Speaker, there's only one taxpayer. You know, it's about spending smart. It's not about spending too much here or too little there; it's about getting it right, which this government consistently fails to do. Out of every tax dollar the feds get 60 cents, the province gets 32 cents, the municipalities get 8 cents. To the Premier: why not vacate some provincial tax room and let municipalities move into that area and access the money that they need that this government is not . . .

Mr. Stelmach: Mr. Speaker, actually, we did something better. We committed to \$11.3 billion of funding, sharing the resources that come to this province. Now, we discussed it with mayors. You want to share in the revenue that comes to the province? Then be able to take the \$140 barrel oil, but also be prepared to take the \$60 or less barrel of oil. They're guaranteed the money. I believe every municipal official will support the policy that we have today over what the opposition member is I think supporting. I'm not quite sure.

The Speaker: The hon. Member for Edmonton-Highlands-Norwood, followed by the hon. Member for Edmonton-Castle Downs.

Monitoring Health Care Standards

(continued)

Mr. Mason: Thanks very much, Mr. Speaker. Just 15 months ago the Cowell report released its recommendations for creating a culture of safety in our health care system. In response to this the government promised to establish, monitor, and enforce province-wide standards for infection prevention and control. Apparently there was no sense of urgency because it has not happened, and Albertans' lives are at risk. My question is to the Premier. When are you going to face up to your responsibilities and fully implement the recommendations in the Cowell report so that Albertans using the health system can do so without fear?

Mr. Stelmach: Mr. Speaker, we face our responsibilities every day. I don't have to be threatened by any political leader in this House. The minister clearly articulated what the ministry is doing in terms of protection of the public when they access health care in this province. He will continue to evaluate all of the progress. But what we're talking about here are services that are provided by professionals, and we're working with those professional organizations to see how we can monitor performance of professionals in specific, very key areas that provide health care in this province. You know, today he said: well, maybe we'll hire more people to monitor here and patrol here and be nurse cops. It takes more people out of the system, and we're already trying to find more nurses and more doctors to deliver health care services.

2:00

The Speaker: The hon. member.

Mr. Mason: Thank you, Mr. Speaker. This government should have kept its promise to Albertans, but it didn't. Instead, the government dismissed four top public health doctors, failed to update safety procedures, and gave million-dollar buyouts to health region CEOs. To the Premier: This government's incompetence has led to yet another health scare, and 2,700 lives are at risk. This latest scandal could have been avoided if this government had enforced compliance and implemented Cowell's recommendations. Why did you fail Albertans, who depended on you to keep their health care system safe?

Mr. Stelmach: Mr. Speaker, our health care system is safe.

There's a significant error in the preamble of the leader of the third party. He said that the government dismissed them. We didn't dismiss any of the four public health officers. They left of their own will.

Mr. Mason: Oh, come, come, Mr. Speaker.

Well, 2,700 Albertans have been put at risk of contracting HIV, hepatitis B, and hepatitis C. A parallel situation in Las Vegas resulted in 114 infected patients. To the Premier: will you apologize to these residents of northern Alberta who now face the fear of potentially fatal infections because of this government's incompetence?

Mr. Stelmach: Mr. Speaker, the member is talking about a situation in Nevada which is different, and I'll have the minister of health respond.

Mr. Liepert: Well, Mr. Speaker, there is a very different health care system in the United States, a very different public health care system. The hon. member is trying to really mix issues here. In Nevada, as an example, the issue did not come to light until people actually were infected. I need to reiterate today that according to our chief medical health officer the likelihood of infection is about four in 1 million, which is probably way less than the risk that this member has of driving safely home tonight.

The Speaker: The hon. Member for Edmonton-Castle Downs, followed by the hon. Member for Calgary-Mountain View.

Role of Provincial Sheriffs

Mr. Lukaszuk: Thank you, Mr. Speaker. In news reports Albertans have learned that over the last few weeks there were attempts at sabotaging infrastructure in British Columbia, particularly gas pipelines. My question is to the Solicitor General and Minister of Public Security. What contingency plans do you have, Minister, for protecting Alberta's critical infrastructure?

Mr. Lindsay: Mr. Speaker, after a thorough review there is no indication that Alberta's critical infrastructure is at risk. Our threat level remains low. Our sheriffs are part of the Alberta strategic intelligence support team, who have developed a strong plan to protect our infrastructure in partnership with industry. These sheriffs are part of a group of approximately 700 sheriffs working in this province who play an important role in law enforcement and ensuring the safety and security of Albertans.

The Speaker: The hon. member.

Mr. Lukaszuk: Thank you, Mr. Speaker. I hear the Leader of the Opposition chirping about the sheriffs, and I hear that over and over again, undermining the authority of sheriffs in Alberta. Maybe the minister can tell us what other roles sheriffs have in law enforcement in Alberta.

Mr. Lindsay: Mr. Speaker, our sheriffs perform a number of important duties that help ensure the safety and security of Albertans. For example, they provide courtroom security in more than 70 communities across the province and safely transport inmates between RCMP detachments, corrections centres, and our courts. Earlier this year we launched a sheriffs team that works with local police services to apprehend criminals free on outstanding warrants. To date they have cleared more than 1,000 warrants. Last month we announced a new team of sheriffs, the SCAN unit, that is targeting property used for illegal activities such as drugs, gangs, and prostitution.

The Speaker: The hon. member.

Mr. Lukaszuk: Thank you, Mr. Speaker. Maybe the minister can tell us also about the use of sheriffs on our highways throughout the province. What success stories can he share about that?

Mr. Lindsay: Mr. Speaker, enforcement is an essential part of improving safety on our highways, and our sheriffs have been very successful. The 105 members of the Sheriff Highway Patrol continue to work closely with the RCMP and traffic enforcement, and over the past year and a half they have issued about 170,000 violations. Our sheriffs also took part in a very effective enforcement blitz in Edmonton this past week together with the Edmonton Police Service and the RCMP. This working relationship with the local police service and the RCMP is proving highly effective.

The Speaker: The hon. Member for Calgary-Mountain View, followed by the hon. Member for Calgary-Hays.

Support for Human Services Agencies

Dr. Swann: Thank you, Mr. Speaker. Nonprofit organizations caring for the disabled are unable to provide basic services safely to these individuals. They are pleading and they are desperate for more support. They were on the steps of the Legislature today. They're choosing between their own patients and their own well-being. To the Premier: before our most vulnerable citizens and their caregivers – impoverishment is adding to their load – tell Albertans today what you intend to do to ensure a basic dignity for these people and their caregivers.

Mr. Stelmach: Mr. Speaker, a measurement of society is how we take care of those who cannot take care of themselves. I'm very proud of the record of this government although we do know that we have many people that require additional resources. I met with many that provide these resources either on a contract basis or not-for-profit charitable organizations, and I said that we're going to close the gap between those that are, let's say, government-level salaries and those working for not-for-profit agencies. We eliminated the health care premiums; that freed up a little bit more money. We'll continue to do more in the areas of seniors and also children's services to close the gap.

The Speaker: The hon. member.

Dr. Swann: Thank you, Mr. Speaker. One of the caregivers at the rally today said, and I quote: Ed, we know you know how to raise wages; you raised your own 30 per cent. End of quote. When are you going to change the standards for the caregivers of our most vulnerable?

Mr. Stelmach: Mr. Speaker, last Saturday, I believe, or maybe two weeks ago I also attended a fundraiser for a group that does a lot of work with disabled children, the Elves society. Not only was I present, but one of our other ministers was present there. They thanked the government for the help that we have given them. They also have a new source of funding that that opposition argued against; that is, additional dollars going to them through independent schools. So it's already started to close the gap, given them a little bit more money. We have a little bit more to do, and we're looking at this budget.

Dr. Swann: Mr. Speaker, if the most powerful person in government today in Alberta will not ensure the disabled and their caregivers a safe and dignified life, what is he doing in his position?

Mr. Stelmach: Mr. Speaker, this is an area that is of great importance to this government. I've had the opportunity to meet with families who through some unfortunate incident, either a brain injury, car accident, or maybe a child born with some disabilities, are looking after a child with some government support but want to keep the child in their own home. They don't want to put the child in an institution. There are some, unfortunately, with grave disabilities that do require attention and care in an institution. We want to look after everyone, and we're doing that. We'll see that we'll keep increasing the support for families and for the disabled so that everybody has an equitable quality of life.

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

Offender Management

Mr. Johnston: Thank you, Mr. Speaker. Too often we hear of offenders who are being supervised in our communities committing crimes and revictimizing Albertans. Many of these offenders have an extensive criminal history, are addicted to drugs or alcohol, or experience mental health issues. My questions are for the Solicitor General and Minister of Public Security. Forty-three per cent of all criminal convictions in this country now result in sentencing that consists of or includes probation orders. There are 16,000 adults and young offenders being supervised by and regularly reporting to roughly 200 probation officers in Alberta.

The Speaker: We're now going to have to recognize the minister.
2:10

Mr. Lindsay: Well, thank you, Mr. Speaker. I think I know where the hon. member was heading there. This government has committed close to \$470 million . . .

Dr. Morton: How much?

Mr. Lindsay: Four hundred and seventy million dollars. . . . over the next three years to move forward on innovative strategies to reduce crime and tackle the root causes of crime. Part of that action is hiring more probation officers. Their direct involvement with offenders in our communities is vital to ensure that those individuals become contributing members of our society.

The Speaker: The hon. member.

Mr. Johnston: Thank you, Mr. Speaker. My first – or is it my second? – question is also to the Solicitor General. A probation officer in Alberta on average handles 80 to 90 files, with some handling 100 or more. What is the province doing to reduce caseloads?

Mr. Lindsay: Mr. Speaker, as the hon. member mentioned, last week I announced that the province would be hiring 110 new probation officers over the next three years. With 300 probation officers we expect to see caseloads across our province being reduced to 55 to 65 files per officer. This reduction in caseloads would allow officers across the province to provide more intensive supervision of offenders in our communities.

The Speaker: The hon. member.

Mr. Johnston: Thank you, Mr. Speaker. My second and final question to the same minister: how will these reduced probation officer caseloads allow for better supervision of offenders?

Mr. Lindsay: Mr. Speaker, reduced caseloads are going to allow a more proactive approach in assisting offenders turning their lives around. The probation officer will be able to more closely monitor high-risk files to reduce the chance that the individual will reoffend. They will also have more contact with treatment providers, employers, housing officials, and victims to ensure that offenders are participating in rehabilitative programs and services.

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

Health System Restructuring

Mr. MacDonald: Thank you, Mr. Speaker. The hon. President of the Treasury Board is a fiscal hawk with a broken right wing. My first question is to the hon. President of the Treasury Board. When did the minister of health ask the President of the Treasury Board for additional money? The government is said to be running a deficit in this current fiscal year of \$800 million in the department of health.

Mr. Snelgrove: Sorry. It's hard getting up on one wing, Mr. Speaker, but I'll do my best. I find it's far better flying with a broken right wing than in a little tight circle with only a left wing.

Mr. Speaker, this government has been very, very dedicated to enhancing and establishing a health care system that is what Albertans want and need in the places they work. The health minister has the total responsibility and is doing a very good job of addressing the many challenging issues he faces. If need be, he will come to Treasury Board for additional funding. He has not done that yet.

The Speaker: The hon. member.

Mr. MacDonald: Thank you, Mr. Speaker. To the minister of health this time: how is the department controlling costs when it is reported that your department is in deficit this current year of close to \$800 million?

Mr. Liepert: Well, Mr. Speaker, I can assure the member that the Department of Health and Wellness is not in debt by \$800 million. What has happened, though, was that the Alberta Health Services

Board has indicated to us that there were deficits within the various health regions that accumulated at the end of March of this year of \$97 million. We have approved at Treasury Board that expenditure. Secondly, we approved some 80 million dollars that will assist the Alberta Health Services Board in their transition costs.

The Speaker: The hon. member.

Mr. MacDonald: Thank you, Mr. Speaker. Again to the minister of health. Let's set the record straight. Capital health did not have a deficit.

Why did the department dismantle the regional health authorities without a cost-benefit analysis, which would prove if this scheme of yours was going to improve service and control costs? Why didn't you do a cost-benefit analysis?

Mr. Liepert: Well, Mr. Speaker, I think there is a common-sense benefit analysis that we did and concluded that we have the ability in this province to deliver patient-focused, accessible, sustainable health care to Albertans in the future better under one regional board than under 12.

The Speaker: The hon. Member for Calgary-Mackay, followed by the hon. Member for Calgary-Buffalo.

Bail System

Ms Woo-Paw: Thank you, Mr. Speaker. An increasing number of Albertans are raising concerns about the release of individuals charged with serious crimes and our bail system. My questions are for the Minister of Justice and Attorney General. What is Alberta doing to ensure that potentially dangerous criminals aren't being released on bail?

The Speaker: The hon. minister.

Ms Redford: Thank you, Mr. Speaker. The most important thing that we need to do in the Department of Justice is make sure that our prosecutors are well armed with the information that they need to take to a judge to ensure that the bail tests, when they are applied, will ensure that people stay in jail. We have developed under the safe communities task force specific pilot projects that have now been rolled out and will be completed by April that will tie together bail packages with prolific offenders to target the most dangerous people that are coming before the courts to ensure that they don't get out.

Ms Woo-Paw: Mr. Speaker, my second question is for the same minister. How can Albertans be assured that our bail system is as effective as it can be?

Ms Redford: This is something that our department looks at continually. As I said, under the Safe Communities Secretariat we had begun a pilot project which will now be rolled out until the end of April. We are also developing another pilot project with the city of Edmonton, where the Edmonton Police Service and prosecutors are working together in partnership on a 24-hour basis to ensure that current information is before the courts as soon as it's time for a bail hearing.

Thank you, Mr. Speaker.

The Speaker: The hon. member.

Ms Woo-Paw: Thank you. My final question is for the same minister, Mr. Speaker. What role can the federal government play in making bail more effective?

The Speaker: The hon. minister.

Ms Redford: Thank you, Mr. Speaker. We believe in this government that the federal government will play a very important role. At the end of the day it's judges that make the decision about whether or not a person will be released on bail, and we have to make sure that judges understand that we as governments have to reflect the values of the people that we serve, and institutions in this country must do that as well. As soon as the new Minister of Justice is appointed federally, I will be having a detailed conversation with him with respect to a number of initiatives that we'd like to see around bail.

Police Officer Funding

Mr. Hehr: Mr. Speaker, despite Calgary's mayor, Edmonton's and Calgary's police chiefs, and yours truly calling for more cops on the beat for over two months, both the Premier and the Solicitor General stood by, apparently suffering from shell shock from all the gang and gun violence. Thankfully it appears their ostrich routine of burying their heads in the sand is over, and they will be making an announcement to fight gang crime this afternoon. Although I am thankful, I have to ask the Solicitor General: what took so long?

Mr. Lindsay: Mr. Speaker, when these crimes occur in our community, the first reaction is to put more policemen on the street. If you go back to 1978, in the city of Calgary there were 37 homicides. They had a population of about half of what it is today. A few years back they had a record low of 11. It's not really a reflection of the police to per capita ratio that reflects these crimes. It's more a reflection of individual incidents of violence. As the hon. member said, we will be making an announcement in that regard later on today, and I believe that it's an announcement that's going to make Alberta a safer place.

The Speaker: The hon. member.

Mr. Hehr: Thank you, Mr. Speaker. Again to the Solicitor General: why in the world did this government hire 700 sheriffs instead of committing these resources to actually hiring more police officers to get gangs and guns off our streets?

Mr. Lindsay: Mr. Speaker, I would suggest that your hon. Member for Calgary-Buffalo should chat with some of the police services across our province because they work in integration and co-operation with our special investigative units of sheriffs, and they appreciate the support that they get from them.

Mr. Hehr: I understand they appreciate the support, but does it not make more sense to hire more police officers instead of sheriffs? Why did we go down this path in the first place?

Mr. Lindsay: Mr. Speaker, as I spoke before, we're working on a new policing framework for this province, a framework that's based on working more in co-operation and collaboration with policing services across our province. These specialized units of sheriffs, who I've spoken about, have the ability to move across our province. They're not just in silos in Calgary or Edmonton or Lethbridge or

Medicine Hat. They go right across the province, as our criminals do, and they track them very closely, and they're very effective at what they do.

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

Protection of Children in Care

Ms Notley: Thank you, Mr. Speaker. Last week the minister of children's services stood in this House and said: "I was appointed in December '06. When it became obvious to me later in the following year, I started asking for those reports," referring to the reports from the children's advocate. But in media interviews late last week the advocate said that he was contacted by the minister just three months ago. To the minister of children: can the minister explain why you are telling us one thing and your advocate is telling us another? Who's telling the truth?

2:20

The Speaker: The hon. minister.

Ms Tarchuk: Yeah, Mr. Speaker. I can say that I know that I raised that topic earlier than three months ago.

Ms Notley: Well, I think it's time that the minister basically stops studying, stops considering, stops interfering. Albertans need the minister to take action, to do the same thing that every other province in Canada has already done. To the minister of children: why won't you commit to making the children's advocate an officer of this Legislature?

Ms Tarchuk: Mr. Speaker, I am a person of action, and I think that we're talking about an issue that we've been dealing with for a week. In that period of time I have brought the annual reports up to date. I have gotten commitments that from now on they will be on time. We had some quarterlies that were released publicly. Yesterday I tabled some responses so that the public could see how those concerns were investigated and addressed, and we've also committed to taking a look at other jurisdictions across the country, taking a look at legislation and how they report, and I'm currently doing that work.

The Speaker: The hon. member.

Ms Notley: Well, thank you, Mr. Speaker. Your report yesterday just created more questions than answers.

Given this minister's inaction and delay on the provision of the advocate's annual report, she has not earned Albertans' trust so that we can afford to patiently wait for another three years for her to study and review the topic of the children's advocate. To the same minister: will you commit today to making the advocate an officer of the Legislature?

Ms Tarchuk: Mr. Speaker, like I said yesterday, I have committed to pulling the information together, like I was asked to, and this would obviously require further conversation.

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

Low-income Support Programs

Mr. Amery: Thank you, Mr. Speaker. The rising cost of living in Alberta has put additional pressure on low-income Albertans, who

struggle on a daily basis to make ends meet. To the Minister of Employment and Immigration: what is the minister doing to help these people in order to meet their basic needs on a daily basis?

The Speaker: The hon. minister.

Mr. Goudreau: Thank you, Mr. Speaker. We've just increased the amount of monthly benefits for people receiving Alberta Works income supports. As an example of what this means, a working single parent with two children will receive \$105 more per month. Also, single working Albertans who receive income support will have their earnings exemption doubled from \$115 to \$230 per month. As well, these increases will help thousands of low-income Albertans.

The Speaker: The hon. member.

Mr. Amery: Thank you, Mr. Speaker. Even with these increases, which I consider very modest, low-income Albertans are still struggling. How much will these increases really help?

Mr. Goudreau: Mr. Speaker, these increases combined with other supports make a very positive difference. We also assist people with child care and health care costs. We help them buy children's school supplies and work clothes. Most importantly, we help people to get the resources they need to get into the workplace. Income support can offer short-term assistance, but getting a job is the best long-term solution.

The Speaker: The hon. member?

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

Sexual Orientation

Ms Blakeman: Thank you very much, Mr. Speaker. We've heard promises of a review of the Human Rights Commission and the legislation, but no clear answer has been given about whether gay and lesbian Albertans will be given the same written-into-legislation rights as everyone else. It is wrong to say that they are protected because of the Vriend Supreme Court decision but then refuse to actually do anything to write that protection into law. My question is to the minister of culture and community development. When will the review of the Human Rights Commission be made public so that all Albertans can see this government's work or lack of it?

Mr. Blakett: Mr. Speaker, the people of Alberta will get a glimpse of what we've been looking at in terms of our review when we've completed it. It's extensive, and it is encompassing all aspects of the Human Rights Commission from the chief commissioner to the legislation to the operations of it. When we have something to report, we will do so.

The Speaker: The hon. member.

Ms Blakeman: Thank you very much, Mr. Speaker. To the same minister: when will the minister choose to stop discriminating against Albertans and write sexual orientation into the human rights act?

Mr. Blakett: Mr. Speaker, to assume that we are discriminating against Albertans because we haven't gone forward with legislation assumes that there's nothing else that's of importance to Albertans.

What about those people, those new immigrants that come to our province, that have problems with respect to their employment or where they're planning to live? We look at the whole commission and human rights in that vein to encompass all 3.5 million Albertans, not just one group.

Ms Blakeman: That's to play one group against another.

To the same minister: given that the Alberta Teachers' Association recognizes sexual orientation in their code of conduct and has initiatives for LGBT students, how will the minister support the gay and lesbian teenagers in Alberta now that their government refuses to protect their rights in legislation or compares them to a different group?

Mr. Blackett: Mr. Speaker, we have never said that we refuse to do anything. We are conducting a review, and when we've come upon the conclusions after that review has been finished, then we will table something. Until then, it's just pure speculation at this point.

The Speaker: The hon. Member for Drayton Valley-Calmar, followed by the hon. Member for Calgary-Varsity.

Core School Designs

Mrs. McQueen: Thank you, Mr. Speaker. Alberta Infrastructure has developed core school designs for K to 6 and K to 9 schools within this province. These designs include a permanent core building that houses facilities like the gymnasium and administrative offices and also utilizes modular classrooms that can be added or subtracted to accommodate student enrolment. My question is to the Minister of Infrastructure. What are the benefits of all school boards using standard designs for future construction of K to 6 and K to 9 schools within their districts?

The Speaker: The hon. minister.

Mr. Hayden: Well, thank you, Mr. Speaker. I think the first obvious benefit to schools is that this one core design ensures that all Alberta schools are built to the same high-quality standard. As an example within that, all core school designs that we are building now meet the LEED silver standard, which provides the students and the teachers in those schools the opportunity to have a cleaner air system, more energy efficiency, and better use of natural light. There are also the savings. We can build 70 schools for the price of 56.

The Speaker: The hon. member.

Mrs. McQueen: Thank you, Mr. Speaker. Very good to hear about the LEED standards in all of these schools.

To the same minister: how much flexibility will school boards have to tailor these standard designs to meet their needs?

Mr. Hayden: In fact, we work very closely with teaching professionals and school boards in the designs of these schools and the core school design, and there is flexibility within the schools. We've used it on the schools we've already started where we needed to make some changes within those designs. Different exteriors are available to people, and the modular classrooms, of course, allow the flexibility to expand or to reduce the number of students that can attend those schools with this design.

The Speaker: The hon. member.

Mrs. McQueen: Thank you. My final question to the same minister. Some concerns have been raised about the availability of modular classrooms. Will that have a negative impact on the increased use of core schools in the province?

Mr. Hayden: Mr. Speaker, the marketplace definitely has the capacity to supply the modular classrooms that we need. Our current order this year of 20 classrooms is being filled and was placed through our normal process and is being delivered. As we complete the use of those, we will go on with the ordering of more modular classrooms. There are a number of companies, actually, that are interested in providing those classrooms to us.

The Speaker: The hon. Member for Calgary-Varsity, followed by the hon. Member for Calgary-North Hill.

Student Housing

Mr. Chase: Thank you, Mr. Speaker. The housing crisis in this province continues to fester, and now in the face of tough economic times this issue once again comes to the forefront, particularly for postsecondary students. With students carrying debts of tens of thousands of dollars, higher costs are forcing them to take on second and third jobs or to not even go to school at all. To the Minister of Housing and Urban Affairs: will the minister consider partnerships with postsecondary institutions to develop interinstitutional dedicated student residences on transit lines, an initiative which has been suggested by student groups throughout the province, to increase the number of affordable housing spaces for students?

The Speaker: The hon. minister.

Mrs. Fritz: Thank you, Mr. Speaker. The Member for Calgary-Varsity knows that we met with the students approximately a month ago at a forum at the University of Calgary. At that time the students did address the members that were present, and the first person to ask the question with all the students there was the Member for Calgary-Varsity. This question was addressed. It's one that the students themselves presented in an excellent paper regarding the needs that they have as students. I am addressing it, as you know, hon. member, with the minister of advanced education.

2:30

The Speaker: The hon. member.

Mr. Chase: Thank you. Unfortunately, that question remains unanswered.

To the Minister of Housing and Urban Affairs: since a large proportion of postsecondary students are from communities outside where the schools are located, why hasn't more been done to provide incentives for homeowners to create more secondary suites for students?

Mrs. Fritz: That, too, is an interesting question, Mr. Speaker. I can tell you that we have allocated through my ministry \$50,000 to a study to assist the students. That is one of the areas. As well, regarding postsecondary suites there was an alderman from the city of Calgary present at the meeting, and he is addressing that issue, hon. member, as you know. We will get back to you once the students have their study finalized.

Mr. Chase: Possibly they could use the study to paper over the cracks in their walls.

To the same minister: since the government's own report on affordable accommodation along with our caucus and groups all over the province have called for the implementation of temporary rent stability guidelines, will the minister take action to enact such guidelines, thereby protecting students from massive rent hikes, which they currently face?

The Speaker: The hon. minister.

Mrs. Fritz: Thank you, Mr. Speaker. The Member for Calgary-Currie was at the forum, as well, as a member of the panel, and we did discuss that issue regarding rent controls earlier. That was at a forum, actually, last year. The students didn't bring that forward this year. In fact, they're beyond that. It was two years ago with the Affordable Housing Task Force that rent control was recommended. The decision has been made. There will not be rent controls. The students have moved far beyond that, and we're looking forward to continuing the good work we're doing with them.

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

Crime and Safe Communities

Mr. Fawcett: Thank you, Mr. Speaker. Over the last couple of weeks the Official Opposition has done its best to mimic the embattled leader of their federal cousins by taking up the mantra: do you think it's easy to make priorities? This government has clearly made reducing crime and safe communities a priority by funding over 300 new police officers. My question is to the Solicitor General and Minister of Public Security. Is there a plan specifically to combat gang violence in relation to these new police officers?

Mr. Lindsay: Mr. Speaker, the 300 new police officers that this government has committed to will go directly to front-line policing across this province. Later this afternoon we will also be making an announcement about adding more police resources to target drugs and gangs. Let's not forget that this government already funds a number of integrated enforcement units through ALERT, including IROC, that targets gangs and organized crime. We have also established a cross-government team that's working on a gang crime suppression initiative. The work of this team will be part of a gang summit planned for next spring.

The Speaker: The hon. member.

Mr. Fawcett: Thank you, Mr. Speaker. During the federal election the Prime Minister spoke in great detail regarding his proposals for reform to the justice system to ensure appropriate and fair sentencing for those who commit violent crimes in Canada. My question is for the hon. Minister of Justice and Attorney General. Would the minister update this House on the actions to continue the momentum of Criminal Code reform with the federal government.

The Speaker: The hon. minister.

Ms Redford: Thank you, Mr. Speaker. This government has made safe and secure communities a priority. We were certainly pleased by the discussions that took place over the past couple of months across this country with respect to, I think, a much firmer law and order agenda. We are looking forward to the appointment of the new minister. There are specific pieces of legislation that we need to look at. We need to look at the bail test; we need to look at credit for time served so that we're not dealing with 2 to 1 and 3 to 1

decisions anymore. We also need to look at the Youth Criminal Justice Act, and we have to look in co-operation with my colleague the Solicitor General at a comprehensive and integrated approach to amendments to the Criminal Code that will deal with gangs and drugs.

Mr. Fawcett: Mr. Speaker, to the same minister. Youth crime continues to be a serious problem and concern in my constituency and all across Alberta. What measures is this government taking to ensure that the needed federal changes are put in place to protect the public from dangerous and violent youth?

The Speaker: The hon. minister.

Ms Redford: Thank you, Mr. Speaker. We had very good discussions in August at the federal-provincial-territorial ministers' meeting. We made great progress with respect to all provinces. We now have a consensus that there needs to be a comprehensive review done of the act. We will be continuing to push that with the federal government as soon as the new minister is appointed.

The Speaker: The hon. Member for Lethbridge-East, followed by the hon. Member for West Yellowhead.

Child Care Workers

Ms Pastoor: Thank you, Mr. Speaker. The government is changing the rules for the staffing issues facing child care facilities, which should be focused on child development and not child warehousing. This government should ensure that the highest quality of care and development is provided for the future leaders of this province to ensure that they don't end up in the justice system. To the Minister of Children and Youth Services: why is the minister making it no longer necessary for child care workers to have early childhood training?

Ms Tarchuk: Mr. Speaker, first of all, I would remind the House that the regulations were built on very, very extensive consultation. I think we had over 2,700 people involved with that. The issue that you're referring to, equivalency: what we're talking about is if someone has a related competency, whether it's a teaching degree or whatever, it's a very narrow process that people can go through if they feel like they've got qualifications that do certify them at a level of child care work. I can get you more information on that if you want.

Ms Pastoor: Thank you, Madam Minister. Also, does this minister feel that it's responsible that many child care workers will no longer be required to have specialized childhood first aid training?

Ms Tarchuk: Again, Mr. Speaker, that was based on consultation. I do know that there was advice given there in terms of the difference between a general first aid and a child care first aid. I think that 1 out of every 2 in every facility has to have at least a general as a minimum standard. There was lots of support for it and not raised as a safety issue.

The Speaker: The hon. member.

Ms Pastoor: Thank you. Yes, that's very interesting. As a health care professional I think I'd have to look at those findings.

What enforcement does this ministry have to ensure that safe, affordable day homes are provided for the development of Alberta's children?

Ms Tarchuk: Mr. Speaker, a lot of our initiatives are also available to day homes. I just want to give the House a little bit of an update. Since we announced the child care options, creating child care choices, back in May where we're attempting to support communities and creating 14,000 spaces over three years, the partnerships created have been quite phenomenal. The interest in communities has been quite extensive. Since April 1 to October 10 we have now created 4,062 new spaces, and we have over 405 additional spaces which are currently under approval. Another interesting stat: 497 more staff since '06-07. So the response has been great. There's lots of co-operation out there and lots of partnerships.

The Speaker: The hon. Member for West Yellowhead.

Tourism Marketing

Mr. Campbell: Thank you, Mr. Speaker. Economic turmoil is putting a strain on household budgets in Canada and around the world. This creates a challenge for industries like tourism that depend on disposable income. My first question is to the Minister of Tourism, Parks and Recreation. How did Alberta's tourism industry do this summer in the face of all this economic uncertainty?

The Speaker: The hon. minister.

Mrs. Ady: Well, thank you, Mr. Speaker. I know how important tourism is to this hon. member and his constituency, and I'm happy to report that we had some mixed results this summer. With all the challenges that were out there, many operators reported that they had similar levels, but some were down as much as 5 to 10 per cent. What has been good has been the Stay campaign that we've run in this province. Like my own family, many Albertans have decided to stay home this year and travel, and we've seen record numbers of Albertans staying home and enjoying this province. As well, we've seen some good results from our international campaigns, and we've seen the Mexican airline situation as well as Germany improve.

The Speaker: The hon. member.

Mr. Campbell: Thank you, Mr. Speaker. My first supplemental is to the same minister. What are we doing to help tourism weather the storm?

Mrs. Ady: Well, Mr. Speaker, in global economic conditions some things are beyond our control, but there are some things that are under our control. Like I mentioned earlier, the Stay campaign; we will be running it for three years. We think it's got some really great potential for keeping Albertans home. As one member said to me the other day, he went to leave the province, and he actually felt guilty, so I'd say that the Stay campaign has been working.

Mr. Speaker, I will tell you that our operators are not complacent. They are looking at new offers and new marketing programs that will maintain their share of the market. We're not going to be complacent. We're going to be out there, and we're going to make sure that people know that Alberta is a great place to travel to.

Mr. Campbell: Mr. Speaker, my final question is to the same minister. The government has established a secretariat working with the Vancouver 2010 Olympics. How will this help Alberta tourism operators?

2:40

The Speaker: The hon. minister.

Mrs. Ady: Thank you, Mr. Speaker. The Olympic and Paralympic

Secretariat has really been hard at work. They've been doing some very, very exciting things that will help as we ramp up towards the 2010 Olympics to put the eyes of the world on this province. In 2009 we're going to have many world cups here, which means that we'll have millions of viewers viewing our province. As well, we've just announced that Alberta House will be right outside B.C. Place. As well, we've signed a contract with the Rocky Mountaineer train. So we're going to be showcasing this province, and by the time the Olympics are over, millions of people are going to see what great things we have to offer here in Alberta.

The Speaker: Hon. members, that was 106 questions and responses today.

In 30 seconds from now I'll call on the hon. Member for Calgary-North Hill to participate in Members' Statements.

Members' Statements

(continued)

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

Youth Advisory Panel

Mr. Fawcett: Thank you, Mr. Speaker. Alberta's youth have a lot to offer. Most are insightful, smart, and giving, and their input into what we do in this Assembly is invaluable. It is an honour for me as chair of the Youth Secretariat to work with an amazing group of young Albertans.

The Youth Advisory Panel is made up of young people from across this province who come together to discuss issues affecting youth. They are committed to making a positive change and using their voice to make a difference in their communities. As chair I bring forward their recommendations and feedback on policies and initiatives to ensure that the challenges and issues facing Alberta's youth continue to be heard.

I am pleased to report that Children and Youth Services has recruited 18 youth to serve on the panel for the year. Mr. Speaker, I'd like to formally introduce those members through you to the House. These members are Megan Steiestol and Cristian Carstoiu from Fort McMurray, Cassie Flett and Karla Lamouche from Gift Lake, Brandon Stewart from High Prairie, Brooke Lovedahl from Whitecourt, Lisa Thomson from Spruce Grove, Amy Yaremicio from Vegreville, Fardoussa Omar from Edmonton, Scott Charlton from Czar, Desi-Rae Dionne from Lacombe, Teddi Baptiste from Hobbema, Carlia Schwab from Sylvan Lake, Zaheed Damani and Megan Locke from Calgary, John Hampson from Medicine Hat, Brittany Ashley from Fort Macleod, and Jesse Peever from Lethbridge.

They already have one productive meeting under their belts, and I'm looking forward to seeing what else this inspired, driven group will come up with over the next year.

Thank you, Mr. Speaker.

Statement by the Speaker

Electoral Boundaries Commission

The Speaker: Hon. members, yesterday I provided the Assembly with an overview of the number of MLAs the Assembly has had since 1905.

By current law this Legislature must deal with the boundaries of Alberta's 83 constituencies prior to the next provincial election, assuming the normal pattern for Alberta elections. Section 5 of the Electoral Boundaries Commission Act states:

(2) . . . Commissions are to be appointed during the first session of the Legislature following every 2nd general election after the appointment of the last Commission.

(3) Notwithstanding [the above], if less than 8 years has elapsed since the appointment of the last Commission, the Commission is to be appointed

- (a) no sooner than 8 years, and
- (b) no later than 10 years

after the appointment of the last Commission.

The last Electoral Boundaries Commission was established on March 25, 2002. Therefore, under section 5(3) of the act the next commission could not be established until after March 25, 2010.

Under the operation of sections 6 and 8 of the act the commission has seven months to submit a report to the Speaker, then five months to submit a final report. If the full year was taken and assuming that the commission was established as soon as possible under the act, the final report would not be submitted until March 26, 2011.

The act could be amended to remove or amend subsection (3) so that a commission could be formed before the passage of eight years since the establishment of the last commission. The act would also have to be amended if there was to be an increase or a decrease from the current 83 constituencies.

On occasion some have confused the commission with a committee of the Assembly. The commission operates separately from the Assembly. The government brings in a bill based on the commission's report. Under section 11 of the act the Assembly may approve or approve with alterations the proposals of the commission, and the government shall introduce the bill in accordance with the resolution.

In 1992, when the then Electoral Boundaries Commission failed to come to a single conclusion and issued reports from each commissioner, the Assembly established a committee under the chairmanship of MLA Bob Bogle to examine and report on electoral boundaries. The report was presented in the Assembly on January 25, 1993, and the legislation striking new constituency boundaries was passed on February 12, 1993.

Striking a committee of the Assembly was an exceptional circumstance. Section 9 of the act now reads that "the report of a majority . . . is the report of the Commission, but if there is no majority, the report of the chair is the report of the Commission." The circumstances that led to the formation of a committee in 1993 no longer exist.

Presenting Petitions

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

Mr. Chase: Thank you, Mr. Speaker. I am tabling another 35 signatures calling upon the Legislative Assembly to pass legislation that will prohibit emotional bullying and psychological harassment in the workplace.

Introduction of Bills

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

Bill 42

Health Governance Transition Act

Mr. Liepert: Thank you, Mr. Speaker. I'm pleased to rise and introduce first reading today of Bill 42, the Health Governance Transition Act.

Our government is working to create a health system that better meets the needs of Albertans, and establishing a new province-wide

health care delivery system is the first step. The proposed amendments provide for the dissolution of the Alberta Cancer Board and the Alberta Alcohol and Drug Abuse Commission, both of which are established by legislation. The proposed amendments also enable the transfer of the capital assets and liabilities of these organizations and the Cancer Foundation to the new authority. These measures will allow government to complete the transition to one provincial health authority. Thereby, I move first reading of Bill 42.

Thank you, Mr. Speaker.

[Motion carried; Bill 42 read a first time]

Tabling Returns and Reports

The Speaker: The hon. Minister of Aboriginal Relations.

Mr. Zwozdesky: Thank you, Mr. Speaker. I'm tabling five copies of the Métis Settlements Appeal Tribunal 2007 annual report in accordance with section 211 of the Metis Settlements Act. I think most members here know that the Métis Settlements Appeal Tribunal was formed in 1990 to act as a court-like body ruling on land, membership, and other matters with a mission to promote self-governance, certainty, and respect within the Métis settlements through adjudication, mediation, and education. I want to thank the members for their good work and due diligence in handling an ever-increasing caseload.

Thank you.

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

Mr. Chase: Thank you, Mr. Speaker. While the line between waging war and keeping the peace has blurred over the years, the sacrifices made by Canada's brave men, women, and their families deserve recognition. On August 10 my father, Bryce Chase, a retired squadron leader, and I were part of a large group honouring Peacekeepers Day. Nous nous souviendrons. We will remember.

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

Mr. MacDonald: Yes, thank you very much, Mr. Speaker. I have two tablings today. The first is the memorandum of understanding on governance between the Queen in right of Alberta, the Alberta Health Services Board, and Charlotte Robb. This is the agreement that we've referred to in question period on many occasions, and it's signed by the minister and the individuals on May 29 and by the Health Services Board on May 30.

The second tabling I have is one of the documents that's used or is cited as legislative authority to set up this memorandum of understanding. It's the public agencies governance framework, February 2008, province of Alberta, and it's the first time a framework has been cited, in my recollection, as a legislative authority for a memorandum of understanding.

Thank you.

2:50

Tablings to the Clerk

The Clerk: I wish to advise the House that the following documents were deposited with the office of the Clerk. On behalf of the hon. Mr. Goudreau, Minister of Employment and Immigration, pursuant to the Regulated Forestry Profession Act the College of Alberta Professional Foresters annual report 2007-2008; pursuant to the Government Organization Act the Alberta College and Association of Chiropractors radiation health administrative organization annual

report for the year ended June 30, 2008, with attached financial statements of the Alberta College and Association of Chiropractors dated June 30, 2008; the Alberta Dental Association and College radiation health and safety program annual report, January 1, 2007, to December 31, 2007, with attached financial statements of the Alberta Dental Association and College radiation administration program dated December 31, 2007; the Alberta Veterinary Medical Association radiation protection program 2007 annual report with attached auditors' report on radiation protection program dated November 16, 2007; the College of Physicians and Surgeons of Alberta radiation health administrative organization annual report for the period of April 1, 2007, to March 31, 2008, with attached auditors' report dated March 16, 2008; the University of Alberta authorized radiation health administrative organization annual report 2007-2008; the University of Calgary authorized radiation health administration organization annual report for the period April 1, 2007, to March 31, 2008, with attached financial statements for the year ended March 31, 2008.

Orders of the Day

Government Bills and Orders Second Reading

Bill 24

Adult Guardianship and Trusteeship Act

[Adjourned debate October 27: Mr. Chase]

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

Ms Blakeman: Thank you very much, Mr. Speaker. I'm very pleased to be able to join in second reading, which is essentially the reading on the principle of a bill, for Bill 24, the Adult Guardianship and Trusteeship Act. Certainly for me and my family and for many, many of my constituents this may well be the most important bill before this Assembly this sitting, and it's in heavy competition with quite a number of other bills. This bill affects, well, not a large segment of our population but certainly a vulnerable section of our population. What we're seeing in this bill is a result of consultation, I hope. I'm not exactly aware of how this was developed, but I can tell you that a lot of constituents have talked to me about the issues that appear in this bill.

In particular, what I'm hearing is from constituents who wanted to challenge the orders that they were living under. I can also talk from personal experience of myself and my friends who have aging parents and are concerned for them, that they be treated with dignity, that they not be subject to abuse or coercion. Even the security that I get from knowing that there are very clear rules and expectations in place about my legal responsibilities to my aging parents: if I am in a role as a guardian or a supporter or a power of attorney, those are very clearly laid out, and that protects me because it tells me what I need to be doing and what mark I need to come up to, what bar I need to achieve. I think that's very helpful.

Mr. Speaker, the authorities that are considered in this act are pretty personal. I'm just going to go through a list that appears to give you a sense of how intimately this affects people's lives. When we talk about a guardianship order – but this would also come into effect in some of the other relationships that are being contemplated in this act – it essentially is around the decision for an adult's health care: where and with whom and under what conditions the adult is to live either permanently or temporarily. Where they actually get to live is part of what is being considered here and with whom the adult may associate, so who's around them, who they're allowed to speak to or go on field trips with is part of what gets pulled into the

mix here of the controls that are placed on people's lives. The adult's participation in social activities or in educational or vocational or any other kind of training, employment, any legal proceedings that do not relate primarily to the financial interests of the individual, and any other personal matters as the court considers necessary. This can go right down to the clothing that somebody wears or how they go about getting that clothing. The controls and limitations and/or powers that are under this act are really important to people's lives.

The financial aspect is mostly contemplated as a trustee. A trustee has the control over the finances of an individual. A guardian has control over what are called personal aspects, and I've just gone through a list for you of some of the things that that covers. I think what's most important to me is that if people are to live with meaning in their lives – for many people who have had a debilitating illness or injury, their lives become quite small or quite narrow, if I could describe them that way. It's sometimes hard day by day by day, day after day after day to find meaning in their lives. I think connected to that is the ability to make decisions over some aspects of their lives.

We had a rather draconian approach before. You were either under full guardianship or you weren't. What we're allowing for here is a sort of graduation of choices that are available to people based on their mental capacity and some choice in their life about how they want support offered to them. A major deciding factor in this is capacity. Of course, just looking at the definitions that are offered in the bill, the capacity is

in respect to the making of a decision about a matter, the ability to understand the information that is relevant to the decision and to appreciate the reasonably foreseeable consequences of

- (i) a decision, and
- (ii) a failure to make a decision.

I think that as much as possible what I seek is the widest possible latitude in decision-making over one's life. Sometimes that latitude might be pretty small. It might be pretty narrow. It might be ability to say, "No, I don't want pudding; I'd rather have ice cream," which seems like a trivial thing to say, but I spend a lot of time in long-term care facilities, and to some people that is as big as their world is, and that's the kind of decision they want to make. I think we need to support that decision in whatever form it is for them.

As I have been reviewing this act – I'll be honest with you, Mr. Speaker; I haven't been able to do as thorough a job as I would like to do or as I usually do. I mean, these bills are hundreds of pages long and are contemplating a lot. I have not been able to work my way through cross-referencing everything on this, but I'll try and get up to speed by the time we get into committee on it. This was one of the bills that was before a policy field committee. In reviewing the report from the policy field committee, it's possible that this is a policy field committee that actually worked, but I'd like to talk to someone that was on it because I had experience of three other ones, and I can tell you that they didn't work for me at all. [interjection] Oh, yes. Someone is heckling me from across the way, which is a pretty typical response from this government.

3:00

Some of the things that I wanted to mention are the principles. I like this bill. One of the things that first caught my eye was looking at the principles that the bill is built on, and I think those are quite admirable because they calm a lot of the fears that a family member or an associate would have about how these controls and limitations on somebody's life would be put into place. Basically, that the act is to be viewed through this lens, through this filter of principles.

"An adult is presumed to have the capacity to make decisions until the contrary is determined." Well, what a positive thing to say: we

assume you have capacity until it's absolutely proven that you don't. Inside of that are differing levels of capacity.

An individual "is entitled to communicate by any means" by which they can, and even if they don't communicate well, that shouldn't count against them when a decision is made. They should still have the ability to make that decision.

"The least restrictive and least intrusive form of assisted or substitute decision-making" should be brought into play with an individual. That's very important. The other time you see that concept in play is with health information, and I'm wondering if that isn't where they got it from. But it's a really good principle to work from.

"In determining whether a decision is in an adult's best interests, consideration must be given to" – must be given to; not shall, not may, but must be given to – "any wishes known to have been expressed by the adult" while they still had capacity or "any values and beliefs known to have been held by the adult" while they still had capacity.

They've been very careful to lay some stuff out here and say: please consider everything else in the bill through those principles. I hope that we've all reviewed this bill looking at it through that lens.

What we have here is a series of different, as I say, limitations and controls. But, really, it's about who is assisting the individual. It ranges, just looking at the different definitions here, from a co decision-maker, a guardian, the public guardian, an interested person, the Public Trustee, a supporter, or a trustee. Those are not in order, by the way, Mr. Speaker, but it does start to give you a feel for what's contemplated here, that we have degrees that are going to be offered to people who are losing capacity or who have lost capacity.

I really like the definition that's in there of supporter because it's setting out that the individual can choose between one and three supporters to help them make decisions. Therefore, it becomes more consensus-based or even a committee, and I don't mean to make fun of things by saying that, but it allows a group of people to work on something together. I really like that approach in this bill.

Just in wrapping up, I know that the biggest issue that constituents have raised with me is the ability to facilitate a reassessment of capacity. I think a lot of people would say: "Well, how is that possible? You know, once you lose your mental faculties, they're gone." Well, no, not true. If you have a stroke, many times you will recover quite a bit of your ability and your mental capacity. Following a stroke, you do heal from it. So someone who may have been placed under a fairly restrictive guardianship may well be able to work their way out of that. The constituents that approached me – and I'm thinking particularly of The Churchill in my constituency, where several people contacted me – wanted a clearer and fairer and less onerous process for them to be able to work their way back out of very restrictive guardianship and dependent adult orders.

The other thing that people are very interested in seeing is allowing others an avenue to get involved or complain about or alert people if they see or suspect that someone who is an appointed guardian or is in one of those official capacities is abusing an adult or not caring for them. I get friends, you know, best friends or neighbours that have lived beside somebody for 50 years, and they call me up, and they say: "We know something's wrong here. We know that this person's not being looked after, but their adult children who live in a different place won't let us get into the hospital and see them or help them." They're quite desperate because they know this individual very well, yet there was nothing in the law that allowed them to be able to find a voice in this situation.

I'm hoping that what this legislation is doing is offering that possibility, that legal avenue, for individuals to intervene or at least to bring it to the attention of authorities that perhaps the person who is in a legal relationship with them now is not operating in their best interests, and others have noticed that and want to have a venue. Short of going to civil court on this one, there really wasn't any other way, and most individuals don't have the resources to go through civil court on this. As I said, you know, the neighbour who had been a neighbour of an individual for, I think, 40 years and knew something was very wrong in the way they were being cared for and the choices that were being made, but they had no way of talking to the hospital authorities or anybody else about this individual because they didn't have that legal definition. This may well give the legal definition that would have helped the individual situation that I'm describing there, but they're by no means the only one.

I am very interested in how this bill progresses, and I'll be listening very carefully. Thank you very much, Mr. Speaker.

The Speaker: Hon. members, Standing Order 29(2)(a) is available. The hon. Member for Calgary-Varsity under the standing order provision.

Mr. Chase: Thank you very much. To the hon. Member for Edmonton-Centre: do you see this potential of a living will or a recommended treatment offering support for adults who are needing that extra governance or guardianship?

Ms Blakeman: I think when you're saying living will, you mean a personal directive, which is now the sort of chosen form of legal language when we talk about this. It's contemplated in this legislation, and it's important that that be taken into consideration with a number of other things that we're considering. When I talked about, you know, how this could affect people's lives when we talked about health care, well, obviously, a personal directive is mostly interested and directs itself towards that, and it's important.

I was surprised as I have dealt with some of the frail, elderly people – I don't know why I would have been surprised – that they had thought about what kind of medical intervention they wanted in their life, and they had some pretty firm opinions on it. It was not what I expected because I expected, you know: prolong things at any cost. What I was being told was: "No. Under this circumstance I want exactly this, and under that circumstance I will have a choice of this or this." It was very interesting, and it was a good learning process for me to see how clearly people had thought this out.

In a lot of the long-term care facilities the facility manager will require that you fill out a personal directive because it gives them instructions on how to care for somebody. They require it. They've got it on record, and if the person has a seizure, they will know that the person has said, "I'm willing to be revived; you can use oxygen on me, but don't use a defibrillator," and that kind of specificity of instructions.

So the living will or personal directive is a very important component and links intricately into what we are contemplating in the personal relationships that are being established in Bill 24.

The Speaker: Others?

The hon. Member for Edmonton-Rutherford, then, on the debate.

Mr. Horne: Thank you, Mr. Speaker. I'm very pleased this afternoon to stand and participate in second reading debate on Bill 24, particularly in my role as chair of the Standing Committee on Health, which, as the member opposite alluded to, conducted a very thorough review of this bill over the past few months.

3:10

Mr. Speaker, I'm not going to offer much in the way of rebuttal to the comments made by the previous speaker. It would appear that in the main there is support for the bill from the member opposite. I would like to spend a little bit of time building on some of the member's comments regarding the foundations of the bill. The member opposite talked about principles, which are laid out clearly in the opening pages of the bill.

The other concept, I think, that's very important to note, Mr. Speaker, is the fact that the bill recognizes there is a continuum of capacity for individuals and that people have the ability and, in fact, do move in and out of various states of capacity, and therefore this has a direct impact on their ability to make decisions at any given point in time in a particular set of circumstances. The member talked about some of the roles within this continuum of capacity. They're discussed in the bill. The role of guardian and trustee, of course.

The new roles that are introduced include the role of supporter and the role of co decision-maker. The role of co decision-maker, as with guardian, is a court appointed position. That responsibility involves, in both cases, making decisions on behalf of an individual, the co decision-maker role involving a requirement to consult with the individual affected.

The supporter role is not a court-appointed role. It is upon application from an individual who wishes this sort of assistance or representation and can provide a means for someone to, say, attend at a doctor's appointment with the individual who's being represented, participate in facilitating questions on behalf of that individual, communicating with other family members, perhaps connecting with agencies in the community that could offer services that would serve as a support to the individual who's being represented. In fact, there are many other possibilities, Mr. Speaker, for the level of assistance that the supporter role could provide in maintaining as much autonomy as possible on the part of the represented individual.

That continuum, Mr. Speaker, is a theme that continues throughout the bill. Various provisions deal with the opportunity to enact these roles, to have the terms under which they're ordered amended, and to revoke representation when it is deemed not in the best interests of the individual represented.

Mr. Speaker, in the committee's review of the bill we touched on many of the issues that were raised by the member opposite and as well by some of the speakers who discussed the bill last evening. I think the member opposite makes a good point in highlighting the importance of personal directives. There are a relatively small number of instances, at least in our review as the committee, where we could find that the provisions of the bill would be required if a personal directive was in effect.

As the health care system evolves to an information-based, to an electronic-based system where information is more easily shared among health professionals and, indeed, accessed by individual Albertans with respect to information about their own care, we expect going forward that coupled with the efforts of the Minister of Seniors and Community Supports to make Albertans aware of the importance of personal directives, the convergence of these two initiatives is going to result in more and more Albertans having personal directives on file being more quickly accessed by professionals that are providing them care in specific situations.

Bill 24, while it is very lengthy and while it is complex, is intended to provide for situations where individuals have not set out their own wishes with respect to health care decisions, with respect to how their affairs are managed in the event that they don't have the capacity to do so themselves, or with any number of other matters that may be included within Alberta's legislation governing personal directives.

That being said, I think it's important to look at some provisions of the bill that could apply and where they might provide the most benefit to Albertans. I think one of the most important is the question of mental health issues, mental illness. In a population that is aging as ours is, where an increasing number of Albertans are encountering dementia, some form of dementia, perhaps Alzheimer's disease or other forms of mental incapacity that, for lack of a better term, come and go, particularly in the early stages of these illnesses, this act can provide a way for those individuals to receive assistance, again along a continuum of help, to allow them to preserve as much autonomy as possible in articulating their own wishes and managing their own affairs.

That was not possible, Mr. Speaker, under the Dependent Adults Act. In fact, I think it's interesting and important to note that Bill 24 takes us out of a period under previous legislation where individuals were certified as not having capacity, and this certification lasted for many years. There was no formal process for review, and in fact it was a form of labelling that perhaps did not recognize, as we discussed earlier, the ability of people in circumstances and given the treatment and support that they're provided to actually move in and out of various states of capacity and to make those important decisions on occasions appropriately assisted.

There are many other examples in Bill 24 of how our thinking as a society has evolved from one of prescribing, if I can use that term, what should be done to people who are deemed not to have capacity to make decisions to moving to, as we see in Bill 24, empowering individuals, providing the appropriate assistance to allow them to make the decisions that they need to make.

The member opposite talked briefly about the complaints process, and I know that the hon. Member for Edmonton-Highlands-Norwood also raised this issue last night. There is a complaints process in the bill, Mr. Speaker, that provides for officials to review a complaint either by an individual who is being represented, a family member, perhaps a worker in a social agency that's assisting the individual, to review concerns regarding abuse or potential abuse or perceived abuse of the powers of someone exercising a guardianship order or, in fact, other individuals exercising privileges, responsibilities that are designated under the act.

The committee spent a fair bit of time looking at this issue. The committee's report speaks to some suggestions that might help improve the process and provide further documentation around decisions that are taken around how complaints proceed and the disposition of complaints upon review. So I think that issue has been covered for any members that care to refer to the committee's report.

In closing, Mr. Speaker, I'd like to just agree with members opposite. I think this is, perhaps, one of the most important pieces of legislation that this government will bring forward in this session. It is – and I agree with the Member for Edmonton-Centre – a very personal issue. Many of us have parents that may have personal directives, but nonetheless we're all gaining experience in exercising the responsibility of making judgments on behalf of those who lack the capacity to do so for themselves.

There are a number of other features in the bill that are designed to support people who are exercising those sorts of responsibilities. As an example, for the first time Bill 24 proposes that guardians be compensated for direct expenses, very similar to the compensation that's provided to trustees under the previous legislation. Our understanding as a committee is that there will be extensive supports within the ministry for individuals who are either making application for assistance in one of these roles or who are representing others who are making that application to determine what form of assistance can best support that individual.

Mr. Speaker, in closing, I think that we've achieved in Bill 24 truly a bill that's centred on the needs and respect for the autonomy of the individual who's being represented. We've removed guardianship and trusteeship as an institutional approach to dealing with issues of capacity, and we've laid some very important groundwork for the future in our society in dealing with individuals as they move through various stages of capacity and, again, preserving their autonomy to the extent that we can.

Thank you, Mr. Speaker.

The Speaker: Hon. members, Standing Order 29(2)(a) is available. The hon. Member for Edmonton-Centre.

3:20

Ms Blakeman: Thank you very much for the member's comments. Since he chaired the policy field committee that looked at this legislation, I'm wondering if there was anything that he or the committee felt they would like to have dealt with but which was beyond the purview of the legislation in front of them. I'd like to give you the opportunity to put anything else on the record that you, from your consultations around this bill, feel still needs to be addressed and is outstanding because it can't be addressed in this particular bill.

Mr. Horne: Mr. Speaker, in reply: no, I don't, speaking for myself. I think the hon. member would have to ask each member of the committee their own opinion as it is an all-party, or nonpartisan, process. In my opinion as a member and as chair of the committee – you can refer to the report; that's available to you should you choose to take a look at it – there wasn't anything beyond the scope of what we were asked to review.

One issue that we did discuss and the bill indicates will be dealt with in regulation is the issue of criteria for capacity assessment and the designation of who will be capacity assessors. As the hon. member will know through the discussions on the Mental Health Amendment Act, 2007, last year, that was something that was the subject of a fair bit of debate. So that was not directly within the purview of the committee. We did identify it in a report as something that would require further discussion.

Thank you.

The Speaker: Additional questions or comments?

Additional speakers, then? The hon. Member for Calgary-Varsity.

Mr. Taylor: Currie, Mr. Speaker.

The Speaker: Calgary-Currie. Sorry. I can't let the hon. Member for Calgary-Varsity speak. He's already spoken twice.

Mr. Taylor: I think he's had his turn on this one, Mr. Speaker. Thank you.

Thank you, Mr. Speaker, for the opportunity to get up and speak briefly to Bill 24, the Adult Guardianship and Trusteeship Act, in second reading, which, of course, speaks to the principle of the bill, which I must say I'm certainly in support of. I want to thank the Member for Edmonton-Rutherford for his comments as well because it helps clarify a few things.

I'm looking forward to getting to Bill 24 at the committee stage and going through this in some detail although it is a hugely detailed bill, certainly. But the reason why I say that, Mr. Speaker, is because, as both the Member for Edmonton-Rutherford and the Member for Edmonton-Centre have indicated, this is a bit of a moving target.

Certainly, as seniors pass through various stages in their lives and face various challenges in their lives, their degree of mental capacity, mental acuity may ebb and flow somewhat. One of the challenges to getting this right is to make sure that we have crafted legislation here that respects that things can change for the worse and also change back for the better. That has, I think, been a challenge in the past. You don't have to go back very many years to a point where a personal directive or a power of attorney could be very absolute so that everything was white until the moment that everything turned black simply because of a loss of capacity that might very well come back.

Having gone through that with my own parents, it's a bit of a challenge because the last thing you want to do is trigger those sorts of almost irrevocable decisions to take power away from a person, to take decision-making authority and autonomy, really sovereignty, away from a person when there is the chance that maybe all you need to do is step in and help out for this particular decision or for the next few days, for the next couple of weeks.

When one partner in a long relationship is suffering along with the other partner through that other partner's decline, whether it's a terminal illness, whether it's advancing dementia, whatever it is, just the aging process, it can be very, very stressful. Often with age come multiple issues that kind of cascade one over the other. They can be exacerbated by the prescription medications that an elderly person is on. It can be very, very difficult for mom or dad, grandma or grandpa to make informed and well-thought-through decisions at one moment, and then it can be relatively easy again a few minutes down the road. We certainly need to take that into consideration and be very, very sensitive – sensitive is not exactly the right word – very awake and alive to the nuances, I think, that come into play here.

The other thing that, of course, I think needs to be talked about some more – and I'm sure we can get to this in greater detail at committee stage – is the whole issue of elder abuse, of intimidation, humiliation, overmedication, withholding medication, invading privacy, denying privacy, assault of various kinds – physical, emotional, sometimes even sexual – financial abuse, which according to all the research that I'm privy to is the most common form of elder abuse. We have in Calgary through the Kerby Centre a shelter for abused elders, which I'm told is full much if not most of the time. It is, I believe, a facility that is unique to this province for now although perhaps not for much longer. Elder abuse is a tremendous issue that we need to wrap our heads around that has not been fully and openly and thoroughly discussed by society. We need to do some more talking about that.

I am under the impression that if done right, this bill should at least protect against some of that. But I think the devil is in the details, so I look forward to going through this at committee stage in a little more detail and looking specifically at some of the clauses as they go. With that I'll take my seat, Mr. Speaker.

The Speaker: Hon. members, we have Standing Order 29(2)(a) available now. Questions or comments?

The hon. Member for Wetaskiwin-Camrose to continue the debate.

Mr. Olson: Thank you, Mr. Speaker. If I may, I do have a few comments.

The Speaker: On the debate, not questions.

Mr. Olson: On the debate, not a question.

The Speaker: Please proceed.

Mr. Olson: It's my pleasure to speak to Bill 24 today, Mr. Speaker. I was a member of the standing committee that worked on this over the past number of months. I know it's been a long time coming, and I first of all want to congratulate the minister for her perseverance in seeing this thing through over the last many months. I also want to congratulate all members of the committee, who worked so diligently to bring us to this point.

I'm a lawyer who has been practising in this area for a number of years, so this is an important piece of legislation for me. In fact, the predecessor act, the current Dependent Adults Act, I believe came into law about 1978, which coincides with the time I started practising law. I had quite a bit of experience with that act, and I can see that there have been some significant improvements made with this legislation. I think we'd all agree that the introduction of this bill is an important step towards protecting Albertans and our most vulnerable citizens.

As the hon. minister has mentioned, as well as other members, the introduction of this bill provides us with a continuum of care. There was a time when, in 1978, we had legislation where either you could look after yourself or you needed a court order to be helped. The law has evolved over the last number of years with the Personal Directives Act and the Powers of Attorney Act so that people now have some control over their own future. They can plan ahead for their own future incapacity. I want to stress to members here that that is still the preferred way of dealing with one's future incapacity; that is, to plan ahead with an enduring power of attorney or personal directive. This act, though, provides a safety net if one hasn't got such a document in place. So there is now a process, but it's not just a court process. There are also other refined elements such as the supported decision-making, where one, without the need of a court order, can still have some assistance in making these very important decisions in their life.

3:30

I would like, sir, to just make a few comments about some of the things that the act accomplishes. It provides us with an efficient and practical process, and some of that will be refined in the regulations. Nonetheless, we are steered in the direction of providing people with a framework that they can understand and work with.

Guardianship for adults who have been declared incapable deals with the issues of personal care decisions, health care decisions, and so on. There are clear duties in the act, that a guardian has to act in the best interests of the adult and act in good faith.

In terms of trusteeship, which is basically looking after an adult's stuff, if I could use that term, there are also clear duties and rules. I appreciated one of the refinements in the act, which was dealing with the rules for gifting. That was something, going back to the old act, which was always a bit of a question: what were the rules in terms of being able to make gifts on behalf of a dependent adult? Private trustees have been given some clarification as well in terms of prudent investor rules, so there is greater clarity there.

As has been mentioned, Bill 24 introduces a complaints and investigation mechanism, which will also, I think, be very helpful and give people some comfort in knowing that they can challenge decisions that are being made and that they will be heard.

These changes are a direct response to the concerns which have been expressed by stakeholders, and I think they are required to ensure that represented adults are protected. I certainly urge all members to support this bill.

Thank you, Mr. Speaker.

The Speaker: Standing Order 29(2)(a) is available. Questions or comments?

The hon. Minister of Aboriginal Relations.

Mr. Zwozdesky: Thank you, Mr. Speaker. This is indeed a very important bill, the Adult Guardianship and Trusteeship Act, and I'm pleased to rise and support it. I know that for the Public Trustee there is a very important, single, main change in this legislation, which will effectively be the elimination of an extra judicial process. That process is, in effect, the process by which the Public Trustee actually becomes the trustee of an Albertan who, unfortunately, has diminished decision-making capacity. In my time in this House and as minister in previous portfolios I've had many opportunities to work with individuals in this situation. Also, the legislation, once it is brought into effect, will be the only way for the Public Trustee to actually become appointed, and it'll be through the same court-based process that any private person might have to go through in order to become that trustee.

With that, Mr. Speaker, I would move that we adjourn debate.

The Speaker: Well, hon. Deputy Government House Leader, what about Standing Order 29(2)(a) before we adjourn?

Mr. Zwozdesky: Thank you.

The Speaker: Let's deal with Standing Order 29(2)(a), and let's see if there are any comments or questions.

The chair sees none, so the chair is prepared to recognize that there was a request to adjourn the debate.

[Motion to adjourn debate carried]

Bill 18 Film and Video Classification Act

[Adjourned debate October 27: Mr. Berger]

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

Ms Blakeman: Thank you very much, Mr. Speaker. I believe I'm the second speaker on this bill.

The Speaker: You are.

Ms Blakeman: I am? Excellent. Thank you. That's appropriate because I am the critic for the department that's sponsoring this bill.

The Speaker: That also provides you with 20 minutes.

Ms Blakeman: Thank you.

The Speaker: Unchallenged.

Ms Blakeman: Thank you. This was the second bill coming from a department that I was critic for that has gone through a policy field committee. The previous one was last year, with the mental health bill. That process didn't work as well as we'd hoped, so I made a really conscious effort to attend as regularly as possible and to review all of the *Hansard* from any policy field committee that had a bill in front of it that I would be responsible for as critic, which meant that I spent my summer attending three different policy field committees.

I think that the idea or the hope that the government had was that a lot of the discussion that the opposition members bring to the floor

around bills would in fact happen in the policy field committee, and they could dispense with the extra time here in the Legislative Assembly. I have never subscribed to that, but I was certainly willing to attend the meetings and do my homework and try and raise the issues that I thought needed discussion in the policy field committees.

I have to say that this was not a happy experience for me at all. It was very difficult to get the information about when the actual meetings were called because I was not assigned to that particular committee, and the administration insisted that I had to work through one of my colleagues who was assigned to the committee. Over the summer people are on holidays and they are away from their computers and may not be checking things, so it was really a cumbersome process for me to try and work through as a critic, to do what I thought was wanted and expected of me, in fact. It was difficult to find out when the meetings were scheduled. Of course, they were sometimes scheduled at times when I absolutely couldn't be there, and I would try and reorganize things.

To get the information: that at times was really critical. I understand that the staff for the policy committees felt they were very pressed and that they had a great deal on their plate, but we would end up with things being posted online at 4:35 or 4:25. The office staff that was supporting the MLA, you know, may have left the office at 4:30 and therefore didn't see it on the website, or when they checked on the website before they left, it wasn't there, and they leave and they've gone for the weekend and I couldn't get the damn information until the meeting. I walked into a lot of those meetings without getting the information off the website.

Now, according to what I heard the House leader say this morning, this is supposed to be addressed, that all members are to be given notice of all meetings and that we should all be able to have access to the information that's on the website, which would be an enormous help.

What happened to me was that I spent a lot of time and effort on a particular issue that was affecting a lot of constituents, who had contacted me about it. I brought a motion forward. We debated it. We accepted it. A final report was produced. I went to the final meeting, and a member who had not attended all the meetings came in and repealed my motion, put his own in place, and that's what you see before you in the report. You know, I know the government has got 72 members. I know they can get everything they want through a majority vote, but, man, that is – well, I don't want to swear, Mr. Speaker, and you don't want me to swear.

The Speaker: Please don't.

Ms Blakeman: That was a great disappointment to me if I could put it that way, and it, I think, was reflective of how non all-party these policy field committees really are. Essentially, we're allowed to show up, do a bunch of work, but it doesn't matter because it's not going to make it into anything. So I'm going to use my time here in the Assembly to talk about the issues that I thought were important around this bill.

The Speaker: That's actually the purpose of second reading.

Ms Blakeman: Indeed, Mr. Speaker.

The Speaker: That would be really good if we could focus. Perfect.

Ms Blakeman: But this is a bill that came through the policy field committee, and I felt you all needed to understand that process.

The Speaker: Okay. You now have 15 minutes to go.

3:40

Ms Blakeman: Thank you so much, Mr. Speaker, for your coaching. I don't know what I would do without it. Maybe have more time.

What we have in front of us is Bill 18. That is the Film and Video Classification Act, and it is sponsored directly by the Minister of Culture and Community Spirit. What it is looking to do is repeal the old Amusements Act, which really was archaic legislation using archaic language, where they talked about moving picture houses and things like that. It really was not dealing with the digital age. It was not dealing with the multi, multibillion dollar industry that is film production. It wasn't dealing with any of the new media that we now have, with things like Xboxes and interactive games and a number of other film representation that can be purchased in different kinds of formats. It's become much more complicated than was considered in the Amusements Act.

We heard from a number of people. The industry has worked quite hard to police itself, and as much as I am not a fan of self-regulation, I understand what the community has done. They walk that line between official censorship and community standards and business, and they try very hard to walk that line. They want to be able to have their product shown in the movie theatres and have people come and pay money to see it. They don't want to be censored and not to be able to show a movie that they spent a lot of money to make. So they are very conscious of that line they're walking, and they work hard to do that.

There were a couple of things that were raised as part of the report. There were concerns particularly around redefining certain classifications. The recommendation was to "ensure that the definition of an adult video film is not inadvertently applied to a video film that might be otherwise classified under a different rating." There was quite a bit of discussion about the age limits and classifications that were in there, where we could end up with a ridiculous situation where the movie theatres couldn't possibly police a 14-year-old, which was the real point of discussion, because they literally are not issued with any kind of identification. They would be stopping people and saying, "Show us your identification to prove your age" when, in fact, that age group tends not to have identification. So we dealt with the recommendations that came from the sector in that way.

The issue that I was particularly concerned about, Mr. Speaker, was ticket speculation. The old act, the Amusements Act, in Bill 18 appears as section 22, which is the repeal section. It would be wiped out by the proclamation of this particular bill. I was very keen that we do two things. One is to maintain the protection that was available, weak though it is, through the Amusements Act for any kind of ticket – we used to call it ticket scalping. What is happening now is a much more high-tech, modernized version, which we're calling ticket speculation. Scalping I think most people are familiar with from sporting events.

What's happening now is happening on a much different level, and here's where it really affects Albertans and affects constituents that each of us have. In the entertainment and in the performing arts sectors, for most of the performers, musicians, directors, dancers, various other live performers, those behind the scenes, like the designers, but also like the members of IATSE, which is the stagehands union, and other workers who are hired on a casual or temporary basis to provide assistance, building scaffolding to hang lights in the large theatres for example, all of their pay rates are determined by the ticket price and the size of the theatre. It's called your house category. These are widely accepted across the industry.

What we have happening is that the tickets are being advertised at one rate and sold, many of them online, of course, which people find very useful, and we would want to keep that in place. What's

happening is that we have large numbers of single tickets bought up electronically, so they're not available for the general public. When they go on the site, it says, "We're sold out," but then they get a helpful notice that sends them on to another affiliated group who has, in fact, single tickets for sale, but there is a markup on them. We started to track this through. It started to turn up with rock bands originally, and for those of you that are Metallica fans, this will mean something. If you're not, let me see if I can come up with another example that we had. [some applause] Oh, we've got Metallica fans. Okay. Good.

The tickets were being resold at substantially higher prices, and that was really affecting our constituents who work in technical support in these large venues, so in Rexall Place and in the Jubilee auditoria and in Calgary in the large presenting venue that they have there, but it would also come into play in Jack Singer and some of those other places like that.

These tickets were being resold, and there was an enormous profit being made there, but none of it was being made by our constituents. It was being made by a company that – who knows? – is headquartered somewhere else. The one I looked into is headquartered in Chicago. There is an enormous profit being made here but not by our constituents, and the money is not even staying in our country and circulating in our economy. Really, it's a situation of our constituents being taken advantage of here because their pay rate is based on those ticket prices. There's an inflated price that's out there, but they don't get any of that, and that to me was very wrong. I would think that as Albertans we would want to protect our constituents and try and get the best deal possible for them.

I was trying to do two things. One was to protect the very frail protection that was available under the old Amusements Act, which basically in section 25 of the act just said under Resale of Admission Ticket that "no person shall sell, barter or exchange a ticket of admission to a place of amusement for a price or consideration greater than that paid or given for it to the owner of the place to which it authorizes admission." It's generally accepted in the sector and in the community that nobody was enforcing this. It actually existed. There was a penalty clause that went along with that, section 26, that said that a person who contravenes anything in the act would be "liable to a fine of not more than \$200 and in default of payment [of that] to imprisonment for a term not exceeding 6 months."

It was pretty old and pretty flimsy, and it really hadn't been enforced with any kind of vigour for a significant period of time. Nonetheless, it was there. What we're seeing is that there's been a sort of jump-up for what's happening to people in the sector. As I looked into this issue across the summer, we had something that was much closer to home, and that was when the Alberta Ballet tickets came up. Alberta Ballet operates in both Edmonton and Calgary, and this brought it a little closer to home than the Metallica band performing at our large concert venues. We tracked that, and a single ticket that would have sold regularly for \$40 to an Alberta Ballet production turned up on this secondary ticket seller's website for \$343. That starts to really bring it home to us.

It is the advent of technology. It is the advent of much more money circulating in the community. It is the common usage of the Internet and these kinds of technologies that allows that instant buying of all the single tickets that were available in a given second and the moving of those into these secondary ticket sites that allowed all of this to happen. You know, could this have been in play five years ago? No, Mr. Speaker, probably not. It's a relatively new development that has highlighted and brought into very sharp focus part of the problem.

A number of people did comment on this as part of the policy field

committee, admitted that what we had wasn't very good but that it was something. The recommendation was that we look at the Ontario Ticket Speculation Act as a way of addressing this. That's what my motion said, and it got repealed, as I said. But I still think it's important that we pursue this because this industry is not getting smaller. It's not slowing down. It's not about less money. It's about more of all of those things. I'm quite concerned about the effect on our local cultural industry sector and our cultural workers, and they're our constituents. They're our constituents in the cities and in the country. This isn't just a matter of, you know, some sort of weird artsy-fartsy types in the metropolitan areas. These people come from families from Lacombe and Stettler and Tofield and Fort Macleod and all over. It does affect all of us in the way these people are treated.

3:50

The Ticket Speculation Act, that was brought into play in Ontario, defines ticket, and then it basically says that a person who holds a ticket and sells and disposes of it at a higher price than that at which it was first issued or who endeavours to do so or purchases a speculation at a higher price than advertised and resells it is guilty of an offence and on conviction is liable to a fine of not more than \$5,000. It gives an exception that this does not apply to a sale on a commission at hotel stands and stores. So if you go to a fancy hotel and there's a concierge, she will get you a ticket to the *Lion King*, and if they charge an administrative fee or a commission fee on top of that, it would not apply to that.

I still think it's important that we do what we can to protect our constituents because this has been identified as something that is really affecting them.

The issues that were raised by the cultural industry sector, by the film sector. They were really concerned that Alberta not do certain things. They were saying: "The system is basically okay. Please don't get scared and put this in place. Don't get too excited and put that in place on us." The committee dealt with all of that. To me the only outstanding issue that flowed from that was the issue of ticket speculation.

Now, I just want to say, Mr. Speaker, that I know people laugh when I talk about others reading *Hansard* – and I sometimes believe I'm the only person that goes back and reviews things from committees – but interestingly enough I think the companies that are the ticket speculators were reading *Hansard*. About two days after I raised this issue in that particular committee, in fact, they removed the link between the first and secondary ticket selling sites on the Internet, and they have stayed disconnected now. In talking to some of the people that expressed concerns to me, they think it will probably stay that way until Bill 18 passes, and then they will just start up with fury because there'll be nothing then to prohibit what they're doing.

The Fair Trading Act has been brought up to me a number of times as something that protects people, but in fact it doesn't. I went and got the Fair Trading Act, and I read the section that was being referred to by the department staff that came in to answer this question, and in fact it does the opposite. It says that you can resell, but you're supposed to tell people the difference in the price. Well, you know, strictly speaking, the secondary ticket seller was doing that, but you didn't find out what the original price was until you'd already given them your Visa number and they were giving you confirmation at the end. It was in tiny, tiny, tiny print, about four point, on the final page. At that point you could have backed out of it if you wanted to, knowing you were paying \$343 for a \$40 ticket. So they had obliged the specifics of the Fair Trading Act, but really, I would argue, that was not consumer protection as most people would understand it.

I think there is still work to be done as a result of what's been presented by the act. I'm happy to support Bill 18 as it is, but I think it still needs some improvement.

Thank you very much, Mr. Speaker.

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

Mr. Rodney: Well, thank you very much, Mr. Speaker. It is, indeed, a pleasure to rise in full support of Bill 18, the Film and Video Classification Act. As chair of the committee responsible for reviewing Bill 18, I certainly appreciate all of the hard work that was put into making this necessary piece of legislation. The all-party policy field committee on Community Services met many times over the past five months to hear presentations from the public and discuss many aspects within the bill.

One of the aspects of the bill is responsible for classification of films, trailers, and commercials that are being shown in public in Alberta for a fee. There has been some confusion as to whether Bill 18 is also responsible for classifying adult material, home videos, or video games. Now, Mr. Speaker, I can take care of that right now. All of these materials are classified by other industry organizations already.

For example, the Entertainment Software Rating Board classifies video games, and the Canadian home video rating system classifies home video, while the adult industry identifies its own material. Recognition and acceptance of these other classifications by the public and the industry are excellent. I can tell you that there is not a video game retailer, for instance, in the entire country who does not follow the Entertainment Software Rating Board rating system. While we're not directly responsible for classifying adult material, home videos, or video games, the government of Alberta adopts the ratings given to this material by other organizations as the official Alberta rating. If this sounds unusual, Mr. Speaker, I can assure you that this is in line with other jurisdictions.

In addition, the previous Amusements Act, as it was called, had six ratings categories, but the A category has not been used in two decades, and it's a duplication of the R category that's used across the country. Bill 18 removes the category, therefore, and uses five more commonly known categories: G, PG, 14A, 18A, and R. Retailers would be in violation of the act if they were to disregard these ratings categories.

I do appreciate this opportunity to speak in full support of Bill 18, Mr. Speaker, and I would like to close by thanking the general public and presenters and department staff for appearing before the committee and providing insight and feedback on Bill 18. I'd also like to sincerely thank all of our committee members and guests and staff for their diligence.

Thank you, Mr. Speaker.

The Speaker: Hon. members, Standing Order 29(2)(a) is available for question and comment. Do I take it that the hon. Member for Calgary-Varsity wants to participate in the question-and-comment section?

Mr. Chase: That is correct, as opposed to 29(2)(a).

The Speaker: Proceed.

Mr. Chase: Thank you very much, Mr. Speaker. Something that would very much help in terms of being able to participate in these all-party committees is the possibility of video conferencing. The Member for Calgary-Buffalo and myself due to constituency duties found it very wearing to be on the phone for two and a half to three

hours participating although I will thank the hon. chair of the committee, the Member for Calgary-Lougheed, for being extremely gracious and providing us with plenty of opportunities to participate. As I say, for the sake of wear and tear on members, it would be nice to have the possibility of going, for example, to the McDougall Centre and participating directly by video conference as opposed to driving back and forth up the highway, in some cases for a meeting that was less than an hour.

Having said that, I want to use a few of my minutes talking about the process.

The Speaker: I misunderstand. We're under Standing Order 29(2)(a). I asked the hon. Member for Calgary-Varsity if he was on the question-and-comment section. It sounds to me like he is well into debate.

Mr. Chase: Sorry, Mr. Speaker. I indicated that I wasn't interested in 29(2)(a) and that I was in fact continuing with the debate.

The Speaker: I'm sorry. Well, I can assume, then, that there were no questions under 29(2)(a). Continue your debate, then.

Mr. Chase: Thank you very much, Mr. Speaker, for allowing me to continue.

What I find works within the committee is the opportunity for all party members to participate. That is extremely positive. The fact that there is a *Hansard* that is recording the results of the meeting gives the public an opportunity, should they so wish, to see what each of the participating members had to say, and that's extremely important. Also, if they're suffering from insomnia and want to attend the proceedings online as they occur, there is a cure for insomnia right there. What I don't like is what the Member for Edmonton-Centre brought up, and that's the notion that instead of putting all our minds together and leaving our partisanship at the door, what we experienced – and the hon. Member for Edmonton-Centre gave a very specific indication.

4:00

She had put forward a motion to protect Albertans from being ripped off by Chicago carpetbaggers disguised as ticket speculators. Everyone saw the wisdom of that motion, and it was unanimously supported. Then along comes an opportunist and undoes the good work. If that isn't an example of partisanship, I don't know what is. Therefore, that degree of partisanship concerns me because if we want to have what it is these committees are supposed to do, a brainstorm . . .

Mr. Oberle: Point of order, Mr. Speaker.

The Speaker: A point of order has been raised. Please sit down.

**Point of Order
Relevance**

Mr. Oberle: Mr. Speaker, I wonder if the member might be willing to concentrate for a moment on the bill that we're discussing rather than referring to whether we should have phone conferences in the committee or trying to revisit the motions in the committee, regardless of how they turned out. I would, of course, refer you to 23(b)(i): "speaks to matters other than the question under discussion."

The member has spent his entire discourse here talking about the functioning of the all-party committees. We just had a meeting this

morning to discuss the standing orders and how the all-party committee works, and I think we should retire the matter there and talk about the bill at hand.

The Speaker: Hon. Member for Calgary-Varsity, let's get on with the debate, please.

Debate Continued

Mr. Chase: Yes. Thank you very much. You wonder why I put forward the petition on emotional bullying and psychological harassment in the workplace.

The Speaker: No, no, no. Okay. Listen. We have a debate. We have a bill. It's called Film and Video Classification Act. I recognized the hon. Member for Calgary-Varsity. Let's stick to the subject, please. There are other venues and other avenues. We're not going to have another . . .

Mr. Chase: Very well, Mr. Speaker.

Point of Order Insulting Language

Mr. Oberle: Mr. Speaker, that is a direct point of order, in my view, under 23(j), "uses abusive or insulting language," a direct insult to me about bullying. I would ask, Mr. Speaker, that you would demand a retraction of that remark and ask the member to get on with the debate.

The Speaker: Hon. Member for Calgary-Varsity, were you referring to the hon. Member for Peace River when you made your comment?

Mr. Chase: Mr. Speaker, I was referring to a process. May I continue?

The Speaker: We do have a point of order. I asked you one question. Do you want to comment on the point of order? Yes or no? There's a point of order.

Mr. Chase: I'm waiting for your decision, Mr. Speaker, so I can get on with the process.

The Speaker: Hon. member, you be careful because if the decision is that you're not going to get on with the process, there will be no opportunity for you. I'm inviting you to have an opportunity to respond to the comment made by the hon. Member for Peace River. The hon. Member for Peace River feels that an injustice has been directed his way. I asked you if your comment was referring to him specifically. You said no. Is there anything further you would like to add on this point of order?

Mr. Chase: As I attempted to explain, Mr. Speaker – and possibly I'm not doing a very good job of it – I'm talking about the process. The comment was not aimed at any individual. It was aimed at the process. The process, unfortunately, has a form of censorship built into it. But the comment was not directed at the member, and if he feels that it was, I would apologize to him because that was not my intent.

The Speaker: Okay, we'll accept that. That matter has now been dealt with.

Hon. member, let's get on with the subject that we had. If there's a question here with respect to a process, and if an hon. member of

the Legislative Assembly of Alberta stands up and says in this House that the member feels he's been bullied by the process, then there's a problem. There's a major problem. The hon. member had better do the right thing, then: come back to this House with a point of privilege, make his arguments before this Assembly that he has been bullied as a member, and the process will then go to the next step, including a complete evaluation, which if found to be a prima facie case of privilege, to be referred to a committee that we have designed to investigate that matter.

Now, continue on the debate, please, on Bill 18.

Debate Continued

Mr. Chase: Thank you. Bill 18, to a degree, deals with film classification. One of the early points that I raised in committee and the question I asked was: does this Bill 18 empower the minister of culture or his designated chair or person to in any way override designations that have been made by the federal government or by the initial classification by the movie or video industry themselves? I was assured that that was not the case, that the bill's intent was simply to deal with the historical updating of the terminology and that it was to provide guidance for parents, families, and so on on the nature of the particular production.

One of the problems that I ran into as a member that came through loud and clear by stakeholders that were in film production, video production, or game production was the fact that we weren't privy to the regulations that the ministry would put on the various types of classifications. In other words, Mr. Speaker, we didn't know what the ground rules were. This was under the auspices of the ministry completely. Therefore, individuals who were in the production and who were asked to provide comments said: how can we provide comments on something we know nothing about?

This is a problem that I see with Bill 18, Film and Video Classification Act, because there are two parts to it. There's the public part, which is in the form of the bill, and then there's the regulations part. We don't know what the minister's regulations will look like, and we don't have the ability to influence what those regulations might be.

One of the points the industry members who participated pointed out is that there is a general agreement nationally and through all the provinces on the types of classification. The hon. Member for Edmonton-Centre pointed out the difficulties of the age factor: 14. How do you tell when a student at a junior high doesn't have the identification?

Therefore, the industry was more inclined to say that instead of having this sort of in-between age classification, let's just go directly from family to adult. Therefore, the identification isn't required, and there isn't the hassling in the movie theatre where you have some young individual who's 16 telling a parent: I'm sorry; this classification is restricted, or it's adult. So the industry was saying: let's make it clearly defined; let's use what has worked across the nation and go that way. There seemed to be a desire to have Alberta to an extent do its own thing when it came to the classification and the regulations associated.

Another point that industry members brought out was that it's different strokes for different folks in the sense that the films and videos that are shown in theatres – well, in the case of videos, that a person can purchase – don't have the same types of rules as those that can be viewed on the Internet or accessed on the Internet. So while they felt that there was an overly restrictive process on theatre regulations and restrictions, the same didn't apply to anything that could be done online or purchased online. The restrictions that were being put on local video stores and movie theatres would be easily bypassed. So there was a fairness concern.

4:10

A third concern that the stakeholders noted was the horrific fines: \$10,000. They felt that considering there had been very few, if any, examples of, say, a video store selling an adult video to an individual under age 18, potentially fining that video store \$10,000 was, to say the least, overkill. So they were concerned about the fining process.

Now, what I was pleased about and I was very glad to be a participant in was the extent to which the committee sought out public opinion. It advertised in the papers. It did everything it could, and due diligence was demonstrated to put out the opportunity for any individuals, whether they were in the industry or outside, to comment directly and have their concerns taken into account. I appreciated that opportunity to be a part of a process that was transparent. I am still concerned about getting the best out of each individual, and if somehow we could leave our flags behind us when we go into the committee to produce the best results for Albertans, I think it would be an improvement in the process.

Thank you, Mr. Speaker.

The Speaker: Hon. members, Standing Order 29(2)(a) is available. Question or comment? The hon. Member for Peace River.

Mr. Oberle: I just would like to ask the member a question, Mr. Speaker. He just said that if we could all park our flags, I think he said, at the door, it would be quite an improvement on the process, that if we could all give our best while we're in the committee, it would be quite an improvement in the process. I wonder if the member would like to clarify whether, in fact, he means by that comment that some of the members present in the committee did not give their best on behalf of Albertans, and maybe he'd like to point out which ones he feels were substandard in the committee process.

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

Mr. Chase: Thank you. It's not a case of substandard or not giving the best. But when the hon. Member for Edmonton-Centre put forward a motion that was unanimously accepted and then in the next meeting it was completely reversed, it caused me concern. I expressed that concern, and I'll leave it at that.

The Speaker: Additional comments or questions under this segment?

There being none, I'll now recognize the hon. Member for Calgary-Bow on second reading participation.

Ms DeLong: Thank you very much, Mr. Speaker. I've just got a few comments I wanted to add in here. It is my pleasure to rise in support of Bill 18, the Film and Video Classification Act. This bill would replace the much-dated Amusements Act. Areas of particular interest to me within this bill include the roles, responsibilities, and authorities.

Colleagues, I'd like to use this opportunity to clarify some confusion around the role of the executive director. The executive director has the designated signing authority for distribution licences of all films in Alberta for a fee as well as exemptions for nonprofit organizations. This is currently the practice. Bill 18 simply clarifies the executive director's role in writing. It does not change any of the current processes or practices. All of the checks and balances are still in place, so if distributors would like to appeal a decision regarding their licence, they are free to do so. The matter would then be referred to the Minister of Culture and Community Spirit.

I would like to point out, however, that the only time the executive director would not grant a distribution licence is if the distributor has

been convicted of an offence under the act in the past. In no way would a film's content play a part in the decision to grant a licence. Cutting or banning a film based on its content has not been a practice of this government for over 20 years. In fact, Bill 18 permanently removes this language. Banning a film would no longer be an option. The new Film and Video Classification Act instead focuses on reviewing and classifying films and ensuring that information is made available to the public.

Mr. Speaker, administering this legislation involves operational decisions that need to be made on a daily basis, which is why signing authority needs to be delegated to one person. This practice aligns with the way other provinces handle their classification legislation and is also similar to many other acts in Alberta that identify directors as responsible for certain legislative duties.

Thank you very much, Mr. Speaker.

The Speaker: Hon. members, Standing Order 29(2)(a) is available; that is, the question-and-comment section. Are there any members who wish to participate?

There being none, I'll call on the hon. Member for Calgary-Fort to participate in the debate for second reading.

Mr. Cao: Thank you, Mr. Speaker. It's my great pleasure to rise in support of Bill 18, the Film and Video Classification Act. I'm pleased that the Minister of Culture and Community Spirit has brought this bill forward. I also want to thank the chair and members of the policy field committee for consulting with the public on Bill 18.

Colleagues, we all know that one of the best ways to protect ourselves is through education. Through education we can make informed decisions and choices. We value personal freedom of choice, but we also value personal responsibility for the choices we make. With the valuable freedom of expression our society is wide open to many topics and subjects for movies and video making. The Alberta film and video legislation aims to protect Albertans by providing information and warnings on publicly shown films in our province. Film classification officers work very hard to classify and rate content and to provide this information to Albertans so that they can make informed decisions as to the movies they choose to view or allow their young children to see.

I want to focus on the aspect of an increase in fines as specified in the legislation. If film distributors decide not to submit a film for classification, Albertans are less able to make informed choices. Any individual or corporation deemed to be in contravention of the act risks paying a fine. Another example of someone contravening the act would be someone that sells or rents video pornography to a minor. Then they also risk paying a fine. However, the maximum fine imposed under the previous Amusements Act was not much of a deterrent. Previously individuals or corporations who chose not to comply with the act were required to pay a maximum fine of merely \$200, which is largely not enforced. Under Bill 18 the maximum fine for an individual would be \$10,000, and the maximum fine for a corporation would be \$100,000. These fines are a balance between those applied in Ontario and other provinces.

Bill 18 sets out rational penalties as well as a clear definition that local law enforcement is responsible for responding to the complaint. Mr. Speaker and hon. members, the new Film and Video Classification Act will better protect and better serve the needs of Albertans today.

Now, I wish to take this opportunity to voice a community concern that has come to my attention, and that is about violence as portrayed in video games. I have been told that video games are addictive and have an impact on players, particularly young minds.

We need to pay attention to this field, not just movies and video. I wish that video game designers and makers would put more effort into making the product more of an educational tool and less as excitement for our basic animalistic behaviours.

Mr. Speaker, I appreciate the opportunity to add my thoughts to the debate on Bill 18. Thank you.

4:20

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

Ms Blakeman: Thank you very much to the member for raising the issue of violence. That was, indeed, one of the issues that was raised with me, particularly by filmmakers, who are very concerned that we are quick to legislate and try to control depictions of sex or nudity but not a word about violence. They really felt very strongly that there should be some classification that acknowledges violence or extreme violence.

Now, you're talking particularly about games that are played, like Grand Theft Auto, where you can run down pedestrians on the sidewalk. That's what's in the game; that's part of the game. But I'm wondering if you heard from any of the filmmakers in your community on their concern for the level of violence in films today and the sort of lack of reference to that in the classification.

The Speaker: The hon. member.

Mr. Cao: Thank you, Mr. Speaker. I heard from my constituents and the public at large, in a conversational manner, that the violence portrayed in video games is something that we need to pay attention to, so I brought the attention of the Assembly to that matter.

Thank you.

The Speaker: Additional comments or questions from hon. members?

Then we'll go to the debate. The hon. Member for Calgary-Currie.

Mr. Taylor: We are on the debate again.

The Speaker: We're now in second reading debate. The hon. member has the floor.

Mr. Taylor: Thank you very much. Many of the concerns and issues that I wanted raised about Bill 18, Film and Video Classification Act, have been raised already. Secondary ticket selling is more of an issue than this bill makes it. I side with the Member for Edmonton-Centre in terms of needing to take some action in that area to improve consumer protection rather than just allowing it to be covered under the Fair Trading Act, which I think allows – and I'm going to go back to the old term – ticket scalping. I understand that it's been technologically upgraded. It's scalping about 3.0 now. Nevertheless, I come from, you know, a long heritage of not having much respect at all for ticket scalpers in any form. In my reading of this, it makes it easier rather than more difficult for that to happen. So I look forward to what we might do about that in the committee stage.

Also, the Standing Committee on Community Services, of course, noted in their recommendations that "section 13(2)(b) of Bill 18 be reviewed to ensure that the definition of an adult video film is not inadvertently applied to a video film that might be otherwise classified under a different rating (e.g. an R rating)." I think that is something that is very key for us to discuss and to work out the details of at the committee stage, particularly relative to the phrase

"conduct prescribed by the regulations." Quoting from the bill, section 13(2)(b): "a video film that depicts explicit sexual activity or any other activity or conduct prescribed by the regulations."

As I look further, section 19 deals with regulations. Let's see if I can find it here.

The Lieutenant Governor in Council may make regulations

(q) for the purpose of section 13(2)(b), prescribing an activity or conduct.

It's kind of, you know, close the loop.

Ms Blakeman: Circular arguments.

Mr. Taylor: Yeah. Argumentative pointlessness, I think.

What is conduct prescribed by the regulations? I say with some facetiousness that I see a pickup line in here, "Hey, want to go back to my place and engage in some conduct prescribed by the regulations?" or something like that. [interjection] Thank you to the Member for Edmonton-Centre for laughing at my lame attempt at humour there.

I think we need to get a handle on what that means, on what that consists of: conduct prescribed by the regulations, when regulations are made. Here we go again, talking about the stuff that happens behind closed doors with this government rather than on the floor of the Legislature here. You know, regulations are created behind closed doors. Who knows who might wake up in cabinet one day and decide that this particular activity is absolutely inappropriate for anybody under the age of 18 to see? And that same person under the age of 18 could probably jump on that same cabinet minister's laptop and call it up on the Internet absolutely uncontrolled, unregulated whatsoever.

It seems to me that we need a clear definition of what "conduct prescribed by the regulations" might be, the restrictions that we want to put on the ability of the Lieutenant Governor in Council to make whatever regulation they might be motivated to make on any particular day around that, because there is a risk that it could involve areas of interpretation where the decision around conduct prescribed by the regulations might infringe on an individual's freedom of expression or discriminate against certain groups or not. We don't know. We simply don't know. It's fuzzy, it's weaselly, and we need something with more clarity in this bill than "conduct prescribed by the regulations," in my view. I think it's a lousy pickup line, and I wouldn't fall for it myself, Mr. Speaker.

Thank you.

The Speaker: Hon. members, 29(2)(a) . . .

Mr. Taylor: Mr. Speaker, I meant to adjourn debate. Will you still allow me to do that?

The Speaker: Well, no. We're going to have Standing Order 29(2)(a). That's the easy way of getting out of being questioned and being accountable.

First of all, we're dealing with Standing Order 29(2)(a). The hon. Member for Calgary-Varsity.

Mr. Chase: Thank you. To the hon. Member for Calgary-Currie: was it your intent to adjourn debate following your discussion?

The Speaker: Additional questions and comments under Standing Order 29(2)(a)? The hon. Member for Fort McMurray-Wood Buffalo.

Mr. Boutilier: Yeah. I had a question. Could you please explain the previous question that you were asked?

Mr. Taylor: I'm not sure who that last question was for. Was that directed at me? Okay. Fine.

The Speaker: Most appropriately it should be.

Mr. Taylor: It was my intention, Mr. Speaker, should you allow it, at the expiry of this five-minute period or whenever we all give up the ghost on 29(2)(a) here, to move that we adjourn debate on Bill 18. That is now on the record. I will sit down and see if there are any other questions while the clock continues to tick.

The Speaker: We're now on 29(2)(a), the question-and-comment section. If there's no interest, then I'll certainly deal with the adjournment motion that's proposed by the hon. Member for Calgary-Currie, but it's incumbent upon the chair to ensure that all members are accountable.

[Motion to adjourn debate carried]

Bill 10

Security Services and Investigators Act

The Speaker: The hon. Member for Calgary-Varsity. Now, hon. member, we've had an amendment that was to refer this matter to a committee, but that amendment is now finished because it's back in the House, so you're proceeding on second reading.

Mr. Chase: Thank you very much, Mr. Speaker. One of the problems with the Security Services and Investigators Act is the various levels of security. There are examples of security officials, say, at the University of Calgary, at the Calgary health region. Sometimes security officers are at the local Safeway, for example, in Strathcona on Whyte Avenue, and each of these different security levels have different expectations and carry with them different responsibilities and, in some cases, different equipment for enforcing regulations. What Bill 10 doesn't quite develop is what rights, what expectations, what types of equipment an individual can have in the pursuit of their duty and to what extent they can potentially use that equipment to bring justice. We've had indications where, for example, police officers are employed part-time to provide security for a particular function, or possibly they have been hired to do a little bit of moonlighting at a bar. Then the question is: well, yes, they are police officers; obviously, they're not in uniform, and therefore they're not required to have a side arm at that particular time period, but do they fall under a different set of rules when they're providing that security for a particular event?

4:30

An example of security. To a degree, Mr. Speaker, there's a fair amount of common sense associated with the security, but when I was an attendant at Cataract Creek for three summers, 2002, '03, and '04, I was in fact performing a security service. If I received a complaint from one of the campers that somebody was using abusive language or, in the case of one individual, had a chainsaw operating in the campground, and he was proceeding to cut down what he thought was legitimate deadfall in the campground, I had to deal with that individual. Another example that I initially had to deal with was a person who had a military multiclip shotgun that he had brought into the campground that was sitting out in his backpack loaded.

The various levels of security and the rules aren't terribly clear. Because I was the first person to come on the circumstance and I had a duty to the campers who were camping there, I informed him that having a loaded weapon in a public campground broke just about

every rule that could possibly be broken. I suggested that before the conservation officer came to have a chat with him, that gun be unloaded and put back in its case.

But what authority did I have beyond providing that particular advice to the individual? And because we were in a wilderness circumstance, the nearest RCMP detachment was over 60 kilometres away. I had to depend on a series of satellite and tower-type operations that did not necessarily give me great assurance that the message was going out to the enforcement officers, the conservation officers.

[The Deputy Speaker in the chair]

There can often also with the security service be a false sense of authority. A person, for example a bouncer, who is challenged may have the wherewithal to resist getting involved in an altercation which they're being challenged to by some inebriated individual, but unless the degree to which they can deal with that individual is dealt with, there's great concern. In terms of security I have seen people restrained physically, hauled off until such time as a police officer could come on campus to deal with the individual who was causing the distraction. There was beyond a doubt a physical restraint even though there was not a potential of a physical threat. There was an awful lot of oral discussion going on that could have been considered abusive, but unless we define what it is that you're allowed to do and with what type of equipment to a greater extent, then this greyness will not be addressed.

I am concerned that without these types of specifics security officers can be put in a very liable circumstance as well when they try to carry out their duty. For example, there are instruments that can be used both as a flashlight and as a club. If persons considers themselves in a dangerous situation, what authority do they have to turn it from a flashlight into an instrument in terms of protecting themselves? It's fairly clear if you're a member of the police force and RCMP or a member of the city police. You have had years of training. You've had mentorship on the job. But when you're – for example, we brought up the sheriffs. They're providing a security obligation, but the amount of training they receive is of a very short duration, so their legal rights to apprehend and the degree of force necessary and with what type of instruments can be called into question.

Another example. For my own protection because I was in the wilderness and grizzlies frequented the area, I always carried on my belt a can of bear spray. In order to have that can of bear spray, I had to sign an agreement basically acknowledging the fact that I had purchased this and it was not to be used in an offensive manner.

But there are so many grey areas as to the degree of force, how that force is administered. We have had situations within the Children and Youth Services of the face-down restraints, so I'm concerned that Bill 10, even in its referred, committee stage, does not address these specifics. What I am calling for is a delineation of the regulations under which security services act. Without that delineation I'm afraid that people are going to overreact or underreact, put themselves and those with whom they're dealing in a position of danger.

Thank you, Mr. Speaker.

The Deputy Speaker: Standing Order 29(2)(a) allows for five minutes to question and comment. The hon. Member for Calgary-Mountain View.

Dr. Swann: Thank you, Mr. Speaker. Well, I'm wondering if the hon. member would comment on his understanding of the new sheriffs and their constraints or otherwise under this new bill.

Mr. Chase: Well, that is a problem for me, hon. Member for Calgary-Mountain View, because I don't know to what extent the sheriffs are allowed to use the variety of equipment that they have. For example, they serve a symbolic as well as physical purpose on the highways for, hopefully, slowing people down, but are they allowed to go in pursuit of someone who's speeding? See, this is what I don't quite understand.

Possibly the limitations or the requirements are clearly delineated in a bill other than Bill 10 because sheriffs, while they do provide security at courts, are in a different category again. We have so many different categories. We have voluntary constables, who can carry a shotgun but not carry a side arm. There are so many different layers, and it is that lack of delineation or definition of what their duties are and to what extent they can carry them out and with what force and with what equipment that remains a mystery for me.

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

Mr. Marz: Thanks very much, Mr. Speaker. I do have a comment pertaining to the hon. member's judgment of the sheriffs that we have out there looking after Albertans' interests. I think the comment was referring to the lack of skills and training they have. But I think that if the hon. member would look into this, he'd find that many of the sheriffs that we have are retired from police forces in a previous career, and probably a lot of them have more training than a rookie policeman from any of our cities or the RCMP fresh on the street. A lot of these young policemen that just graduate aren't trained in investigation of gang violence or those types of crimes. Merely having more policemen doing this and hiring more policemen isn't going to necessarily make their situation any safer or more knowledgeable. Many of our sheriffs are very well trained, and they're working all the time with a number of other, young sheriffs with less experience. They're learning on the job, learning from the more experienced ones.

4:40

The Deputy Speaker: The hon. member.

Mr. Chase: Thank you. For a brief period in Alberta's history – I think it was between 10 to 12 years – we had an Alberta police force, and it was made up almost entirely of retired RCMP. Therefore, I appreciate the idea that some of the sheriffs – I don't know what percentage – have had previous experience, which is absolutely invaluable, and I appreciate that. But there are, as you say, the rookies, who in the case of the sheriffs – and correct me if I'm wrong, but I believe it's a very short training course, under three months before they're actually out. Yes, they may be riding with someone who has got a little bit more, you know, seniority or understanding, but I'm concerned about placing them in a position of danger due to a very short training period.

So this is a concern. For those who are old hands, who have gone through the RCMP or the municipal police force, I count that as very positive, but given the limited educational requirement in terms of training, considerably less than that of a conservation officer, that's where my concern lies.

Mr. Marz: It's been my experience that young officers are usually out in different situations with more experienced ones, and that's how they gain experience.

Mr. Chase: I fully believe in mentorship. Regardless of what the profession is, if you put a new person along and have the support of

an older individual who has the experience, then it's going to be positive. I appreciate that. If that's part of the training system, that a rookie is never sent out on their own, great.

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

Dr. Swann: Thank you very much, Mr. Speaker. My first opportunity to speak to Bill 10, Security Services and Investigators Act. This appears to be a largely benign bill. It's simply going to improve the clarity around and modernize regulations around the private security industry by clarifying roles and responsibilities. It's hard to take any issue with that. It will address training standards for security officers to improve officer and public safety, strengthen screening and qualification standards, improve existing provisions for accountability to ensure compliance with the legislative standards, streamline the regulatory system by increasing portability of licences and renewals, and ensure that individuals who perform duties that fall under this act are licensed.

This, clearly, is an important set of guidelines and changes to the act that will clarify, not only for individuals working in the industry but also the public and the legal profession, what they can and cannot be held accountable for. It's important, I guess, to recognize that the legislation governing the security industry is 40 years old, and this updates and modernizes the legislation. It contains licensing requirements for a range of activities from investigators through security services, guard dog handlers, even locksmiths and loss prevention officers. Clearly, this will improve accountability and professionalism.

There are a substantial number of exemptions built into the bill, but they deal with police officers engaging in investigative work and lawyers and businesspersons who employ individual licensees to engage in work not related to the scope of their own licence.

An area of concern is the details surrounding uniform and weapons. It has been alluded to a bit before, but I'd like to expand a bit on that. There's no identification of what constitutes a weapon and what weapons are authorized. The ambiguity remains troubling because almost anything that a security officer wears on his belt could be used or construed as a weapon. In a hospital setting, for example, new security officers, which I've seen myself, are given a Maglite and handcuffs, and its use has not been explicitly identified in this bill. This is an area that should demand clarification around training, whether it's handcuffs or other instruments.

As well, there needs to be clarification around other weapons, such as ASP batons and energy conducting weapons. The question is: will individual licensees under this bill be allowed to use the batons? Will there be a class of investigator or security officer that will be licensed for this? When would this occur? One recommendation that we have regarding this would be that it should be explored in the committee and should form the basis of the final report. While the legislation needs to be updated, there are some questions, then, regarding these issues. We look forward to hearing more about those in specific from the committee.

Those, Mr. Speaker, constitute my concerns about it. I will await further discussion and the report back. Thank you.

The Deputy Speaker: Standing Order 29(2)(a) allows for five minutes of question and comment.

Seeing none, back to the debate of the bill. Any hon. member? The hon. leader of the third party.

Mr. Mason: Thanks very much, Mr. Speaker. I'm pleased to get up and make a few brief comments with respect to Bill 10, the Security Services and Investigators Act.

Certainly, I think that the security industry is one that has grown very dramatically over the last few decades and plays a very important role in supplementing police forces in many respects. Their role in doing so is significantly greater than it was some years back. It's very important, as far as I'm concerned, to make sure that there are clear standards and clear accountability for the activities of these organizations since they occupy a position which is more than just a strictly civilian role. They're not sworn officers, but they do enforce the rights of property owners in particular. You could say that they enforce in a certain way some laws and that they are often using some sort of or have the potential to use physical means in order to protect the property or rights of the person employing them. I think it's very important that we have clear regulations and we have clear rules around complaints.

I want to talk about something specifically with respect to this. It comes from my experience in 2006, I think, during the Telus lockout. There was a major labour dispute at that time. In that particular summer there were a number of them. I had the opportunity to attend on the picket line in a number of places: in Red Deer, in Calgary, and several times in Edmonton. In that particular labour dispute the company employed a major firm – I believe it was an American one, but I could stand to be corrected – that specializes in labour disputes. In fact, it specializes in strikebreaking. They advertise that on their website.

4:50

I was aware of a number of incidents. Usually when politicians were on the line – it was an organized rally, so there were lots of people locked out on the picket line, more than usual – certainly these security agents were on their best behaviour at that time, but there were a number of incidents when these companies used tactics of intimidation and, indeed, in some cases violence against people. There was, you know, the potential for a lot more violence as a result of their rather aggressive approach. It was also quite clear that there were activities that were taking place, whether by this company or someone else, that were designed to disrupt the activities, the legitimate and legal activities of the union on the picket line.

Mr. Speaker, I want to be really clear that I think, first of all, we need enhanced appeals when dealing with these kinds of situations. We need to have really strong regulation. Security firms should be doing security business. In other words, they should be protecting the property or the legal rights of the company or individual that has employed them. They ought not to be supplementing that legitimate activity with open attempts to break a strike and to intimidate people in legitimate pursuit of their economic rights under the law. In fact, that we shouldn't be merging the security function with any other function would be my view. I think that this particular act ought to be amended to specifically prohibit security firms from engaging in strikebreaking or any related activity, that I think is reprehensible.

I want to in committee stage talk a little bit more about that, but I just wanted to put on the record for now that I think we need to draw a clear distinction between security firms and firms that are engaged in other types of activity, including political activity and so forth. They ought not to be combined, and I think that the responsibility of the Legislature is to make sure that we don't do that. You're going to get into situations that become, then, very, very difficult and potentially violent, and I think this is an opportunity to take a look at some of that.

Mr. Speaker, to conclude, I just want to indicate that there are good aspects with respect to this bill. I think clear regulation is important. I think that this particular legislation goes a good way towards defining the particular roles and functions of these and making sure that there is, in fact, a regulatory framework and that there is an appropriate system of dealing with disputes. In general,

we're not opposed to the direction of the bill, with the exception that we think that security firms should be prohibited from engaging in strikebreaking activity.

Thank you.

The Deputy Speaker: Standing Order 29(2)(a) allows for five minutes of comments and questions.

Seeing none, back to the debate of the bill. Any other hon. members wish to join in?

Seeing none, I will recognize the hon. Member for Airdrie-Chestermere to close the debate.

Mr. Anderson: Thank you, Mr. Speaker. The policy field committee on public safety and services has reviewed this bill and has made some recommendations in four sections of Bill 10, and I want to thank them for their work on this bill.

The security and investigative industry plays a vital role in enhancing public safety and security in this province. It includes investigators, security guards, locksmiths, alarm companies, and loss prevention personnel. Over the past four decades this industry has seen rapid growth and has changed, especially in the last 10 years. Current legislation in our province simply doesn't reflect today's reality, as many of the members have already stated today.

To give you some idea of the current situation in Alberta, the Solicitor General and Minister of Public Security has approved licences to 6,800 security guards, 142 security guard companies, and over 550 investigators and 190 agencies in the province of Alberta. This does not include the 1,200 licensed locksmiths and 2,900 individuals who use vehicle entry tools as part of their job because they are licensed through the authority of the Criminal Code.

Mr. Speaker, the demands on this industry to satisfy safety and security needs in Alberta are growing. As a result, there must be greater co-ordination, communication, and collaboration between police, security, and investigator services. This draft bill is designed to strengthen the security and investigator industry through enhanced professionalism, consistent training to help ensure the safety of those employed in the industry, the creation of safeguards for the public who access or come into contact with security services, ensuring that the public's civil rights and liberties are protected and deterring those whose backgrounds make them unsuitable for the security and investigator industry.

Specifically, these changes will modernize the regulatory and legislative framework for the industry by clarifying the roles and responsibilities in the industry, improving the quality of service by addressing safety issues through training, strengthening screening and qualifications, improving accountability through auditing and inspection to ensure legislative compliance, streamlining the regulatory system by increasing portability of licensing and renewals, and increasing communication between the industry and Alberta Solicitor General and Public Security.

The first area I'd like to touch on today in the proposed legislation deals with the licensing of any sector in the industry that significantly impacts public safety and security. We must broaden the definition of an investigator to accurately reflect the responsibilities and duties in today's society. An investigator would be defined as anyone who seeks information about accidents, property damage, and incidents, including causes of fires; crimes, offences, or allegations of crimes; the conduct, actions, or reputation of a person or organization; the whereabouts of missing property; and who may conduct surveillance activities.

In-house security guards, including those employed in shopping malls, grocery stores, or retail outlets, are not covered by existing legislation. These security personnel have the ability to arrest and detain individuals, use batons and handcuffs, and hold them in their

own unregulated cells. If they have not received proper training or do not have the skills necessary to perform these tasks, their own safety as well as the civil rights and liberties of others may be impacted while performing their duties. Also, in-house security guards are accountable solely to their employers. Licensing this sector will ensure accountability and clarify the roles and responsibilities as they carry out their duties. This would ultimately result in better co-ordination with police services and be consistent with other jurisdictions across Canada.

Another key area involves individuals responsible for preventing, detecting, or arresting shoplifters. They have a critical role in reducing criminal activity in businesses. They can also help reduce pressure on police services by, within the context of their employment, responding to a crime and making arrests. By licensing these individuals, we can ensure that they're properly trained for their own safety and for that of the general public.

Burglar and intrusion alarm response companies are a fast-growing market as Albertans look to increase the safety and security of their property and possessions. We propose licensing companies that respond to alarm systems used to detect break and enters and theft to help screen out individuals who may want to exploit the position for criminal gain. This is an area where the field policy committee made several recommendations on exclusions from classification as security alarm responders. This observation is being reviewed at this time.

Since the 1970s the Alberta Solicitor General and Public Security has licensed locksmiths through the Criminal Code of Canada to use automobile master keys. However, the definition under the code is limited and does not accurately reflect the roles, responsibilities, or tools used by a locksmith, nor does it outline the screening criteria needed to become a locksmith. To better clarify their roles and responsibilities, enhance professionalism and quality of service provided by locksmiths, as well as clearly define the screening criteria, we propose this area be licensed through provincial legislation.

5:00

Specifically, this would include anyone who installs, maintains, and repairs mechanical and electric locking devices, including safes and vaults, as well as those who cut restricted keys and unlock building doors and vehicles. Retail cutters who only duplicate common keys would not be licensed under the proposed legislation. There are several sectors that will be exempt from this proposed legislation because they are already regulated or subject to stringent standards, and those have already been reviewed today by the hon. Member for Calgary-Mountain View.

To better strengthen industry standards, the proposed legislation includes licensing criteria for companies or agencies as well as individuals. Before an agency, which includes an individual, partnership, or corporate body, can be licensed, several criteria must be met. There must be a completed criminal record check. They must confirm liability insurance, develop a code of conduct, and, of course, pay the appropriate fee.

Mr. Speaker, in an effort to increase accountability through the industry, we are clarifying the types of information a security company must provide to the Solicitor General and Public Security. This would include changes in the company address, in ownership or management of the security or investigator company, and, of course, would include every incident that may impact the public such as use of a weapon, injuries or deaths, and/or charges against a licensee. To strengthen the integrity of the security and investigator industry and provide a consistent approach to handling allegations of misconduct, a more structured public complaint process is included in this draft legislation as well.

Mr. Speaker, the next area deals with monitoring and powers of inspection, and there are some other things, but I'd like to go on to the issue of uniforms and weapons as that was addressed earlier. The proposed legislation states that all licensed security guards would be required to wear a uniform and that their vehicles would have the appropriate markings. Both the uniforms and the markings would be approved by the Solicitor General and Public Security. Security guards will also have the authority to use batons and handcuffs but will have to provide proof that they've received the proper training before receiving this authorization from the Solicitor General and Public Security. They will not be allowed to carry firearms. The policy field committee has made recommendations about requirements to keep a record of material uses of force and to report allegations of criminal offences. These recommendations are currently being reviewed.

To better streamline the licensing process, renewals would be staggered throughout the year rather than all expiring on December 31 as they do now.

Another area that will be expanded and further clarified is why a licence may not be issued or renewed. Currently the Solicitor General and Public Security can suspend, cancel, or refuse to renew a licence. However, the legislation provides minimal authority to monitor agencies and personnel or to address and reprimand unethical practices. This makes it difficult to ensure compliance with standards. The proposed legislation would give the Solicitor General and Public Security the authority to decline an application of renewal if it is not in the public interest, if the applicant has been charged with a criminal offence, or if there are reasonable grounds to believe that the applicant won't conduct business with integrity or in accordance with the law. If the company or individual is denied a licence renewal or if a licence is cancelled, the licence must be returned immediately to the department to ensure that others do not have access to it.

With regard to appeals currently a licensee can appeal to the Law Enforcement Review Board if their licence is cancelled or suspended. The proposed legislation would have a licensee file an appeal to the director of law enforcement before going to the LERB. However, the policy field committee took a look at this area and has also made recommendations in regard to it. It recommends restructuring the appeal process, which is also under review.

The remaining sections of the draft legislation focus on administrative amendments, and I'm going to bypass those.

Mr. Speaker, the proposed legislation more accurately reflects the modern realities of the security and investigator industry in Alberta and will better address the safety and security needs of the public. Strengthening standards and requirements, clearly defining roles and responsibilities, and improving accountability and training will benefit the security industry and the public by promoting confidence in an industry that provides such an important service to Albertans.

Thank you very much.

[Motion carried; Bill 10 read a second time]

Bill 34

Employment Pension Plans Amendment Act, 2008

[Adjourned debate October 21: Ms Blakeman]

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

Mr. Taylor: Thank you, Mr. Speaker. It's my pleasure to rise and speak very briefly today to Bill 34, the Employment Pension Plans Amendment Act, 2008, in second reading. I want to go on record that I support this bill and intend to vote in favour of it as we vote it out of second reading into committee.

The amendments basically proposed in the bill mean that if a pension plan is registered in another jurisdiction, only the administrative and day-to-day funding and investment laws of that jurisdiction will be applied. The laws of Alberta will apply in other areas. This will simplify the day-to-day processes for plan sponsors while not impacting any substantive benefits to the members. That is important on days like we've seen recently.

Really, beyond saying that I intend to vote in favour of this bill at second reading, I just wanted to use this as an opportunity to say that there are many, many Albertans right now who are dreadfully concerned about the state of their pensions and the future of their pensions because of the market meltdown and the fiscal crisis and credit crunch that we are going through around the world. There is a great deal of concern on the part of people who are pensioners, people who can see the day coming when they will be pensioners, people who are saving for their retirement, and people who are involved in pension plans that their financial future be as secure as possible or return to a level of security that they thought they had up until a few weeks ago. While simplifying the day-to-day processes for plan sponsors and clarifying who's in charge of what, I think the bill will certainly help to do that.

With that, Mr. Speaker, I will take my seat. Thank you.

The Deputy Speaker: Standing Order 29(2)(a) allows for five minutes of questions and comment.

Seeing none, I'll call on the hon. Member for Calgary-Mountain View.

Dr. Swann: Thank you, Mr. Speaker. My first turn to speak to Bill 34, the Employment Pension Plans Amendment Act, 2008. This bill introduces a new multilateral agreement for multijurisdictional pension regulators. It's based on a recent court case, Leco, and other issues that have arisen and the Canadian Association of Pension Supervisory Authorities, or CAPSA, which developed a new agreement as a solution to the case and other problems.

Alberta's changes in this bill are entirely in line with that agreement. Under the amendments if a pension plan is registered in another jurisdiction, only the administrative and day-to-day funding and investment laws of that jurisdiction will be applied. The laws of Alberta will apply in all other areas. This will simplify the day-to-day processes for plan sponsors and will not impact any substantive benefits of members. Clearly, that's progress, and it's in the interests of all Albertans that we move on this.

The changes adopted are as a result of a recent court case, then, and other issues raised by regulators and stakeholders regarding the pension administration. The Canadian Association of Pension Supervisory Authorities developed a new type of agreement to deal with the issues, and this agreement is the basis. It involves streamlining administrative and day-to-day processes for multijurisdictional pension plans and does not make any changes in the substantive benefits of the pension holders.

Most of the provinces, excluding Quebec, and the federal government have entered into these types of arrangements regarding pension administration. Currently pension members in more than one jurisdiction can register in the jurisdiction in which the majority of the members are employed. That jurisdiction then administers the laws of all the other jurisdictions for the members employed there.

The Leco case in Ontario found there were potential problems with the administration of current reciprocal agreements, and as a result many pension regulators are more cautious about their reciprocal agreements and have urged the CAPSA agreement to provide a solution. It did develop a new multijurisdictional agreement, and that agreement is the basis here.

5:10

In Canada, while pension plans are registered with the Canada Customs and Revenue Agency under the Income Tax Act, there is no single overarching pension benefit standards statute like the Employment Retirement Income Security Act of 1974. Rather, plan members' pension benefits are generally regulated by the pension laws of the province in which the member is employed.

Since the act was originally drafted in 1967, Mr. Speaker, its language and scope have become outdated, and there are other housekeeping changes that are made in this bill. There is certainly nothing that I have any specific concern with, and I certainly will be supporting this bill.

Thank you, Mr. Speaker.

The Deputy Speaker: Standing Order 29(2)(a) allows for five minutes of question and comment.

Seeing none, back to the debate on the bill. The hon. Member for Calgary-Varsity.

Mr. Chase: Thank you very much. What I like about Bill 34 is what I would call both the portability aspect and the universality. We're trying to do something, basically, on a national level that recognizes pension plans from across Canada and a degree of oversight within the province of Alberta. Personally, I believe oversight is a good thing, and I do believe in regulations as they apply as opposed to the discussions that we formerly had about legislation/regulation. In this case the regulations are clear and transparent, and they're carefully spelled out.

One area that I'm not completely understanding and that I think it's important to bring up is the relationship between federal pensions and provincial pensions. An individual – and I wish I could recall their name – was formerly on a federal pension plan as an RCMP officer. When he moved to Alberta, he provided sort of a security service for the Legislature. He was given to understand that his years of pensionable service from the federal government would be transferable to his provincial pension. In other words, he would have years of pensionable service dating back to when he was first employed by the federal government. Years later – and he's been fighting for this for some time – that agreement hasn't been recognized; therefore, the years of his pensionable service have been considerably reduced at expense to himself and his family.

I'm not sure whether Bill 34 would cover that transferability from a federal jurisdiction to a provincial jurisdiction, but I would hope that that would be part of the addressing of both the bilateral agreements. I'm hoping there is also a federal-provincial connection so that service that's provided from one government to the next is recognized in terms of long-term pensionable service.

With that, I would call the question.

The Deputy Speaker: Standing Order 29(2)(a) allows for five minutes of questions and comment.

Seeing none and there being no other hon. member wanting to join the debate, then the chair will call the question.

[Motion carried; Bill 34 read a second time]

Bill 36 Land Titles Amendment Act, 2008

[Adjourned debate October 27: Mr. Chase]

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

Ms Blakeman: Thank you very much, Mr. Speaker. I'm pleased to be able to join in the debate on Bill 36, the Land Titles Amendment

Act, 2008. I get to be the new critic for this sector. I've just taken over this file and have done a very fast read of the legislation. My memory of the sort of outline of this bill is that it was to be assigning a numbering process to the queue or creating a queuing process for – well, the legal wording is instruments and caveats. I think what they really mean there is for the land titles search requests that are going through the process. That allows the department or the officials that are doing the searches to do it in a particular order.

We made some interesting choices before when we established the system for what we were going to use here in Alberta. In looking at it now, I think, actually, that we made a pretty good choice because I think it's allowing us to move forward on some of the modifications that are being brought forward in this bill. What the bill is trying to do is create a searchable database because we're adding to it this idea of a registration queue so that you've got something that you can search in a database; that is, the number. This is specific to documents that have been submitted but not yet processed. I think I'm right, or I'm sure that the sponsor of the bill will correct me, but it strikes me that it's a bit like the courier process that's available today with FedEx or DHL or whatever. As soon as they take something in, it gets assigned a bar code, and you can look it up online at any point and figure out where your package is in the system.

I think this system is trying to do the same thing. You're essentially assigned a number and now you can go into a database and find out where your request is in the system. At various times there have been very long processing lineups for land titles, and that has caused some hardship for people. I think it would be, at a minimum, helpful to know where you are in the process and how long the lineup is sort of taking these days. It also allows you to go to others and go: "Look. This is where I am in the queue; I'm number 400 out of 500. So this is going to take me a bit, and I should make some other plans here." Information, I think, in almost every case is a good thing.

Finally, because you're making it a searchable database now, I think it's going to allow members of the public to look at the registrations that are pending against a particular property so that they can make informed decisions to proceed with it or not, depending on what's already on there. It does provide clarification about the assurance claim for nonfraudulent purchasers, that this does begin as soon as – weird language is used – the instrument is registered. So we're going to get a database that is publicly accessible. I think it should give us more transparency in the system because as I was giving the example of the courier company, anybody can go on and see where it is in the system. It clarifies the assurance protection.

Now, why do we have assurance protection? Let me go back to where I started, which was the choice about how we set up our land titles system. I hope I'm not repeating anything anyone else has said. Essentially, we used the Torrens system, which has a mirror principle, a curtain principle, and an insurance principle.

The mirror principle is that any information that you need to know is readily apparent. Nothing is hidden; nothing is sort of in the background. Anything you need to know is there. The language that's being used is: reflect completely and accurately all the current facts of the title, that it's "free of adverse claims or burdens" unless they are specifically mentioned. So the title is supposed to show exactly what is going on. All the relevant information that you need is supposed to be right up front along with any liens or claims or warnings or anything else that's attached to it. That's the mirror principle.

The curtain principle is: that's it; you've got it all up front. You don't need to go looking for anything sort of behind a curtain that

might be hidden away, unless you're looking specifically for who owned the property previously, but you don't need to go looking for any other information. Everything you need is up front.

5:20

Finally, because those two previous principles go hand in hand, the third piece of that is that there is an insurance fund that's in place that will compensate anyone who suffers as a result of a mistake being made concerning the validity or accuracy of the title. The idea is that the registry guarantees the accuracy of title to land. Once you've looked at it and you've seen what there is to say, if you proceeded based on that and that information was inaccurate, there is an insurance program in place to compensate you for any harm that you suffered or any financial loss that you experienced.

That's the principle we chose, and as a result of that, especially, I think, using the mirror principle, we can move forward and get into this queuing and numbering system in the queuing. For the most part what we're doing is adding two new sections and clarifying a bunch of other ones just to clear up any misunderstandings that have sort of developed through the system over the years.

The new sections are the details about that registration queue and adding that an application to the courts under a particular subsection to alter a plan can be made. This is the requirement about land surveyors signing stuff off. In some cases the people that signed it off are no longer working, or they could even be deceased, so it's allowing that for someone that's "unable to act" – that's the wording that they're using – someone can be appointed by the council of the Alberta Land Surveyors' Association to okay their signature or to allow a modification to be made. Those are the two new parts, and the rest are clarification.

Now, the one question that I had – and the sponsor of the bill and I didn't have quite enough time to go over that. I'm curious as to why under the regulations, the ever-present empowering section, the Lieutenant Governor in Council – that is, the cabinet – gets additional regulation-making powers. I absolutely loathe that, but the government is putting it in every single bill that it brings before the House. As part of that regulation-making authority that it's being granted, it's allowing for the cabinet to basically queue-jump certain properties in the queue. It's like cabinet-authorized queue-jumping. I want to know the circumstances in which there would need to be a cabinet-authorized queue-jumping of a land titles search. That's what it is.

In the original act section 213 says, "The Lieutenant Governor in Council may make regulations," the famous and ever-present section, and then it goes on, "prescribing forms" to use, et cetera. The new sections that are being added are:

prescribing the conditions under which instruments and caveats may be registered in a different order, in respect of other instruments and caveats that affect the same land, than the order in which they were entered in the pending registration queue.

So it's allowing the Lieutenant Governor in Council, the cabinet, by an order in council to change the queuing of these instruments and caveats. I want to know: why does the government need this? It seems to me that if you go to all of this effort to, one, create a queue and, two, create a queue that has bread crumbs that you can follow the queuing and the registration process – you've numbered it; it's now in a searchable database – why would you go to all that effort to do it just so that you can have the cabinet queue-jump?

I'm feeling generous; I don't know why, considering the day I've had, but I'd like the government or the sponsor of the bill to explain to me, please, why they put that section in there. They must have anticipated something where they would have to get involved. I'm casting my mind about going: "Okay. Well, I guess if they wanted to purchase land themselves and wanted to queue-jump ahead of

somebody else that wanted to get it, or if there was some land they were selling.” It’s just not clear to me why they need the ability to queue-jump. So I’m looking for an explanation from the sponsor of the bill. As I said, he is aware that I would be putting this question on the record, and I think he’s prepared to answer me once we get into Committee of the Whole.

This is not a long bill; you know, it’s five pages long. Essentially, the Official Opposition is in favour of what’s being anticipated here. I think that given the technology that’s available to us, why wouldn’t we take advantage of that and make a system that is easier for people to work with? As I say, we’ve had different times in our history when the lineup has been longer than other times, and I think this would be a great help to people. At one point I think it was taking people, like, six months or nine months to process these claims and searches. Boy, was that ever becoming problematic in the sale of residential homes and things. So I can see how this would be very helpful in that circumstance.

That’s the major question that I have here. We’re very willing to support the legislation. Otherwise, I’m just looking for the explanation on that, and I expect that I will get it from the member either when he closes debate or at the beginning of Committee of the Whole. This member is actually quite good in getting back to me, so I expect there will be an answer to it.

Those are all the comments that I wanted to put on the record of debate for this bill, and I appreciate the opportunity to be able to do that. Thank you.

The Deputy Speaker: Standing Order 29(2)(a) allows for five minutes of questions and comments.

Mr. Chase: Thank you very much, Mr. Speaker. The hon. Member

for Edmonton-Centre reviewed the process that I commented on last night about the Torrens system: the mirror, the curtain, the insurance, and the assurance. Do you get a sense from this bill that people who are dealt with in a fraudulent manner – it covers the nonfraudulent, the mistake in the registration of the property. Do you believe that this bill protects an individual from the potential of fraud, or do they have to still go to litigation to get that one resolved? Is it clear in your mind? It’s not clear in mine, obviously.

Ms Blakeman: I’m not a lawyer, but it’s fairly clear to me in the legislation that the assurance that is offered through that system is to the accuracy of all legitimate and truthfully arrived at information. In other words, if the system itself has made a mistake in entering information about a given land title and any of the caveats or liens or anything that’s involved with it, then they take responsibility for that. They basically guarantee you that the information they’ve got up front is good information, it’s reliable information, and you should take it as that and not go looking any further. If they’ve made a mistake and omitted something or added something in error, they will assume the financial responsibility that you may incur if you followed through on that inaccurate information or omitted information or added-to information.

As far as somebody that is out to actually commit fraud and they have given the department inaccurate information or tried to perpetuate a fraud through the department, clearly the department can’t be held responsible.

The Deputy Speaker: I hesitate to interrupt the hon. member. It’s 5:30, so the Assembly stands adjourned until 7:30 p.m.

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

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