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The 27th Legislature  
First Session

# Alberta Hansard

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The Honourable Kenneth R. Kowalski, Speaker

# Legislative Assembly of Alberta

## The 27th Legislature

First Session

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[Errata, if any, appear inside back cover]

## Legislative Assembly of Alberta

7:30 p.m.

Tuesday, November 4, 2008

### Government Bills and Orders Committee of the Whole

[Mr. Mitzel in the chair]

**The Deputy Chair:** Hon. members, it is 7:30. I would like to call the Committee of the Whole to order.

#### Bill 32 Meat Inspection Amendment Act, 2008

**The Deputy Chair:** Prior to 5:30 an amendment was passed, and now we are on the clauses of the bill.

Do any members wish to speak? The hon. Member for Battle River-Wainwright.

**Mr. Griffiths:** Thank you, Mr. Chairman. It's a pleasure for me to rise today in Committee of the Whole to present Bill 32 and discuss some of the questions that were raised in second reading. I would first like to extend my appreciation to the Member for Rocky Mountain House again for his amendment. I always appreciate the fact that within this Legislature not everything is guaranteed when it enters. We get the opportunity to vigorously discuss challenges that may come up or things that may have been missed by some people who reviewed the bill. I believe it was a much-needed amendment, and I appreciate the member bringing it forward.

Just to review, Mr. Chairman, the Meat Inspection Amendment Act, 2008, proposes to transfer the inspection authority over mobile butcher facilities from Health and Wellness to Agriculture and Rural Development. Just as background, a mobile butcher facility occurs where a mobile butcher will be able to prepare, package, and store meat from an animal that has been slaughtered on the owner's premises, in a provincially licensed abattoir, or in a federally registered establishment.

Currently the meat inspection legislation administered by Agriculture and Rural Development only provides authority for licensing mobile butchers as individuals. Currently regulatory oversight of mobile butcher facilities is in the Public Health Act and the food regulations administered by Health and Wellness. Bill 32 sets out a basis for regulatory changes that will support Agriculture and Rural Development's licensing and inspection of mobile butcher facilities. Agriculture and Rural Development will then have legislative authority over both the mobile butcher as an individual and the mobile butcher's facility. We're working toward a single delivery system under the authority of Agriculture and Rural Development, Mr. Chairman.

Bill 32 also aligns with the Auditor General's recommendation to eliminate gaps in food safety coverage, aspects of which dealt with mobile butchers, and consistent administration of the meat facility standards.

There were some questions that came out of second reading, Mr. Chairman, that I would like to address now. First, I'd like to respond to the questions that came from the hon. Member for Edmonton-Riverview. He expressed concern with repealing section 3 of the Meat Inspection Act. The repeal was perceived to limit the authority of public health officers. This is not the case, though if that were the case, I would express just as legitimate a concern as the member did. I can assure all members that the proposal to repeal section 3 is merely a housekeeping amendment. The authority of public health inspectors is granted in accordance with the Public

Health Act. The authority under that act exists today and is in no way impacted by Bill 32. Agriculture and Rural Development officials consulted with Health and Wellness officials to determine the authority currently provided by section 3 and that it is no longer needed and has never been used in the past.

The system of food establishment permits under the Public Health Act's food regulations currently provides public health inspectors with the authority to inspect mobile butcher facilities. Public health inspectors also have broad inspection authority under section 59 of the Public Health Act. Section 59 authorizes public health inspectors to conduct inspections for the purpose of determining the presence of a nuisance. Section 62 of the same act, Mr. Chairman, provides authority for public health inspectors to issue orders to address nuisance concerns. As you can see, section 3 is being repealed due to being essentially redundant. I trust this addresses the member's concerns.

Now, the hon. Member for Edmonton-Centre is seeking the definition of a peace officer. She also inquired about the qualifications and training of peace officers and sheriffs. The Peace Officer Act defines "peace officer," which I won't read just because of time constraints. I would refer the member to the statute and also the extensive information regarding the matter on the website for Alberta Solicitor General and Public Security.

In summary, there are a number of peace officers appointed, ranging from community peace officer up to an Alberta peace officer level 1. Meat inspection legislation is enforced by inspectors appointed by the minister, and these inspectors are appointed at the level of peace officer level 2, which is appropriate for a peace officer who possesses specialized knowledge applicable to the particular subject matter. Peace officers at level 2, Mr. Chairman, are well trained to conduct enforcement under the particular provincial statutes.

Several members within this Assembly expressed concern for food safety issues such as the listeriosis outbreak, E coli concerns, the BSE situation that we went through recently, and of course testing for chronic wasting disease. Bill 32 is designed to address these concerns. Agriculture and Rural Development's authority over mobile butcher facilities as proposed by this Bill 32 is beneficial from a food safety perspective. I can assure all hon. members that Agriculture and Rural Development is diligent in ensuring that appropriate procedures are in place to mitigate the risk of meat and meat products being contaminated. Provincially inspected meat processing facilities adhere to strict manufacturing and food safety practices. It's worth noting that there has not been a single case of listeriosis in Alberta linked to a provincially inspected meat facility.

Members raised the issue of the BSE crisis in the United Kingdom, here in Alberta, and of course BSE testing of meat. In response I can advise that Agriculture and Rural Development partners with the Canadian Food Inspection Agency to support extensive BSE surveillance programs.

The hon. Member for Calgary-Mountain View inquired if meat is tested for chronic wasting disease before the meat enters the food chain. Agriculture and Rural Development does test for CWD in each deer and elk slaughtered in provincial slaughter facilities. The provincial meat inspection system is effective in protecting public health. Effectiveness is backstopped by Agriculture and Rural Development's authority to suspend or cancel the licence for noncompliance with the legislation.

Several members also expressed concern that the Ministry of Agriculture and Rural Development currently plays a role in promoting the meat industry and will assume responsibilities now under Bill 32 for inspection of a small segment of the meat industry, that being mobile butcher facilities. I can assure members that the

ministry has served in a meat inspection regulatory capacity for many years. This is not a new role for the ministry. Dedicated meat inspection staff serve the public interest today. The regulatory services division of the ministry is responsible to ensure that meat plant operators adhere to the meat inspection legislative requirements.

Noncompliance with the legislation is dealt with according to the minister's compliance principles. If a meat plant operator is noncompliant with the legislation, measures are taken to achieve compliance as quickly as possible. One of the possible measures is, of course, as I mentioned, suspension of meat inspection services, which has occurred in the past to enforce legislative requirements that serve the public interest.

The hon. Member for Edmonton-Riverview questioned the tiered approach, with the federal meat inspection standards being different from the provincial meat inspection standards. I understand the member's concerns. I appreciate the concern about consistency and harmonization of standards. Agriculture and Rural Development shares this perspective and is working with federal and with provincial counterparts in the hope of achieving this goal. But Bill 32 does not address harmonization as the legislative changes needed are federal. In fact, it's the Meat Inspection Act of Canada that needs to accommodate the vision of harmonization standards across the country.

As well, questions during second reading were also raised by the hon. Member for Lethbridge-East. Additional information regarding the qualifications of meat inspectors was required. I can assure all members that the provincial meat inspectors are highly qualified professionals with extensive training. In fact, their initial training period lasts 12 months for newly hired meat inspectors, and ongoing training follows the initial 12-month training period. Most of the meat inspectors currently on staff are employed at the senior level with extensive experience and knowledge in meat inspection.

As well, the hon. member inquired about the minister's authority over country-of-origin labelling. I understand that the member opposite supports country-of-origin labelling, which is under federal authority. Country-of-origin labelling, unfortunately, is not legislated by the provincial Meat Inspection Act.

In conclusion, Bill 32 is beneficial from a food safety perspective and a legislative-reform perspective. The bill transfers inspection authority for mobile butcher facilities from Health and Wellness to Agriculture and Rural Development. The bill streamlines regulations, Mr. Chairman, and reduces inspection overlap within mobile butcher facilities. The overlap exists now in that Agriculture and Rural Development authorizes the mobile butcher through the issuance of a licence, and Health and Wellness authorizes operation of the mobile butcher facility through the issuance of a food establishment permit. Bill 32 will reduce administrative duplication while promoting a consistent approach to food safety.

Three members opposite inquired as to the transition plans and, specifically, assurance that the requisite knowledge over the particular mobile butcher facilities will transfer to Agriculture and Rural Development along with the inspection authority. Agriculture and Rural Development will work closely with Health and Wellness, regional health authorities, and mobile butcher facility operators during this transition period.

The hon. Member for Edmonton-Strathcona also inquired if the transition would result in any undue financial burden for mobile butchers. I would like to say that the new amendment that was proposed and accepted helps ensure that there won't be added costs for mobile butchers. Once licensed and inspected under the Meat Inspection Act, mobile butcher facilities will be required to comply with provisions set out in the meat inspection legislation and meet facility standards as regulated by Ag and Rural Development.

Agriculture and Rural Development will be working with all mobile butchers in order to facilitate a smooth transition, Mr. Chairman, with no disruption to mobile butcher operations. The ministry will work with operators of mobile butcher facilities to improve food safety processes and procedures as may be needed. Agriculture and Rural Development will be visiting the facilities at an increased frequency to provide guidance and assistance to improve the safety of meat products being manufactured.

I'm glad I had the opportunity to address the concerns. I strongly encourage all members of this House to give their full support to Bill 32. Thank you, Mr. Chairman.

7:40

**The Deputy Chair:** The hon. Leader of the Official Opposition.

**Dr. Taft:** Thank you, Mr. Chairman. I genuinely appreciate the efforts from the Member for Battle River-Wainwright, I'm sure with the support of the minister and the department. I appreciate the comments. It felt to me like we raised genuine concerns, and we got a genuine response. That's a good way for this Assembly to work as much as it can.

All of us here and I'm sure everybody in the province and across the country share a real concern about safe meat products. We have, as has already been mentioned, a history of challenges with everything from BSE to listeriosis to E coli and so on. All of us know that this is both a matter of public health and a matter of good economics. If we have problems with our meat inspection system, it's not just that people are going to get sick. It's that the economy is going to get sick as well. We only need to look at the reaction to products made in China, for example, to understand how a bad reputation for safety can have a real economic impact.

I feel, Mr. Chairman, that our questions have been well answered and reasonably so. I think that the spirit of this legislation is intended to make a good system better. Clearly, if things go off the rails, you know, there will be consequences, and we'll have to make other adjustments.

I think that this bill, certainly, speaking as the lead person on this file from this side of the House, will get our support. Thank you.

**The Deputy Chair:** Any other members wish to speak?  
Are you ready for the question on Bill 32?

**Hon. Members:** Question.

[The clauses of Bill 32 as amended agreed to]

[Title and preamble agreed to]

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

**Hon. Members:** Agreed.

**The Deputy Chair:** Opposed? That is carried.

### Bill 39

#### Court Statutes Amendment Act, 2008

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

**Mr. Hehr:** Well, thank you very much, Mr. Chairman. It gives me great pleasure to rise and speak to Bill 39, the Court Statutes Amendment Act. Some of the highlights of this bill are that it

renumbers and redrafts portions of many other acts to reflect recent legislative changes and other housekeeping matters. It also amends the Provincial Court Act and the Judicature Act in order to deal with the manner in which a judge may be dismissed or removed from the bench. It also makes slight changes to how default judgments are registered, the proper manner by which a pleading can be struck, and provides a greater degree of protection against situations involving unjust enrichment.

As you can all see, much of this is applied to both practitioners of the law as well as people who will be enforcing, I guess, judgments on behalf of the Crown and also just individual laymen who will be using the legal system. From what I can see of this act, it is really just a matter of housekeeping as it has amalgamated a number of these bills, and it has eliminated, actually, a bunch of other ones where there were various listings throughout various other acts, like the Agricultural Pests Act, the Alberta Corporate Tax Act, and the Alberta Evidence Act. It seemed to be that pieces of legislation were strewn all over the place, so in essence this really makes, actually, our legal system run a little smoother, will make it easier for people to obtain justice, and, hopefully, will keep a few lawyers from getting grey hairs earlier.

Those are my comments. I thank you very much for allowing me the opportunity to speak on this bill this evening.

**The Deputy Chair:** Any other hon. members wish to speak?  
Are you ready for the question?

**Hon. Members:** Question.

[The clauses of Bill 39 agreed to]

[Title and preamble agreed to]

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

**Hon. Members:** Agreed.

**The Deputy Chair:** Opposed? That's carried.

**Bill 33  
Agriculture Financial Services  
Amendment Act, 2008**

**The Deputy Chair:** We are presently speaking to amendment A1.  
The hon. Member for Battle River-Wainwright.

**Mr. Griffiths:** Thank you, Mr. Chairman. It's a pleasure to rise today in Committee of the Whole to discuss amendment A1 to Bill 33, the Agriculture Financial Services Amendment Act. I really want to express my appreciation to the hon. Member for Leduc-Beaumont-Devon for his assistance in moving A1. The amendment is a little bit confusing sometimes, I suppose. It proposes to amend section 3 of Bill 33, which, in turn, amends section 20 of the act. The amendment clarifies the appropriate advances for the various programs, allowing Agriculture Financial Services to meet its obligations. Presently section 21 allows the minister to requisition the minister of finance for advances from the general revenue fund to Ag Financial Services Corporation to meet Alberta's obligations under federal-provincial agreements dealing with cost-shared programs. That specifically is crop insurance within Agriculture Financial Services.

Mr. Chairman, section 20 currently allows for the Lieutenant Governor in Council to authorize advances from the general revenue fund to allow Ag Financial Services to meet its obligation for

Alberta-only insurance programs, including those that are funded by producers, such as hail insurance and the proposed cattle price insurance program, or CPIP for short, for livestock. Bill 33 changes the term "crop insurance" to "agricultural product insurance" to include livestock insurance, but section 21 only provided advances for federal-provincial cost-shared programs. It does not provide advances for livestock insurance or hail insurance, which are producer-funded insurance programs and not covered by federal-provincial agreement.

The amendments to section 20 currently proposed in Bill 33 could be interpreted, Mr. Chairman, to leave a gap in funding for Ag Financial Services Corporation's provincial programs, resulting in the AFSC being unable to meet its obligations. Provincial insurance programs such as the livestock insurance program, CPIP, that I mentioned earlier, and the hail insurance program need to include advances that allow Ag Financial Services Corporation to meet its obligations. It's a must. This rationale for the amendment now before the House for consideration is critical and is supposed to address that. The intent of the amendment to Bill 33, Mr. Chairman, is to provide for advances for provincial insurance for agriculture products not provided for under section 21, which only included federal-provincial programs.

I ask all members to give their full support to this amendment, and I'd be happy to answer any questions should any member of the House have any. Thank you.

**The Deputy Chair:** The hon. Leader of the Official Opposition.

7:50

**Dr. Taft:** Thank you, Mr. Chairman. As with the bill we debated a few minutes ago, I again extend my appreciation to the Member for Battle River-Wainwright, and I wouldn't want to forget the Member for Leduc-Beaumont-Devon or the minister or everybody on that side. I love all of you. [interjections] Yay. Well, I don't know about you, Lloyd.

Anyway, when this amendment came forward, I was, first of all, a bit concerned and surprised because we were getting a government amendment to a government bill. That right away made me wonder: what's going on here? Then when I read it, I can see now in hindsight that I was reading it in a way that it wasn't intended, but my concern was that it was in fact potentially giving more powers to loan and advance funds from the Agriculture Financial Services Corporation than I was comfortable with.

Since then, since I raised my concerns, I've had a meeting with the Member for Battle River-Wainwright. In fact, I think we had two meetings. He came back to me the second time with an explanation from a lawyer, and when I reread it in that context, I understood, in fact, what the words were saying. Sometimes you have to have an interpreter to understand a lawyer, and that was the case in this situation. I understand the reason for the amendment.

I will just go on the record once more, Mr. Chairman, as expressing my concern that we are increasing the capacity of the government and, therefore, the taxpayer to loan money to businesses. We're doing that. We've raised the cap on loans, and over the years they've been raised a lot. Where they started at half a million dollars, they will now be \$5 million, which is a huge increase, and we are taking the legislative controls off and giving that to regulation, which also makes me uneasy. I am concerned in general that government controls on spending are getting looser and looser and looser. I think that's an unhealthy direction to be going in, so I want to get that on the record one more time.

This amendment specifically I can live with. I think it makes sense once you consult with the lawyers.

Thanks.

**The Deputy Chair:** Does any other member wish to speak?  
Are you ready for the question on the amendment?

**Hon. Members:** Question.

[Motion on amendment A1 carried]

**The Deputy Chair:** The floor is now open to Bill 33 as amended.  
The hon. Member for Battle River-Wainwright.

**Mr. Griffiths:** Thank you very much, Mr. Chairman. It's my pleasure in Committee of the Whole to rise to speak to some of the concerns that were addressed in second reading, though I do want to express right away my appreciation for all members in supporting this bill in second reading.

In summary, Bill 33 proposes two key amendments to the Agriculture Financial Services Act, and there are also a few housekeeping amendments. Firstly, the bill will move the financial limitations outlined in section 29(1). The cumulative maximum for loans or guarantees for a single entity will be moved from the act to the agriculture services regulation.

I'd like to respond to some of the concerns that were raised. Moving the financial limitation currently outlined in section 29(1) of the act to the regulation provides for a consistent approach to such limitations. The present section 9.2 of the Agriculture Financial Services regulation limits the total amount of loan guarantees issued by Agriculture Financial Services Corporation, which I'll refer to from here on now as AFSC, for a project to \$10 million or 80 per cent of the value of the project. Limitations such as the individual limit and project limit are still in legislation, but it seems appropriate that they move to regulation, where they fit in with section 9.2 of the services regulation.

I'd also like to assure all hon. members that any amendment to a regulation has to be supported by a business case and undergo appropriate approvals in order to be enacted. The limit, which is a cumulative amount for outstanding loans to one borrower, granted, has increased over the existence of the corporation from \$500,000 in the beginning to \$1 million later on, and currently, Mr. Chairman, it's at \$2 million.

I do understand the hon. member's concerns over the increased amounts. I know that the member and all members in here will also recognize, though, that the cost of doing business in virtually every sector of the economy has increased substantially. Given the constant increases in agriculture input costs – those costs continue to go up – flexibility is needed in order to meet those evolving needs for ag producers and for AFSC's growing mandate to provide a consistent source of capital for Alberta's farmers, agribusinesses, and other small businesses, such as the capital requirements for financing the intergenerational transfer of farms to young farmers, which have increased substantially.

With escalating land values, Mr. Chairman, equipment and input costs, and volatile commodity prices, the likes of which I don't think we have seen in many decades past, all farmers require a consistent and increasing source of capital. AFSC will continue to utilize its normal monitoring and audit procedures to determine an appropriate level of financial assistance to be granted.

What they have done in the past has been incredibly successful. Overall lending arrears are currently at a historic low. In fact, they're 1.4 per cent of the total loan portfolio of AFSC. Today I think most banks would love to have that low level of loans in arrears. It's down even from 1.8 per cent from the previous year and 2.4 per cent from '06-07. These arrears compare very favourably to other financial institutions. Funds for lending are borrowed from the

government of Alberta, supported by AFSC's overall lending portfolio. Revenue is generated on this portfolio. The goal of AFSC for its lending program is to operate on a break-even basis, not be a burden to taxpayers but not profit substantially on the backs of farmers.

I hope this addresses the concerns of the Member for Edmonton-Riverview, though I do understand that he still has some legitimate concerns.

The second key amendment put forward in Bill 33 is providing for AFSC to deliver a livestock insurance program through the use of the term "agricultural product insurance." An agricultural product is defined to mean a crop or livestock, period. There is no other lending that AFSC can do.

The issue of using marketing boards was raised in second reading as well, I understand, by the hon. Member for Edmonton-Riverview. I can advise the member that AFSC has been working together with the Alberta Beef Producers and other industry organizations to develop the cattle price insurance program, CPIP. These organizations will provide marketing and promotion of CPIP to the cattle industry to ensure its full utilization.

Now, CPIP will be offered to Alberta producers on a non-subsidized basis, with the government of Alberta paying only the administration cost, which I believe on a yearly basis would be very marginal, and providing a financial backstop. I can advise the member that to be eligible to purchase this insurance, the producer must be an Alberta farm taxable entity, and the animals must be located and fed here in Alberta. The insurance product will provide, I'm sure, an effective risk management tool for Alberta cattle producers, one that they have never had before, Mr. Chairman. It will continue to provide more stability to a livestock sector that has seen several years of instability. The potential benefits are recognized by the ministry and reflected in the Alberta livestock and meat strategy that was released on June 5, 2008.

CPIP is unique in all of Alberta. Right now Alberta leads other jurisdictions in creating and developing and implementing this innovative solution, that's created through a partnership with the industry. CPIP enhances the capacity to protect cattle producers from the risk of a decline in market prices.

The Member for Edmonton-Gold Bar requested details about how the program will work. Now, I can provide some initial details and some general themes on the understanding that the program is still being developed and we're still working with the industry to work out the details. Theme-wise CPIP is an insurance program that's designed to cover the risk of prices dropping by allowing producers to purchase a level of coverage from the Alberta forecast market price, which is based on the Chicago Mercantile Exchange and adjusted to the Alberta bases. The policy pays the difference on the insured animals if the Alberta average provincial market price at the time of marketing, at the time the cattle are sold, is lower than the level of price guarantee that they selected when they bought the insurance.

The policies can be bought each day as a new Alberta forecast market price is set. Premiums vary according to the policy and the length of time and the level of coverage they choose. But premiums, I have to emphasize again, are entirely producer funded. The only thing that AFSC will back is the administration cost to ensure that the program continues. This reduces the risk of countervail action from trade partners and is a non market-distorting support program, an issue that was raised in second reading by the Member for Edmonton-Riverview as well.

The intent is to build a reserve fund over time with the premiums that are paid by producers. The initial period, until that fund is built, would be backstopped by the provincial government. If we unexpectedly next year have some crisis and the fund has not had

time to build up, we still need to ensure that the government is there to back it so that the program doesn't collapse in its initial year.

**8:00**

Now, other livestock groups will likely come forward and request similar products, and AFSC will examine the feasibility of offering similar programs to other commodities on a case-by-case basis as we work with the industries.

Finally, Bill 33 proposes to make a few minor housekeeping amendments. One of the housekeeping changes is to increase the penalties in subsections 46(6) and 46(7). As well, Bill 33 would remove the transitional provisions that are set out in sections 67.1 and 68.

Mr. Chairman, I hope that I've addressed most of the concerns that have been raised by members of the House. I'd be happy to answer any more if there are some, but now I do request that all members give their full support to Bill 33 as amended.

Thank you.

**The Deputy Chair:** Do any other members wish to speak? You're ready for the question on Bill 33?

**Hon. Members:** Question.

[The clauses of Bill 33 as amended agreed to]

[Title and preamble agreed to]

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

**Hon. Members:** Agreed.

**The Deputy Chair:** Opposed? That's carried.

### Bill 10

#### Security Services and Investigators Act

**The Deputy Chair:** We are speaking to amendment A1. Are there any comments or questions to be offered? The hon. Member for Calgary-Buffalo.

**Mr. Hehr:** Well, thank you very much, Mr. Chairman. I will speak to the amendments in general and give my commentary in that format. If you look at the amendments in a global sense, they do give me some cause for concern. Primarily those come with some of the rights of appeal and some of the rights of time to lodge a complaint and an opportunity to allege when excessive force has occurred in a certain situation. I will try and go through them in that kind of fashion and in that kind of order, but there are no promises in this delivery.

To start off, what I'd first like to say is that I'm always hesitant to give up on a level of appeal. Prior to these amendments to Bill 10, the Security Services and Investigators Act, for people who actually had made a complaint either about an individual who had done something inappropriate to them or in an instance where a person who worked under this act needed to appeal a decision made by the lower boards, there was an ability to make one final appeal to the Law Enforcement Review Board. I stated my preference for more levels of appeal instead of fewer, and it's just probably more of a personal preference than anything. I just think it's good government to allow people, especially in terms of where you're possibly taking away someone's ability to practise their chosen profession and where they've been involved with this business for some time and to then all of a sudden have that power or the ability of a regulator

and so forth take away the opportunity to practise their chosen profession – well, I believe that they should have that appeal.

The second comment I would like to make in regard to the amendment is that the amount of time you can lodge a complaint has changed from 90 days under the act to 30. If you look at this, this is really an attempt by the company or the government to close down a claim, really, before it's had time to marinate, before an individual has had time to understand whether their rights have been violated or to perfectly understand an incident that, say, has happened where possibly excessive force was used – I guess the language now is allegation of a criminal offence, whatever that means – and those types of things; really, before a person can make that judgment and sometimes to assess: "Was I in the right? Was I in the wrong? Was that person overstepping their bounds?" I think many people, actually, before they lodge a complaint, although they feel their rights have been violated under some form of law, take some time to really assess it in their mind and really to go forward on it.

If we look at the general timelines on time to lodge a complaint or time to lodge a lawsuit, we just saw in one of the last bills, where we were discussing the Insurance Act in this House, that we've gone to a generic two-year limitation for filing lawsuits, which has been a general lengthening under the Insurance Act. You know, I think that was a good thing. In this instance, where you go from three months to lodge a complaint to 30 days, I think that is egregious and just gives far too much power to the company and the government to really, I guess, take away someone's legal rights under this act. I guess they could always go to court, but that doesn't really save the day for this act.

I think the last thing that I would like to discuss is more the change from the allegation of excessive force to an allegation of a criminal offence. I don't understand, really, what an allegation of a criminal offence is. It seems to me that an allegation of a criminal offence, then, needs to come from a police officer or a sheriff. I'm not sure if that day has arrived yet in Alberta; it may arrive sometime. It at least has to come from a police officer. Really, is it, then, that you have to wait till that final cog in the wheel, I guess, the police officer, asks an employer: hey, was there something wrong in this instance? What if the police officer by chance doesn't quite follow up with the employer and just follows up with the individual? Well, there's going to now be no confirmation of an allegation of a criminal offence, which, again, is a unique term in itself, one that I haven't been familiar with.

**Ms Blakeman:** And you'd be a lawyer, wouldn't you?

**Mr. Hehr:** Yeah, I have practised a little bit, albeit not criminal law.

I also read in the debates in the committees where it looked like Parliamentary Counsel was possibly blown away by the term as he had not really been familiar with the term as well. It seemed to be a unique usage of the vernacular, to say the least.

Nevertheless, you know, I think it is a bad precedent and may be, in fact, a little bit of poor draftsmanship to be using a word that looks like it hasn't been used in other jurisdictions and/or is one that I can't understand. Maybe it's just that I'm slow to these things, but I'm not willing to give up on that point yet although it may be confirmed to me later on in the evening.

Anyway, those are sort of my generic comments. I thank you for giving me the opportunity of speaking here this evening. I will not support these amendments.

**8:10**

**The Deputy Chair:** To the amendments, the hon. Leader of the Official Opposition.

**Dr. Taft:** Thank you, Mr. Chairman. I rise and need to inform the Assembly that the unease about these amendments to this legislation on our side of the House is growing as we examine the issue more. I think that these amendments are not all bad, but I think these amendments certainly don't do what we feel needs to be done to sort out this bill.

Now, this bill and the amendments are part of what we're seeing as an increasing privatization of the policing function in our society. If you think of the role of government, there are core businesses to government, at least it seems that way to us: education, health care, infrastructure, and justice, including police.

**Ms Blakeman:** And children.

**Dr. Taft:** Yes, and of course social justice, including looking after people that can't look after themselves: children, the frail, the elderly, and so on.

Policing and justice issues are very much a core responsibility of government. Now, we understand, you know, that a shopping mall or a private business may have perfectly legitimate reasons to have its own security forces. We're not arguing at all that city police or RCMP have to handle all policing functions in a society, but we do need to understand that as those responsibilities are delegated, they do need to be delegated with care and wisdom, and the trends that are unfolding broadly in the world today around the privatization of policing and security are actually quite concerning.

I have no doubt that in back of the election being held in the United States today, some of those issues are, in fact, in play because in the United States we've seen this privatization process move to an extreme, where you have companies like Blackwater and others with extraordinary powers and extraordinary capacities as private police and quasi-military forces. I think an awful lot of people are uneasy about how far that's gone. Certainly, people in Canada are uneasy and I myself am uneasy with how much we have seen policing in some sectors privatized.

This legislation is an attempt with these amendments to modernize the legislative basis for private security forces, but I'm not comfortable with the approach that I'm seeing here as it plays out. We are in a world where there are new and quickly changing technologies of all kinds, and security forces, public and private, are using those extensively. Of course, one that will pop into people's minds immediately is tasers. You know, we've seen two deaths in Alberta in the last week as a result of tasers. When we talk about technologies, people immediately think of that kind of technology in the hands of security forces, but there are many other technologies. I think one of the areas of technology we need to be most careful about is surveillance technologies, surveillance technologies of all types. These can include biometrics, everything from the shape of faces to irises to gait, the way people walk, voice recognition, cellphone tracking. All those kinds of things are measurable under surveillance systems now.

There are many, many technologies that are rapidly advancing and are becoming closely integrated and are in the service of private security. You know, it's not difficult to imagine a situation in a big shopping mall with a sophisticated private security system where there are surveillance systems in place that perhaps are cause for some concern.

In the hands of security officials I think we need to be particularly cautious. For example, if a mall security system has access to detailed surveillance information on individuals and provides that to security guards and they act on it, well, we're going to need to be extremely careful about that. The thing is, Mr. Chairman, that these trends are accelerating in our society. So, you know, we need

legislation that addresses that. Clearly, there'll be some safeguards, hopefully under protection of privacy legislation, but those are issues that perhaps should be explicitly addressed in some of these concerns.

There are concerns around training. While this legislation claims to address training standards, I don't believe, if I'm looking at the legislation correctly, that those are actually explicitly addressed at all in the legislation. They're referred to in regulations. I think there's a concern there, and unless I have missed something – believe me, I stand to be corrected – these amendments do not in fact say anything about training standards.

Now, that concern I have gets extended even farther, Mr. Chairman, when I look at amendment K. Amendment K addresses reciprocal agreements. It says here:

If a reciprocal agreement exists between the Government of Alberta and another jurisdiction governing or recognizing licences to provide or to perform security or investigative work under this Act or equivalent legislation of that other jurisdiction, a person who has a valid licence issued in accordance with the rules in that other jurisdiction governing security or investigative work who wishes to provide or perform security or investigative work in Alberta shall provide a copy of that licence to the Registrar, and the Registrar may issue a licence to that person in accordance with the regulations.

In other words, if a security guard from another jurisdiction or somebody working in security or investigation in another jurisdiction is licensed from that other jurisdiction, then the nature of this amendment is that Alberta will recognize that. But it doesn't define another jurisdiction. Perhaps the sponsoring member or the minister may be able to address this. Is there somewhere in other legislation that would define another jurisdiction as, say, another Canadian province or an American state? What is the definition of another jurisdiction? If somebody is qualified in Alabama, does that mean we will automatically recognize that licence here? I see that as a concern in these amendments. They, in fact, seem to open things up.

I mean, I raised the concern about the company Blackwater, which does a tremendous amount of security work in the United States at a very senior level and, to many people's minds, in a very sinister way. Does this open the door to us automatically approving people who are licensed and working for Blackwater? Is that what this is about? I have no idea, but I am concerned because I think these are unhealthy trends in how we're handling policing.

Mr. Chairman, I will just repeat and reinforce the concern brought by the Member for Calgary-Buffalo, that we are seeing the time frame for registering a concern shortened, limited to 30 days if I'm understanding this amendment in this legislation correctly. I think that we need to be careful in this. It does put some time constraints as well on the director to respond, which is a good thing. That's why some of these amendments are wise.

**8:20**

I think we need to continually be on guard for the cause of freedom in our society. We need to continually be on guard against the abuse and potential for private police forces to actually rise to the level where they could be serious competition for public police forces or they could be a serious threat to public freedoms. I don't think any of us would want that, Mr. Chairman, and that's why we're very cautious about supporting either these amendments or this bill in general.

Thank you.

**The Deputy Chair:** Any other members wish to speak to the amendment?

Hon. members, the agreement was made that we would be voting on these in sections, that we'd be severing the votes on this. Are you ready for the vote on the amendments?



[Motion on amendment A1A carried]

[Motion on amendment A1B carried]

[Motion on amendment A1C carried]

[Motion on amendment A1D carried]

[Motion on amendment A1E carried]

[Motion on amendment A1F carried]

[Motion on amendment A1G carried]

[Motion on amendment A1H carried]

[Motion on amendment A1I carried]

[Motion on amendment A1J carried]

[Motion on amendment A1K carried]

[Motion on amendment A1L carried]

[Motion on amendment A1M carried]

**The Deputy Chair:** We're now back to the bill as amended. The hon. Member for Edmonton-Strathcona.

**Ms Notley:** Thank you. I'm pleased to be able to get up and speak generally to this bill, which I've not yet had a chance to do. There are a number of positive elements to this bill as far as it does outline certain increases and additions to the standards that one would expect to see with respect to the conduct and the licensing of security officers. There's no question that there was a tremendous amount of work and consultation that was done by this government over the last several years to review this area in general. There is no question that having done all that work, it's hard to avoid doing some things appropriately.

The addition of certain elements to the bill are welcome. In particular I refer to the increased definitions and expansion of licensing to certain types of personnel who work within the industry, including locksmiths and loss prevention workers and alarm response companies and those kinds of people. Those types of folks were not properly covered or consistently covered prior to this legislation coming forward.

However, as I'd already noted in a number of the concerns I raised with respect to the amendment that was just passed, there are concerns that, of course, exist in this legislation and now have been deeply, deeply enhanced through the passage of the amendment that was just voted on. One area in particular that I'm just going to review again quickly is the issue of oversight with respect to people who work in this industry and the ability of the citizen to seek out some type of redress and/or consequence to someone who works in this industry who exceeds their authority in the course of providing these services and in so doing inhibits the rights of the citizen.

You know, there are so many opportunities where this can happen. I, of course, live in Edmonton-Strathcona and know, for instance, that we had and we do have, in fact, the occasion in that area for there to be a great deal of public celebration in public places. It was, I would say, the kind of event that even there, where we had the police, who are a much more highly trained, accountable group, we had concerns raised by citizens that their rights were violated and that in some cases they were inappropriately dealt with.

I can't begin to imagine what a gong show it would have been had it not been the police providing those services, but, rather, it had been private security people, against whom there is no avenue for complaint. Certainly, members of this House, and in particular members of the government, have just voted to significantly – significantly – limit any avenue for a complaint by the average citizen. For a group that claims to be all about civil liberties and libertarian rights and stuff, I find it rather ironic that that kind of position would be taken.

Nonetheless, there is a particular part of the act of what is proposed that does concern me. I just want to start with that. My understanding is that under the current act the way it works, section 2(f) of the current act only exempts people who do security or investigative work regarding their employer's own employees if they are permanently employed by that employer. So if you are employed by, say, Wal-Mart or Telus to investigate other employees of, say, Wal-Mart or Telus, you are currently exempted from this legislation and from the need to follow the rules that these licensees would have to follow if you are permanently employed.

Unfortunately, a significant problem that arises in this new act is that it no longer is constructed that way. So now what happens is that anybody who is employed in the process of investigating their employer's employees is now exempt from this act. In essence, what used to happen and what may happen under this act now is that we may have private security firms who are hired to investigate employees involved in, say, labour relations activities being exempted from the purview of this act.

I would suggest to you that, you know, private investigators, for instance, deciding that they're going to investigate allegations of theft by an employee, while it may well be something that the employer is entitled to do – the idea that an employee who's being investigated on allegations of theft has fewer rights than Joe Customer who's being investigated on allegations of theft is, to me, quite offensive and really quite outrageous.

**8:30**

The other difficulty, of course, that we have with this act is just in general how it fails to address the concerns that we have had over the years with respect to how security firms have acted in cases where there are active labour disputes. It's with that in mind that I'd like to at this point move an amendment to the act.

I ask for the advice of the chair. I would just pass this on and wait for the amendment to be distributed, I assume.

**The Deputy Chair:** Hon. members, we'll wait until the amendment is passed out.

I believe everyone has a copy of the amendment. We'll call this amendment A2.

The hon. member.

**Ms Notley:** Thank you, Mr. Chair. This amendment seeks to address those cases where strikebreakers would be covered by the act because, of course, they're employed by security firms who are just simply contracted to provide services to a particular employer. The amendment seeks to add to section 20 of the current bill another criteria which the registrar may use to suspend or cancel the licence of an individual or a business licence of a security firm. The criteria which this amendment would add is that suspension or cancellation could apply to a licensee who interferes with anybody engaged in picketing as permitted under section 84 of the Labour Relations Code.

For the benefit of the members of the House, section 84 of the Labour Relations Code says in part that anyone may

peacefully engage in picketing to persuade or endeavour to persuade anyone not to

- (a) enter the employer's place of business, operations or employment,
- (b) deal in or handle the products of the employer, or
- (c) do business with the employer.

Subsection 3 states that when the Labour Relations Board places any restrictions on picketing, it shall consider "the right to peaceful free expression of opinion."

Now, working people in this province who've participated in strikes or have been locked out by their employers know about the kinds of abuses that, unfortunately, have been allowed to occur at the hands of security firms hired by the employer to interfere with, harass, intimidate people on the picket line. These security firms often interfere with the right of workers to peaceful free expression, that I just described as recognized under our Labour Relations Code.

Specifically, a few incidents that I'd like to bring to the attention of the Legislature. The first example is one that was actually described in this House a couple of years ago by my predecessor – I think I can say his name; he's not an MLA anymore – the hon. Raj Pannu, who was at the time the MLA for Edmonton-Strathcona. He described a number of concerns with respect to incidents that had occurred on the picket line during the Telus strike. In particular, we had incidents of company security videotaping picketers' children and then following the picketers and their children from the picket line to the LRT station. One picket captain, who actually worked the graveyard shift picketing, was followed home by security personnel in the middle of the night. These tactics of intimidation and incitement and encroachment into people's personal lives are clearly beyond the scope of appropriate security practices and were clearly designed by the security company to intimidate workers who were otherwise exercising their hard-won rights under the Labour Relations Code.

Now, there are a variety of security firms which would be covered by this piece of legislation who advertise their expertise in strike-breaking activities, and this House needs to send a clear message that these activities are not within the legitimate range of actions of security services.

I'd like to add a further example for members of the House with respect to an incident that occurred in Ontario, where three striking workers were actually sent to hospital after being hit by a vehicle driven by a security personnel who was trying to drive replacement workers, scabs, across the picket line, and in so doing, the security personnel sent all three picketers to the hospital.

Now, of course, some of these tactics would be subject to criminal prosecution, but the kinds of tactics I described that occurred at the Telus line and the kinds of tactics that, quite frankly, occur on many picket lines that last for any length of time are the kinds of things that the police, frankly, would likely not pursue. So it is for that reason that there should be some opportunity for people who have complaints against the conduct of these companies, who we will license, who we will give authority by virtue of having them wear a uniform and walk around with the blessing of this government. You know, picketers attempting to exercise their rights need to have a vehicle or a mechanism through which they can complain about the conduct of these personnel.

The amendment that I have put forward would provide an opportunity to discipline any individual or business licensee who takes inappropriate actions against working people who are merely exercising their right, recognized under the labour code, to defend their jobs.

I would ask that all members support this amendment in the interests of representing the rights of all working people in this province. Thank you.

**The Deputy Chair:** The hon. Member for Edmonton-Centre on amendment A2.

**Ms Blakeman:** Thank you very much, Mr. Chairman, for the opportunity to speak to this amendment. This is a good amendment, actually. What we're seeking to do with this bill is to figure out a way to fit the increasing use of, hiring of private security with our public police forces. Earlier I had talked about my concerns that we said we were trying to treat this newer group with respect and give them the professionalism that was their due, that they had earned, yet I wasn't seeing that reflected in the legislation. In fact, there seemed to be an almost going out of our way to make sure that the private security personnel could not possibly be on the same level or ranking or have the same status as the public police forces, and that seemed to fly in the face of what we said we were trying to do in the act.

I think what we're always trying to do is to seek a balance, and as much as I'm interested in clearly defining the rights and expectations and obligations and the monitoring and enforcement and any penalties that are necessary for these rising professionals, we also have to be clear. It's helpful to them when we've been clear in legislation what our expectations are because then they know what the line is, and they will be careful not to cross it. If we're not clear in what we've done, we will create situations where people don't really know what to do, and they're more likely to come across that line, to their detriment and to ours.

I've raised in other situations around this bill some of my concerns around the collecting of personal information. I've raised that in a number of other contexts. Here we have people that can be running surveillance cameras or monitoring equipment, you know, which shows the receiver/shipper doors and various entrances to buildings. Sometimes those run on a tape loop as well, so once again there's surveillance information that's available.

8:40

We've talked about how that's actually quite old-fashioned technology and that increasingly we may start to use biometrics as a way of signalling. The last time I was speaking to this bill, I talked about how, in fact, you don't even have to be on site, that we could have biometric information taken and broadcasted by satellite or cellular to an off-site location, and then the door can be operated remotely to give you access. You go up and do the iris scan, it goes by satellite or by cellular, it registers, and the remote access is giving you the way in.

We're trying to seek a balance in how we do this, and I think that's what I'm seeing reflected here in this amendment as well, Mr. Chairman. We need to be very careful what our expectations are about private security. Certainly, people who are obeying the law, who are obeying the labour code, who are exercising their rights under that labour code to strike should not be subject to unnecessary scrutiny, surveillance, or taping, you know, surveillance in the sense that there's been a video camera taking photographs of them or even voice recordings taken of them.

Let's face it. You don't get into a strike situation because you thought you had nothing better to do on a Sunday afternoon. You get into a strike situation because there is a conflict. There is a very strong disagreement about position to the point where either people have been locked out by management or the employees themselves have said: we're going to withdraw our services and go on strike until we can reach some kind of other agreement that brings us back to the table.

We know that those situations where you have a strike in play are already height of life; they're already height of emotion. I think we have to be very careful to protect those workers' right to strike. As

my colleague from Edmonton-Strathcona said, there are certain things that would immediately be recognized by our public police forces, and they would act upon those kinds of activities. But there's a lot of grey zone there. Things like taking down information about people, tape-recording them or videotaping them, taking photographs of them, following them: those are intimidation tactics, and they're meant to frighten people away from walking that picket line. Yet walking that picket line is a perfectly legal activity for those individuals and is recognized by our society as a public expression of a dispute that is going on. Both sides are trying to curry favour with the public. They're both entitled to try and get the public on their side. Walking a picket line is one of the ways that workers do that, and they should be allowed to do it in a way that is safe and without undue interference to them.

I agree with what the member has proposed here. I think this actually does add to the legislation that we have in front of us, and I hope we can get support from the government members for this amendment.

**The Deputy Chair:** Any other members wish to speak? The hon. Member for Calgary-Buffalo.

**Mr. Hehr:** Thank you, Mr. Chairman. I'd like to reiterate the comments of my friend from Edmonton-Centre. This is a good amendment. It really does actually recognize that in certain circumstances people have a fundamental right to go out and strike if, in fact, they have been locked out or to picket their employer's place, that oftentimes the employer will hire a private security force or private investigators, whoever it may be, to engage in some of the more nefarious aspects of a strike situation. I believe that this amendment goes to the heart of the matter – and it gets there quickly – in that Security Services and Investigators Act and lays it on the line. If we take this amendment, it says that if an individual who is a licensee “interferes with anyone engaged in picketing as permitted under section 84 of the Labour Relations Code,” their licence will be taken away.

I think that's a fair and reasonable thing for this Legislature to put into this bill. It recognizes that security services have a role to play in our society, but that role is not to interfere in a legal strike situation. In fact, in any strike situation an employer should not be able to engage a security force to go about and do his bidding as he sees fit and intimidate workers who have made the decision to go out on strike and who have obviously been involved in a very difficult decision. It's no fun being without a job. As my grandfather Hehr once told me and probably told my dad many times: the hardest job is finding a job. These people here realize that by going out on strike, they're going to be without work for either a short or a significant period of time. That is no easy decision to make, and we shouldn't make it any more difficult on them by allowing security services or investigative teams to run roughshod over their rights.

I'm very pleased that the Member for Edmonton-Strathcona has made this amendment, and I will be supporting it tonight. Thank you.

**The Deputy Chair:** The hon. Leader of the Official Opposition.

**Dr. Taft:** Thanks, Mr. Chairman. I will also speak in favour of this particular amendment. I think it's a good idea. We all know that picket lines can become overheated, and it's easy to imagine a strike at a place that has a private security force ending up in violence or otherwise unpleasant circumstances if that private security force is interfering with somebody engaged in a perfectly legal activity. I think it's very important, as the Member for Edmonton-Centre said,

that we lay out clearly what the expectations are and what they aren't so that there's no grey area here and that it's clear to members of the private security force that they are not allowed to interfere with people who are on a legal strike and who are on a legal picket line. I think we can actually as an Assembly take steps now to prevent and pre-empt unnecessary friction and hostility and tension on picket lines and through that process actually encourage the easier settlement of disputes.

I think the clarity of this amendment is good. I don't think anybody here thinks that private security forces should be allowed to interfere with people who are doing something quite legal in terms of a legal picket strike, so why don't we get this in the bill and, in fact, put it in black and white so that there's no question, so that there's no grey area. It's clear: if you're a private security force and there's a legal picket going on, you are not allowed to interfere. Then we will prevent violence. We'll allow the whole process of resolving labour disputes to move along a bit more smoothly.

I think it's a good idea, and I commend it to all members of the Assembly. Thank you.

**8:50**

**Mr. Anderson:** I feel I need to respond to a couple of the comments on this amendment. I would suggest that this amendment is unnecessary. Specifically, I guess, first off, through this process we had over 200 submissions from stakeholders. We also did over 50 direct stakeholder consultations. I do not recall during the field policy committee process nor the submissions during the review of the old legislation by the hon. Member for Calgary-Foothills any feedback from any organization concerning this issue. So to just stand up here and throw that into the bill at the last second, when there were no consultations done on it and not one stakeholder asked for that, seems to me to be premature. You know, perhaps if the opposition knows of some of these submissions, they could table them or show them to us. I'm just not aware of them. I don't see why we should throw this into the bill, first off.

Secondly, if there is a legal strike and the situation spirals out of control, that is the responsibility of our police, to make sure that everything is okay and that peace prevails on the work site. Now, there may be situations, too, as was pointed out, where there will be private security forces on a work site. I guess the question is: well, where do you draw the line? If the company president is being escorted out to the car and he's attacked and he has private security there, at what point is it inappropriate to defend that person? I mean, this is just not the place for that type of legislation. We have a Criminal Code. If someone interferes with a legal strike, there are steps that can be taken under either the Criminal Code or labour legislation or other civil legislation to address that. To put that in this bill, I don't see the purpose of it, and I certainly don't know of any stakeholders that have asked for this. So I would ask that my colleagues vote down this amendment.

**Ms Blakeman:** Well, I guess my question back to the sponsoring member is: in your stakeholder list did you ask for any submissions from any unions? Are you able to show us your stakeholder consultation list, and did you have any unions on that list? If you did, then excellent. Good for you for having included them. At the very least, I would have thought that the AUPE and AFL and even the federation of civic unions should have been consulted as a regular part of this. If you didn't have any of these people that you invited submissions from, then I guess you shouldn't be too surprised if people didn't respond. Unless they were watching the newspaper and were able to get it together to respond, if they weren't on the original stakeholder list, how are you expecting them

to do this? Maybe you've got the list and you can tell us that, indeed, you had contacted all these unions, which would be great and would help with this. Go ahead. Tell us.

**Mr. Anderson:** The list was given to the PFC. It's available. Look it over. I mean, it's right there for everyone to see.

**Ms Blakeman:** Well, that's not true. It's on the website, which is restricted . . .

**The Deputy Chair:** Hon. member, the Member for Airdrie-Chestermere has the floor.

**Mr. Anderson:** In any event, it's there for everyone to see. Anyone can look at the report prepared by the hon. Member for Calgary-Foothills. This is old news. We went through over 50 direct stakeholder consultations, over 200 submissions from stakeholders. I don't see how we could have been more thorough. We put this through a policy field committee. This bill has probably been looked at and relooked at so many times that I don't see how we could have been more thorough. We've asked the opposition to be involved throughout the process, which they have in the policy field committees, which are all-party committees. This is one of the first bills to be put through that process. Again, I just say that it has been a very thorough process and it's been done well, and if this was a real issue that Albertans cared about it, it would have come up before now.

**The Deputy Chair:** The hon. President of the Treasury Board.

**Mr. Snelgrove:** Yeah. I think that in many ways this is a statement. It's a solution that's looking for a problem that's not there. I think it's inferring that this may have been an issue. If we had made legislation that said that you can't do this but you can pick out any organizers or people sent in to get people all worked up at a strike, you can get them out of there, you'd all say: well, people don't do that. And I'd say: you're probably right. Occasionally there are instances of violence on picket lines, as unfortunate as it is.

By making the security services and investigators operate under a code, by the simple nature of this amendment that's saying that if they're engaged in a legal picket under the Labour Relations Code, they are protected by the law, and they should be protected by the law. I think that there's nothing wrong with saying: "You know, right. They have a right to be there, and security forces shouldn't touch them." I agree with that, but I think that's inherent in the law, the right to freedom of association and organization. I don't disagree that the picketers have the right to be secure, but I don't think you need to start to list out every instance where there may be an infraction of the law.

**Ms Notley:** A few points. I'd like just to maybe back up to the whole point about the submissions. I just think it's kind of rich, frankly, to point to the submissions and say: well, there was nobody there from this particular group, and therefore we shouldn't raise the issue. The fact of the matter is that there are a lot of submissions that we did receive that are very much opposed to what's going on in this legislation. In particular, I refer to the fact that we have essentially eliminated the appeal process for complainants who are unhappy with any type of inappropriate behaviour that they may have been a victim of at the hands of poorly trained or poorly acting security personnel. The fact of the matter is that there were submissions on that, and the members of the government were quite prepared to ignore them. So I find it a bit of a disingenuous

argument to now say that we need to be bound by submissions that we did or didn't receive.

With respect to the example of an incident where security personnel might be appropriately called upon to use force, it seems that the point is being missed. The example was, well, where a bunch of unruly picketers attack some innocent company president, they should have access to security personnel. Of course, that's not what we were talking about. We were talking about documented incidents, that we know exist, where picketers are exercising their rights on the picket line and are subjected to intimidation tactics by people who are wearing uniforms, who sport licences given to them by this government at the behest of the employer, and in so doing are able to intimidate working people attempting to exercise their rights on the picket line.

To respond to the final speaker, the reason we are, quote, unquote, picking out this group is because there is a history of this particular group being hired by employers to perform this particular function. In my previous comments around why I, you know, had some discomfort with this whole development, I noted the fact that the reason there is concern around the growth of a private security industry, as opposed to there being proper resourcing for police or sheriffs or whatever, is because where the service is provided by police officers or sheriffs, they do it at the behest of the public, and they are administering the public priorities as defined and given to them. Where people with money get to buy police, then they get to do what it is they tell those police to do. That's what's happening here, and that's where we see that example.

**9:00**

The fact of the matter is that this is a case where there is a history of employers using security personnel to intimidate picketers. I'm unaware of any cases where unions have hired security personnel to intimidate employers who are nowhere close to the picket line. If the people who are concerned about this amendment would like to give those examples to me, we could certainly adjust our amendment accordingly. At the end of the day, however, I don't think you'll find those examples, because they don't exist. The ones that do exist are the ones that our amendment is attempting to eliminate and ameliorate.

On that basis, again, in the interests of protecting working people in Alberta and protecting their rights under the Labour Relations Code and under the Canadian Charter of Rights and Freedoms, I would suggest that we add this particular element to the act. It is different from going to the police to have criminal charges laid. There is a big gap between what happens on picket lines and the kind of conduct that ultimately results in criminal charges being laid.

Thank you.

**The Deputy Chair:** Any other members wish to speak to amendment A2?

**Hon. Members:** Question.

[Motion on amendment A2 lost]

**The Deputy Chair:** We are now back to Bill 10. Any other members wish to speak?

**Hon. Members:** Question.

**Mr. Snelgrove:** Mr. Chairman, before you do that, I would just say that they've declared Mr. Obama the President.

[The clauses of Bill 10 as amended agreed to]

[Title and preamble agreed to]

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

**Hon. Members:** Agreed.

**The Deputy Chair:** Opposed? That's carried.  
The hon. Deputy Government House Leader.

**Mr. Zwozdesky:** Thank you very much, Mr. Chairman. I would move that the committee now rise and report Bill 10, Security Services and Investigators Act; Bill 32, the Meat Inspection Amendment Act, 2008; Bill 33, the Agriculture Financial Services Amendment Act, 2008; and Bill 39, which is the Court Statutes Amendment Act, 2008.

[Motion carried]

[Mr. Mitzel in the chair]

**Mr. Drysdale:** Mr. Speaker, the Committee of the Whole has had under consideration certain bills. The committee reports the following bill: Bill 39. The committee reports the following bills with some amendments: Bill 32, Bill 33, and Bill 10. I wish to table copies of all amendments considered by the Committee of the Whole on this date for the official records of the Assembly.

**The Acting Speaker:** Does the Assembly concur in the report?

**Hon. Members:** Concur.

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

### Government Bills and Orders Third Reading

#### Bill 18 Film and Video Classification Act

**The Acting Speaker:** The hon. Deputy Government House Leader.

**Mr. Zwozdesky:** Thank you very much, Mr. Speaker. It's my pleasure on behalf of the hon. Minister of Culture and Community Spirit to move third reading of Bill 18.

Just a few comments quickly for the record. Mr. Speaker, it's been stated before, I know, that the Alberta Amusements Act was first passed in this Legislature on February 16, 1912, which makes it almost 100 years old. With only minor modifications since its introduction the act is significantly out of date. In addition to classifying films, the act was also originally intended to regulate a broad spectrum of amusements such as contests, dances, and exhibitions. These activities, that have not been regulated for several years, now require attention.

The current Amusements Act also contains archaic language. For example, it references "moving picture machines," which is defined as "a device in which film is used and that is operated . . . with the aid of electricity . . . or used to project pictorial representations on a screen or other surface." Furthermore, the Amusements Act refers to banning or cutting films. This is a practice that the Alberta government has not practised for over 20 years.

The numerous surveys, interviews, focus groups, and cross-jurisdictional research completed by Culture and Community Spirit

as a ministry has confirmed that the Amusements Act is no longer relevant to Alberta's current culture and needs revamping. The new Film and Video Classification Act will specifically focus on classifying films and videos and ensuring that information is accessible to the public. Mr. Speaker, Bill 18 aims to protect all Albertans by providing information and warnings on publicly shown films in our province. Film classification officers work hard to classify and rate content so that Albertans can make informed decisions as to the movies they choose to view. I believe that the best way to protect yourself is to arm yourself with knowledge. Bill 18 will ensure that knowledge or information, if you like, is publicly available so that Albertans can make informed decisions.

Bill 18, the Film and Video Classification Act is the direct result of years of extensive research and public consultation. In fact, Albertans have told us that they are more interested in making those decisions for themselves rather than having government always telling them what they can or cannot view, which is why Bill 18 permanently removes any language that references the cutting or banning of films. I would also like to point out in conclusion, Mr. Speaker, that Bill 18 has been reviewed by the Standing Committee on Community Services and that a report was tabled in this Assembly. Part of that review process also included public consultation.

Mr. Speaker, the new Film and Video Classification Act will replace the outdated Amusements Act and will better serve the needs of Albertans and the film and video industry of today. With that, I'm pleased to move third reading on behalf of the hon. minister.

Thank you.

**The Acting Speaker:** Any other members wish to speak? The hon. Member for Edmonton-Strathcona.

**Ms Notley:** Thank you for the opportunity to speak to this bill. I'm just having an opportunity to speak to it now for the first time. It is a bill, as has just been identified, that is intended, of course, to correct a tremendously archaic act and to move it into the century that we're in now, or even last century would probably be helpful. Anyway, in that sense it's long overdue, and certainly we think that it's worthwhile.

It appears that the bill is primarily geared towards mostly updating classifications and, in particular, assessing classifications with respect to those mediums which had not previously been covered under the Amusements Act. In general, we don't see a tremendous concern with the approach that's been taken in bringing this legislation forward. It's clear that there was a great deal of consultation and that for the most part the bill is geared primarily towards giving information to consumers about what exists in the product that they are purporting to either buy, rent, or see. In that sense it's not a difficult prospect to consider supporting it.

**9:10**

I have just a couple of small concerns with respect to the bill. One is with respect to the level of the fines that are proposed within it. They do seem to be rather extensive. Given that my understanding is that in most cases those fines had not been previously imposed, it seems a bit strange to suddenly jump very quickly to such a high level of fines and penalties. I believe that previous contraventions had a \$200 fine limit, and now we're up to a \$100,000 fine limit. That does seem to be a rather big jump. [interjection] That's right. I'm protecting those poor 13- or 14-year-old kids, or in this province 12, trying to discern who is 14 and who is not as they come into the theatre.

Generally speaking, I mean, the idea of identifying and classifying and educating the public about the nature of the content is not a bad

thing, and certainly I'm assuming that there's some intent to actually enforce these regulations. I guess we'll see.

The only other concern, of course, does ultimately come with, you know, the proof being in the pudding. This is an act that deals with very detailed interpretive guidelines, so there is a concern with respect to the fact that so much of what this act will impose is left to regulation. That's kind of a standard complaint that we raise in the House. Nonetheless, it does certainly exist here with respect to trying to find out what the ultimate classifications will look like and the ultimate process for enforcing them. So that is a bit of a concern as well, and I suppose we will simply have to wait to see what it ends up looking like.

Overall, though, I believe that the standing committee had made a recommendation with respect to trying to clarify the difference in meaning between the word "adult" film versus movies with an R rating. I'm not sure what discussions have been had with respect to that issue and how it is intended to be addressed since it doesn't appear as though there were any amendments that came forward out of that committee report. I would just be looking for an answer with respect to that.

Other than that, though, it's certainly a bill that needs to occur in principle in order to update information. As a parent it certainly would be worthwhile, I know, to have more information about what is going on in a lot of the films and video games that my children are exposed to. So from that perspective we're willing to cautiously support this bill moving forward.

Thank you.

**The Acting Speaker:** Any other members wish to speak?

The hon. Deputy Government House Leader on behalf of the hon. Minister of Culture and Community Spirit to close debate.

**Mr. Zwozdesky:** I'd just call the question if I could, please, Mr. Speaker.

[Motion carried; Bill 18 read a third time]

### Bill 23 Weed Control Act

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

**Mr. Prins:** Thank you very much, Mr. Speaker. It is my pleasure to rise tonight and move third reading of Bill 23, the Weed Control Act.

I just want to make a couple of short comments on this bill. The Weed Control Act currently provides authority to deal with native and introduced weed species that impact agricultural production. Bill 23 provides a rewrite of the existing act. The bill clarifies and updates a number of provisions such as providing notice, inspection, enforcement authority, and the field mechanisms.

Bill 23 was referred to the Standing Committee on Resources and Environment on June 2, 2008, and over the course of the summer the committee reviewed Bill 23. I sincerely appreciate the efforts of all committee members and stakeholders to bring forward constructive suggestions to improve Bill 23. I would now ask all hon. members to support Bill 23, the Weed Control Act, in third reading.

Thank you, Mr. Speaker.

**The Acting Speaker:** Any other members wish to speak?

**Hon. Members:** Question.

[Motion carried; Bill 23 read a third time]

### Bill 27

#### Funeral Services Amendment Act, 2008

**The Acting Speaker:** The hon. Deputy Government House Leader.

**Mr. Zwozdesky:** Thank you, Mr. Speaker. It's my pleasure, I'm sure, to move third reading of the Funeral Services Amendment Act on behalf of the hon. Member for Athabasca-Redwater.

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

**Dr. Brown:** Thank you, Mr. Speaker. On behalf of the hon. Member for Athabasca-Redwater I would like to make a few comments respecting Bill 27, the Funeral Services Amendment Act, 2008. Just to recap, the funeral services profession has changed over a number of years. They now offer a broad range of services to families. Alberta consumers respect the industry for the sensitivity that they show to people when they're in times of grief.

After a full review of the Funeral Services Act, it was determined that it needed to be modernized and updated to keep pace with the industry as it now exists. The focus of the changes was to enhance consumer protections, including giving the director a wider range of potential penalties to impose, updating the appeal processes, and separating the inspection and investigation provisions. These amendments will enhance consumer protection and, at the same time, bring legislation up to date with changes in the industry.

In response to the Member for Edmonton-Centre in second reading, who posed some questions, I would like to take the opportunity to address those concerns. The first question was with respect to the criteria for a business manager's licence. A business manager is already licensed under the act, so this is not a new type of licensing. The addition in the act which states that no person shall perform the duties of a business manager without a licence was simply for clarity and consistency as all other licensees are listed in the section in a similar fashion. As for the criteria that there are no specific licensing requirements or qualifications to be a business manager, in order to maintain their business licence, funeral service homes must have a licensed business manager designated to perform certain functions.

As to what are the special circumstances we contemplated under the new section 18.7, section 18.7 states that an inspector may enter premises and seize documents without consent of the owner or a court order if the criteria listed are met. It's contemplated that using this section would happen only rarely and would be used to preserve evidence. There would have to be overwhelming evidence that the funeral services business had committed an offence and would destroy the evidence of that offence in the time it took to get a court order. It could be used to enter either a business or personal premises in extraordinary circumstances.

The third question the hon. member posed dealt with why mutual benefit societies in section 2 of the current act were removed. Mutual benefit societies are defined in the Insurance Act as "a body corporate formed for the purpose of providing sick, disability or funeral benefits for its members." So far as the government is aware, there are none that are currently active in the province, so reference has been deleted to them in the act.

In Committee of the Whole the same member, the hon. Member for Edmonton-Centre, asked a question with respect to the intent behind the regulation-making power for unclaimed trust funds. Currently staff from Service Alberta are developing policies in this area. Typically situations such as this are dealt with under the Unclaimed Personal Property and Vested Property Act. However, because money from prepaid contracts can be held in trust in excess of 20 years, the government has made their own regulation to deal

with the disbursement of these particular monies. No decision has been made with respect to where the money will go, though the government will certainly take the member's suggestions into consideration.

Therefore, Mr. Speaker, I would ask the support of all hon. members of the House for third reading of Bill 27, the Funeral Services Amendment Act, 2008.

9:20

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

**Ms Blakeman:** Thank you very much, Mr. Speaker. As the appointed critic for this bill I'm happy to urge my colleagues in the Official Opposition to support it. I thought this was a good bill, and I liked the language. It was fairly clear what was being intended. Obviously, I raised a couple of questions, just a few minor things, and there was certainly effort put into trying to get answers back to me. I think this is a good piece of legislation. I think it was written pretty well, in plain language so it's understandable by members of the public, and I'm happy to support it. I'll call the question.

[Motion carried; Bill 27 read a third time]

## Government Bills and Orders Second Reading

### Bill 42 Health Governance Transition Act

[Adjourned debate November 4: Mr. Chase]

**Dr. Taft:** Mr. Speaker, I rise to speak to Bill 42, which is a pretty significant bill, and I rise to speak against it. This is a bill with a lot of problems, and it's a bill that represents a process that has a lot of problems. I see much more grief than benefit resulting from this bill. I think that we need to have this Assembly send this back to the government for more thought, a lot more thought, and perhaps next spring come forward with something more sensible. My comments are going to be fairly wide-ranging, and I am going to ask that people pay careful attention.

I need to begin, Mr. Speaker, by talking to process. This bill begins with some very forceful positions. I'm going to read right from the beginning of the bill, the very first active clause. It starts off right after the table of contents:

Her Majesty, by and with the advice and consent of the Legislative Assembly of Alberta, enacts as follows:

Dissolution of AADAC and Alberta Cancer Board

Right off the bat. The legislation goes on right away to say:

(1) The Alberta Alcohol and Drug Abuse Commission is dissolved.

(2) The Alberta Cancer Board is dissolved.

These are dramatic steps, Mr. Speaker. The Alberta Alcohol and Drug Abuse Commission has existed in Alberta for decades. I'm thinking back to probably around 1970. I don't have the exact figure. I don't know how long the Alberta Cancer Board has existed, but it's been a very long time indeed. These are agencies with important public credibility. These are agencies with tremendous history.

The Alberta Cancer Board, I think, is widely recognized as a model of efficiency and effectiveness. It's a model of credibility. It's respected in the medical community. It's respected in the eyes of the public. Some of the most eminent physicians in the history of this province have worked for the Alberta Cancer Board, including Dr. Tony Fields as a current example and Dr. W.W. Cross as an earlier example. The list of physicians doing both treatment and research is long and extensive and very, very important to the health

of Albertans and, indeed, in contributing to the improvement of health around the world.

AADAC is an organization with a wide scope and a long history. They work with all kinds of community agencies and community services, volunteer ones and professional ones. They contract for many services, and they operate services directly. By dissolving AADAC, we are putting that entire system into confusion and turmoil. Those are some of the reasons I oppose this.

Now, the process here, the political process here, Mr. Speaker, is exactly what's wrong with politics. We are just – what? – six months or something from an election, and neither of these proposals was put forward. There was no sign of any of these proposals in the campaign platform of the governing party. This is the kind of thing that comes out of nowhere. It's the kind of thing that feeds cynicism and suspicion in voters. When you have something this dramatic brought forward short months after an election when there was no mention whatsoever of it during the election, it fuels concern about hidden agendas in the public. It fuels concern and cynicism about: well, how can I trust a politician?

What voter out there who supported this government had any notion that within months of winning this election, this government was going to dissolve the Alberta Cancer Board? If you were going to do that, why didn't you cough up? I suspect that none of you, no members of this Assembly, knew that this was going to happen either. What that gets to, then, is not just lousy political process – I will say even dishonest political process – but it gets to very, very poor strategic process.

This bill amounts to nothing less than an organizational ambush on Alberta's health care system, particularly the Cancer Board and AADAC. The members of those organizations, including members of the Cancer Board and AADAC, had no idea this was coming. They didn't know until moments before they got the phone call, in some cases not even something as respectful as a phone call, to be informed that their organization was dissolved. That is dreadful process, and that's a process, Mr. Speaker, that should embarrass and shame this government.

I say this to all members of the Assembly: we are putting the cart before the horse. What kind of effective organizational plan occurs this way? What kind of effective organizational plan treats professionals – health professionals, administrative professionals, nurses, researchers, technicians, counsellors, psychologists, all those other people – with such complete disregard? More importantly, Mr. Speaker, what kind of organizational process treats the patients and the clients of these organizations with such disregard?

Let's think for a minute about what is involved in good organizational planning. Good organizational planning would have a piece of legislation like this come out at the end of the process, not at the beginning. Good organizational planning would ask itself what is the best way to deliver cancer services in Alberta, would go through a long and respectful and honest and thorough process, and then it might at the end of that say that something other than the Alberta Cancer Board would be the best way to fulfill that plan. Instead we have the action before the thought. As a result, Mr. Speaker, I can guarantee you and I can guarantee members of this Assembly that we are driving our cancer delivery services into a crisis and we are going to do the same with the services provided under AADAC. This is no way to plan, it's no way to manage, and I will say once again that this should be an embarrassment to all members who support this.

9:30

A process like this, Mr. Speaker, in which there's an organizational ambush, in which people of good faith, of eminent interna-

tional credentials learn that their organization is dissolved through impersonal means, through last-minute notice without cause – I mean, there was no crisis at the Alberta Cancer Board. There was no call to dissolve that board. They were functioning well, so for them to be dissolved in this manner is going to fuel several problems.

First of all, it builds resentment. I don't know about other members of this Assembly, but I am hearing that resentment almost daily from members of the medical profession, from nurses, from staff of all kinds. This summer I was approached by somebody from the Alberta Cancer Board who told me straight out that people are going to die. I'm not misquoting there. He said that people are going to die because of the way this was handled. I asked him what he meant by that, and he said: it's because of the confusion; all kinds of programs that we were ready to roll out, that we'd been working on for years have been halted. He mentioned screening programs and treatment programs. His words were, Mr. Speaker: people are going to die.

I think we need to listen carefully to that. That speaks to the bad process here. He and many, many, many others working in the system, people we should be supporting and respecting and encouraging, people who give their professional lives, their careers to health care, are filled with resentment because of this kind of approach. We are also driving a system into instability. Again, if you're not hearing this as MLAs, I sure am. People working in the system and people needing support of the system are feeling like they're drowning in instability. Nobody knows what's going on.

Again I ask this Assembly to consider what was so wrong with the Alberta Cancer Board that you want to dissolve it. How many of you were getting complaints? Where was the crisis? Now we have a situation in which people don't know what's going on. People don't know what equipment can proceed, what programs will be approved, what staff to hire, what treatment to provide. They have instability, and there's confusion, Mr. Speaker. The health care system and AADAC and all those countless real-life people, all those services that touch the lives of our friends and our families and our constituents, are thrown into confusion.

This kind of process represented by this bill also feeds suspicion. It feeds suspicion and fear. Can you blame people who go to work one day, having committed their careers to an organization like AADAC or the Alberta Cancer Board, to discover out of the blue that their whole organization has been dissolved for, apparently, no good reason? I mean, I have yet to hear any reason, any justification, for dissolving the Alberta Cancer Board. As a result, the people working in the system become suspicious. They wonder what is going on. What did I do wrong? What is wrong with this organization that we thought was working well? What is wrong with this government? What is wrong with this Legislative Assembly that they'd take a step like this?

Then that leads to what I am seeing more and more in our health care professionals, demoralization. People are wondering why they are committing themselves to a health care system that fuels suspicion, that is unstable, that's confused, that has no sense of where it's going, that has such poor process that you have the dissolution of major organizations before there's any plan in place to replace them. So in terms of process, this is one terrible piece of legislation, Mr. Speaker, in terms of both political process and strategic planning process.

Now, I guess that at this point we shouldn't be surprised. We shouldn't be surprised at a government that lurches from crisis to crisis when it comes to health care, a government that stumbles and fumbles and mismanages, because we have seen this nonstop since 1993. This is simply the most recent step in what is a sad, long, and

destructive process from a government that has too many members who believe that governments cannot run a public health care system well. When you have a government that doesn't believe it can do something well, then is it any surprise that it, in fact, doesn't do something well? I think that's the situation here.

There was a time in this province when the people and the government felt they could deliver a good health care system. You know what the reality and the result of that was, Mr. Speaker? We actually had a good health care system.

But let's go back, and I'll just work briefly from memory here. Since 1993 some of the blunders that this government has imposed on our health care system, starting with one of the dramatic ones, the massive layoffs in the mid '90s: '94, '95, and '96. We had over 10,000 health care professionals either lose their jobs or have their jobs downgraded. Now, today, Mr. Speaker, we wonder why we're short of health care professionals. We wonder why the Sheldon Chumir centre can open as a beautiful building in central Calgary – I've walked by there many times – but the services can't function because they're short of staff. A similar kind of thing at the Rockyview, and now the most recent example at the Mazankowski heart centre. This is going to be played out over and over, and we wonder: why did this happen? It happened because for 15 years this government has fumbled and stumbled and mismanaged our health care system, has too often passed pieces of legislation like this.

The effect of laying off those health care workers, Mr. Speaker, was to impose two decades' worth of problems on our health care system. How do layoffs occur? Who are the first ones laid off? The first ones laid off are the younger ones. So what do you have? You have an instant aging of your labour force that 10 and 15 years later comes up to catch you because the people who survived the layoffs are coming to retirement age. There is a gap behind them because that whole generation was laid off. That was one step leading to the kind of mess we have today.

A second one was the way the regionalization was handled. Now, I'm not necessarily opposed to regionalization. There are, in fact, some advantages that can occur through regionalization, and I suspect that we in Alberta have realized some of those advantages, but we need to remember that regionalization was rammed through in about three months with very little thought. There was huge confusion and huge turmoil and massive turnover in the leadership positions of those regions. We lurched from something like 180 different boards, which was too many, I agree, down to, I believe it was, 17. Then after a while those boundaries all got rearranged, and it was reduced to nine. But throughout that whole process at least there was a bit of stability at the Cancer Board, and at least there was a bit of stability at AADAC.

The problems of regionalization just tumbled on through the 1990s and into 2000 as the boundaries were changed and then as this government went through the sort of half-hearted gesture of allowing a percentage, a proportion, of members of regional health authorities to be elected. Then after they were elected, 18 months later the government decides, "Well, we don't want them," so they cancel the elections. The confusion over regionalization is now continuing through this legislation.

#### 9:40

In the same process of regionalizing and laying off the department of hospitals and medical care, I think it was called at that time – maybe it was health and wellness; it's changed names a few times – the department was cut essentially in half. Some of the crucial operational functions of that department were disbanded, and we are harvesting the results of that now, Mr. Speaker. We're harvesting it in the form of equipment that's not sterilized in various hospitals



because there are not standards, and even if there were standards, there's nobody to enforce them. We're seeing that this fall in situations where syringes are being reused multiple times. Despite the debate around that, that has not been acceptable practice in decades.

But you know what? When this government, ramming through bad legislation, disbanded the capacity of its own minister to monitor, enforce, and police the system, then we set a system up for these kinds of problems. I can guarantee you that there will be similar problems arising in the future because the minister has no capacity in his own department to set standards and monitor them and, if necessary, enforce them. He doesn't have that capacity because decisions were made through rushed legislation in 1993-94 to wipe that capacity out, and it has never been restored.

Of course, the confusion continues, and we see it continuing in recent months. I ask all members of this Assembly to reflect on the fact that the Department of Health and Wellness has had, I believe, 11 deputy ministers in 15 years – 11 deputy ministers in 15 years – and we saw the door revolve again just a few months ago. Put this in perspective. If you had a corporation, a multibillion dollar corporation, that had 11 CEOs in 15 years, you'd think it was in crisis, and you'd be right because it would be in crisis because of a failure of leadership.

How can we expect a department of health and wellness to run effectively when the chief person has a job survival rate that averages about 15 months for a period of 15 years? Is it any surprise that maybe the department and the system isn't running in tip-top shape? It isn't, Mr. Speaker. But what do we have in this legislation? Do we have an attempt to fix that problem? Absolutely not. What we have here is a continuing of that problem.

Of course, Mr. Speaker, I need to mention the mishandling of facilities. It's remarkable to people in Calgary and across Alberta that the city of Calgary doesn't have overnight beds for cancer patients. There's no facility in Calgary equivalent to the Cross cancer hospital. That's only one example of how facilities have been mismanaged in the last 15 years. We saw the destruction of the Calgary General, we saw various hospitals sold off, and we saw a complete failure of this government to invest in proper infrastructure.

So, Mr. Speaker, we've had a government that has made a mess of our health care system for 15 years, and this legislation is just going to continue this. This is not about thoughtful solutions. This is about rash, unjustified, poorly thought-out actions that will affect thousands, indeed tens of thousands, of people.

Now I'd like to talk briefly about the Cancer Board and just some of the implications there. Cancer treatment is a specialized service. While there are many, many, many forms of cancer, there are some consistencies in how cancers are treated, particularly radiation and chemotherapy. There's a body of knowledge and there's a body of skills that turn this into a specialized service, and the Cancer Board managed to deliver that service across this province very effectively. They have major facilities in both Edmonton and Calgary, but they deliver their services in hospitals in smaller centres very effectively.

The Cancer Board had plans to continue its development. There were plans for a new facility adjacent to where the Cross Cancer Institute is now, a multistorey facility, and, in fact, the site has been cleared, Mr. Speaker. That project probably is now in question. Who knows what's happening there? Of course, the Cancer Board itself, which was taking the lead on that project, will no longer exist if this bill passes.

Likewise, the people of Calgary have to be asking: well, how are we going to obtain our cancer services when the Cancer Board doesn't exist? Who's going to make those decisions? Who's going

to take the leadership role in developing and expanding cancer delivery services in Calgary? In fact, across this province people will be asking that question. You know, the answer they're going to get for a couple of years is: we're not sure. That's not good enough. That's certainly not good enough when we have had a perfectly defensible system in place for decades, Mr. Speaker.

AADAC has a long, long history in this province as well. Now, that's not enough to justify its continued existence. No organization should just rest on its laurels, just ride on its history. But the fact is that at times, at least, in its history AADAC has been a leading organization not just in the treatment of alcohol and addictions but in prevention and in research. AADAC services are integrated into the community. There are community offices throughout the province. There are services in schools. There are services through community organizations. There are contracted services. To simply through a piece of legislation like this dissolve AADAC when it's not clear what the plan is to replace it is reckless. It's reckless.

I'll bet you there isn't a person in this Assembly tonight, Mr. Speaker, whose life hasn't somehow or other been affected by alcoholism or drug addiction through family members or friends. All of us, I bet, have had experience with alcohol and drug abuse. For us to just dissolve the primary agency of government that delivers those services without a plan to replace them makes no sense. Again, I think this is a piece of legislation that is fundamentally misguided.

I think we have to address some specific comments to members of this Assembly who represent constituencies outside of the two big cities because the real losers in the health restructuring we're witnessing here are going to be the people who live in Alberta but outside of Calgary and Edmonton, the people from Medicine Hat and surrounding areas or Drayton Valley and surrounding areas or Vermilion and Lloydminster and surrounding areas or the north. Mr. Speaker, as we dismantle those province-wide structures that have had the clear mandate to deliver cancer services in every corner of this province and to deliver alcohol and drug abuse services in every corner of this province, as we dissolve those without anything clear to follow them, the people who are going to lose are the constituents of members of this Assembly who are from outside the big cities.

9:50

Indeed, I think there's something that all members of this Assembly who represent rural and small urban centres should be alert to as we restructure health care. As we restructure it, it's going to be tougher and tougher to get services in smaller centres. I would ask you, Mr. Speaker, as we restructure health care: how is Medicine Hat, for example, going to attract oncologists? How is Medicine Hat going to attract the nursing and technical support that is required to deliver cancer services? Even more so, how are smaller communities than Medicine Hat going to do that? Well, the answer is: we don't know because there isn't a plan.

We're moving forward here with a piece of legislation to dissolve those structures without a plan. You know what, Mr. Speaker? I'm sure that in the course of debate the minister or somebody else will come forward and say: oh, we have a plan. I'm sure there will be something on paper, but you know what? That plan will be a ramshackle effort. It will be rushed and pushed through not by careful, strategic management but by the short-fused, rushed, crisis kind of approach of a government that's, frankly, I think, making massive blunders here.

We're told, Mr. Speaker, that it's going to take two years of transition to get Alberta Health Services up to the level that is desired. We're dissolving the Cancer Board, we're dissolving AADAC, and in other legislation we're dissolving the regional

health authorities, and we're told it's going to be two years before Charlotte Robb and Ken Hughes and the rest of them have an administrative structure in place to properly manage the system. What the heck are we doing? What are we doing as MLAs to the health care system?

I'm told from people working in the system that any kinds of decisions, routine decisions on replacing equipment or moving programs forward or doing recruitments, are getting bogged down by micromanagement, are getting bogged down by the confusion that's brought about because we're ramming through badly thought-through legislation. We're into micromanagement when people don't know what's going on, when we have a minister who when questioned about the organization of his own department isn't informed. We bring forward organizational charts involving the very highest people in this minister's department, and he turns to us and says: oh, I don't know those; I haven't looked at them. These are people's lives at stake, Mr. Speaker.

What kind of job is being done with Alberta's health care system? I'll tell you what kind. A lousy job, a lousy job by a minister who seems hell bent on making changes before they're thought through, who seems to have some personal crusade to just take the system and smash it. I mean, I want you to think about the arrogance here, the arrogance involved in disbanding the Alberta Cancer Board, one of the pre-eminent cancer organizations in this country and potentially globally. This minister on – what? – a few weeks' thought, on a hunch, on zero debate, without informing the people, without consulting the people involved, wants us to disband it. The arrogance, Mr. Speaker. He wants us to disband regional health authorities and AADAC and to put confidence in him, a man who hasn't even read his own organizational charts, to solve the problems.

This is not going to get better, Mr. Speaker. This is going to get worse. It's up to the members of this Assembly to blow the whistle on this, to put the brakes on this train crash that we can see unfolding and say: go back to the drawing board; take your time. Sure the system can be improved, but it can't be improved like this. It's not going to be improved by rash, bullying, short-sighted, uninformed decisions, and that's what we are getting from the Minister of Health and Wellness, and that's what we're witnessing day after day after day.

Mr. Speaker, Bill 42 is the wrong approach from almost every angle that I look at it, and it's part of a longer, bigger approach to health care and health reform in this province that is the wrong approach from almost every angle I look at it. Why are we going this way? Who are you as members of this Assembly, representatives of your constituencies, listening to when you support a piece of legislation like this? You're certainly not listening to the people I'm hearing from. You're certainly not reading your history and understanding where the health care system has been. You're certainly not talking to the people who need cancer treatment and don't know what the future of the system is going to be.

Let's take the time. Nobody is saying that health care delivery in this province doesn't need some reform, but let's make it thoughtful reform. Let's make it trusting and honest and respectful reform. Let's not just do things holus-bolus, like this bill proposes, which would dissolve some of the most important, credible organizations for health care delivery in the history of this province, Mr. Speaker.

This is bad legislation. It's part of a bigger process that is a bad process. It reflects an attitude from this government that is not serving either the health care system or the patients or, for that matter, the taxpayers of this province. Mr. Speaker, we will be opposing this bill, and we will be opposing it with everything we have.

I would now like to move adjournment. I'll be watching to see where this debate goes, and I'm going to be counting on members of the government to really, really think this one through.

Thank you.

[Motion to adjourn debate carried]

## Government Bills and Orders

### Third Reading

(continued)

#### Bill 32

#### Meat Inspection Amendment Act, 2008

**The Acting Speaker:** The hon. Member for Battle River-Wainwright.

**Mr. Griffiths:** Thank you, Mr. Speaker. It's my pleasure to rise to move third reading of Bill 32, the Meat Inspection Amendment Act, 2008.

As I've said before, it simply transitions to Agriculture and Rural Development the inspection and enforcement authority from mobile butcher facilities. I think most other concerns have been addressed.

I appreciate all the support and concern and ask all members to continue to support it in third reading.

**The Acting Speaker:** Any other members wish to speak?

**Hon. Members:** Question.

[Motion carried; Bill 32 read a third time]

#### Bill 33

#### Agriculture Financial Services Amendment Act, 2008

**The Acting Speaker:** The hon. Member for Battle River-Wainwright on behalf of the hon. Minister of Agriculture and Rural Development.

**Mr. Griffiths:** Thank you, Mr. Speaker. It's my pleasure to rise today on behalf of the Minister of Agriculture and Rural Development to move third reading of Bill 33, the Agriculture Financial Services Amendment Act, 2008.

The bill includes two key amendments. It provides authority for the Agriculture Financial Services Corporation to deliver livestock insurance, and it moves a financial limitation into regulation.

I appreciate the support all members have shown for this, and I ask for their continued support in third reading. Thank you.

**The Acting Speaker:** Any other members wish to speak?

**Hon. Members:** Question.

[Motion carried; Bill 33 read a third time]

**The Acting Speaker:** The hon. Deputy Government House Leader.

**Mr. Zwodzesky:** Thank you, Mr. Speaker. Thank you to all members for the eloquent debates tonight and for the excellent progress made. On that note, I would move that we adjourn now until 1:30 tomorrow afternoon.

[Motion carried; at 10 p.m. the Assembly adjourned to Wednesday at 1:30 p.m.]







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