



Province of Alberta

The 27th Legislature
Second Session

Alberta Hansard

Wednesday afternoon, May 27, 2009

Issue 44a

The Honourable Kenneth R. Kowalski, Speaker

Legislative Assembly of Alberta

The 27th Legislature

Second Session

Kowalski, Hon. Ken, Barrhead-Morinville-Westlock, Speaker
Cao, Wayne C.N., Calgary-Fort, Deputy Speaker and Chair of Committees
Mitzel, Len, Cypress-Medicine Hat, Deputy Chair of Committees

Ady, Hon. Cindy, Calgary-Shaw (PC),
Minister of Tourism, Parks and Recreation
Allred, Ken, St. Albert (PC)
Amery, Moe, Calgary-East (PC)
Anderson, Rob, Airdrie-Chestermere (PC),
Parliamentary Assistant, Solicitor General and Public Security
Benito, Carl, Edmonton-Mill Woods (PC)
Berger, Evan, Livingstone-MacLeod (PC),
Parliamentary Assistant, Sustainable Resource Development
Bhardwaj, Naresh, Edmonton-Ellerslie (PC)
Bhullar, Manmeet Singh, Calgary-Montrose (PC),
Parliamentary Assistant, Advanced Education
and Technology
Blackett, Hon. Lindsay, Calgary-North West (PC),
Minister of Culture and Community Spirit
Blakeman, Laurie, Edmonton-Centre (AL),
Deputy Leader of the Official Opposition
Official Opposition House Leader
Boutilier, Guy C., Fort McMurray-Wood Buffalo (PC)
Brown, Dr. Neil, QC, Calgary-Nose Hill (PC)
Calahasen, Pearl, Lesser Slave Lake (PC)
Campbell, Robin, West Yellowhead (PC),
Deputy Government Whip
Chase, Harry B., Calgary-Varsity (AL),
Official Opposition Whip
Dallas, Cal, Red Deer-South (PC)
Danyluk, Hon. Ray, Lac La Biche-St. Paul (PC),
Minister of Municipal Affairs
DeLong, Alana, Calgary-Bow (PC)
Denis, Jonathan, Calgary-Egmont (PC)
Doerksen, Arno, Strathmore-Brooks (PC)
Drysdale, Wayne, Grande Prairie-Wapiti (PC)
Elniski, Doug, Edmonton-Calder (PC)
Evans, Hon. Iris, Sherwood Park (PC),
Minister of Finance and Enterprise
Fawcett, Kyle, Calgary-North Hill (PC)
Forsyth, Heather, Calgary-Fish Creek (PC)
Fritz, Hon. Yvonne, Calgary-Cross (PC),
Minister of Housing and Urban Affairs
Goudreau, Hon. Hector G., Dunvegan-Central Peace (PC),
Minister of Employment and Immigration
Griffiths, Doug, Battle River-Wainwright (PC),
Parliamentary Assistant, Agriculture and Rural Development
Groeneveld, Hon. George, Highwood (PC),
Minister of Agriculture and Rural Development
Hancock, Hon. Dave, QC, Edmonton-Whitemud (PC),
Minister of Education, Government House Leader
Hayden, Hon. Jack, Drumheller-Stettler (PC),
Minister of Infrastructure
Hehr, Kent, Calgary-Buffalo (AL)
Horne, Fred, Edmonton-Rutherford (PC)
Horner, Hon. Doug, Spruce Grove-Sturgeon-St. Albert (PC),
Minister of Advanced Education and Technology
Jablonski, Hon. Mary Anne, Red Deer-North (PC),
Minister of Seniors and Community Supports
Jacobs, Broyce, Cardston-Taber-Warner (PC)
Johnson, Jeff, Athabasca-Redwater (PC)
Johnston, Art, Calgary-Hays (PC)
Kang, Darshan S., Calgary-McCall (AL)
Klimchuk, Hon. Heather, Edmonton-Glenora (PC),
Minister of Service Alberta
Knight, Hon. Mel, Grande Prairie-Smoky (PC),
Minister of Energy
Leskiw, Genia, Bonnyville-Cold Lake (PC)
Liepert, Hon. Ron, Calgary-West (PC),
Minister of Health and Wellness
Lindsay, Hon. Fred, Stony Plain (PC),
Solicitor General and Minister of Public Security
Lukaszuk, Thomas A., Edmonton-Castle Downs (PC),
Parliamentary Assistant, Municipal Affairs
Lund, Ty, Rocky Mountain House (PC)
MacDonald, Hugh, Edmonton-Gold Bar (AL)
Marz, Richard, Olds-Didsbury-Three Hills (PC)
Mason, Brian, Edmonton-Highlands-Norwood (NDP),
Leader of the NDP Opposition
McFarland, Barry, Little Bow (PC)
McQueen, Diana, Drayton Valley-Calmar (PC),
Parliamentary Assistant, Environment
Morton, Hon. F.L., Foothills-Rocky View (PC),
Minister of Sustainable Resource Development
Notley, Rachel, Edmonton-Strathcona (NDP),
Deputy Leader of the NDP Opposition,
NDP Opposition House Leader
Oberle, Frank, Peace River (PC),
Government Whip
Olson, Verlyn, QC, Wetaskiwin-Camrose (PC)
Ouellette, Hon. Luke, Innisfail-Sylvan Lake (PC),
Minister of Transportation
Pastoor, Bridget Brennan, Lethbridge-East (AL),
Deputy Official Opposition Whip
Prins, Ray, Lacombe-Ponoka (PC)
Quest, Dave, Strathcona (PC)
Redford, Hon. Alison M., QC, Calgary-Elbow (PC),
Minister of Justice and Attorney General
Renner, Hon. Rob, Medicine Hat (PC),
Minister of Environment, Deputy Government House Leader
Rodney, Dave, Calgary-Lougheed (PC)
Rogers, George, Leduc-Beaumont-Devon (PC)
Sandhu, Peter, Edmonton-Manning (PC)
Sarich, Janice, Edmonton-Decore (PC),
Parliamentary Assistant, Education
Sherman, Dr. Raj, Edmonton-Meadowlark (PC),
Parliamentary Assistant, Health and Wellness
Snelgrove, Hon. Lloyd, Vermilion-Lloydminster (PC),
President of the Treasury Board
Stelmach, Hon. Ed, Fort Saskatchewan-Vegreville (PC),
Premier, President of Executive Council
Swann, Dr. David, Calgary-Mountain View (AL),
Leader of the Official Opposition
Taft, Dr. Kevin, Edmonton-Riverview (AL)
Tarchuk, Hon. Janis, Banff-Cochrane (PC),
Minister of Children and Youth Services
Taylor, Dave, Calgary-Currie (AL)
VanderBurg, George, Whitecourt-Ste. Anne (PC)
Vandermeer, Tony, Edmonton-Beverly-Clareview (PC)
Weadick, Greg, Lethbridge-West (PC)
Webber, Len, Calgary-Foothills (PC),
Parliamentary Assistant, Energy
Woo-Paw, Teresa, Calgary-Mackay (PC)
Xiao, David H., Edmonton-McClung (PC),
Parliamentary Assistant, Employment and Immigration
Zwozdesky, Hon. Gene, Edmonton-Mill Creek (PC),
Minister of Aboriginal Relations,
Deputy Government House Leader

Officers and Officials of the Legislative Assembly

Clerk	W.J. David McNeil	Senior Parliamentary Counsel	Shannon Dean
Clerk Assistant/ Director of House Services	Louise J. Kamuchik	Sergeant-at-Arms	Brian G. Hodgson
Clerk of <i>Journals</i> /Table Research	Micheline S. Gravel	Assistant Sergeant-at-Arms	J. Ed Richard
Senior Parliamentary Counsel	Robert H. Reynolds, QC	Assistant Sergeant-at-Arms	William C. Semple
		Managing Editor of <i>Alberta Hansard</i>	Liz Sim

Legislative Assembly of Alberta

1:30 p.m.

Wednesday, May 27, 2009

[The Speaker in the chair]

Prayers

The Speaker: Good afternoon.

Let us pray. We give thanks for Your abundant blessings to our province and ourselves. We ask for guidance and the will to follow it. Amen.

Please be seated.

Statement by the Speaker

William C. Semple, Assistant Sergeant-at-Arms

The Speaker: Hon. members, the procession today was led by Assistant Sergeant-at-Arms Bill Semple. Mr. Semple will be retiring following this session. Today was probably the last time that he was in a position to lead the procession into the House.

Bill first served this Assembly between 1980 and 1981, when he was a constable with the Edmonton Police Service and was assigned to providing security at the front door of the Legislature Building. He would return to this building a little more than 10 years later to join the Legislative Assembly security staff in 1992. Bill has served this Assembly since that time and then was appointed to the position of Assistant Sergeant-at-Arms in November of 1999.

To mark this occasion, a farewell tea was held for all this morning at which remarks were given recognizing Bill's dedication and outstanding service to all Members of the Alberta Legislative Assembly. I am sure that I speak for all members when I wish Bill the very best in his retirement.

Joining us today in the Speaker's gallery is Bill's wife of 44 years, Ruth, and his daughter Shandra as well as honorary Sergeant-at-Arms Oscar Lacombe and former Assistant Sergeant-at-Arms Al Gowler.

At this point I would ask them to rise – all of them, including Mr. Semple – and receive the warm welcome of this Assembly. [applause]

Introduction of Guests

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

Mr. Goudreau: Well, thank you, Mr. Speaker. I would like to introduce to you and through you a group of students from Bonanza school. I'm very, very proud to introduce this group because, for one, I don't have very many school groups that visit the Legislature. This group has had to travel, I would say, well over seven hours to get here. Bonanza school is located west of Spirit River but probably closer to Dawson Creek. They're just a few miles out of Dawson Creek along the Alberta-B.C. border. Again I would like to welcome them. Accompanying the group of students are a number of adults: Bonnie Titford, Penny Lepage, Gary Remenyk, Randy Carlstad, Shelley Moorman. I would like the group to stand and receive the warm welcome of this Assembly.

The Speaker: The hon. Minister of Transportation.

Mr. Ouellette: Well, thank you, Mr. Speaker. I'd like to introduce to you and through you to all members of the Assembly a group of individuals who are visiting the Alberta Legislature from my constituency, just bordering the constituency of the hon. Member for

Red Deer-South. We have with us today 10 students from Destiny Christian school who are seated in the members' gallery, and they are accompanied by their principal, Glenn Mullen. As I have said before, I think it's so important for children to visit the Legislature. As you know, they will be tomorrow's leaders. I would ask them to all rise and receive the warm welcome of this Assembly.

Mr. Speaker, I have another introduction today on behalf of my colleague the hon. Minister of Infrastructure and the MLA for Drumheller-Stettler. I'd like to introduce to you and through you to all members of the Assembly a group visiting from Altario school. They're grade 6 students, and they are accompanied by their teacher, Mrs. Jinel Ference, and accompanied by their parents, Mrs. Nancy Ference, Mr. Kyle Koch, Mrs. Stacy Evans, Mrs. Laurel Galloway, Mrs. Michelle Kelts, and Miss Jody Evans. They've come an awful long way from Altario. That's, like, a four-hour bus ride. I know that they will also be our new leaders someday in this province. I'd like them to all rise and receive the warm welcome of the Assembly.

The Speaker: The hon. Minister of Seniors and Community Supports.

Mrs. Jablonski: Thank you, Mr. Speaker. Today it's my great honour to introduce to you and through you to members of this Assembly several dedicated members of the Multiple Sclerosis Society. The MS Society of Canada aims to be a leader in finding a cure for MS and in enabling people afflicted by MS to enhance their quality of life. It is the only national voluntary organization in Canada that supports MS research and services for people with MS and their families. The society is creating hope for today by helping to make life a little easier for those who are afflicted by this disease. Our commitment to a better tomorrow for those with MS is represented through the carnations which each hon. member of the Assembly is wearing today.

It's my honour and pleasure to welcome several supporters of the MS Society today to the Legislature. They are in the members' gallery. I will ask them to rise: Dr. Garry Wheeler, vice-president of the Alberta division; Mr. Steven McLaughlin, volunteer; Mrs. Julie Kelndorfer, director of volunteer resources; and Mr. Darrel Gregory, director of communications. Please join me in welcoming our distinguished guests with the traditional warm welcome of the Assembly.

The Speaker: The hon. Minister of Municipal Affairs.

Mr. Danyluk: Well, thank you very much, Mr. Speaker. It is a pleasure for me to introduce to you and through you to members of this Assembly two very exceptional individuals. They work for me in the Lac La Biche-St. Paul constituency. Sue deMoissac has been my constituency assistant for four years and is doing a tremendous job of taking care of the constituency. Also, Angele Theroux is a STEP student working in the office. She has got her psychology degree and is looking at getting her masters, and I'm very pleased to have her as part of the team. They have risen in the members' gallery, and I'd ask this Assembly to please give them the exceptional warm welcome they deserve.

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

Mrs. McQueen: Thank you, Mr. Speaker. I would like to introduce to you and through you to this Assembly one of Alberta's greatest radio voices and a gentleman that is very well known in my home town of Drayton Valley. I'm very proud to have Mr. Dave Michaels of Big West Country radio 92.9 in Drayton Valley in the public

gallery here today. Dave plays a very important role in our community, and he does an exceptional job of keeping the community entertained and very well informed on the morning show. I would ask Dave now to rise and receive the traditional warm welcome of the Assembly.

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

Mr. Elniski: Thank you, Mr. Speaker. It is a pleasure to rise today to introduce to you and through you two members of the Victoria Cross Memorial Park Monument Society. The society is working on developing a monument dedicated to all the Canadians who have received the Victoria Cross. I'll be discussing more about this group and their project leader this afternoon in a member's statement, but for now I would like to introduce Mr. Ron Evans, the president, and Ms Marian Youngs, the vice-president. I would ask them to rise and receive the traditional warm greeting of the Assembly.

Thank you.

1:40

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

Mr. Allred: Thank you, Mr. Speaker. It's a pleasure for me to rise today and introduce another school group. Actually, this school group is old classmates of mine, accompanied by their wives. The gentlemen in the public gallery were all classmates with me many, many years ago at SAIT in Calgary, and through the years our families have kept contact through various survey conventions and social functions and travel. I'm very pleased to introduce them here in the Assembly today. I'd ask them to rise as I call their names. On the left are Monroe and Ellen Kinloch, Norm and Elaine Mattson, Len and Fredda Leiman. Just as an aside, I would comment that Len and Fredda's daughter Jaren is the best friend of our very own Clerk of *Journals*, Micheline Gravel. I'd ask the Assembly to give them the traditional warm welcome.

The Speaker: I suspect that some stories can be told.

The hon. Member for Edmonton-Ellerslie.

Mr. Bhardwaj: Thank you very much, Mr. Speaker. It is my honour to rise today and introduce to you and through you Mr. Jagmohan Singh. Mr. Singh is a retired professor from the university in Ludhiana, Punjab, where he taught electronics. He is in Alberta presenting a history of his uncle Shaheed Bhagat Singh through first-hand anecdotal evidence. Shaheed Bhagat Singh was a famous freedom fighter who was hung by the British government at the age of 21 for his role in India's independence movement. His legacy lives on in the independent Republic of India. Mr. Singh is joined today by his brother Manjit Singh Dhaliwal, who is my constituent. I ask them both to please rise and receive the traditional warm welcome of the Assembly.

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

Ms Blakeman: Thank you very much, Mr. Speaker. I'm just delighted today to be able to introduce to you and through you to all members of the Assembly some of Alberta's truly exceptional fine craft artists. These are all artists who are participating in the Cheongju International Craft Biennale. With them are some staff from the Alberta Craft Council. If I may introduce, please, Linda McBain Cuyler, who is a fibre artist – please stand, Linda – Meghan Wagg, who is a jewellery artist; James Lavoie, who does wonderful glass pieces; Mary Sullivan Holdgrafer, who is a fibre artist; and

with her today is her husband, Gary Holdgrafer. Accompanying them all is Tom McFall, our beloved executive director of the Alberta Craft Council, a man that many of you already know, and, of course, Joanne Hamel, who is the project co-ordinator for the Alberta Craft Council. I am going to do a celebratory member's statement in a bit, but please join me in welcoming these wonderful Alberta artists to our Alberta Legislature.

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

Mr. Mason: Thanks very much, Mr. Speaker. Today I'm very pleased to introduce to you and through you to this Assembly my guests from the Candora Society of Edmonton. They're here on a tour with their instructor to give the class an opportunity to see the Legislature at work. The Candora Society is a nonprofit organization with a mandate to address the needs of low-income residents of the communities of Rundle and Abbottsfield in northeast Edmonton. The name Candora stands for can do in Rundle and Abbottsfield. The Candora Society is community driven, and the focus is on individual strengths and abilities. The society connects individuals to increase understanding of each other, reduce isolation, build self-worth, and enrich the community. They are Nora Makath, Alise Shol, Rita Ayala,* Elijah Motende, Zipporah Ogoti, Siboni Nayahti,* El Zamzani Umna,* Patrick Chieriro, Monica Pazuoli,* Achol Billeu, and Roger Barba. I'm sorry if I mispronounced any names. I would like them to please rise and receive the traditional warm welcome of this Assembly. Welcome.

Members' Statements

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

Victoria Cross Memorial Park Monument

Mr. Elniski: Thank you, Mr. Speaker. Currently in Canada there is no single monument that recognizes all of the recipients of the Victoria Cross. The Victoria Cross, of course, is Canada's highest military honour for bravery. The Victoria Cross Memorial Park Monument Society has been active in their plans for this memorial since the naming of the park in 1987. In addition to the monument, other ideas for this project have included an assembly area and education stations to inform the visitors of the historical significance of the Victoria Cross.

This monument will be a symbol of remembrance for the brave and valiant Canadians who serve our country and who have fought for our freedom. It will be visible from the ground and from the air, signifying its importance to our past and to our present.

This project is supported and endorsed by the Royal Canadian Legion and the city of Edmonton, and members of the society, I might add, have also applied for funding through the Alberta lottery fund. The Victoria Cross Memorial Park Monument Society is committed to constructing this monument, and I believe it is a great way to recognize our bravest military heroes.

Thank you.

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

Unintended Victims of Crime

Mr. Denis: Thank you very much, Mr. Speaker. Concerns about violent crime and gang activity are being heard right across Alberta as well as in my own constituency. As if the senseless loss of human life is not enough, these crimes claim other victims as well.

*These spellings could not be verified at the time of publication.

Mr. Speaker, on January 1 a deadly attack took place at a family-run Vietnamese restaurant, the Bolsa restaurant, in my constituency, and this restaurant had absolutely no ties to gang activity whatsoever. Despite having no connection to crime, this reputable business has been tarnished, in crisis, and it is struggling to keep its doors open.

Last week I had the privilege of meeting with one of the owners, Viet Tran, a resident in the constituency of Calgary-Montrose, as well as Constable Mike Ellis of the Calgary Police Service. Mr. Tran disclosed to us that his business has decreased 30 per cent since the incident at his restaurant. Fortunately, the landlord has given him a break on his rent.

Now, Mr. Speaker, I've extended my appreciation to Calgary's chief of police, Rick Hanson. He recognizes the ripple effect that gang activity has on the community, and he has met with the proprietors of the restaurant we're speaking about today. But it's up to the people of Calgary to support these unintentional victims of crime and not shun them for something that was completely out of their control. As Albertans we need to recognize that violent crime makes victims of us all.

I'd like to reassure Calgarians that this particular business and the family who runs it became caught up in a string of deadly and irresponsible acts, again due to no fault of their own. Sadly, this could happen to any one of us. We need to rally behind each other when tragedy strikes and try to minimize the collateral damage inflicted on each other in the wake of these senseless and violent criminal acts.

Thank you.

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

Cheongju International Craft Biennale

Ms Blakeman: Thank you very much, Mr. Speaker. As a long-time supporter of Alberta artists I am proud to say that Alberta artists will be heading overseas to participate in the South Korea fine craft cultural tour for two weeks in the early fall.

Now, this tour's highlight is the Cheongju International Craft Biennale, which is fast becoming the largest Asian craft event and for which Canada is the guest country for 2009. We were selected as the guest country, by the way, thanks to the Alberta Craft Council's All About Alberta international exhibition, which started at the Smithsonian Institute and then travelled to the 2007 biennale. The impression our artists left in 2007 prompted this year's honour.

Aside from Canada and South Korea, 50 other nations will present the work of their finest artists, making this a wonderful showcase for our own homegrown talent. Around 50 artists from Edmonton, Red Deer, Calgary, Medicine Hat, Black Diamond, High River, Sundre, Hobbema, Canmore, and Longview will participate, a wonderful range of creative artists from all across the province. Organizers expect that 750,000 people from dozens of nations will visit the biennale at Cheongju, truly a fantastic exposure for our artists.

The biennale will feature a 10,000 square foot exhibition of work by 200 of Canada's leading craft artists; 29 of those artists are from Alberta. We are talking a massive display of works in ceramic, wood, metal, fibre, glass, and so on: sculptures, furniture, jewellery, everything.

The Alberta Craft Council is supported by the Alberta Foundation for the Arts, and many thanks for that. Calgary Arts Development and the Edmonton Arts Council all worked very hard to ensure that Alberta artists would have their chance to shine on the international stage.

Our arts and cultural sector is one of Alberta's most important industries and a renewable, sustainable industry at that. On behalf

of the Official Opposition and I'm sure all of my colleagues in the Alberta Legislature I thank all of the artists and the organizations that supported them for taking Alberta's cultural exports across the Pacific to Cheongju.

Thank you so much.

1:50

Oral Question Period

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

Debate on Bill 44

Dr. Swann: Thank you very much, Mr. Speaker. Early this morning a controversial and widely protested bill was passed through this House. The government had a choice to debate this bill with openness in the day or early evening, which would have allowed the public to sit in the gallery, the opposition to have sufficient time to make amendments, and the media to report as it happened. Instead, the government hid the debate under the cover of darkness, when most Albertans are busy putting their children to sleep. To the Minister of Culture and Community Spirit: if this administration is proud of Bill 44, why did it choose not to debate until late evening? Why not debate during the day, when people can participate?

Mr. Blakett: Well, Mr. Speaker, as I recall, I was in this House at 7:30 last night, when we started debate, and we concluded at 3:15. We had a long, rigorous debate with exchanges from both sides of the House. If that's not what Albertans want, I don't know what is.

Dr. Swann: Mr. Speaker, our provincial image is important. This administration confirmed that with a \$25 million investment in a slogan to help our image nationally and internationally. I'm just curious. Can the minister tell us what that slogan is?

Mr. Blakett: Mr. Speaker, Freedom to Create, Spirit to Achieve. You know what? Our slogan and our image are enhanced by many things that we have here. It's enhanced by our arts. It's enhanced by our cultural policy. It's trying to make access available to all Albertans irrespective of where they live and irrespective of their socioeconomic status. It's building capacity in our communities to house the performing arts and visual arts. It's about focusing on excellence, and it's about supporting our cultural industries. Albertans are proud. Albertans have a great image. Albertans are tolerant. Albertans are respectful. The rest of Canada will see that, and we will do everything as a government to make sure that we convey that to the rest of the world.

Dr. Swann: Well, yes, Mr. Speaker. The slogan includes "freedom," the freedom to learn. It's a nice slogan, so it's unfortunate that the passage of this bill is besmirching the reputation of this province. Already internationally people are writing about the unique position this province has taken in Bill 44. What does the minister have to say to our international partners?

Mr. Blakett: Well, Mr. Speaker, we're a free and democratic society, and we're allowed to have a difference of opinions. We're allowed to have different opinions in this House. We're able to debate those opinions. The people of Alberta are free to be able to express their opinions on both sides of it. The one thing that we don't need is rhetoric. We're not besmirching anyone. There has not been one person in this government that has said anything that would in any way be misconstrued as besmirching a member of the teaching profession or the school boards. We have said that we

believe in families. We believe in family values, we believe in education, and we believe in a parent's right to impart their beliefs on their children's education.

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

Community Health Councils

Dr. Swann: Thank you, Mr. Speaker. On May 15, 2008, the minister of health stated in a news release: "It will be important to ensure that local health needs in rural Alberta are met under this new governance model. Community Health Councils will ensure representation at the local level." Currently the future of these councils is unknown and certainly in doubt. We have one provincial health board and an administration that clearly does not like dissent. To the minister of health: why will the community health councils be reduced and disrupted, and how will this affect Alberta's health services?

Mr. Liepert: Well, I wondered how long it would take the Leader of the Opposition to read the *Calgary Herald* because that was the essence of a columnist – I don't know – three or four days ago, Mr. Speaker. Yes, the Leader of the Opposition is correct that we are going to enhance our community input into the new Alberta Health Services Board, and in due course the Alberta Health Services Board will be announcing the structure of the new health councils.

Dr. Swann: Well, indeed, this minister is disrupting the health councils, one more disruption in a health system that is already on the ropes with change. Is this further destabilizing going to maintain health services and its ability to respond to local needs? We already have these councils. Why do you need to restructure them again?

Mr. Liepert: There's only one individual here who's on the ropes with his own party, Mr. Speaker, and that's the Leader of the Opposition.

Dr. Swann: Why is it that this minister wants to stifle dissent of Albertans regarding the chaos that he has created in the system?

Mr. Liepert: Mr. Speaker, I've said this many times. We've gone through a year where we have made significant changes to the administration of the health delivery services of this province. This is the largest merger in Canadian history, an \$8 billion organization and 80,000 employees. I would say that that administrative change has been successful beyond our wildest imagination. It's largely due to the professionals who are delivering services 24/7 in this province and has nothing to do with the rhetoric of these naysayers, who sit here and have nothing good to say. It's criticize, criticize, criticize.

The Speaker: Third Official Opposition main question. The hon. Member for Lethbridge-East.

Elective Surgery

Ms Pastoor: Thank you, Mr. Speaker. The fact that hip surgery could be considered elective instead of a medical necessity has many of my constituents and citizens from across this province very worried. It raises a simple question. To the minister of health: will the minister table the exact definition of elective surgery and how that determines the urgency of each patient's treatment?

Mr. Liepert: Well, Mr. Speaker, first of all, it isn't the minister who determines the priorities when it comes to surgeries; it's the medical

community. I would add to that that if this particular member can show us within the confines of the Canada Health Act where it falls, I'll be glad to sit down with her and discuss it. We have said in this House that we are going to follow the principles of the Canada Health Act. We are doing that, and we will continue to do that.

Ms Pastoor: Actually, probably my question would be the same because we can't seem to find a definition there. Who created the definition for elective surgery? Was it medical professions? Was it the ministry of health? Was it the Alberta Health Services Board? If it was the Canada Health Act, where can I find it on the Internet?

Mr. Liepert: Well, I would suggest that if she wants to find out where she can find it on the Internet under the Canada Health Act, she might contact the federal government. That's a federal piece of legislation, not provincial, Mr. Speaker.

Ms Pastoor: Nice cop-out. Nice cop-out.

Will the minister tell this House what percentage of elective cosmetic surgeries are being performed in Alberta hospitals as opposed to hip, knee, and cataract services?

Mr. Liepert: Mr. Speaker, I would suggest that that's such a detailed question that if she actually wants the answer to that question, put it on the Order Paper. I'll be happy to get it for her.

The Speaker: The hon. Member for Edmonton-Highlands-Norwood, followed by the hon. Member for Olds-Didsbury-Three Hills.

Electronic Health Records

Mr. Mason: Well, thanks, Mr. Speaker. I'm glad the minister is all warmed up.

This Progressive Conservative government can't be trusted with our public health system. Repeated attempts to cut services, privatize, and generally charge more for less represent this Tory government's track record. Now privacy rights of patients have been betrayed in two separate incidents. Why has the minister of health failed to ensure that patient records aren't literally blowing in the wind for anyone to find?

Mr. Liepert: You know, Mr. Speaker, I sent a note to this particular member yesterday because he got all worked up because of some comments the Premier made about his position on the oil sands. My note to him said: what's good for the goose is good for the gander. I keep hearing from this gentleman about: oh, you're privatizing health care; it's American-style health care. Well, I'm not going to use unparliamentary language, but I would suggest that maybe the member over there could learn a little bit from his lesson yesterday.

The Speaker: The hon. member.

Mr. Mason: Thanks very much, Mr. Speaker. Well, disposing of medical records in a Dumpster is like locking them in Fort Knox compared to the risks of the electronic health record system proposed by this minister. The Auditor General has already reported a serious breach of government computers by sophisticated offshore interests. That's the Auditor General. How can this minister assure Albertans that their health records are going to be more secure just because they're stored on a computer somewhere?

Mr. Liepert: Well, Mr. Speaker, I think we've had extensive debate on Bill 52, and we've had extensive public consultation. As I said

in this House yesterday, we have the Privacy Commissioner, we have the College of Physicians and Surgeons, we have the Alberta Medical Association saying that this is a good piece of legislation. There was good work done to ensure that the privacy of Albertans is protected. The only people who can't seem to figure that out are the two lonely people sitting in the corner over here. I would suggest that that's one of the reasons why there are only two of the lonely ones sitting there. It's because Albertans do not believe in their philosophy of fearmongering and scaring people.

2:00

Mr. Mason: I have a feeling we're going to get some company after the next election, Mr. Speaker.

This minister proposes that health information be stored in repositories under the control of private companies. We've already seen security breaches affecting Albertans from the government's wonderful private licence registries. No wonder Albertans can't trust this PC government to look after their public health care system. To the minister of health: when will you admit that your electronic health record system leaves Albertans' health information seriously at risk? Mr. Speaker, people feel about as secure as a teenager in a slasher movie.

Mr. Liepert: Mr. Speaker, the way I figure the math, the last time we had a provincial election, the number of seats this party had went from four to two. Now, if I continue that math, we can deduce how many are going to be there after the next election.

I do want to address the issue that the member raises, however. The fact that we have a situation where individuals' personal medical records have been not disposed of properly is unacceptable, Mr. Speaker. Alberta Health Services has committed that they will conduct an investigation into the circumstances involved. As well, it's my understanding that the Privacy Commissioner has agreed to take a look at this situation.

Electricity Transmission Lines

Mr. Marz: Mr. Speaker, at a publicized event last week the hon. Premier told the Sherwood Park and District Chamber of Commerce that our electricity transmission system cannot meet our needs. The system that delivers electricity to every home, farm, business, and industrial site in the province is being described as aging, congested, and inefficient, and that is bringing up concerns amongst my constituents. My question is to the Minister of Energy. Electricity is there when I need it, the lights come on when I turn them on, and I've had no reliability issues – and neither have my constituents – in recent memory. Why do we need the transmission lines, and why now?

Mr. Knight: Mr. Speaker, I think that the answer to the hon. member's question lies in the fact that the province of Alberta is indeed a growing, productive province. We have an increase in the consumption of electricity that is beyond most jurisdictions' in North America. We have an aging system that's being held together by a very dedicated group of people at AESO. The opportunity for us to build on and fortify this infrastructure for Albertans is now.

Mr. Marz: Again to the same minister, Mr. Speaker: what are the risks to Albertans if we don't get transmission lines soon?

Mr. Knight: Well, again, Mr. Speaker: what are the risks? I don't want to in any way alarm any members of the House or alarm Albertans unduly. However, we don't have to look very far in our

history to understand and see the effect of circumstances where brownouts or rotating brownouts relative to keeping the grid active have affected Albertans. Without an opportunity to continue to move forward on an initiative relative to a very critical infrastructure, those types of circumstances will very likely be repeated.

Mr. Marz: My final question to the same minister. One of the biggest potential delays to a project of this magnitude, as I see it, is that of access to private land. Compensation rates to landowners for siting of transmission towers are significantly lower than those offered for other energy installations such as oil and gas wells and wind turbine towers. Can my constituents be assured by this minister that they will be treated fairly and comparably to other types of energy and industrial installations on the issue of compensation?

Mr. Knight: Well, Mr. Speaker, this is a very, very serious concern for all Albertans and most particularly Albertans that are impacted as landowners relative to any type of infrastructure or other build-out that would take place in development. I cannot stand here and indicate to Albertans or to the member that, in fact, we could guarantee or that I could guarantee as the minister that people that are having infrastructure placed on their property relative to a transmission system would be compensated in an equal manner to infrastructure that may be placed there by some other private concern that is not regulated under the Alberta Utilities Commission.

The Speaker: The hon. Member for Edmonton-Gold Bar, followed by the hon. Member for Whitecourt-St. Anne.

Temporary Foreign Workers

Mr. MacDonald: Thank you, Mr. Speaker. On April 30, 2009, the hon. Minister of Employment and Immigration made a commitment to this House to provide information regarding the employment standards and the occupational health and safety investigation at the Horizon oil sands site. He certainly did that, and he is to be commended. Now, in this letter that the minister has provided to me, and I quote, Canadian Natural Resources Limited agreed to make \$3.1 million available to Employment and Immigration in March 2009 so that these workers can be paid. End of quote. My first question is to the Minister of Employment and Immigration. Why did it take two years and, unfortunately, two fatalities before the government of Alberta finally investigated the fact that 132 temporary foreign workers from China were cheated out of at least \$3.1 million?

Mr. Goudreau: Mr. Speaker, the information was not available to us till we started investigating the deaths of the workers and what had caused that. Upon investigation – and I need to say that that process is going through the courts – when we did that, that's when we did find out that the employees had not been paid fully.

The Speaker: The hon. member.

Mr. MacDonald: Thank you, Mr. Speaker. Again to the same minister. Given that Canadian Natural Resources Limited has to pay twice to try to get the work done, they are also a victim in this matter. Why was there no inspection by employment standards in the four-month period April through July of 2007, when this cheating went on? This was one of the largest construction sites employing temporary foreign workers in the province. Why were you not keeping your eye on that project?

Mr. Goudreau: Mr. Speaker, I will not comment any further than to say that CNRL have been charged with a number of counts towards violations, and I will leave some of the courts to decide those things.

The Speaker: The hon. member.

Mr. MacDonald: Thank you, Mr. Speaker. Again to the same minister. Here we have 3.1 million reasons why the temporary foreign worker program is flawed. It's failed 132 workers. It's failed a company that wanted to employ them. Will you now as a result of this despicable record cancel the program completely?

Mr. Goudreau: Mr. Speaker, absolutely not. There's still a great role for the temporary foreign workers that are presently in Alberta, and there's no doubt that as the economy picks up, we will be requiring additional help. We know that in the future we will be short of individuals in all industries and all sectors, and we will be depending on help from outside the province of Alberta, so we will not cancel the temporary foreign worker program.

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

Electricity Transmission Lines (continued)

Mr. VanderBurg: Thank you, Mr. Speaker. One of the government's actions described in the provincial energy strategy is "to review and streamline the regulatory process for transmission siting." Many of my constituents have either participated in transmission hearings or are landowners who may be directly or adversely affected by the proposed power lines. My questions are all to the Minister of Energy. Could the minister explain what's meant by the streamlining process? Surely you're not about to reduce how landowners' rights are heard.

Mr. Knight: Well, Mr. Speaker, that, in fact, would be what we're absolutely proposing not to do. Process around the siting is always a challenge in many jurisdictions and no different in the province of Alberta. Specific siting for routes is determined within Alberta's open and transparent process for siting. Landowner issues will be heard and continue to be heard, impacts will be mitigated to the extent possible, and all landowners will receive fair compensation. Timely approval for transmission is essential to meet the electricity needs of Albertans.

Mr. VanderBurg: Well, Mr. Speaker, that's fine and dandy, and I'm glad that the minister has mentioned that landowner issues will be heard, but how can you ensure that landowners have the time to share their concerns with your department and with the proposals?

2:10

Mr. Knight: Well, Mr. Speaker, I can be sure because, as enshrined in our legislation and in the mandate of the Alberta Utilities Commission, they must listen to landowner concerns. Decisions on sitings will continue to be made through the Alberta Utilities Commission hearing process, and the concerns of directly affected and adversely affected landowners must be addressed. That is, in fact, the law in the province of Alberta.

Mr. VanderBurg: Again to the same minister. You know, with all of this issue about siting transmission lines, communities like

Whitecourt have huge, huge load. Why not just build the generation closer to the load? Wouldn't that be much easier than upsetting all Albertans?

Mr. Knight: Well, Mr. Speaker, again, you know, the idea is certainly one that we have explored. The idea of distributed generation, although it is done to some degree in Alberta now, requires some additional technology and work going forward. We believe that in the next two to three decades most certainly the ability for us to have opportunities where generation is done in a distributed manner, where it's closer to load, may very well be effective, but at this point in time technology does not allow us to do that.

The Speaker: The hon. Member for Edmonton-Centre, followed by the hon. Member for Bonnyville-Cold Lake.

Energy Efficiency

Ms Blakeman: Thank you very much, Mr. Speaker. This government chases projects that are both capital and time intensive instead of taking advantage of the low-hanging fruit. For example, this government is spending \$2 billion of taxpayer money on CCS while wetlands store carbon for free. My questions are to the Minister of Environment. Given that wetlands store CO₂ for free, why are Albertans still waiting for a wetlands policy?

Mr. Renner: Well, Mr. Speaker, I thank the member for the question because I think she has identified a very common misconception about the storage of CO₂, and that misconception is that somehow, magically, wetlands could absorb CO₂. The fact of the matter is that wetlands do store CO₂, but they don't reduce the amount of CO₂ that we have. The member knows very well that we have an abundance of wetlands in this province and that we have a policy in place that is currently in practice to protect those wetlands and to ensure that they stay there.

Ms Blakeman: You're still missing a big opportunity.

Again to the same minister: why are feed-in tariffs, which would grow renewable energy in Alberta, not included in Alberta's climate change strategy?

Mr. Renner: I'm sorry, Mr. Speaker. I didn't hear her question. What was the specific example? Are we still talking wetlands, or are we into something else now?

Ms Blakeman: Feed-in tariffs.

Mr. Renner: Feed-in tariffs. Okay. Thank you. That's probably something that the Minister of Energy could address, but the fact is, Mr. Speaker, that that is very much something that we would be interested in exploring into the future. For the information of those members who are not familiar with the terminology, it's a process that's used in some jurisdictions where alternative small producers like solar or microwind can feed into the grid at a preferred rate and encourage the development of alternative energy on a much smaller scale.

The Speaker: The hon. member.

Ms Blakeman: Thank you. Again to the same minister. Alberta's insulation requirements, the R-value of walls and roofs and basements, are some of the lowest in the country. When will the minister

require homes in Alberta to be as energy efficient as houses in other provinces, an action that would actually save people money?

Mr. Renner: Well, Mr. Speaker, I think that's the same question this member asked yesterday if memory serves me correctly. We talked yesterday about the need to review building codes. I would question the premise of the question, that Alberta has standards that are significantly different from other provinces. I remind the member that building codes are set nationally. There is a review under way. We've committed to have a review under way. Again, it's very much part of our strategy to reduce our carbon footprint over time, but it's going to take some time to develop that strategy.

The Speaker: The hon. Member for Bonnyville-Cold Lake, followed by the hon. Member for Calgary-Buffalo.

Fish and Wildlife Management

Mrs. Leskiw: Thank you, Mr. Speaker. My constituents in Bonnyville-Cold Lake are avid fishers, including my husband. This winter part of Moose Lake was closed to fishing. Unfortunately, an infraction took place. After phoning the nearest fish and wildlife officer on duty, we discovered that he was two and a half hours away. By the time that officer got to where the infraction took place, it would have been too late. There are two local officers, but they were not on duty, and unfortunately they did not have their vehicles at home with them. My first question to the Minister of Sustainable Resource Development: in order to prevent these situations from occurring, why are local officers no longer on call and able to take their vehicles home with them?

The Speaker: The hon. minister.

Dr. Morton: Thank you, Mr. Speaker. I would be happy to try to clarify the situation here. When our officers are on call, they are allowed to take their vehicles home with them and respond appropriately, but when they are not on call, they have to leave their vehicles at their office. The reasons for this policy are twofold. One is economy; we want to make sure government vehicles are used for government business. Two, also there's interest on the part of our officers that when they're not on call, they actually have some peace and quiet with their families. Having said that, in smaller communities with only two officers, it's often difficult to provide 24-hour on-call service.

The Speaker: The hon. member.

Mrs. Leskiw: Thank you, Mr. Speaker. My first supplemental to the same minister: what happens to all of the revenues that are collected from fish and wildlife infractions?

The Speaker: The hon. minister.

Dr. Morton: Thank you, Mr. Speaker. The collection of fines under fish and wildlife, like all collection of fines in the province of Alberta, are administered by Alberta Justice and, like these other fines, go into general revenues. I would point out that with the new legislation being introduced this session, the opportunity for creative sentencing will allow, in the appropriate circumstances, for fines to be directed to remedy damages that have occurred. Also, a related point: of the licensing revenues for fish and wildlife 50 per cent goes to the Alberta Conservation Association. That was over \$10 million last year.

The Speaker: The hon. member.

Mrs. Leskiw: Thank you, Mr. Speaker. My second supplementary is also to the same minister. Fish and wildlife officers are doing a great job across Alberta. However, there are a few faults within the fish and wildlife system that impede their ability to effectively do their jobs. How are we going to address these issues of inefficiency?

The Speaker: The hon. minister.

Dr. Morton: Thank you, Mr. Speaker. I'd like to second and reinforce the hon. member's recognition of the good work that our fish and wildlife officers do. This is a big province, and there's a lot of area to cover. I would have to stress, though, that our working relationship with the officers is governed by a collective bargaining agreement with the Alberta Union of Provincial Employees, and within that context we're working to achieve better efficiencies, specifically with respect to the vehicle policy.

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

Land-use Planning

Mr. Hehr: Thank you, Mr. Speaker. Land-use planning is of great importance to our province; however, it is also necessary that it be done responsibly and that we get it done right to avoid serious problems in the future. What worries me is the concentration of power and limited judicial review of land-use issues. To the Minister of Sustainable Resource Development: why has this government put forward a land-use policy which concentrates such an abundance of discretionary power in the hands of cabinet and limits judicial review by Albertans? Is this what the government means by open and accountable government?

The Speaker: The hon. minister.

Dr. Morton: Thank you, Mr. Speaker. That, of course, is the identical question that was asked yesterday by another member opposite. Refer to *Hansard* for that. I believe we'll be discussing this in Committee of the Whole today, and there are some amendments relevant to that question, so I'd suggest we defer until that time.

Mr. Hehr: So you would prefer to not answer any more questions on this issue, hon. minister? Is that what you're saying?

Dr. Morton: I think I would prefer to conduct the business of this House the way it's supposed to be conducted.

Mr. Hehr: If that's the way the minister prefers to do it, I prefer it as well. Thank you very much.

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

Health System Restructuring

Ms Notley: Well, thank you, Mr. Speaker. As we have said before, this government can't be trusted to protect health care, and even our most senior medical educators are now expressing their concerns. Last Friday, 13 department chairs from the U of A faculty of medicine wrote to Stephen Duckett. They cite universal cynicism throughout the system and state that "questions are constantly being

asked about who is providing the input, how are the decisions made, and who is accountable.” To the minister of health: when will you admit that more and more Albertans simply don’t trust you to run our health care system?

2:20

Mr. Liepert: Never, Mr. Speaker.

Ms Notley: Well, Mr. Speaker, the doctors identified the same problems with health care that the NDP does, including the ER wait time crisis and its root cause. The doctors write: “The numbers of chronic care patients who are blocking acute care hospital beds remain a significant problem and continue to be one of the bottle necks for movement of patients out of the ER.” To the minister: how many more experts have to go on the record before this minister will admit that his decision to backtrack on long-term care beds hurts health care?

Mr. Liepert: Well, Mr. Speaker, I’ve answered that question on numerous occasions. This member chooses either to not listen or to recognize that we are doing a number of things relative to ensuring that the acute-care facilities in our province are actually dealing with acute-care cases. We have a number of projects that are under way. I can repeat again, as I’ve done many times, that we’ve also provided additional funding for home care in our budget that we’ve just passed in this House so we ensure that we’re looking after our seniors in the right place at the right time.

Ms Notley: Well, Mr. Speaker, just more and more people are outlining their concerns with where this minister is going.

Now, another reason the Conservatives can’t be trusted with health care is the lack of transparency and the delay in putting forward a budget. The doctors have raised worries over references to alternative financing models in continuing care, and they want to know if the government’s real agenda is to privatize care and force Albertans to pay more. To the minister of health. It sounds like not even the doctors trust you. They want you to be more clear about your plans to privatize health care. Why won’t you be?

Mr. Liepert: Well, Mr. Speaker, I speak regularly to the head of the Alberta Medical Association. He has expressed no such concerns as this member is raising. So I’m not quite sure who she’s referring to, but I would suggest that I could probably find 13 people who would have quite a different opinion than what this member has. We’ll take her 13 opinions, and we’ll live with them.

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

Assured Income for the Severely Handicapped

Mr. Amery: Thank you, Mr. Speaker. Currently the assured income for the severely handicapped program, or AISH, provides significant health benefits to those living with a severe permanent disability. Under the current program guidelines a person can lose these health benefits if they earn over a specific income threshold. My question is to the hon. Minister of Seniors and Community Supports. What options are available to persons currently covered under AISH who might lose their coverage because of an income surpassing this threshold?

Mrs. Jablonski: Mr. Speaker, we encourage our AISH clients to work as much as they are able to because employment provides

much more for them than just a financial benefit. If an increase in a client’s employment income causes them to no longer be able to have a financial benefit from AISH, the person may continue to receive health-related assistance such as prescription drugs, essential diabetic supplies, dental, optical, and ambulance services through the Alberta adult health benefit administered through Alberta Employment and Immigration.

The Speaker: The hon. member.

Mr. Amery: Thank you, Mr. Speaker. To the same minister: if a person previously covered under AISH loses their source of income, how long does it take to reapply for coverage, and are there processes in place to ensure that they never go uncovered?

Mrs. Jablonski: Mr. Speaker, we recognize that AISH clients who make the courageous effort to work full-time may encounter health setbacks that prevent them from working full-time. To assist former AISH clients who may again need financial benefits, we have a process to allow them to have their benefits reopened without needing a full application. The process is called rapid reinstatement. It supports clients who have been off AISH for less than 24 months and did not leave AISH because of a change in their medical condition.

The Speaker: The hon. member.

Mr. Amery: Thank you, Mr. Speaker. To the same minister. In addition to conventional health needs, many AISH recipients have medical conditions that require special procedures and products such as power wheelchairs and MedicAlert services. If a person loses their AISH medical coverage, will they still be able to receive support for these special medical needs?

Mrs. Jablonski: Mr. Speaker, former AISH clients can access benefits from the Alberta aids to daily living program, which is available to eligible Albertans with a chronic medical need. Former AISH clients can access health benefit coverage from the Alberta adult health benefit program. This program offers eligible clients the same benefit coverage as the AISH program.

Civil Recovery of Health Costs

Mr. Hehr: Mr. Speaker, the health minister has been front and centre in an effort to cloak the lack of adequate actual police officers on our city streets by introducing policy on the fly that is meant to show that this government is actually tough on crime. The other day the health minister lauded his government’s safe communities initiative; however, in looking through that report, I did not see any reference to people convicted of criminal offences having to pay for medical expenses incurred as a way to deter crime. Accordingly, I ask the minister: what evidence did he rely on that shows that this type of bill will actually reduce crime or lead to healthier communities?

Mr. Liepert: Mr. Speaker, we can debate the bill all we want in question period, but I would suggest that it’s up for debate shortly, and we’ll be happy to have that debate at that time.

Mr. Hehr: Well, it was announced today, Mr. Speaker, that Calgary drug courts had received \$800,000 in additional funding. To the minister of health. To participate in a program, an accused must plead guilty. Isn’t this government sending a mixed message by

asking someone to enter a guilty plea as a condition for treatment but threatening to make the same group of people liable for costs associated with health care services?

Mr. Liepert: No, Mr. Speaker.

Mr. Hehr: Can the minister of health tell me how many more civil servants, prosecutors, bill collectors, and hospital administrators this government is going to need to hire in an attempt to recover costs for medical expenses from people at the bottom end of the socioeconomic ladder who commit these crimes?

Mr. Liepert: That sounds like something that belongs on the Order Paper, Mr. Speaker.

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

Unlicensed Itinerant Contractors

Mr. Quest: Thank you, Mr. Speaker. I've been asked by some of my constituents about door-to-door contractors, referred to in law enforcement circles as travellers. It seems like a typical sales pitch among these travellers involves a reduced rate on a particular job, followed by poor-quality work, and the consumer ends up paying considerably more to fix the shoddy outcome. My question is to the Minister of Service Alberta. What are you doing to protect Alberta consumers from these disreputable travellers?

The Speaker: The hon. minister.

Mrs. Klimchuk: Thank you, Mr. Speaker. What's being referred to here as a traveller is a contractor who moves from jurisdiction to jurisdiction, often performing quick jobs and leaving as fast as they came. Under the Fair Trading Act all contractors who accept money before work is completed or discuss a contract away from their normal place of business, like your home, must be licensed by Service Alberta and post a security deposit. If a contractor is unlicensed or violates the Fair Trading Act with unlawful business practices, such as sending a bill which is larger than what was originally promised, Service Alberta will investigate.

Mr. Quest: Mr. Speaker, to the same minister: how does your department investigate the complaints from Albertans stuck with these big repair bills as a result of poor work done by these travellers?

Mrs. Klimchuk: Mr. Speaker, Service Alberta investigates complaints about prepaid contractors and can take enforcement actions, including undertaking director's orders, suspension or cancellation of licences if they have one, and even criminal prosecutions. So it's really incumbent upon the consumer to contact us and to ask questions when they are uncertain when someone wants to do work for them. In 2008-09 we conducted and completed 180 investigations of the work of these so-called travellers. Of these 180 investigations 13 resulted in fines or jail terms.

The Speaker: The hon. member.

Mr. Quest: Thank you, Mr. Speaker. Well, since awareness, then, is obviously the most important part of protecting Alberta consumers, my last question to the same minister: what are you doing to educate Alberta consumers about these so-called travellers?

The Speaker: The hon. minister.

Mrs. Klimchuk: Thank you, Mr. Speaker. Again, for consumers to know their rights, this is a really important area for them to do their research. We keep in touch with the law enforcement agencies in other jurisdictions, and this is a really good example of the media working in partnership with Service Alberta to make sure that the word is communicated as well. Sometimes these individuals are hard to find and investigate and charge, but we do our best to try to find them. We also have the tipsheet on the Service Alberta website. But I would strongly encourage all consumers that have concerns about door-to-door salesmen: again, you have the power to not sign those contracts and to say no.

The Speaker: The hon. Member for Calgary-McCall, followed by the hon. Member for Lesser Slave Lake.

Building Construction Review

Mr. Kang: Thank you, Mr. Speaker. During consultations with the building trades government was warned that proposed changes to the building codes will result in mouldy roofs and walls. Despite these concerns and with no solutions offered, the changes were approved. To the Minister of Municipal Affairs: why were the concerns of builders not addressed when making the changes to Alberta's building codes?

2:30

Mr. Danyluk: Well, Mr. Speaker, I'm not exactly sure how to make it more clear that the high-intensity residential fires had a committee. That committee involved fire chiefs from across this province. It involved municipalities. It involved the Safety Codes Council. It involved the key stakeholders, which were the builders. From those consultations, from that work is where the codes were developed.

The Speaker: The hon. member.

Mr. Kang: Thank you, Mr. Speaker. I think protecting people from fires is important, but it shouldn't be at the expense of building mould-free homes. To the minister again: how much longer will Albertans have to wait until the problems of nonventilated soffits and gypsum boards are addressed and not merely discussed?

Mr. Danyluk: Mr. Speaker, I know that there needs to be a balance. There needs to be a balance with safety. There needs to be a balance with affordability. Thirdly, there needs to be assurance that the technology that's available is being used. That is the key to ensuring that firefighters have the time necessary to respond and also that individuals who live in the residence have the time and the ability to leave their home.

The Speaker: The hon. member.

Mr. Kang: Thank you, Mr. Speaker. I think the government shouldn't wait until mould develops before they do anything about Alberta's building codes. To the minister again: given this government's inaction on leaky condos, what comfort can new homeowners take in knowing that recent changes to building codes will make their homes more likely to develop mould?

Mr. Danyluk: Well, Mr. Speaker, far before there was any change in regulation, there was a handful of individuals that came forward that had concerns about the building practices. I asked my parlia-

mentary assistant to consult with the individuals that did have problems, with, again, the housing key stakeholders, with municipalities, with the condominium association. The building of codes is the work that is done in co-operation with all those involved. Albertans need and deserve to feel safe in their homes, and they deserve to have the best codes in Canada, which they have.

The Speaker: The hon. Member for Lesser Slave Lake, followed by the hon. Member for Edmonton-Riverview.

PDD Community Boards

Ms Calahasen: Thank you, Mr. Speaker. The persons with developmental disabilities program provides supports to enable Albertans with developmental disabilities to participate in their communities. Constituents of mine are very upset that certain programs such as the Family Voices/Rotary employment partnership, family resource centre, and inclusive postsecondary education programs have been discontinued in the northwest region. My question today is to the Minister of Seniors and Community Supports. Why in the world would the northwest region cancel these programs?

Mrs. Jablonski: Mr. Speaker, each PDD community board is responsible for assessing the needs of its region and delivering services to meet their goals within their budget allocations. They must also ensure that caseload and cost-of-service increases are being addressed. It's important to note that there are 9,100 Albertans served through the six PDD community boards, and funding for the program this fiscal year is almost \$604 million, up \$33 million. The northwest region, which serves about 350 individuals, has been allocated \$22 million for the '09-10 budget year.

The Speaker: The hon. member.

Ms Calahasen: Thank you, Mr. Speaker. To the same minister: if they are meeting their goals, then families are getting the positive outcomes out of these programs that they need. Other PDD regions are bragging about their successes as well with these programs. Then what is wrong with this whole situation when they're achieving the results? The people need these programs.

Mrs. Jablonski: Mr. Speaker, overall the PDD program provides similar supports to Albertans across the province. In this case the programs were not continued because they were not achieving the outcomes established for these programs. The model for the program was taken from another region, where it worked well, but in the northwest region it wasn't working. That's why the local board is working with families in the region to develop a model that will work and, most importantly, to provide the appropriate assistance to clients of the PDD program.

Ms Calahasen: My final question is to the same minister, Mr. Speaker. If families can't access these needed programs and they do not want to leave the northwest region, what alternatives can the minister provide so that these families' children have the same opportunities as other Alberta families in the same situation?

Mrs. Jablonski: Mr. Speaker, the PDD program is provincial in its scope, as is the need to set balanced priorities to support the best outcomes across Alberta. However, each regional board is responsible for identifying their unique priorities and to manage their fiscal resources. The northwest board has determined that the highest

priority is to support new individuals and those who are at risk. We will continue to work diligently with our stakeholders, including community groups such as the Rotary Club, to find innovative solutions to help people achieve their full potential regardless of which region they live in.

The Speaker: The hon. Member for Edmonton-Riverview, followed by the hon. Member for Edmonton-Decore.

Bitumen Exports

Dr. Taft: Well thanks, Mr. Speaker. The past couple of days I've been asking the Minister of Energy where the bitumen from the Kearl Lake mine will be upgraded, but he doesn't seem to know or he's not telling. Now, Kearl Lake production is so vast that it would fill a 12-storey office building in two days. To the minister: how can the Minister of Energy claim to have a bitumen strategy when he doesn't even seem to know what's going on with over a hundred thousand barrels a day of production from the Kearl Lake mine?

Mr. Knight: Mr. Speaker, one thing I can assure the member opposite: it will not be filling any office buildings in downtown Edmonton. Again, you know, it's a very interesting line of questioning because I did answer the question yesterday on where the likelihood is that this bitumen may end up. But let's be fair about the question in the first place. There is a point of severance in the province of Alberta legally with respect to bitumen. Past the point of severance the owner of that property can process it in a manner that they see fit.

The Speaker: The hon. member.

Dr. Taft: Well, thanks, Mr. Speaker. Certainly, there won't be any office buildings in Edmonton filled with jobs from this because apparently it's all going to be exported to other parts of Canada or the United States.

The minister talks about having no control over bitumen after a point of severance. How, then, can this government claim to have a strategy that will require 70 per cent of bitumen to be upgraded here? It just doesn't square.

Mr. Knight: Mr. Speaker, again, the member opposite will know very well about the program that we're currently working with as part of our royalty structure, and that is the bitumen royalty in kind project and process that we're working at. We believe that our opportunities to manage the bitumen barrels that we own on behalf of Albertans will be part of our ability to move this forward. The member begins to lean towards this idea that somehow or another we should actually regulate or somehow change the legislation around how we manage these resources. It's been very clear from the outset of these talks that, in fact, we are not going to do that.

Dr. Taft: All right. So we're not going to regulate. We're not even aware where a hundred thousand barrels a day seems to be going. It's not something you lose track of in the bottom of your briefcase or slip in beside your desk or something. It's a hundred thousand barrels a day. To the minister: when are we going to see a detailed, coherent working strategy to achieve this government's goal of 70 per cent of bitumen upgraded here? When are we going to really see the details?

Mr. Knight: Mr. Speaker, we're seeing it in real time. It's happening today. I don't know if the hon. member actually realizes the fact

that today nearly 70 per cent of the bitumen that's produced in the province of Alberta has upgrading to some degree in the province, either to SCO level or, in certain circumstances, beyond that to refined products. So when are we going to see it? Right now. Open your eyes. Take a look around. It's happening today.

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

2:40 Temporary Foreign Workers
(continued)

Mrs. Sarich: Thank you, Mr. Speaker. The Alberta Federation of Labour issued a report in April of this year with 21 recommendations related to the working conditions of temporary foreign workers, including five recommendations related to the Alberta government. My first question is to the Minister of Employment and Immigration. What is your department doing to respond to the recommendations pertaining to the provincial government that are related to enforcement?

Mr. Goudreau: Mr. Speaker, first, we appreciate that the report took the time to recognize our substantive steps to address concerns related to the program and the workers. We are doing a lot of what the report recommends, and I need to indicate that Alberta is far ahead of other provinces in its support for temporary foreign workers. With our temporary foreign worker advisory office there are employment standard officers visiting workplaces of employers with temporary foreign workers, and the telephone service that we provide is in 170 languages.

Mrs. Sarich: My second question is to the same minister. What are you doing to ensure that the general information meetings are being organized with all the newly arrived temporary foreign workers to provide basic employment and human rights as the recommendations suggest?

Mr. Goudreau: Mr. Speaker, we provide information in person, over the phone, over the Internet, and electronically. The advisory office has held numerous seminars, 24 in fact, in partnership with our supplemental agencies across the province. They teach workers about their rights and responsibilities. We also host how to hire foreign workers sessions as needed for employers, to ensure they know the rules. We work very closely with Service Alberta to communicate with temporary foreign workers, employers, and community groups about the rules that employment agencies need to follow when they're recruiting workers to Alberta.

Mrs. Sarich: My third question is to the Minister of Service Alberta. What are you doing to respond to the provincial recommendation that the Fair Trading Act be amended to deal with restricting brokers who operate in Alberta from charging their recruitment fees and the penalties against brokers who breach the act?

Mrs. Klimchuk: Mr. Speaker, as I said in this Assembly before, there is currently an exemption which allows employee recruiting companies to charge a fee to domestic workers for their services. As I've stated previously, we will be removing this. That will no longer happen. Effective September 1 this exemption will not be allowed. These businesses also will have to be licensed through Service Alberta. The September 1 deadline is enough time to allow businesses to adapt to the new rules, and they can make changes as they need to.

The Speaker: Hon. members, that was 107 questions and responses today. In 30 seconds from now we will continue the Routine with Members' Statements.

Members' Statements
(continued)

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

North Atlantic Treaty Organization

Mr. Johnston: Thank you, Mr. Speaker. This year marks the 60th anniversary of the founding of the North Atlantic Treaty Organization, commonly known as NATO. NATO was formed when the North Atlantic treaty was signed on April 4, 1949. Canada was a founding member of NATO, together with the United States, the United Kingdom, France, Belgium, Denmark, Iceland, Italy, Luxembourg, the Netherlands, Norway, and Portugal. It is the longest standing political and military alliance of nations.

As a founding member of NATO Canada has held an active role in the development and implementation of NATO's policies and activities. Initially formed to address humanitarian crises and military instability following the Second World War, NATO was instrumental in maintaining peace during the Cold War and in promoting the free and democratic ideals of its member states in the face of repressive and totalitarian regimes.

Since the fall of the Berlin wall and the collapse of the Soviet Union, NATO's role shifted in the 1990s, and membership has grown to 28 nations. NATO played a key role in ending conflict in the former Yugoslavia and later in Kosovo. Canada was a full participant in these historic military and peacekeeping operations.

Today NATO's forces are engaged in many areas around the world, including Canada's mission in Afghanistan, which is a vital part of NATO's efforts to maintain stability and end organized terrorism in the world. Most recently NATO was involved in the interdiction of Somali pirates in the Gulf of Aden and the Suez Canal.

Mr. Speaker, I would like to recognize the contributions made by the Canadian armed forces and those of our allies and congratulate member nations on 60 years of helping to maintain peace, stability, and democracy in the world.

Thank you, Mr. Speaker.

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

Drayton Valley Pathways Career Fair

Mrs. McQueen: Thank you, Mr. Speaker. A few weeks ago I had the pleasure to attend and open the first annual Pathways Career Fair in Drayton Valley on behalf of the hon. Minister of Employment and Immigration. It was very exciting and rewarding to have a role in bringing this wonderful event to my community. This career fair is a great opportunity for students from across the town and county to explore career options and find out what training they will need to enter varying careers. Since the petroleum industry is a cornerstone of Drayton Valley's economy, there was a big focus on the oil and gas sector at this year's event. However, Pathways offers many different streams, from health care to engineering and nearly everything else in between.

Events like this career fair are so very important in today's economy. Sixty per cent of new jobs, that are becoming increasingly technical and specific in nature, require postsecondary training. One of the great benefits of career pathways is that this program enables students to begin and in some cases complete postsecondary

certificates while still in high school. Through the generosity of Keyera Energy nearly \$200,000 a year is invested in nine career pathways students, including two from our local high schools, both Bryce Knutson from Frank Maddock high school, who will be studying civil engineering, and Kurtis Neigel from Holy Trinity Academy, who plans to study engineering. They have received generous scholarships, summer employment opportunities and have the potential to receive jobs upon graduation.

I would especially like to thank Kevin Thebeau and Cindi Allaby from Keyera Energy for their leadership in investing in our youth. Over 1,300 junior and senior high school students attended this career fair. Special thanks goes out to Patrick Martens, the two school boards and local principals, the town, the county, the industry, and local agencies for making this annual event possible.

Thank you, Mr. Speaker.

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

Calgary-Montrose School Visits

Mr. Bhullar: Thank you very much, Mr. Speaker. Last week during our constituency week I was pleased to visit many schools in my constituency. I met with students in Mrs. Price's class at St. Peter; Ms Gillon, Ms Jones, and Ms Murphy's classes at G.W. Skene; Mrs. Schellenberg, Mrs. Miller, Ms Hontzias, Mr. Kelly, and Ms Campbell's classes at Abbeydale.

It's, indeed, my favourite part of the job because when you visit with these young children, Mr. Speaker, you see something profound in their eyes, and that something profound is hope. They haven't been exposed to the day-to-day negativity we see in our world as much as perhaps some of us in this Chamber see. They see potential, and they see less borders between human beings. We talked about things like bullying and finding ways to take down borders, these artificial borders that we have between human beings.

Mr. Speaker, I asked them to do two things. One was to think about and communicate with me their dreams. These were their personal dreams, dreams for what they wanted to accomplish in the world. I must say that there were some veterinarians, skaters, and even some MLAs in the crowd. Then I asked them to share with me dreams for the world. I think every individual has a responsibility to dream about the ideal world so they can work towards making the world that ideal world. The response was incredible. The students want a healthy environment. The students want a world free of racism and sexism. The students want a world that has more promise than it does today.

Thank you, Mr. Speaker.

2:50 Tabling Returns and Reports

The Speaker: The hon. Minister of Culture and Community Spirit.

Mr. Blackett: Thank you, Mr. Speaker. I rise today to table the appropriate number of copies of my responses to questions raised relevant to Alberta Culture and Community Spirit's estimates and business plan.

Thank you.

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

Mr. Elniski: Thank you, Mr. Speaker. I have 28 tablings today. As much as I would enjoy doing them individually, I suspect you might not. I'd like to table the appropriate number of copies of letters from my constituents and northern communities voicing their concerns with respect to the future of the Edmonton City Centre Airport.

The Speaker: Thank you.

The hon. Member for Calgary-McCall.

Mr. Kang: Thank you, Mr. Speaker. I have tablings of five letters received from my constituents opposing the delisting of chiropractic services. The letters are from Doug Banks, Pat, Rob Wells, Lorna Hayes, and Brad Bogstie.

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

Mr. MacDonald: Thank you very much, Mr. Speaker. I have one tabling today, and it's a letter that I referred to in question period earlier. It's dated May 13, 2009, and it's from the hon. Minister of Employment and Immigration. It is regarding the \$3.1 million that I quoted in question period.

Thank you.

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

Ms Notley: Thank you, Mr. Speaker. I'd like to table the appropriate number of copies of a letter from Verna Yiu, acting vice-dean at the Faculty of Medicine & Dentistry at the University of Alberta, written on behalf of the faculty's clinical chairs and sent to Stephen Duckett, CEO, Alberta Health Services. I referred to the letter in my questions today. It raises a number of concerns about the current direction of Alberta Health Services.

Tablings to the Clerk

The Clerk: I wish to advise the House that the following documents were deposited with the office of the Clerk. On behalf of the hon. Ms Evans, Minister of Finance and Enterprise, pursuant to the Alberta Capital Finance Authority Act the 2008 Alberta Capital Finance Authority annual report.

On behalf of the hon. Mr. Renner, Minister of Environment, responses to questions raised by Ms Blakeman, the hon. Member for Edmonton-Centre, and Ms Notley, the hon. Member for Edmonton-Strathcona, on May 5, 2009, in the Department of Environment main estimates debate.

Orders of the Day

Government Bills and Orders Second Reading

Bill 35

Gas Utilities Amendment Act, 2009

[Debate adjourned May 26: Mr. MacDonald speaking]

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

Mr. MacDonald: Yes. Thank you, Mr. Speaker. Certainly, we were talking about the Alliance pipeline yesterday afternoon under Bill 35 and the implications of that pipeline. In the time that I have left, I think it's very important that we get some other issues on the record, and hopefully they can be addressed. I know there have been previous attempts to address them.

I've heard, certainly, from constituents from Edmonton-Gold Bar who have property in rural areas. We referenced that yesterday. Of course, on their property they have pipelines that are crossing their land, and they have issues with this bill. Now, we know that this bill is going to result in an application to reclassify I think it's 25,000 or 27,000 kilometres of Alberta pipelines of various sizes. There's

going to be a significant shift of the regulation away from Alberta regardless of whether the National Energy Board is sited in Calgary. There are some that say this is a shift to Ottawa's control.

Now, landowners who have been granted rights-of-way or easements for any of these lines are certainly going to be affected. During the course of debate if I could have some reassurances from the hon. Member for Little Bow, I would appreciate it. But how will crossing restrictions be affected by this law?

Abandonment. How will the provincial rules that are now in place – the financial ability for abandoned pipelines always, as we know, rests with the pipeline owner. Landowners certainly have been protected. As soon as this shift in regulation occurs, when a pipeline is abandoned, the ownership of the buried line as well as any and all future legal or financial liability associated with it is placed in the lap of the landowner. I would like to know how this will work with this new bill. We know that many landowners have issues.

Abandonment is not that big of a deal right now, but as these pipelines age and more of them end up abandoned – some of them, Mr. Speaker, would be up to 35 years. Some of them would be over 50 years old. Who knows what is going to happen here? As I understand it, under existing Alberta rules if a landowner ever does get in a disagreement with the operator, he can hire a lawyer to contest what the operator is doing or has done and recover his costs. Under the proposed new rules there won't be any provision for landowners to recover legal costs. If I'm wrong on that, if the hon. member could correct me, I would really appreciate it. If the information that I have is inaccurate or incorrect, please correct us on the public record.

Now, loss of ongoing annual payments. We talked about that a little yesterday. Under existing Alberta rules landowners are entitled to an initial lump sum payment when they grant an easement. In certain circumstances the landowner is also eligible to receive ongoing annual payments. We referred to that yesterday, Mr. Speaker. The Alberta Surface Rights Board has ruled in favour of landowners, stating that there are situations when landowners should keep receiving ongoing annual payments on an easement or a right-of-way to compensate them for interference and the overall impact of pipelines. With Bill 35 going through, if it does, as I understand it, there will no longer be any provision for landowners to receive these payments. Again, if that's inaccurate or incorrect, I would appreciate on the record the member's comments.

There are several other changes that landowners have concerns about. They include the depth of cover requirements, maintenance and integrity digs, and a dramatic expansion of what the industry calls the control zone. The control zone is an area on either side of a pipeline that the operator can control and upon which it can restrict farmers' activities. Under the proposed new rules the control zone is much wider than under existing Alberta law and in nearly every case is actually wider than the easement or the right-of-way that exists currently.

Now, landowners have brought these issues not only to my attention but, I think, to every member of the House. Certainly, some of these issues have been brought forward by individual constituents, as I said, who have property in rural areas. If I could get some clarification on these issues that landowners have before we go any further with a different stage with this legislation, I would be very grateful, Mr. Speaker.

With that, I will conclude my remarks on Bill 35 and cede the floor to another hon. member. Thank you.

The Speaker: The floor is open.

Shall I call on the hon. Member for Little Bow to close the debate?

Mr. McFarland: Mr. Speaker, I appreciate the comments and the questions. I will have specific answers for the six concerns that you've got. As far as I'm concerned, from what I've had here, the control zones, recovery of legal costs, the abandonment, and crossing restrictions are probably the most important ones. But we'll endeavour to get you specific answers to those right away.

Thank you.

[Motion carried; Bill 35 read a second time]

Bill 41

Protection for Persons in Care Act

[Adjourned debate April 28: Dr. Brown]

The Speaker: The hon. Member for Edmonton-Centre to continue the debate.

Ms Blakeman: Thank you very much, Mr. Speaker. I appreciate the opportunity to speak in second reading to the debate on Bill 41, the Protection for Persons in Care Act. This is an act that has been overwhelmingly frustrating to me and to a number of my constituents because it came in much ballyhooed as the bill that was going to address all of our issues around abuse or suspected abuse of people in care. Generally, the overwhelming majority of people in that situation are usually frail elderly people who are in long-term care facilities, what used to be known as nursing homes. But it also covers off younger people who have lifelong debilitating diseases that have reached a point where they're no longer able to live independently, people with CP, for example, or MS, et cetera.

3:00

My experience with this bill was that every time somebody would come to us and say, "We think there has been abuse," usually physical abuse actually, and we raised it in the House or we tried to approach the powers in charge here: well, no, actually, it really couldn't do that, and, no, it couldn't actually ask that question, and, no, it actually couldn't go there. In the end, it was admitted to me on several occasions that this was essentially an educational tool, and it was really there so that it could impart knowledge about how the system worked and the fact that you shouldn't abuse people that are in care, which I would have thought was kind of an obvious one but evidently needed to happen.

To back up the various cases that I've worked on for my constituents, I have now had a closer association with someone who was in care. They had their arm broken. A very frail person had their arm broken. We shouldn't be breaking the arms of people that are in care, especially not in institutional care, long-term care. The facility, I must say, acted with alacrity, launched their own investigation, contacted me repeatedly to give me a status update, gave me a final report, actually, really pulled out all the stops because I was going to have to leave town, and I let them know that, and they really made an effort to let me know what was going on before I had to leave.

The protection of persons in care investigator? I still haven't heard from them. This incident happened the end of November; this is the end of May. Not a word. No written report. No investigation filed. Nobody has contacted me. I'm not hard to find, Mr. Speaker. You know, you could google it and get an address for an office. I'm not hiding under a rock here. It's pretty easy to find me. To me that underlines so much what is wrong with this system. We have a piece of legislation in place that is supposed to be an investigative arm, an educational arm, yes, but also an investigative arm, for when things go wrong and people in our care institutions are injured.

Injured, by the way, also covers more than physical injury. I'm

sorry, I'll just quickly look that up because it does cover that: yeah, bodily harm, serious emotional harm, withholding or prescribing of medication inappropriately. I think we've all had calls and cases around, for example, overmedication or psychotropic drugs or a family member is feeling that people have been overmedicated in order to keep them malleable and co-operative. "Non-consensual sexual contact, activity or behaviour." How bad is that that that we would have to contemplate someone in a care facility being a victim of sexual assault? That's just appalling to me, but it's covered in this legislation, which it should be. It also includes misappropriation or converting amounts of money or valuable possessions – that's the sort of financial piece of this – and failing to provide adequate care, nutrition for example, and medical attention or specific care that would result in bodily harm, which was the situation here.

Partly, I think, to me, in having had the facility's report, my understanding of the incident or my analysis of the incident at this point is that they were short-staffed. A staff member attempted to do a two-person transfer by themselves. Even though there are now aids to help people do transfers from wheelchairs or Broda chairs into beds and back out again, still there's a reason why, when it says a two-person transfer, it needs a two-person transfer. But lots and lots of times you're in a facility and you can tell that somebody is going to end up having to be transferred using a mechanical device and one person. That does not fit the rules of what I just described. In fact, I think that's what happened: because of the way the sling was manoeuvred and the fact that it wasn't two people, the individual's arm was broken.

Just imagine being a frail person in a long-term care facility and being transferred to your bed, and they break your arm before Christmas. Wow. Merry Christmas. This resulted in a number of trips, of course, to emergency facilities and then a return to emergency. And you're dealing with someone who is so frail they're on a gurney. They can't be transferred to a wheelchair for transportation – all of these things I've learned – and the emergency can take them on a gurney, but it's a special room, and it's down the hall, and they can't leave them unsupervised. So they actually will not take them unless there is someone in a guardianship role who can meet them at the door of the hospital and stay with them through the examination, the X-ray process, et cetera, and then until the medical personnel are available to transfer them back. You can imagine, given the timing of all of this, how difficult it was to organize to have someone who was in a guardianship or a responsible position to organize all of this, to be at the hospital, and the time involved. It was just a nightmare.

So I'm really interested that we now have this act back in front of us revamped. It's not an amending act. For those that are following along at home, probably 90 per cent of the bills we deal with in here are a such-and-such amending act, so it's amending the original bill. But this one isn't. What's happening here is that this bill is completely replacing the previous version of the bill and, one hopes, updating and improving it. But we're not tinkering here. We're not amending a couple of little sections. This is a total revamp of the bill.

I'm hoping that under this bill we would be able to address some of the long-standing issues that we've found. Essentially, most of the problems that have come to my constituency office and the one that I just described I had to deal with personally were around the actual rigorous investigation and reporting back. You know, I've just reread through this legislation, and some of it's not all that different. Maybe I missed a step. Maybe I was supposed to phone somebody up and say: "Yeah. Broke this person's arm. Could you investigate it?" I don't think that's necessary.

In reading through this act, what I'm getting pretty clearly – and

what I got at the time – was that it happened in a care facility. There's a requirement that certain people that are in charge are required to report this, and the report should flow through. There are even requirements that, you know, the report comes back in writing after a certain period of time. In the case I'm describing, it didn't happen at all. Still hasn't. What are we talking – November, December, January, February, March, April, May – six months. Not a word. Nothing in writing.

How is our system failing frail people in care so badly? As I say, I'm not hard to find. You know, my name was on all the appropriate records. It should have been pretty easy to find me if somehow something got lost. You could have just googled it and found a business address and sent the report to me, but nothing. There's something seriously wrong in a system where you can't even get a written report or any acknowledgement that something has gone seriously wrong and we hurt someone. We – a collective we, an institutional we – hurt someone. I mean, just imagine any one of us how much we'd like to have our arm broken going from a chair to another chair. Not much, and we did this to a frail elderly person.

3:10

So are we going to get improvements from this act? Yes, what we've got here is more detail about what is supposed to happen in the process when an abuse is filed and as it tracks, almost an audit trail, through the complaints officer to the investigator to the director and then what that decision is. There is some timing that's involved here about going back to the complainant. You can self-complain, by the way – it has to happen within a two-year time period – but otherwise it would usually flow through the institution because that's where most of these people are.

There's a duty that the individual who is a service provider, who provides care, that there is a report that's done. They cannot start an investigation if they feel the abuse is frivolous or vexatious, that the report was made too late. Remember, I mentioned a two-year time period. Then there's an odd clause: "having regard to all of the circumstances, no investigation is necessary." Maybe that's what I got caught in. But nobody followed through and said: this is why you're not getting any kind of a written report back.

My questions would be directed to the sponsor of this bill, the Member for Calgary-Nose Hill. What is the criteria for that decision-making? How can one care provider arrive at that decision, that "having regard to all of the circumstances, no investigation is necessary"? What is the report process that then happens? I'm assuming at some point you'd go back and go: we're not going to do an investigation here, so quit asking. It certainly gives us timelines in connection with other things but not with that decision, "having regard to all of the circumstances, no investigation is necessary." How do we find that out?

The fines levied on individuals and on service providers have been substantially increased from the previous act. But you know what? Because there seemed to be such difficulty in actually launching an investigation under this act, and to be told regretfully and solemnly that it's mostly an educational tool, I'm not surprised that they never – I mean, in our experience, in our casework there were very few that actually resulted in a conclusion, so there wasn't a fine that was levied because there was no investigation that was carried through. So I don't know that it's going to be helpful that there's a bigger fine, and I guess I'd be interested in hearing what the thoughts were behind that.

Now, there are some additional concerns around regulatory powers and, particularly from my point of view, access, use, and disclosure of personal health information by those complaints officers. That became a factor in the case I described as well

because they had to hunt me down and needed me to verify that I had guardianship status to be able to access the health files. Well, I didn't, actually, and in my mind the individual was capable. They should go and ask for their permission to get into the files. With great reluctance they finally did, and the individual was able to give the permission to get into those. Once again, how that information is handled and who gets access to it and where the guardians fit into that puzzle becomes really important in these cases.

I'm aware that I'm nearing the end of my time here. I have put some questions on the record that I would like to get answers back to. You know, as I say, I'm hopeful about this legislation. But, frankly, we just have not had good experiences with it either through my office offering services to my constituents – and remember, 14 per cent of my constituents are seniors, so these are not unheard of cases for me – and, clearly, as direct experience with what I would consider to be the failure of an act thus far.

Thank you for the opportunity to put that on the record, and I look forward to getting some responses and participating in debate as it moves through Committee of the Whole.

Thank you.

The Speaker: Additional members to participate? The hon. Member for Edmonton-Strathcona.

Ms Notley: Thank you, Mr. Speaker. I'm pleased to be able to rise to join debate on Bill 41, the Protection for Persons in Care Act. This is an interesting piece of legislation dealing with an interesting regime, which by its very nature, I suppose, can't help but be controversial and attract a certain amount of criticism because, of course, it deals with adjudicating in some ways and investigating very sensitive and significant situations for a very vulnerable group of Albertans.

I haven't had a chance to do a comprehensive comparison of this piece of legislation with what's in place, so what I'm going to do at this point is just raise some concerns with respect to what we've seen thus far with respect to the bill and hope to receive some information back from the minister as we move forward into other debate.

It's interesting. My experience with this piece of legislation actually is multifaceted. As someone who has constituents who have tried to utilize the protections afforded through this legislation, I've been able to observe the degree to which complaints can or can't be resolved through the legislation. Of course, we've observed some concerns with the process in that capacity. The other way I've been involved with it is through my previous role working with the nurses' union in terms of assisting staff who are the subjects of the complaints. So I've actually been on both sides of the cases in different contexts with respect to this act.

My experience thus far is that there need to be improvements in the administration of this program in terms of the natural justice provisions both for the complainant as well as the person who is the subject of the complaint. There also needs to be an improvement in terms of the remedial opportunities which are at the disposal of the person doing the investigation because it often seems as though all that really happens is that there are recommendations, which may or may not ever be effectively followed up.

I think one area of concern that we have, assuming that this ultimately reflects an improvement in the overall system, is that this relates solely to dealing with protection for adults who receive government-funded care or support services. Now, in many other contexts in this House we've talked about the strategies that the government is employing right now to open the door for more and more privately funded continuing care models throughout the

system. So I am concerned that there may be a point where there are homes that ought to be subject to the complaints and review process under this act which will not be because they are privately funded.

I think that the percentage of privately funded, where the actual resident is paying more and more of the fees, is going to grow. That, of course, becomes a major concern for us. I'm not sure what that looks like right now. I know there are obviously a lot of private-sector providers who still receive public funding. I'm not sure of the degree to which there are any private-sector providers who don't receive public funding. I'm assuming that as long as they receive any public funding, they're under the oversight of this act, but I could use some clarification on that.

3:20

One of the other things that happens in this act which is of some concern is the question of the definition of abuse under the act. What we currently have is that abuse is "intentionally failing to provide adequate nutrition, adequate medical attention or other necessity of life without a valid consent." The new definition of abuse would be:

"abuse" means an act or an omission with respect to a client receiving care or support services from a service provider that . . . results in failing to provide adequate nutrition, adequate medical attention or another necessity of life without a valid consent, resulting in serious bodily harm.

On one hand, the definition of abuse is potentially broadened because you're no longer seeking to show intent to abuse. There are examples – and I have examples in my notes here – where seniors received significant bodily injury as a result of a failure of care, but it was ultimately determined that it was not the intention of the provider for the senior to be injured; therefore, the complaint was not sustained. I think at a certain point the intention, particularly of the person who is the direct agent of the injury, is less of a concern because oftentimes – and we've certainly outlined this repeatedly throughout the course of this session – what happens is that there are in effect incidents of abuse not because anyone intends it, or certainly not the direct agents of the injury, but there are forms of injury that occur because there's simply not enough staff to care properly for the residents of these facilities.

So you see people not having their dressings changed. You see people having their dinner delayed such that they're, you know, becoming ill; their health is jeopardized. You see them being kept in bed till 11 or 12 o'clock because nobody can come and help them out of bed. These kinds of things are not things that the direct agents of this type of transgression intend, but at the same it is something that should be addressed because it's ultimately the outcome of short-staffing, which shouldn't be allowed. Of course, we have no mechanism for measuring what is or isn't short-staffing because the government refuses to put staffing limits in place.

We can have this fabulous little piece of legislation that talks about protection of persons in care, but if we then define abuse in the way it's being defined here, we effectively render the primary source of injury as being something that's not covered under this act.

Now, what's interesting here is that the new act in that sense is an improvement because the new act doesn't ask for intent anymore. So that's good. Theoretically, then, you can now look at injury that arises as a result of systemic decisions in a particular facility that are not the direct intention of the front-line providers. That is absolutely what should happen because in most of the investigations I've been involved with where a front-line provider has failed to adequately care for someone, it's because they were presented with a choice of two competing needs, and they would choose the need that was most urgent. But it didn't undermine the fact that the competing need was also urgent. It's just that it wasn't as urgent as the other one. What really should happen is that both needs are cared for, but it can't

possibly happen because we are so chronically short-staffed in these settings, and we're not monitoring it properly, and we're not setting standards. So that is a problem.

In the new legislation we no longer have the requirement for intention, and indeed we do have this idea of abuse meaning an act or an omission with a client, and that's good because that's often how the kinds of difficulties we hear about occur. But the problem becomes that at the very end that omission needs to result "in serious bodily harm." Now, we have the situation with the senior who is in bed, not having their dressings changed often enough, not being toileted often enough, their bedsores become infected, and they end up in the hospital because they've now got infected bedsores which need to be treated in the acute care setting and the infection that results from that.

Now the question becomes: what omission resulted in what serious bodily harm, and who's going to prove that? Well, medical providers. But if that arises as a result of an omission, how is this person going to prove that omission A resulted a week later in serious bodily harm B? I mean, we're going to get into this ridiculous adjudicative model where in most cases the complainants will not have the resources to engage in what becomes, effectively, medical litigation. So it's going to result in a situation where many legitimate complaints of abuse are not founded.

Perhaps the issue is that one ought not use the word "abuse" because the word implies, you know, an egregious intent, and certainly on the part of the front-line workers that is not what's going on. But there is a failure in care. There should be the ability for people to file a complaint for a failure in care or an inadequacy of care or a negligence in care management or however you want to phrase it. It can be phrased in a way that you're not actually suggesting that people are intentionally abusing, but you are still identifying the fact that adequate levels of care are not being provided to a very vulnerable group of citizens within that setting.

That is a concern, and I'd like to hear back from the minister on how she sees us avoiding the litigation that will arise from that criteria being in the definition, that the omission resulted in serious bodily harm, and whether or not the psychological outcomes of the omissions are also included in what constitutes serious bodily harm.

Now, as I've mentioned before, we have tabled in the House about 250 working short forms just from this session that represent about four facilities in the province, so it's a drop in the bucket. We know there is a chronic problem in our care facilities, and we know it's not being addressed. We know those ones haven't even been investigated yet – or last I heard they certainly hadn't been – so that is a concern for us.

I think I'm running out of time.

The other concern that we want to raise quickly is that I am told there is some confusion about whether under this act the person harmed and/or that person's representative is entitled to a copy of the investigation report. It seems to me that they should automatically have a right to that investigation report. In my own experience I've seen investigation reports – and going back to my previous comments, the principles of natural justice and, shall we say, administrative and adjudicative professionalism need to be enhanced within this particular system because we've observed cases where investigative reports are based on third- or fourth-hand anecdotal pieces of information, where that information is never put to the person about whom it relates, basically just very, very sloppy investigative procedures that very clearly, were a person able to observe them, they would be able to counter a lot of the findings. But if they're not given access to these findings, then we lose a really important tool and a very important right.

[Mr. Cao in the chair]

Again, going back to issues of natural justice that exist within this system, there need to be improvements there. If the information I have is correct – again, I'm happy to be told it's not – that investigative reports are not provided to complainants and/or their representatives or the people about whom the complaints relate, then that is certainly a very important concern with respect to issues of natural justice.

The final thing is that it appears to me this legislation is including a provision which is very similar to one that was included in Bill 24 last session, which this caucus raised very serious concerns about, where the complaints officer has the capacity to simply dismiss a complaint. Now, I haven't been able to look at this in enough detail, but I am curious as to whether this is the same kind of process that we had in Bill 24, public trustee amendment act, where a complaint officer could simply dismiss a complaint, and the decision to dismiss was not itself appealable. If that's the case, again, you end up with a very significant amount of gatekeeping, which is not appealable, except of course through the Court of Queen's Bench. Again, to go back, this is designed to deal with the protection of our most vulnerable Albertans, and that's not accessible to them.

3:30

The Deputy Speaker: We have Standing Order 29(2)(a) for five minutes of comment or question. The hon. Member for Edmonton-Riverview.

Dr. Taft: Thank you, Mr. Speaker. I'm wondering if the Member for Edmonton-Strathcona had anything else she wanted to say.

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

Ms Notley: Thank you. I appreciate that. I just really wanted to finish outlining my concerns around the process of asking vulnerable Albertans, most often seniors, who are already very ill – they're residing in these care facilities and requiring care – to essentially get representation or themselves somehow manage to get to the Court of Queen's Bench to appeal or to do a judicial review application. I'll tell you right now that 99 out of 100 folks would not even know how to begin that process. Probably 50 out of 100 lawyers wouldn't know how to begin that process. So it means that there is, effectively, no substantial or real avenue of appeal for folks whose complaints are dismissed by a complaints officer.

Again, I welcome correction on this issue. If this provision is not being framed along the same lines as the one about which we had raised concerns under Bill 24, then I'm happy to be told that I'm incorrect on that, but my initial scan of the bill is that we are in fact adopting exactly the same model, which, as I say, allows for a gatekeeping provision which, I would suggest, challenges the rules of natural justice. Certainly, when you're dealing with such a vulnerable population, that is a population for whom the rules of natural justice are perhaps most important.

Thank you.

The Deputy Speaker: Any other hon. member wish to speak in the five minutes?

The hon. Member for Edmonton-Riverview on the bill.

Dr. Taft: Thanks, Mr. Speaker. This is a bill that deserves some good public discussion. I would bet there's probably not an MLA in this Assembly who doesn't have some constituents living in facilities that will be covered under this piece of legislation or, at the very least, family members of people who will be covered under this legislation. I know that I've got a number of facilities in my

constituency of Edmonton-Riverview that will be directly affected by this and, if I added them all up, probably hundreds of constituents, certainly a few hundred constituents who would be directly affected by this because they do live in facilities covered under this, and they are people who are vulnerable. They are people who are some of the most vulnerable, actually, in our society.

I think this is an important piece of legislation because it's doing something that governments need to do, which is to look after people who are too weak or too frail or too vulnerable to look after themselves. That's a core responsibility of government. Sometimes when we're discussing things and weighing out how to spend money and allocate resources and energy in this Assembly, I find myself wondering: well, is that particular thing a core role for government or not? That helps me sometimes to sort out: well, you know, we could maybe avoid doing that. But there are some things we can't avoid, and I think that protecting persons in care is one of those things that we can't avoid, and we shouldn't.

It's unfortunate that we have to do this because it's about addressing serious harm and harm caused by other people. You know, you'd like to think that when somebody is in care, they're surrounded by caring people and that they won't be harmed. But, in fact, humanity being what it is, every so often there's somebody in a position who shouldn't be there but ends up there and does cause serious harm, and that's why we end up having to make rules. If everybody was reasonable and compassionate and sensible and so on, we could probably do away with most of the legislation in this Assembly. They aren't that way, so we need bills like this.

The intent of this bill is to, as the title says, protect persons in care, and we'd all agree that's an important intent. I wanted to speak briefly about the definition of abuse, which is in section 1(2) of the act. I'm not going to dwell too long on this piece of legislation, but I did want to talk about this in particular. I'm quoting from the act.

"Abuse" means an act or an omission with respect to a client receiving care or support services from a [support] provider that

- (a) causes serious bodily harm,
- (b) causes serious emotional harm,
- (c) results in the administration, withholding or prescribing of medication for an inappropriate purpose, resulting in serious bodily harm,
- (d) subjects an individual to non-consensual sexual contact, activity or behaviour,
- (e) involves misappropriating or improperly or illegally converting a significant amount of money or other valuable possessions, or
- (f) results in failing to provide adequate nutrition, adequate medical attention or another necessity of life without a valid consent, resulting in serious bodily harm.

Now, when I read that, the first phrase that jumped out at me – and it's repeated at least three times in the definition – is "serious bodily harm." I think we need to think about that. Serious bodily harm seems like a fairly low standard to set for abuse. There is no definition in the legislation that I've noticed of what serious bodily harm means, so it's obviously up to interpretation, but when I think about it, there is a lot of abuse that could occur that doesn't end up in serious bodily harm. It ends up in mild bodily harm or bodily harm that's not serious, and I find myself struggling with this adjective "serious." How are we or, under the provisions of this act, how are the investigators and the director going to decide if something is serious bodily harm?

Is a bruise serious bodily harm? If a resident is acting out in a way that a staff member thinks is inappropriate and they get squeezed by the staff member and scratched, is that serious bodily harm? Well, probably not, but gee, it would seem like a form of abuse.

Ms Blakeman: That depends. What if you're a 95-year-old with osteoporosis?

Dr. Taft: Well, of course, as the Member for Edmonton-Centre is pointing out, if you're frail, an elderly person with osteoporosis, something as simple as a squeeze can break a bone. But I'm thinking, actually, that under the scope these aren't just going to be people who are frail elderly. These could be, you know, younger persons in a long-term care facility, or they're going to be people in social care facilities, which includes, actually, a tremendous range of facilities, or people in mental hospitals. I think we need to debate in this Assembly: what is serious bodily harm? Is a slap across the face serious bodily harm? If not, would two slaps be serious? I think we'd all agree that that certainly could be construed as abuse if it wasn't done in self-defence, but in this act it may not actually be defined as abuse.

Now, I can understand why there needs to be some description in there because if it was just bodily harm of any kind, you could end up with, you know, trivial things, a paper cut or something like that. But we may want to consider adjusting this word "serious" to something different – I'm just thinking out loud here – to "nontrivial" or "notable" or something. With the word "serious," one of the first things I come to is when you hear reports of people injured in a car accident. Well, they're critically injured, which means there are actually medical definitions of these terms. I don't know them, but critically injured means you're in a life-or-death situation.

Serious injury is one step up from being critical. That could involve broken bones. It could involve serious injuries that are painful and disabling and medically significant but not critical. Is that how we are to read this word "serious"? In the medical world serious bodily harm could well be taken to mean something quite devastating.

3:40

I think that as we go through this bill and consider it clause by clause in Committee of the Whole, we should consider what the word "serious" means. Of course, the extension of that, then, is that the same question needs to apply to subsection (2)(b), which says that abuse would involve serious emotional harm. I understand that there are no black and white definitions here, and I don't think we can set that standard. But serious emotional harm: what is that going to entail, and how is somebody to assess that? How is the director or the investigator to assess serious emotional harm? Is that something that's lifelong? Maybe it's not debilitating, but it's going to be with you for years, a sense of fear. If you're abused by particular people, that lingers for the rest of your life. Would that be serious emotional harm? Or is it something that reduces you to tears? What is this?

I think we're going to have to struggle in this Assembly with these kinds of issues if we're doing our jobs as MLAs. When we pass this, we need to understand that this law will be the guardian, as it were, that protects all kinds, thousands of vulnerable Albertans who will be looking to us. If we set the standards too low, as we may be doing when we say "serious bodily harm," we're not doing our jobs. I hope that some of the members on the other side actually give this some serious thought. We could have a very, very valuable discussion on improving the definitions of this act, a discussion that would give greater protection to people in care and make the jobs of the people who have to enact this bill a lot easier.

I'll keep my comments to that, Mr. Speaker, but I will issue a challenge to members of this Assembly. Please, read those definitions and think about it, and imagine yourself or your parent or your

loved one in a situation where it isn't abuse unless it's serious bodily harm. Is that good enough?

Thanks.

The Deputy Speaker: We have five minutes for question and comment. Any hon. member wish to take that five minutes?

Seeing none, any hon. member wish to speak on the bill?

Seeing none, the chair shall now call the question.

[Motion carried; Bill 41 read a second time]

Bill 42

Gaming and Liquor Amendment Act, 2009

[Adjourned debate April 28: Mr. Anderson]

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

Mr. Hehr: Well, thank you very much, Mr. Speaker. It is a privilege to rise to speak and join debate on Bill 42, the Gaming and Liquor Amendment Act, 2009. I will say that this is one of those bills where I just have to pause and consider and really put my thinking cap on as this has really challenged me on what exactly we're trying to do. Many of the aims in the bill are great. We're trying to protect people who go to bars and restaurants from troublemakers, gang members, et cetera, and we're trying to make places safer for the general public as well as give our law enforcement officials an ability to battle crime, all of which are extraordinarily valuable goals and aims and should be attempted to be done by government. On that account this is a bill that is well intended and fairly well meaning in that respect.

Yet at the same time, Mr. Speaker, I am caught in the crux that while there's a lot we can do to be battling crime – and I'm supportive of many of the measures that we do in here; for instance, more police in the streets. I believe our communities, especially Calgary and Edmonton, other jurisdictions are significantly short-staffed if you compare them to other jurisdictions across Canada that have city sizes and city crime rates similar to ours. So I would, of course, support any move to support our police officers on the streets and add more people to investigate gang crime, investigate gang violence, to crack down on drug houses, to crack down on people who peddle cocaine or people who indulge in gang violence and those type of measures. There's no doubt that this act sort of attempts to do some of this.

What Bill 42 would allow is for bars to collect personal information on patrons as a condition of entry, allegedly in order to identify troublemakers and prevent gang activity. You see, that's the whole thing: identify troublemakers and prevent gang activity. Well, that's a two-pronged objective, and at first glance it seems logical, but to identify troublemakers, you know, again, it's a very broad definition of troublemaker. When I look back at my youth and some of the individuals that I associated with, who played on my junior hockey teams and the like, we might have been identified, maybe, as some of these troublemakers or whatever you might call it.

For instance, after a game we'd all go in with our junior hockey jackets and start drinking a lot and all of that sort of stuff. Well, I think it's fairly easy to say that we might have been seen as troublemakers, especially when there are 20 of us in there with junior hockey jackets after a game and all of that sort of stuff and the testosterone is flowing and you're drinking a lot. The next thing you know, there are 20 of us, so is that a gang? Are 20 junior hockey players in a pub after a game celebrating, all with jackets, team colours, acting like . . .

Mr. MacDonald: It depends on whether you won or lost.

Mr. Hehr: Well, you know, if they won, they'd probably be celebrating, so they'd be drinking a lot. If they lost, well, a good possibility they were trying to drown their sorrows, so they'd be drinking a lot as well.

Ms Blakeman: We're getting your point. There's liquor involved.

Mr. Hehr: Liquor involved. That's more what I'm trying to point out.

Although we know what they are, gangs to us are bad people who are running around with guns and cars and dealing drugs and all those things like that. But very often gang members look like you and me, everyone on the street and don't parade around in a gang like junior hockey players or lacrosse teams or what have you. I'm just open to the possibility that those are loose definitions and are easy to interpret.

3:50

If we look a little further at what we always do in these situations, we have many fundamental rights and freedoms which we as a society cherish, and some of those are freedom of expression, which we had a very long discussion on last night, some of these things are freedom of association, our ability to hang out with whomever we want as long as we're not, I guess, doing illegal or immoral acts or things of that nature and those types of things. Then again, we're not allowed to do these things with impunity. There are reasonable limits that we as a society place on our freedom of expression and our freedom of association. That's what laws like this touch on. Are we reasonably limiting the freedom of expression or freedom of association that we are allowing members of our society?

There's also another way we look at this. The law we craft to battle crime or have safety in a public venue: is this law related to the activity we want to suppress or of that matter? I wasn't a practising criminal lawyer, but it's called the Oakes test. It's where the objective . . .

Mr. Denis: It's constitutional.

Mr. Hehr: Thank you very much. It's not criminal; it's constitutional law. Thank you very much to the hon. Member for Calgary-Egmont.

It means that the objective of the limitation of the Charter right must be sufficiently important to warrant the overriding right. Let's look at that. Yeah, it's important that we protect people from crime, but is this bill doing that enough that we take away this freedom of association and freedom of expression that we're trying to? The means we've chosen to achieve the objective must be proportional to both the objective and the law. The objective is that, yeah, we're trying to reduce crime. And the law is: what is legally permissible?

There's also what's called the proportionality test. Are the measures chosen rationally connected to the objective? Let's look at that. Are they rationally connected to the objective? Does collecting identification in a bar necessarily lead to a reduction in gang violence, criminal activity, anything of that nature? Well, I don't see that in my research, and I have done some on this matter and have looked for this because, like I said, I've thought about this for a long time.

It's not like I came here, put on my civil libertarian hat, and said: I'm not going to support this bill because it's coming from the members opposite. I really struggled with it. But I could see really

no place where this is rationally connected to the objective of sort of rounding up gang violence or even stopping violence in bars, which I would hazard to guess happens sometimes by gang members but, relatively, a lot less than we speak of or a lot less than, say, the incidents of 18-year-olds' hockey teams or 20-year-olds' rugby teams or 25-year-olds' university football teams, whatever it is. And I'm not just harping on athletic teams. You know what I'm saying. People of that age who go to the bar drink, get rowdy, have fun, and do that stuff.

Ms Blakeman: That's age discrimination.

Mr. Hehr: It might be age discrimination, but I think people can take judicial notice of the fact that that happens from time to time. I saw a smile come across the hon. minister of agriculture's face, so maybe he knows of what I speak. But I won't sully him with that brush, not I. Anyway, those are the concerns when I look at this bill.

Let's just go to the sectional analysis here, the wording of the actual bill. This is really important, where I've tried to sort of paint a picture here of why I think this might not be the best thing. In section 69.1(1) "gang" means a group of people engaged in a pattern of unlawful behaviour or in creating an atmosphere of fear or intimidation in a community." Yeah, that sounds like a gang. Again, it sounds like a lot of things could be considered a gang, and that's just sort of how it is.

Let's look at another section I have highlighted:

- (2) For the purposes of this section, a person is associated with a gang if the person
- (a) is a member of the gang,
 - (b) supports, facilitates or participates in the gang's activities, or . . .

That seems fair.

- (c) is in the company of a person described in clause (a) or (b).

What does that mean? If you're with one of these people who are in a gang, are you now directly deemed to have knowledge of this person? Are you subject to, then, police interrogation? Are you subject to be yarded out of the pub? [interjection] I hear some discussion going on in the background. I'm sure the hon. member may be able to illuminate me.

I'm just pointing out: "is in the company of a person described in clause (a) or (b)." So this person isn't really a gang member, but he's in the company of a person who is a gang member or may be a gang, as it says at the top. I don't know who's interpreting this, whether it's a police officer or whether it's Mr. Vickers at the pub in Calgary. I'm not sure.

Now, here's where it comes in. What happens is that you collect this information at the door of the pub and perceivably the police then request the information – I don't know if it's sent to them – and then a police officer comes on the scene.

If anyone is following along or paying attention, then they can look at subsection (4) about when the police officer gets involved.

- (4) A police officer need not rely on personal knowledge in concluding that a person is associated with a gang but may rely on information from others, including but not limited to
- (a) information regarding
 - (i) any admission of association with a gang,
 - (ii) use of names, signs, symbols or other representations used by a gang,
 - (iii) a person's presence at the scene of unlawful behaviour by a gang, regardless of whether the person participated in the unlawful behaviour.

Did you hear that? A person's presence at the scene of unlawful behaviour by a gang. So I guess if a person's standing there, if a

gang or whoever, a hockey team or whatever you have, does something and a person has seen this, they are going to be affected by this.

Here's the next one:

- (v) frequent association with persons associated with a gang,

and

- (b) any other categories of information set out in the regulations.

Well, that seems to me a whole lot of people. The police officer doesn't need the personal knowledge. Those things do give me cause for concern. It doesn't seem that this legislation is drafted with any sort of limitations in mind. It affects a whole host of individuals who may, might, possibly, maybe not, maybe knew the gang member when they were in grade 9, and the gang member is now, you know, 20 years old. If they're at a bar, maybe that guy has subjected himself to some interviews by the police. These things worry me and maybe overly so.

Again, I go back to that basic principle that, you know, we've got to balance these things with what we're taking away. We saw that in the United States, possibly, eight years ago when 9/11 happened. Automatically we started stripping away freedoms or independent liberties. I believe these independent liberties can be taken away in short periods of time – war, insurrection, or what have you – but maybe we can take other measures. Maybe we can do the right thing in hiring police officers or do the right thing on that front. We don't have to quite limit our freedoms in quite a way.

For instance, you know, we do have here section 69.1. It's sort of referenced that this language is so broad that an individual could be excluded or removed by the police if police were told. As for the personal knowledge, no personal knowledge is required if the police were told that an individual has received benefits from a gang.

4:00

So say there is someone there who sees some people at the pub who they really don't like and they say: hey, I'll tell the police that this guy has received benefits. Maybe they bummed a cigarette from a gang member sometime or something of that nature. Maybe I'm going overboard with the example, but the simple fact of the matter is that this is overly broad. If you can show me some research papers that say that collecting information at the bar is good for gang violence – I've read some of these books. Never have I seen that really as a way to infiltrate gangs, stop gang violence, do whatever. What I've read is that it's an infringement on our society's way that we do business.

I see a lot of this stuff coming down the pike. You know, we all know we're short of police officers in this province. We all try to put our heads in the sand and say that that's not happening. We make a lot of hay lately in doing stuff: we're going to collect medical fees back from people who do crime, and we're going to start taking personal information to clamp down on crime. These are all great sound bites with very limited ways of actually reducing crime.

There are two ways you do that. One is, I guess, on the enforcement side, and the other side is giving kids an opportunity to do better. That's through things like junior kindergarten, maybe getting people some beds in mental health clinics, getting some individuals drug counselling when they need it, that softer side of the law that also has to be present with the harder side of the law. A little bit of the stick-and-carrot approach. You know, you give them the stick; you get them that mental health bed, you get them the drug counselling, or you get the junior kindergarten going. Yeah, that's going to keep crime rates down and gang activities less. Let's give new immigrants to our cities the support they need to develop second

language training and to get jobs. Let's not turn our backs on them so that they're looking to join gang activity. All of these things could be done to reduce gang activity.

Let's make sure our policing is adequate, while at the same time let's be cognizant that sometimes these laws are good, where we can do these things without overly infringing on our civil liberties and with the purpose of being rationally connected to the object at stake: reducing crime or some such matter. I think we should do that. This one, in my opinion, doesn't quite get us there. I appreciated the fact that the legislation did do a lot better on things of privacy; that was an improvement. I know we're getting there on this.

The Deputy Speaker: Does the hon. Member for Airdrie-Chestermere wish to close the debate?

Mr. Anderson: No. I was going to answer the hon. member's questions. I will not close the debate. Sorry. I was just trying to answer his questions.

Ms Blakeman: We're in second reading, and if the sponsor speaks again, he closes debate. So can the rest of us debate?

Mr. Anderson: I just wanted to answer his questions. That's all.

Ms Blakeman: Okay.

The Deputy Speaker: Who wishes to speak now? The hon. Member for Edmonton Centre.

Ms Blakeman: Thank you very much. All right. I had to fight to get into debate on this one. I guess that's appropriate.

An interesting bill. Thank you for the opportunity to speak in second reading to Bill 42, the Gaming and Liquor Amendment Act, 2009. This is sort of a clean-out-the-fridge bill in a sort of funny way, but maybe there hasn't been an amending act to the Gaming and Liquor Act for some time. We're covering a lot of bases here, so when you want me to speak to the principle of this bill, there's a lot that's being covered.

We start out by amending some sections on the composition of the board. The most salient point of this seems to be that it's removing the deputy minister of the department of gaming – of course, it doesn't exist anymore, so the deputy minister, I guess, who would be responsible for gaming, which would now reside under the Solicitor General – from holding a position on the commission, which they had traditionally.

Then we move into some other administrative details around the chief executive officers not being eligible to vote or to be the chair, which seems to also be a change here. How long members of the board can serve: there's a maximum amount that's being instituted there. The exercise of powers and duties: some certain things can only be done by the chief executive officer. There's a fines section, the power to establish fines. Actually, when you read through to the end of the act, there's a fairly in-depth section that turns up under 91(2.1). It does show up at the end there. And fines imposed by the chief executive officer, under this bill's section 18, in the original bill amending section 93.1. So a number of administrative details about how the commission actually works, and I think they're actually changing the name of the commission to something else.

Then we get to the good stuff. This is a bit of a trip down memory lane because some of us will remember – I'm pretty sure this is what this is about – that there was a plebiscite held in the province around VLTs and that there were a few, a handful, who voted to remove VLTs.

Mr. MacDonald: Yes. Rocky Mountain House.

Ms Blakeman: Very good. Ten points.

There was almost an instant legal battle that came back from the venue facility owners who had VLTs in their place. I think what we've got here is the end of that era. For any of you who are interested in Alberta history, you should make note of this. Essentially, it's under section 12, which is amending section 48 of the original bill.

All agreements between the Commission and retailers respecting video lottery terminals existing immediately prior to May 19, 1999 and any rights of those retailers . . . are hereby terminated and cancelled in the following municipalities.

In the county of Lethbridge, Lacombe, the MD of Opportunity No. 17, Wood Buffalo, Canmore, Coaldale, and Stony Plain. So that's the end of that agreement with those retailers. Isn't that interesting.

That was such a moment in Alberta history, you know. It was interesting that those communities that did in fact vote to have the VLTs taken out I don't think actually ever did get them taken out. The retailers went to court, and the province agreed that they would leave the VLTs operational while the court battle was on. I don't even know what the end of the court battle was by the end of it all, but it went on so dang long that I think everybody got their money out. The only people that didn't get what they wanted were the individuals that had voted to have the VLTs removed from their communities. So you see what I mean about a clean-out-the-fridge act. There's all kinds of stuff in here.

Then it goes into conditions of liquor licences. It repeals a whole section on liquor agencies authorizing people to act as their representative, et cetera.

4:10

The new section, the good stuff in this bill, if you want to put it that way, starts at section 15, and it is being added under the original bill's section 69: "Risks to public order and safety in licensed premises – gangs." Somewhere underneath me I hope there is playing appropriate theme music along the lines of *Jaws* or something.

An Hon. Member: I can't hear it.

Ms Blakeman: Hum a little louder. There we go.

It does start out, as my colleague has mentioned, by defining "gang." I think he's right. He raises some reasonable questions. You know, I like fast sports cars, expensive sports cars. [interjection] Well, this pertains because I used to have a black Honda Prelude, the really sexy looking one, and I had incredibly expensive tires and rims on this car.

Mr. MacDonald: What kind of sound system did it have?

Ms Blakeman: It had the sound system. It had everything. I bought it from a young man. Oh, my God, it was a beautiful car, a really beautiful sports car: black and I used to keep it polished up. It just shone like a licorice jelly bean.

Anyway, at that time we were doing a lot of work in one of my communities, and I ended up going to regular meetings with the local beat cops, who used to tease me so much because I would drive up in what they would call the drug dealer car. At that time this was the car that all the drug dealers loved to have. A sad ending to this story; I'll just skip ahead a little bit. One of the first drive-by gang shootings that happened in Edmonton happened not that far from my home in the river valley. And guess what? It was a young man driving that car.

Dr. Taft: Not your actual car?

Ms Blakeman: No, not my actual car – sorry – but exactly the same model and colour and tinted windows and the fancy . . .

Mr. Hehr: Fuzzy dice?

Ms Blakeman: Oh, please, let's get serious. There were no fancy dice. Geez. I'm sorry, Mr. Speaker, but sometimes you've just got to put your foot down.

The point of this is that, you know, I was getting teased by the police officers because I was driving – I had the paraphernalia, if you would like, of what at the time was a very common gang and drug dealer possession. There I was driving the quintessential drug dealer car although I was not a drug dealer and, in fact, was an MLA. But, you know, they all had such a good time with this, when I would drive up to these meetings, about how we were going to combat crime in one of my communities.

So you've got to be careful when you make a definition that is overly broad about how you are going to delegate subjective authority to people on the street, that are going to use that as criteria to decide whether somebody is a gang member or not. Now, I don't think a police officer would have mistaken me for a gang member, but, you know, as I say . . .

Dr. Taft: You'd be a gang leader.

Ms Blakeman: Thank you. My colleagues are also teasing me about this.

There's the point. You know, if you want to look at a real close definition of what is being considered here, they start to talk about "use of names, signs, symbols or other representations used by a gang." You have to be very careful when you write legislation that is going to set the criteria that someone on the street, perhaps in the heat of the moment, uses to determine whether somebody might be a gang member or associated with a gang member. That's where the language here gets very interesting. It's one thing to say that you're a gang member and we know you to be a gang member. But to start using language like "in the company of a person" that's a member of a gang or "supports, facilitates, or participates in the gang's activities," that's casting the net a bit wider here, so I think we have to be very careful with this.

My colleague from Calgary-Buffalo had a bit of fun but also some seriousness around, you know, a gang being a group of people engaged in a pattern of unlawful behaviour or in creating an atmosphere of fear or intimidation in the community, talking about various kinds of sporting teams out overimbibing in the community. But I think his point is well made.

We need to be careful about this. Where my hair starts to stand on end is section 16. This is around the collection of personal information by licensees, people that are granted a liquor licence through the Alberta Gaming and Liquor Commission to operate a facility that sells liquor. This is a big deal. I mean, you're not going to be successful having a restaurant or a bar or a, you know, cool spot to hang out unless you've got a liquor licence, and you are at the whim of the Alberta Gaming and Liquor Commission as to whether you get that licence. So putting criteria in place here that create either an expectation or a responsibility is significant.

I have done a fair amount of work around the issue of personal information, personal health information, the collection, use, disclosure of health information. What is in section 16 is not going to cut it in my books. What it's allowing is that the licensee – let's

call him a bar owner; just allow me that – may, before allowing a person to enter those premises, collect the person's name, age, and photograph. Now, what it does not talk about is a number of things that it must talk about in order to pass muster with this girl and I think with all of us in this Assembly.

Just let me take a slight little tangent here and go: well, I mean, the common argument is that you're knowingly giving over an informed and a blanket consent when you choose to go into this bar. You know, if you don't want to give over that information, go to a different bar. Well, that may not be possible in smaller communities. That may place quite a burden on somebody if they're out with a particular group of people and they don't want to get separated from them. You know, they don't know this city or they don't know that area; they don't want to be separated from that group of people, so now they're going into the bar not entirely willingly and having to give over personal information.

Here's some of the information that needs to be nailed in this legislation before we approve of that. In what manner is that information going to be kept that they have now collected: a person's name, age, and photograph? How long is that information to be kept for? What is the time span? In what manner is it going to be kept? Is it electronic? Is it on a shared database that people could e-mail to other people? Well, they do anticipate that one bar owner can contact another bar owner and share the information. That becomes problematic.

What is the audit trail? How do we tell who looked at this person's personal information? We need to know that. But there's no mention of an audit trail in this section.

Who can they disclose to? It talks about that they can give it to another bar, another licensee, but is there a limit on who they can disclose this information to? Can they sell it? Can they use it for marketing or commercial purposes? No mention of that in here.

Have they got, actually, some kind of written consent, or are they taking the fact that someone has given them the information and entered the premises as some sort of blanket consent? That will not stand up as informed consent. Again, I have a real issue with this.

How will this information be disposed of? You know, is it in paper form? Are we going to put it in a box and leave it in the Dumpster so that we've got people's name, age, and photograph out there? Hello. Identity theft. And this is the government that's participating in this.

So this section absolutely is unacceptable.

There are a number of other things in this bill that I'm sure could be argued and I may even well agree are perfectly acceptable and needed. But what is anticipated here is flat-out dead wrong. You cannot take people's personal information in this day and age and not account for it in a fairly thorough way. We have an entire office of the Privacy Commissioner that's all about that. We have a hugely detailed Health Information Act. And then we're going to have the Gaming and Liquor Act just let bar owners take personal information with no other criteria that they need to adhere to? In my opinion, that's criminal, and I won't support it.

Thank you.

4:20

The Deputy Speaker: Hon. members, we have five minutes for comments or questions.

Seeing none, then the hon. Member for Edmonton-Gold Bar, on the bill.

Mr. MacDonald: Yes. Thank you very much, Mr. Speaker. Bill 42 is interesting. I enjoyed the remarks from the hon. Member for

Edmonton-Centre, and I certainly would agree with her. Her selection of cars, I'm not going to comment on that, but it must have been a very good car, and it wasn't a Pontiac.

Now, Bill 42 seeks to allow bars, again, to collect personal information on patrons as a condition of entry in order to identify troublemakers and to prevent gang activity. This amendment to the provincial Gaming and Liquor Act would also permit bars and nightclubs the authority to share information about problem patrons with each other. Finally, as I understand it, the intended amendments pose serious constitutional issues and raise numerous Charter breaches that have already been found to run afoul of privacy laws.

I know how some members across the way view the Charter, but this bill is a trend that I see in this spring legislative session from the government. They're exercising considerable authority here, whether it's Bill 19, whether it's Bill 36, whether it's Bill 42. Bill 44: there are some issues, of course, around that. But I don't understand why it would be necessary. I can understand where businesses are coming from, but I don't understand why it is so necessary to have this legislation.

The Alberta Roundtable on Violence in and around Licensed Premises was a round-table that was sponsored by Alberta Gaming in partnership with the Alberta Solicitor General and public safety three years ago. Three years ago there was a report that came out, and one of the individuals who participated as a round-table participant stated regarding admission practices: "You can pick and choose your customers. If you've had an issue with a patron, or think you'll have an issue, don't let them in." That is sort of the free-market approach to this, yet we have the issue here of allowing bars to collect personal information on clients or customers or patrons, whatever you want to call them, as a condition of entry in order to identify troublemakers and to prevent gang activity.

Now, gang activity. The hon. Member for Calgary-Buffalo gave us quite an outline of what may or may not constitute gang activity, and I would agree with him. It's wide open to interpretation. Any staff, any bouncing staff in any establishment could consider any group to be members of a gang or associated with a gang.

I know information has been collected in the past, and this has been done by bars and nightclubs before without any legislation to enforce the collection of personal identification. I think that if any individual in this province wants to go to a bar or a nightclub and they have a few dollars in their pocket and they want to have a social drink with friends and they're of legal age, of course, then that should be it. But I know we have a lot of issues around certain neighbourhoods with a high percentage of bars and nightclubs in them. We have to recognize that in some situations, in some instances, it's certainly a problem.

Now, there used to be a website – and I apologize, Mr. Speaker; I can't find it, whatever it's called. I'm going to look that up in *Hansard*. Anyway, it could be in Solicitor General and Public Security, under the Alberta Gaming and Liquor Commission, or it could be in Community Spirit. However, this website used to provide details on violations of the Gaming and Liquor Act. It would be interesting to have a look at that now. I have tried, along with the hon. Member for Calgary-Buffalo, to find that website, and I cannot. Three or four years ago it was routine. I could find it.

What kind of violations would be on this website? Well, Mr. Speaker, there would be violations posted for overserving of clients or patrons or if there was a fire code violation. For instance, if Joe or Jane's bar had a licence for 250 people and the inspectors came along and counted 325 in there, well, it was a major issue. That would be posted. Overserving, serving underage individuals, serving beyond hours: there were any number of issues that one could identify from that website.

Dr. Taft: Any involving exotic dancers?

Mr. MacDonald: Yes, there was, hon. member. There certainly was. Now, maybe my research skills aren't what they should be, but I'm of the opinion that this website has either been removed or it's been hidden. We've had some good looks, and we've spent some time trying to find this, but we cannot. If that website was available, we could see if there were any patterns, if there were any bars in certain neighbourhoods or nightclubs where there were repeat offences. Then maybe those owners could be made to clean up their act, so to speak. This portion of the Gaming and Liquor Amendment Act would be unnecessary.

Now, when we talk about gang activity, I can see, you know, the sincerity and the effort here to control, limit, or restrict gangs and their activities. But I think we would be better off, Mr. Speaker, if we were to look at the Gaming and Liquor Amendment Act in another way or if we were to look at the Solicitor General and Public Security department in another way.

It puzzles me why I hear so often from people throughout the province about our gambling industry and our casinos and the use of those casinos by organized criminals to launder their money. There have been many ways suggested to me, which I have outlined in the past in this Assembly, as to how we could control the laundering through casinos of large sums of money that has been raised or collected or acquired through criminal activities by gangs. I think that if we really want to put an effort to controlling gang activity in this province, that's one of the places I would like to start.

I'd like to get tough on gangs by controlling where they launder their money that they have acquired from their activities. There are a number of ways of doing that. I would be quite willing to discuss this with the hon. minister or with the hon. Member for Airdrie-Chestermere if they would like because I think this would be in the best interests of the province. I think we could reduce the activity or the activities of various gangs throughout the province.

4:30

Mr. Hehr: Hit them in the pocketbook.

Mr. MacDonald: Hit them in the pocketbook. Exactly. I think we should hit them in the pocketbook.

As the number of casinos has expanded across this province, the number of hours of operation have expanded. It's easier and easier for those criminals to launder their money through our casinos, and I want to see this government put a stop to it. If they won't, maybe the hon. Member for Calgary-Buffalo will come forward with sensible legislation to restrict and limit their activities.

Mr. Hehr: Or at least suggest it to the Solicitor General.

Mr. MacDonald: Or work with the Solicitor General to get that done.

Now, when we talk about the bars and the nightclubs around the province, whether they're in rural or urban areas, there are a number of interesting things that occur. I drive too fast on occasion, but on occasion I also drive responsible young adults who are going out for a night on the town to their selected location, which is a bar or a nightclub.

I don't know how many other hon. members are driving around late at night, but it's astonishing to see, particularly in the constituency of Edmonton-Strathcona – and the hon. Member for Edmonton-Strathcona may have noticed this herself. It will be very, very cold, it could be windy, it could be snowing, but you will see dozens of young people, all of legal age, of course, lined up at the bars on

Whyte Avenue or over here in Edmonton-Centre at Jasper and 109th Street.

They're lined up to eventually get into the establishments, and they've got a T-shirt on or they've got a light coat on. I could never understand why they didn't have heavy coats or a winter coat on. I couldn't understand this, so I asked a group of them one evening: what's with this? They looked at me like: wow, where's this guy from? They save money by not having to check their coats. I had no idea that some outfits charge \$5 and \$10 for a patron to check their coat. These people want a little bit more money to party, so their idea is not to wear a coat. Well, I think it's wrong.

When I refer to the round-table that occurred three years ago, that was one of the issues that was discussed. I'm quoting here again, Mr. Speaker:

Participants faced a number of a challenges in implementing these admission practices. Most importantly, the efficient screening of patrons requires sufficient staff numbers to prevent lineups, congestion and the violence that can result. Extra personnel are needed to staff coat checks.

I think it's a means of revenue generation myself.

Conflict can arise if patrons don't want to check their coats, and insurance costs can go up if coats are lost.

Now, when we see the results in the front of the establishment of a group of people between, say, 18 and 30 years old standing there shivering for up to an hour before they get into the place because they want to have that extra \$10 to maybe buy a shooter or two, we've got issues. We've got issues how we govern our nightclubs and our bars.

Now, we have to have a look at what the Solicitor General and Public Security in their round-table had to say about pricing and serving practices because I think this is important to this debate and particularly to this bill.

- eliminating the use of glassware and glass beverage containers
- limiting or prohibiting drink specials.

We hear that all the time on the south side, particularly in the Whyte Avenue area, where there's a large concentration of bars in a very compact neighbourhood .

- limiting the duration of happy hours
- limiting hours of service
- monitoring patrons' liquor consumption and refusing service to patrons who are intoxicated
 - Licensees have the right and the responsibility to refuse service.
- promoting food service.

[Mr. MacDonald's speaking time expired] Oh, I'm disappointed. Thank you.

The Deputy Speaker: Hon. members, we have five minutes for comments or questions?

Seeing none, the hon. Member for Edmonton-Strathcona on the bill.

Ms Notley: Thank you. I'm pleased to be able to join debate on Bill 42. This is, you know, one of those bills that's difficult to get your head around because, of course, it starts out by appealing to concerns that are pretty universal amongst a lot of people with respect to concerns around their security and their safety in their community and their neighbourhood. There's no question that we've heard a lot in the last period of time about violence in bars and gang problems and all those kinds of things, so bringing forward an act like this certainly does make it appear, at least on the surface, that, oh, we're being tough on crime and that we're taking actions to stop crime.

I'm not necessarily saying that that's not the case, but it's one of those things that is certainly much more complex than just saying: oh, we're giving police more power to enforce antigang activity in

bars. Really, what it comes down to is engaging in a much more sophisticated analysis around what the barriers are in terms of enforcement in the bars and particularly in those bars where gang activity is a serious problem. You know, it's not just a question of all these gang members sneaking into these bars and that nobody can do anything about it. There are also issues about sort of the will to enforce in a lot of different cases, and it varies from bar to bar.

It's interesting. Just to follow up briefly on the comments that the Member for Edmonton-Gold Bar was making as his time to speak elapsed, he talked about the stakeholder consultations and the various strategies that were being considered to deal with the amount of violence that occurs where there are too many bars or too many people in bars. There's a tremendously complex dynamic there around how you maintain public safety, how you balance people's desire to have bars to go to and the right of bar owners to open bars in places. How do you balance that right against community safety and against community standards and against the safety of the people that are in the bars?

Frankly, there are, as far as I know, much simpler issues that need to be addressed in terms of enforcement within those bars before we get to the point of, you know, ramping it up and coming up with the very sort of high-profile antigang legislation, simple things like insisting that the occupancy numbers are regularly enforced, just simple, simple things like that which don't happen because they're not enforced.

I certainly know this from my own riding, where we do have a very high concentration of bars along Whyte Avenue. There have at times been some real difficulties with respect to certain bar owners that were not prepared to enforce occupancy regulations and were not prepared to enforce drink limits and were doing the cheap drinks and all that kind of stuff. I'm not saying that all bar owners are like that, not by any means. There are other bar owners in the community who are very respectful of community needs, who are engaged in discussion and dialogue with the community as a whole and who are, you know, good corporate citizens. It's not a global thing, but there's no question that there are a lot of issues, and in some of these bars that are problem bars, there are a lot of other things that need to be addressed.

Having said that, though, I'm sort of in the process of trying to quickly engage in a more one-on-one type of consultation with constituents on this issue, but it is difficult given the pace with which we are addressing all these issues in the House, you know, and the fact that we are in night sittings and early morning sittings and day sittings and everything else and apparently some attempt to have this moved through two different readings just today.

4:40

Having said that, this legislation certainly does appear to do that which is occurring in a number of pieces of legislation that this government has brought forward, and that is that it's moving to push the legal envelope, as it were. It seems as though, you know, there's a whole second employment strategy, a quiet one, in this government, which is to employ all those out-of-work lawyers, although I wasn't sure that there were a lot of them, to defend this government with respect to the numerous pieces of legislation they bring forward that have constitutional implications. I think there is some concern that this piece of legislation is one of those pieces of legislation that's going to run afoul of constitutional requirements.

Without getting into a position where we are saying that the bill is unredeemable, I do think it's important to talk about some of the concerns that we have at this point with the bill and that have been raised in different settings. We have of course heard from different legal groups that raised concerns. They outline that which I've

already mentioned: the likelihood of this bill standing up to legal scrutiny were it challenged in the courts; the question of whether or not the authority being given to bar owners is even really necessary given their common law rights to control access and egress to their establishments and whether or not what we're really just doing is opening the door for them to collect whole bunches of personal information that ultimately isn't necessary; and then, again, the whole additional authority being given to police officers. Maybe this is necessary; maybe it's not.

I certainly would like a great deal more detailed information about where law enforcement authorities think the problems are in the system vis-à-vis cracking down on these problems. We're at this point on the verge of giving police officers the ability to remove people from licensed premises with a very, very broad amount of authority. As has already been mentioned, for instance, a police officer can remove somebody if they believe that they're associated with a gang. They don't have to reasonably believe. They don't have to have evidence upon which they believe it. It can be on a second-hand basis. It doesn't need to be reasonable belief; it just needs to be a belief of the police officer.

Then the whole question is: are they associated with a gang? That can as has already been pointed out involve someone who, you know, has never engaged in any criminal activity and isn't in any way knowingly associated with any kind of criminal activity, whether it's gang activity or otherwise, being removed from premises by a police officer in breach of sort of their fundamental rights under the Charter. That's a concern because it's a very wide net that this legislation is casting, and I'm not entirely sure that it's defensible or sustainable in accordance with other laws of our country.

From the bill, as I said, the police officer doesn't need to rely on personal knowledge in concluding that a person is associated with a gang but can rely on information from others, including information about association, the use of names, signs, symbols, other representations used by a gang, all that kind of stuff. You know, I'm certainly not anywhere nearly knowledgeable enough about what is or what is not gang symbolism and gang dress and gang behaviour, but I do think that there's been a certain popularization of it somewhat in the media, and I think it's not at all surprising that you would see evidence of that in some cases without it actually being backed up by any kind of criminal activity. As well, the courts have previously said that considering someone to be associated with a gang just because they were present when unlawful behaviour took place is contrary to previous legal decisions. So that is a concern.

We've also raised concerns about the issue of allowing bar owners to collect personal information from people before they enter the licensed premises. I know we've heard that the Privacy Commissioner has very reluctantly given I wouldn't say endorsement to this legislation. I think he has very reluctantly removed his objection, but even in so doing, I believe there are still cautionary notes with respect to what he says. Although he gave guarded support to the bill, comments in his news release say that he's not convinced that kicking these people out of bars will make the bars any safer. It's not clear that these measures are actually going to make these bars safer, and there is even less justification for allowing police officers and bar owners to judge patrons on very little evidence.

In a *Calgary Herald* article he was also quoted as saying that he's worried that people may be put on a collective bar blacklist for reasons that don't merit that kind of sanction. He says that something that gets a person kicked out of a bar one night does not necessarily merit that person being forbidden from entering numerous bars on a permanent basis. These are good points, and I think, again, we need to be careful that we're not, you know, swatting a fly with a sledgehammer.

Now, we had previously the case where the Privacy Commissioner had ruled that bars had to stop scanning people's drivers' licences. However, we are still in a position where we're relying on regulations under the act to define how the bar owners need to collect, use, and disclose this information. So we don't actually have clear protection yet in this bill. All we have are regulations that will outline the fact that we may get clear protection. That's a concern.

Another problem with the bill stems from the criteria that allow a licensee to share a patron's personal information with other licensees. The bill says:

If a licensee has personal knowledge or reasonably believes . . . At least there we have the reasonable standard injected. Not with the police officers, but we do there.

. . . that a person . . . has, at any time within the preceding year, engaged in an activity referred to [in various sections], the licensee may . . . disclose the person's name, age and photograph to other licensees for the purpose of allowing them to determine whether they wish to allow the person to enter licensed premises.

Now, the question then becomes: how do we monitor that bar owners are using this information for the purpose established? How do we monitor that that information is not being used for secondary purposes? Who out there is going to be hired to engage in these monitoring activities? Of course, when you give people the authority to collect personally identifying information, you then have to exercise the restraint which comes with that privilege of holding that information. Yet it doesn't appear to me that there are any plans afoot to monitor, regulate, or enforce how that information is used. So that is somewhat concerning to us.

Ultimately, the definition of a problem patron can be quite broad. We've heard from the Civil Liberties Association, for instance, that the definition is also very difficult because the way it's drafted, it can be applied very differently by different bar owners in different settings depending on the context. The actual trigger point where your information starts getting passed around to an undisclosed number of other bars is not even easily identified or easily measured. In one bar the trigger point could be down here, and in another bar the trigger point could be up here. You just have no idea.

4:50

Maybe just because you happen to walk in the door with somebody wearing gang insignia who happened to start a conversation with you on the way into the bar, so you're chatting with them without having any knowledge that they are or are not involved with a gang, you know – who knows? – suddenly your name is on a list, and it's being shot around to an undisclosed number of bars for, yes, the purpose of ensuring that you don't come in. But, again, we don't even know whether that's the purpose that will ultimately be used for.

We will, ultimately, I suppose, if you complain, if you subsequently discover that people seem to be approaching you with information about you that you can't imagine how they would otherwise have gotten. But, I mean, it puts the onus on the person to investigate and try to figure out why their information is out there in that manner.

The Deputy Speaker: Hon. members, we have five minutes for comments or questions. The hon. Member for Edmonton-Gold Bar.

Mr. MacDonald: Yes. Thank you very much. To the hon. Member for Edmonton-Strathcona. You were talking about the collection of information in the bars and nightclubs, and you were concerned about the secondary purposes that perhaps could be used for as that information was collected. I certainly agree with you. I don't think

it's necessary that we collect that information. Do you have other concerns about how that information may be used?

For instance – and I'm not saying that this would happen, but I would use this as an example – a number of bouncers in a particular establishment may be very interested in the personal information of young members of the opposite sex, and they could use that information to perhaps ask for a date. There's a lot of information being provided here, and there is no control of it. Do you have other concerns?

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

Ms Notley: Well, thank you. I mean, the Member for Edmonton-Gold Bar makes a very good point, that there are a variety of secondary uses to which that information could be put. Again, as we know, the member himself outlined some of the discussions that occurred in the stakeholder consultation on the operations of bars, and in that consultation it was very clear that enforcement on a variety of issues was complex and difficult to manage. Now within that environment, where we've identified that enforcement – we have staff turnover. You know, it's a very dynamic, shall we say, industry. Into that environment, where alcohol is sold, by the way, so, you know, people aren't always operating in the most wise fashion, we are giving up access to personal information and then hoping that someone is going to be able to monitor and track how that's used in a professional way.

The Member for Edmonton-Gold Bar makes a really good point. There's no question; you may well find that in that particular setting patrons could find themselves being contacted for reasons completely separate from any genuine concern about their criminal activity and more in relation to, you know, the efforts of some people to contact other people because they're interested, whether they be of the same sex or opposite sex. It really doesn't matter.

Yeah. I mean, it all comes down to the fact that there's a lot of information being taken. The rules under which the right to take that information is triggered are very unclear and inconsistent from bar to bar, and the monitoring of the information, based on the ability to monitor within that industry on other standards, makes me very worried that we are not really set up to monitor and protect that information in a way we should. As I've said before, we don't even have the rules for how that will be done clearly laid out in this legislation. Of course, it's all being left to regulation, where we all have to sort of cross our fingers, close our eyes, and hope it all works out okay.

Thank you.

The Deputy Speaker: The hon. Member for Calgary-Buffalo, within the five minutes?

Mr. Hehr: No. I'm all right.

The Deputy Speaker: Does any other hon. member wish to speak? Hon. Member for Calgary-Buffalo, you already spoke.

Mr. Hehr: Then I'm done.

The Deputy Speaker: Yes.

Hon. Member for Airdrie-Chestermere, do you wish to close the debate?

Mr. Anderson: Yes, I do, Mr. Speaker. I just wanted to take a couple of minutes to thank the Assembly and my colleagues for

debating this bill. I think it's a very important bill to debate. There was some very good debate and some very thoughtful comments on both sides.

It is a very sensitive issue whenever you're dealing with people's personal information. You know, we have a Privacy Commissioner. We've taken the step to give this legislation to the Privacy Commissioner, and the Privacy Commissioner has made a ruling on it and has said that it does uphold our standards of privacy in this province. Although it's nice to maybe opine on how the Privacy Commissioner came to that conclusion or whether he wanted to make that conclusion, he did make that conclusion, so I believe that this legislation does respect the rights of privacy.

The Member for Calgary-Buffalo raised some concerns about this legislation allowing police to essentially grab people out of bars and question them, you know, for no apparent reason. This legislation gives police no such power. This is not criminal legislation. This is legislation where if police have a good-faith belief that a person is a member of a gang because they have a gang tattoo or they are conversing with a member of a gang for a long period of time, if they are wearing body armour in the presence of a gang member, et cetera, they can take that information into account and can ask that person to leave the premises. This does not mean that they can make an arrest. This does not mean that they can take the person in for questioning. That's not what this legislation does. I think it's important to realize that.

If we read the legislation, it says that a police officer, as the hon. member pointed out,

need not rely on personal knowledge in concluding that a person is associated with a gang but may rely on information from others, including . . .

Then it goes through it.

- (a) information regarding
 - (i) any admission of association with a gang,
 - (ii) use of names, signs, symbols or other representations used by a gang,
 - (iii) a person's presence at the scene of unlawful behaviour by a gang, regardless of whether the person participated in the unlawful behaviour,
 - (iv) receipt of benefits from a gang, and
 - (v) frequent association with persons associated with a gang.

There are reasons laid out here. I believe that these are good enough reasons, not to make an arrest, but that's not what we're talking about here. We're not talking about arresting anyone. We're talking about public safety in licensed establishments, where we have had shootings and stabbings and other terrible incidents occur. This simply gives licensed establishments and police the opportunity to make sure that these places are safe places for the average Albertan to go out and have a drink with their friends and go dancing with their date and all that sort of thing. I think that's important. We should be able to do that without getting stabbed. [interjections] I'm going home right after the session, so I'm getting excited.

I also wanted to remind the hon. member that this is a private establishment. A licensed establishment is a private establishment. You have a right to know who is in your establishment, and unless it is on a list of enumerated grounds in the human rights legislation, you have a right to deny them access to your establishment for a variety of reasons. This is not a public place. It's not a park, where you can go at will. This is someone's business. If you come in there and you're a known gang member and you have a well-known gang tattoo and you're wearing body armour in order to intimidate or to do whatever, you have the right as a bar owner to deny access. That's what we have to keep in perspective here.

5:00

I think that this is a good example of a community solution to a community problem. We can't just rely on front-line officers to do all the policing, to be all the eyes and ears on the ground when we're talking about violence and gang violence, et cetera. We need to empower businesses and people to participate in the solution, and that's what this legislation does. It does something about a problem that we have, and I would urge all members of this Assembly to support the legislation.

Thank you.

[Motion carried; Bill 42 read a second time]

Government Bills and Orders Committee of the Whole

[Mr. Cao in the chair]

The Chair: I would like to call the Committee of the Whole to order.

Bill 29 Family Law Amendment Act, 2009

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

Mr. Denis: Thank you very much, Mr. Chair. It's my pleasure to rise today during Committee of the Whole and speak in favour of Bill 29, the Family Law Amendment Act, 2009. I'm encouraged by the opposition's support of this important legislation, which deals with improvement and necessary change to the province's child support recalculation program, which is targeted to open by the end of this year. It's essential that this amendment be made to the legislation for separated and divorced parents and children of their relationships.

Mr. Chairman, there were no specific issues brought up during the second reading debate. However, I'd like to reiterate some key points of this proposed amendment and why I would submit to you and through you to all members of this Assembly that this has to be passed. This legislation will improve access to justice by enabling the child support recalculation program to provide a simple, low-cost way for parents to keep their child support orders current.

In the discussion we currently heard that this amendment provides appropriate incentive for parents to disclose their income to the child support recalculation program, ensuring that the results of the recalculations are therefore fair. The recalculation program will help ensure that children receive the best support their parents can offer as their financial circumstances change from year to year. Mr. Chair, it will also help child support payers whose incomes have gone down by reducing the amount of child support that they have to pay, a principle again of fairness. It will also help children and support recipients by increasing the child support they receive if the payer's income has gone up. In either case it will help parents meet the obligations they have in law to ensure their child support orders are adjusted to match their incomes accordingly.

I must also add, Mr. Chair, a bit of a human side. Over this weekend I was out with some friends of mine on Saturday night – for those of you who think I'm a stiff, we were watching UFC – and I ran into a young woman who had just had a baby. She was asking me what happens and what her rights are if the father doesn't pay child support. This is exactly what this is about.

If these rights are not available and made clear and simple to an

average individual, what often can happen is that these people can fall on the government assistance rolls, which, of course, are paid for by taxpayers. Conversely, if we have a good system like this is going to put on for average, everyday people, we will ensure that children receive the support they need from the people that are required to pay it.

Mr. Chairman, I appreciate the opportunity to once again emphasize the importance of this legislation, which I'm pleased to see members of this Assembly recognize, and I would encourage all hon. members to support this bill through Committee of the Whole.

Thank you.

The Chair: The hon. Member for Calgary-Buffalo on Bill 29.

Mr. Hehr: Well, thank you very much, Mr. Chair, for giving me the opportunity to speak at the Committee of the Whole stage of this debate. I believe I already provided some comments on this in second reading and again shall do so today.

I would like to commend the Member for Calgary-Egmont for bringing forward this bill. It's not only a well-intentioned bill, but it is, in fact, a very good bill. It allows for people who have been involved in each other's lives who have support obligations either through spousal maintenance or through child maintenance to utilize a system that will make it easier for them to obtain some justice.

What primarily this bill provides is that if a party fails to provide an income tax return, notice of assessment, in short a questionnaire, child support the next year will be recalculated as if that payer's income had gone up by 10 per cent. An additional 3 per cent would be added annually to capture since the order was granted or recalculated. The maximum deemed income increase would be 25 per cent and would be applied to orders where five or more years had passed since income was last determined.

This amendment encourages parents to comply with their obligation to provide income disclosure. It also ensures that one parent's failure to disclose their income as legally required does not mean that the other parent and children are denied services from the program. The five existing recalculation programs – in British Columbia, Manitoba, Prince Edward Island, Newfoundland, and Nunavut – currently recalculate orders granted after their programs were created. Alberta's program will help parties with child support orders dating back to May 1997, when the child support guidelines were first introduced. This increases access to justice even further as Albertans will not have to go back to the court to get new orders so they can participate in child support recalculation programs.

This program is expected to be operational later this year. In discussion with the department it appeared that other jurisdictions were canvassed and that these measures were included so that what was happening would be up and about as quickly as possible for Alberta citizens. The only thing that is not included in the amendment which possibly could be a part of this whole enterprise is the possibility of reclassification from outside this jurisdiction. It was related to me that due to retroactive calculation for maintenance enforcement payments in Alberta in addition to other conflict of laws issues made in this area for further expansion of the act, that can maybe come in at some other time.

What we're looking at here is a good bill. What happened previously when individuals were involved in a relationship and had children – when the federal guidelines were established in 1997, what would happen is that when individuals would finalize their arrangements, separate, and go before a magistrate or even work things out on their own and come up with an order for payment that was due and owing under the guidelines, which is guided by either one or both of the spouse's income, then payments were made thereafter. That's how the system worked.

5:10

However, what would happen is that this would go along for a year or so, and either one spouse or the other spouse would inevitably make more money. That tends to be the progression, especially during that time period in Alberta. You have individuals who maybe in 1997 were making, say, \$50,000 – that's a decent sum – and they had two kids. If you go to the child support payment guidelines, they would say that you owe X, Y, and Z to your two kids and your spouse. Well, if that's what he was making in 1997, you know, lo and behold, he or she was adventurous, went out and made some more money, and next thing you know, three years later, in the year 2000, that individual was making double that. That individual was making \$100,000.

This individual, although well meaning and well intentioned, did not report this to his ex-partner, and he or she was not providing the extra income to go to their children, was merely saying: "I was making \$50,000 three years ago, and the money I was paying under the maintenance enforcement program, well, that was good enough. We don't have to incorporate this extra \$50,000 that I now make in addition to what I was making three years ago." You know, that individual, for whatever reason believed that his or her family had enough with his payments in 1997.

But that's not how the court system works, Mr. Chair. The court system demands that the rules be followed. So, you know, when one spouse had an inkling that the other spouse had increased his or her rate of pay to \$100,000, well, that individual has a right to receive more benefits under the child support recalculation program or what other maintenance enforcement protections that are out there. Of course, the person who made \$100,000 wouldn't necessarily want to just give up this money freely and willingly sometimes. The other partner, he or she, would have to go to a lawyer and say: "Mr. or Mrs. Lawyer, I believe my former partner is making significantly more money now, three years later, than he was when the initial order was granted for maintenance enforcement or payment under the child support act, and that individual is not willing to give me additional money. So what should I do?" And that lawyer would say: "Well, what you have to do is, first off, pay me a retainer. If you give me a retainer of, say, \$10,000, I can help you." With that retainer of \$10,000 that lawyer would get busy, draw up some papers, send a statement of claim or statement of review or a maintenance enforcement review, whatever the case would be, to his or her ex, and that individual who had received this letter would say: "Oh my goodness, it looks like I have to go to court some time to figure this out."

When that individual got his letter from his ex-partner, ex-wife or ex-husband, that individual would then go to a lawyer. Of course, he or she would sit down, and that lawyer would say: "Well, here's what we have to do. You can either agree right now that your salary is \$100,000 and probably pay this, or we can go to what's called a hearing. I can represent you there, and we can battle it out in court and really decide how much you make." Well, oftentimes that was the option that was chosen, so \$10,000, again, was the fee you had to give the lawyer to take the case. Lo and behold, these two individuals would end up at the courts some time later to discuss how much was due and owing under the new provisions. If we look at that, what was really only necessary was the record of employment and the income tax statement. That would have been filed with the courthouse, and then they could have made a decision from there.

Generally speaking, you know, this is a lot more sensible way for couples to do it. You know the old way of sometimes getting a lawyer and battling for every nickel and dime against a deadbeat dad or a deadbeat mom was not in anybody's best interest. In situations

like this now you have this child support recalculation program that exists that allows people to use it and former families to use the program if necessary. If they are unsatisfied with it, they can then decide whether they want to get a lawyer and pursue it further. That is their choice. This, at least, allows some recognition that if one of the deadbeat dads or moms is not filing their income tax, they're at least going to get some increase in the payments due and owing. It just basically punishes wilful laziness or wilful deceit, whatever it is, of individuals who are trying to hide income from their former spouses.

Like I said at the beginning – I'll end with a similar sort of refrain – this is a good bill that recognizes technology, that sort of makes it easier for people to use the system, doesn't infringe on anyone's freedom of expression or freedom of association or anything like that. Bill 29, the Family Law Amendment Act, is simply a good bill that we will be supporting with all the voracity and tenacity and vigour that Her Majesty's Loyal Opposition can bring up.

Thank you for giving me the opportunity to speak, Mr. Chair.

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

Mr. MacDonald: Yes. Thank you very much, Mr. Chairman. Certainly, the amendments to the Family Law Act as proposed here in Bill 29: I know that parties in our constituency will be pleased with this. At least, I think that this amendment will encourage parents to comply with their obligation to provide income disclosure annually regarding maintenance enforcement issues. Now, when a party fails to provide an income tax return, notice of assessment, and a short questionnaire, child support the next year, as I understand it, will be recalculated as if that payer's income increased by 10 per cent. An additional 3 per cent would be added for each additional year since the order was granted or recalculated. The maximum deemed increased would be 25 per cent and would be applied to orders where five or more years have passed since income was last determined.

5:20

I'm not going to go into the details of this case, but I was just reading a file of a constituent. On Monday I got the information that was provided to me. We're trying to help this individual out. This individual has three children. Thousands and thousands of dollars in arrears are owed to this individual. This individual is just scraping by with the three children, and the spouse is delinquent, not interested in helping out in any way. I think we've got to get very, very tough and diligent on these individuals who are refusing to, essentially, support their own children.

Mr. Hehr: It reminds me of that Kenny Rogers song.

Mr. MacDonald: I'm not familiar with that Kenny Rogers song.

Mr. Hehr: It's a fine time to leave me, Lucille.

Mr. MacDonald: It's a fine time to leave me, Lucille. Okay.

Mr. Hehr: "Four hungry children and a crop in the field."

Mr. MacDonald: "Four hungry children and a crop in the field." Well, in this case there are three hungry children and no crop in the field.

Mr. Hehr: That's what I'm talking about.

Mr. MacDonald: You're absolutely right, hon. Member for Calgary-Buffalo.

However, when we look at some of the steps that have been made, Mr. Chairman, regarding maintenance enforcement issues – and I think it goes back to the hon. Member for Edmonton-Whitemud's time as Justice minister – there was significant improvement made to the process. Now, some people may disagree. There may be some individuals who have been delinquent who would strongly disagree with my statement, but something had to be done, and I certainly support the hon. Member for Edmonton-Whitemud, who initiated some of the changes.

The new legislation states, as I said earlier, that if a party fails to provide an income tax return, notice of assessment, and short questionnaire, child support the next year will be recalculated as if that payer's income had gone up by 10 per cent, et cetera. Now, I think this amendment will encourage, Mr. Chairman, parents to comply with their obligation to provide income disclosure. It also ensures that one parent's failure to disclose their income as legally required does not mean that the other parent and, most importantly, the children are denied services from the program.

There are five existing recalculation programs: in British Columbia, Manitoba, Prince Edward Island, Newfoundland, and Nunavut. They currently recalculate orders granted after their programs were created. Alberta's program will help parties with child support orders dating back to May 1997. I can't remember the specific file I quoted earlier, if it goes back that far or not, but it went back quite a few years. Now, this amendment, as I understand it, will also increase access to justice even further as Alberta citizens will not have to go back to court to get new orders so that they can participate in the child support recalculation program. The program, as I understand it – and the hon. member, I believe, talked about it – is to be fully operational by the end of the year.

Mr. Hehr: That's what they say.

Mr. MacDonald: That's what they're telling you. Okay.

Now, in discussion with the department it appeared that other jurisdictions were canvassed and that these measures are included to address what is perceived as a shortcoming of the other recalculation systems. The only thing that I understand has not been included within the amendment is the possibility of reclassification from outside the jurisdiction. If a mother or a dad moves to Saskatchewan or B.C., then what happens in cases like that?

Now, the child support recalculation program. Mr. Chairman, maintenance enforcement conducted a client survey of both the creditors and the debtors. The survey was intended to help maintenance enforcement better understand the needs of clients so that they can improve client service in collections, and I think we need to commend them for that. It's a very, very difficult issue. I know that at our constituency office these are very, very tough files. There's more than one side to each and every story, but you have to deal with it, and people have to support their families; there's no doubt about that. Whether the couple are living together or not, it's very important that the children are well looked after and well supported.

Now, if this amendment becomes law, which I certainly hope it does, we on this side of the House support this effort to ensure, among other things, the smooth operation of the courts and greater certainty for Alberta's maintenance enforcement clients. I think this is a very common-sense streamlining that has been a success in other provinces. As I mentioned, these are welcome initiatives, and the penalties included in the act to ensure the collection of family maintenance remain a priority. We could go through the child support recalculation service, but I don't think that is necessary.

Certainly, when Bill 29 was introduced, the amendment was to ensure that we try to keep defaulters in line, make the new program easier for child support payments to be acquired and distributed.

With those remarks, Mr. Chairman, I would like to conclude by indicating that through our constituency office in Edmonton-Gold Bar we routinely, unfortunately, have files where there are significant outstanding debts owed between parties. Hopefully, this will ensure, even if it's in a small way, that those obligations are always respected and those obligations are always met by either party involved in the family matter.

Thank you.

The Chair: Is any other hon. member wishing to speak on this bill? Seeing none, the chair shall now call the question.

[The clauses of Bill 29 agreed to]

[Title and preamble agreed to]

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

Hon. Members: Agreed.

The Chair: Opposed? Carried.

Bill 30

Traffic Safety Amendment Act, 2009

The Chair: Are there any comments, amendments relating to the bill?

Mr. Hehr: Just a comment. It was my understanding that that bill got pulled this afternoon.

An Hon. Member: Bill 31.

Mr. Hehr: Ah, yes. So this is traffic. Nice. I would like to comment briefly.

The Chair: We have Bill 30 now, Traffic Safety Amendment Act, 2009. Are there any comments, questions, or amendments to be offered relating to this bill? The hon. Member for Calgary-Buffalo on Bill 30.

Mr. Hehr: Well, thank you very much, Mr. Chair, for the opportunity to once again join in on the Traffic Safety Amendment Act, 2009. I had the privilege of speaking on this just yesterday, and it was actually a good discussion.

Mr. MacDonald: You haven't been caught for speeding since?

Mr. Hehr: No. I have not been caught for speeding yet, but I'll tell you what: it was a relatively good discussion between all sides. All sides took part. The hon. minister in his always affable way took part in the debate. We actually bantered on some recommendations and some ideas not only in regard to this bill but possibly future amendments or future, I guess, safety measures that will come into play in our traffic safety.

5:30

There's no doubt that traffic safety is very important to Alberta people. In fact, I was just mentioning the other day that traffic accidents cost Alberta society \$12 million a day. Twelve times 365. I don't have a computer here, but if someone could calculate that,

that's a lot of millions of dollars. It might even be – is that a billion dollars? It may be. Anyway, a lot of money, a lot of time, a lot of productivity, a lot of pain, a lot of anguish, all caused by traffic accidents.

What any expert will tell you is that one of the primary causes of accidents is speed. People have said this for as long as I've been around: speed kills. If we can find ways to, I guess, limit speeding and encourage effective driving that not only protects drivers from themselves but, of course, protects other members of society from those drivers who tend to ignore the rules and regulations that we are to live by, well, then, so be it. We need to write legislation and laws and hire police officers and in certain instances put up red-light cameras, which we've chosen to do in this act. What this bill does is it allows us now to have a ticket sent out for both running a red light and speeding. I thought that was a good thing. If you're doing both, why not get a ticket for both?

We also had an interesting discussion yesterday, and it was led off by the hon. Member for Edmonton-Gold Bar. It was regarding the issuance of demerits for these types of things. The minister had a fairly good point on this issue. He said: why should we issue a demerit to someone who gets one of these photoradar tickets when it may not be them in the car? Yesterday I thought: "Now, that seems sane. That seems like a reasonable thing to do." For instance, even a minor speeding ticket, say if you're going 65 in a 50 zone through a red light, that's going to be at least two or three demerits. Can anyone help me with that? Let's assume two, three demerits. I'll tell you what. If that happens quite a few times, you can be out of your licence in a fairly quick way.

I went away thinking about that and sort of left that day agreeing with the minister and saying: how foolish was I to throw in with the hon. Member for Edmonton-Gold Bar when I should be leery of that sometimes? I went away last night, and I thought about this for a second, and I came back. Now I understand the rationale behind the hon. Member for Edmonton-Gold Bar. Sometimes I get caught up with the always affable minister's expressive behaviour. You know, I must have been so enraptured by his physical presence and oratory prowess that I threw in with him that quickly. But I went back and I saw this.

Now, here's why we might want to consider some demerit system when people get a traffic ticket. When a person would get a photoradar, maybe we issue one demerit, say if they're going 65 in a 50 zone or any time that car goes through the thing, however egregious the offence. Say you've lent your car to your 16-year-old son and he gets caught doing 140 in a 50 zone and, yeah, it's caught on photoradar. We issue that one demerit.

You know, we as car owners have to be somewhat responsible for whom we are lending our vehicles to. Oftentimes it's parents who lend their car to their child or grandparents to their grandson or a gentleman to their girlfriend, yada yada yada, whatever the deal may be. People are constantly lending cars in our society and possibly to some bad risks. This not only affects the people on the road, but I'd hazard a guess that when people are in other people's vehicles, they may not even be as cautious as they are in their own, and that could be a point.

I believe that the hon. Member for Edmonton-Gold Bar is on to something, where we could find some way to incorporate a demerit system in here. This would not only slow people down. It would work on licensing, and people would get the point even more so than just paying a fine. There would be an actual punishment, if you rack up 10, 12, or 15 of these, where you lose your licence, and that would be fair. You would be in charge of your vehicle, and you would know who was driving it, and it would provide that extra mechanism of safety.

I'm not fully advocating for this yet, but it is an idea that really could be worked to in the future, that something could be managed to keep reducing our accident claims, reducing the costs on society, the costs to our health care system, our businesses, our whole thing like that. I think it's an idea worth exploring, and I'm actually glad for that discussion last night because it made me think about this issue further.

There's another sort of scenario I'd like to continue on. Although we didn't get a lot of thinking done last night because we were debating stuff till 4 in the morning, during the odd moment I was still thinking about this Bill 30, the Traffic Safety Amendment Act, 2009. I thought, you know, more about the environmental situation in this province and how as a province, because of our oil and gas industry and because we wanted to grow and prosper and provide jobs for our people and provide our citizens with more wealth and because we have this here and because there is a recognition that this is going to be a CO₂ producing venture that we're undertaking, we should maybe look to being even more diligent with our speeding and maybe what we set our rates at on the highway.

For instance, right now they're at 110. If we move them down to 100, this would not only save lives. It would save a tonne of CO₂ going into the atmosphere. We could be leaders on that front. We'd say: "Yeah, yeah, yeah. We do provide extra CO₂ into the environment because of our oil industry, that we're providing for the world, but, hey, look at what we're doing. We're going to reduce our speeds to try and do our part." Put on top of that that we're putting in California air emissions controls on all our cars, so we're doing better on that. Also, then we're going to add tax incentives for people who buy cars that get over 55 kilometres a litre, all that sort of stuff that just this type of legislation can do. We can be leaders in other ways. Even though I see us growing our emissions through our continued oil sands production, growing our emissions maybe by doing, hopefully, more of our own upgrading of bitumen right here at home, we can reduce emissions in other ways. One of those ways where Alberta can be a leader is maybe on reducing speeds.

Those are my comments. I think it's a fairly good act, and I commend the hon. Member for Grande Prairie-Wapiti for bringing it forward. Thank you very much.

5:40

The Chair: On Bill 30, the hon. Member for Edmonton-Gold Bar.

Mr. MacDonald: Yes. Thank you very much. I, too, listened with interest. I appreciated the comments and the suggestions yesterday from the Minister of Transportation regarding photoradar and why, in his opinion, it would be unwise to issue demerits to change driving behaviour that way as well. I appreciated his input into the debate, but I'm certainly not convinced of that. I think there are ways of doing it. I don't know whose interests are being served here. It certainly could be the rental car industry. It's a big industry. They may have issues that we are unaware of regarding the behaviour of past customers with their vehicles.

Mr. Hehr: And gang members.

Mr. MacDonald: Well, I don't know if I'd go that far.

Certainly, the car rental industry is a big one. Many people may be unaware that in Dallas, Texas, there is a tax on each and every transaction from a car rental agency that is used to pay for a sports stadium. I was startled to find that out. It's megabucks at the Dallas-Fort Worth airport. This is one of the ways that the local government there has raised money to pay for a sports facility. Now, that's a little bit off subject here, and I'm aware of that Mr.

Chairman. Certainly, how the car rental industry would react to an initiative where the driver of a rental vehicle, he or she, who is caught either speeding through an intersection or failing to stop at a red light and the infraction is captured on a stationary camera above the intersection, how this would be policed or enforced, who would be responsible: these are interesting issues. I don't think it's the end of the issue.

As more and more photoradar tickets are given out, it surprises me that the insurance industry is not interested in that information. If the hon. Member for Calgary-Buffalo was jettling through amber lights as they turn red and had frequent tickets, his insurance carrier may be interested in that behaviour or that chronic pattern. We all know the lobby that the insurance industry has. It's puzzling why they do not want to know more about this because it's an indication of our driving habits.

I can assure the hon. Member for Livingstone-Macleod that I am worried now. I hope my insurance agent doesn't read yesterday's *Hansard* and jack up my rates.

Mr. Hehr: That's because we don't have public insurance.

Mr. MacDonald: Well, we could look at that.

In committee this afternoon, Mr. Chairman – and I don't think we discussed it fully yesterday. I have some concerns, actually, about the opening up of the definition of investigators and whether or not this will pave the way for the implementation of an Alberta provincial police force.

Now, I know we've had an exchange. We've had many exchanges in this House, various members, around this whole issue. But this goes back to what I said earlier this afternoon. This spring session there's a lot of draconian legislation, a lot of authoritarian legislation coming through here, whether it's Bill 36 from the Minister of Sustainable Resource Development, whether it's Bill 19 from the Minister of Infrastructure and how Bill 19 relates to Bill 46 from two years ago. There's a lot of legislation which I consider to be authoritarian.

I was reading with interest an open letter to former Premier Ralph Klein that appeared in the *National Post* on January 26, 2001. It's in the comments section. The byline has the current Prime Minister of Canada, the Rt. Hon. Stephen Harper; Tom Flanagan; a current member of this Assembly, the hon. Minister of Sustainable Resource Development, who at that time, in 2001, was a professor of political science and an Alberta Senator-elect; we have a couple of other individuals, and we have Ken Boessenkool, who the last time I had heard of him he had worked in Alberta Finance as a former policy adviser to Stockwell Day, who is Minister of International Trade in the federal government. Mr. Boessenkool – I was reading on the Internet the other night – is a potential candidate for the Progressive Conservative Party of Alberta in the by-election in Calgary-Glenmore. This is what I read on the Internet now.

Mr. Hehr: He might be being encouraged.

Mr. MacDonald: He might be being encouraged to run.

There are many issues in this so-called Alberta agenda letter that was presented to Ralph Klein publicly through the *National Post*, but the third item – and this goes back to our definition regarding investigators – and I'm going to read this, Mr. Chairman:

Start preparing now to let the contract with the RCMP run out in 2012 and create an Alberta Provincial Police Force. Alberta is a major province. Like the other major provinces of Ontario and Quebec, we should have our own provincial police force. We have

no doubt that Alberta can run a more efficient and effective police force than Ottawa can – one that will not be misused as a laboratory for experiments in social engineering.

The one thing I would certainly agree with the hon. Minister of Sustainable Resource Development on here in that statement is that Alberta is a major province. It takes its place next to other major provinces like British Columbia, Ontario, and Quebec. I can't understand how the hon. member at that time as a professor of political science could ever link the RCMP to social engineering, but this is in this article that we have acquired through the archives.

Now, I know there are certain individuals in the province that want a provincial police force. I, for one, think the RCMP is doing a very, very good job. I know the Sustainable Resource Development minister wants to have a provincial police force, but I cannot agree with the hon. member. I think the Mounties do a very, very good job. There certainly are issues with the Mounties in other parts of the country, but I certainly cannot say there are any issues here.

I had the pleasure of going up to K Division not too long ago to ask them to inquire into a matter that I'm still working on, and that's the conduct of the election in Edmonton-Gold Bar. Unfortunately, they couldn't help me out. Maybe they can and will in the future, Mr. Chairman.

5:50

I have concern about this issue that some members opposite have with the RCMP, the Mounted Police. I still am asking, requesting that if there is information available, if there has been a cost-benefit analysis done to ensure that we will have improved service at reduced cost if we're to have our own police force, well, show us.

Ideology in some cases with this government has overruled economic common sense. One example of that, Mr. Chairman, would be electricity deregulation, where we're still footing the bills for that one.

I have a lot of concerns about the direction that we're going in. I'm puzzled, again, how Alberta could run a more efficient and effective police force than Ottawa can, than if it's under Ottawa's control. The RCMP certainly are independent. They're like the military. They're independent. They should be independent from political control. All police forces should be independent of political control. And if the hon. member, who obviously supports a provincial police force, has any examples where the Mounties were used as a laboratory for experiments in social engineering . . .

Mr. Hehr: I want to know.

Mr. MacDonald: I want to know. The public would be anxious to know that as well. Anyway, I'm not going to go through the rest of the issues regarding this letter on the Alberta agenda, but it certainly is amazing. It is amazing. I'm not saying it's accurate or that it reflects popular public opinion, but it is amazing. I don't think it reflects the values of this province nor of our country. I will certainly say that.

Mr. Chairman, regarding the Traffic Safety Amendment Act, those are some of the concerns that I do have, and I'm going to watch and see how the Alberta provincial police force unfolds. Every time I go in the fall of the year down here to show respect for police officers who have unfortunately fallen in the line of duty, I do see the Edmonton Police Service present, I do see the Calgary Police Service present, I do see the scarlet tunic of the Mounties present, and in ever growing numbers I see the sheriffs.

Mr. Hehr: They have no oversight.

Mr. MacDonald: I don't know where the oversight is for the sheriffs, but I think the sheriffs are baby steps towards this provincial police force, which I don't think we need. You know, their numbers are growing. The budget for them grows. I know they do some good work, but I'm not convinced that it's in the public interest or the taxpayers' interest to expand any further the role of the sheriffs. Unless, of course, there is a secret – now, this is called the Alberta agenda, but we could have a secret agenda here to implement a provincially operated and controlled police service. I see the hon. members across the way. I don't know if they have not been paying attention, or I don't know why they're silent, but certainly they're stirring there now, Mr. Chairman.

With that, I will conclude my remarks and cede the floor to another hon. member regarding Bill 30. Thank you.

The Chair: Seeing no other hon. members who wish to speak, the chair shall now call the question.

[The clauses of Bill 30 agreed to]

[Title and preamble agreed to]

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

Hon. Members: Agreed.

The Chair: Opposed? Carried.

Bill 32

Alberta Public Agencies Governance Act

The Chair: Are there any hon. members who wish to speak on the bill? The hon. Member for Edmonton-Rutherford.

Mr. Horne: Well, thank you very much, Mr. Chair. In consideration of the time, what I'd like to do is attempt to respond to some of the questions that were raised in second reading debate on this bill yesterday, and I'll just continue to work away at those until time is called.

One of the questions that was raised yesterday, Mr. Chair, by the hon. Member for Edmonton-Gold Bar was the question of whether TILMA, the trade, investment, and labour mobility agreement, would require harmonization between Alberta and B.C. for rules governing agencies, boards, and commissions. The answer to that question is no. TILMA, as it's known by its short form, deals with

trade, investment, and labour mobility only, and it's purpose, as I think the House is aware, is to aim to eliminate barriers that would create restrictions in those three areas. It in no way requires harmonization of matters such as those addressed in Bill 32, which have to do with standards regarding governance of agencies, boards, and commissions. Alberta and British Columbia may each independently address the appropriate governance structures for their respective agencies, boards, and commissions notwithstanding TILMA. I hope that information is helpful.

Another question that was raised yesterday had to do with the role of stakeholders under the bill, specifically with respect to the provisions in the bill, Mr. Chair, that provide for the periodic review of the agencies, boards, and commissions and specifically the mandate and roles document, which they're required to create under the proposed legislation. The answer to that question – I think the point was raised by the Member for Edmonton-Highlands-Norwood – is simply this: the bill does not outline a formal role for stakeholders in review of that particular document, but that is not to suggest in any way that stakeholder input is not essential to good governance. Stakeholder input will for many agencies form an important part of the agency review process.

As you'll recall, Mr. Chair, the premise of the bill is that agencies, boards, and commissions are responsible to the minister for their functions, the minister whose portfolio includes those ABCs. The minister is, in turn, responsible to this Assembly and to the Alberta public. So what we would anticipate is that ministers would want to proactively seek the input from stakeholders in the course of conducting these reviews. It's an important element of their mandate, and it is certainly likely, as we've seen in other situations under other legislation, that issues such as stakeholder and client satisfaction would form the basis of short-term targets and long-term objectives for the agency as jointly set by the agency and the responsible minister. Ministerial accountability to the Legislative Assembly and the public, as I've said, includes accountability to that portion of the public which are a given agency's stakeholders. This accountability is a key principle underlying this bill.

Mr. Chair, there are a number of other items on the list here that I've made from second reading debate yesterday, and I'd proposed to go through those . . .

The Chair: Hon. member, I hesitate to interrupt. It's 6 o'clock so the committee is now in recess until 7:30 tonight.

[The committee adjourned at 6 p.m.]

Table of Contents

Wednesday, May 27, 2009

Statement by the Speaker	
William C. Semple, Assistant Sergeant-at-Arms	1333
Introduction of Guests	1333
Members' Statements	
Victoria Cross Memorial Park Monument	1334
Unintended Victims of Crime	1334
Cheongju International Craft Biennale	1335
North Atlantic Treaty Organization	1343
Drayton Valley Pathways Career Fair	1343
Calgary-Montrose School Visits	1344
Oral Question Period	
Debate on Bill 44	1335
Community Health Councils	1336
Elective Surgery	1336
Electronic Health Records	1336
Electricity Transmission Lines	1337, 1338
Temporary Foreign Workers	1337, 1343
Energy Efficiency	1338
Fish and Wildlife Management	1339
Land-use Planning	1339
Health System Restructuring	1339
Assured Income for the Severely Handicapped	1340
Civil Recovery of Health Costs	1340
Unlicensed Itinerant Contractors	1341
Building Construction Review	1341
PDD Community Boards	1342
Bitumen Exports	1342
Tabling Returns and Reports	1344
Tablings to the Clerk	1344
Government Bills and Orders	
Second Reading	
Bill 35 Gas Utilities Amendment Act, 2009	1344
Bill 41 Protection for Persons in Care Act	1345
Bill 42 Gaming and Liquor Amendment Act, 2009	1350
Committee of the Whole	
Bill 29 Family Law Amendment Act, 2009	1358
Bill 30 Traffic Safety Amendment Act, 2009	1360
Bill 32 Alberta Public Agencies Governance Act	1363

STANDING AND SPECIAL COMMITTEES OF THE LEGISLATIVE ASSEMBLY OF ALBERTA

Select Special Chief Electoral Officer Search Committee

Chair: Mr. Mitzel
 Deputy Chair: Mr. Lund
 Bhullar
 Blakeman
 Campbell
 Horne
 Lukaszuk
 MacDonald
 Marz
 Notley
 Webber

Standing Committee on the Alberta Heritage Savings Trust Fund

Chair: Mrs. Forsyth
 Deputy Chair: Mr. Elniski
 Blakeman
 Campbell
 DeLong
 Denis
 Johnston
 Kang
 MacDonald

Standing Committee on Community Services

Chair: Mr. Doerksen
 Deputy Chair: Mr. Hehr
 Benito
 Bhardwaj
 Chase
 Johnson
 Johnston
 Lukaszuk
 Notley
 Rodney
 Sarich

Standing Committee on the Economy

Chair: Mr. Campbell
 Deputy Chair: Mr. Taylor
 Allred
 Amery
 Bhullar
 Marz
 McFarland
 Taft
 Weadick
 Xiao
 Vacant

Standing Committee on Health

Chair: Mr. Horne
 Deputy Chair: Ms Pastoor
 Dallas
 Denis
 Fawcett
 Notley
 Olson
 Quest
 Sherman
 Taft
 Vandermeer

Standing Committee on Legislative Offices

Chair: Mr. Mitzel
 Deputy Chair: Mr. Lund
 Bhullar
 Blakeman
 Campbell
 Horne
 Lukaszuk
 MacDonald
 Marz
 Notley
 Webber

Special Standing Committee on Members' Services

Chair: Mr. Kowalski
 Deputy Chair: Mr. Oberle
 Elniski
 Fawcett
 Hehr
 Leskiw
 Mason
 Rogers
 Taylor
 VanderBurg
 Weadick

Standing Committee on Private Bills

Chair: Dr. Brown
 Deputy Chair: Ms Woo-Paw
 Allred Jacobs
 Amery MacDonald
 Anderson McQueen
 Benito Olson
 Bhardwaj Quest
 Boutilier Rodney
 Calahasen Sandhu
 Dallas Sarich
 Doerksen Taft
 Forsyth

Standing Committee on Privileges and Elections, Standing Orders and Printing

Chair: Mr. Prins
 Deputy Chair: Mr. Hancock
 Amery Mitzel
 Berger Notley
 Calahasen Oberle
 DeLong Pastoor
 Doerksen Rogers
 Forsyth Sherman
 Johnson Taylor
 Leskiw Zwozdesky
 Liepert Vacant
 McFarland

Standing Committee on Public Accounts

Chair: Mr. MacDonald
 Deputy Chair: Mr. Quest
 Benito Johnson
 Bhardwaj Kang
 Chase Mason
 Dallas Olson
 Denis Sandhu
 Drysdale Vandermeer
 Fawcett Woo-Paw
 Jacobs

Standing Committee on Public Safety and Services

Chair: Mr. VanderBurg
 Deputy Chair: Mr. Kang
 Anderson
 Brown
 Calahasen
 Cao
 Jacobs
 MacDonald
 Sandhu
 Woo-Paw
 Vacant

Standing Committee on Resources and Environment

Chair: Mr. Prins
 Deputy Chair: Ms Blakeman
 Berger
 Boutilier
 Drysdale
 Griffiths
 Hehr
 Mason
 McQueen
 Oberle
 Webber

If your address is incorrect, please clip on the dotted line, make any changes, and return to the address listed below. To facilitate the update, please attach the last mailing label along with your account number.

Subscriptions
Legislative Assembly Office
1001 Legislature Annex
9718 - 107 Street
EDMONTON AB T5K 1E4

Last mailing label:

Account # _____

New information:

Name _____

Address _____

Subscription information:

Annual subscriptions to the paper copy of *Alberta Hansard* (including annual index) are \$127.50 including GST if mailed once a week or \$94.92 including GST if picked up at the subscription address below or if mailed through the provincial government interdepartmental mail system. Bound volumes are \$121.70 including GST if mailed. Cheques should be made payable to the Minister of Finance.

Price per issue is \$0.75 including GST.

On-line access to *Alberta Hansard* is available through the Internet at www.assembly.ab.ca

Address subscription inquiries to Subscriptions, Legislative Assembly Office, 1001 Legislature Annex, 9718 - 107 St., EDMONTON AB T5K 1E4, telephone 780.427.1302.

Address other inquiries to Managing Editor, *Alberta Hansard*, 1001 Legislature Annex, 9718 - 107 St., EDMONTON AB T5K 1E4, telephone 780.427.1875.