



Province of Alberta

The 27th Legislature  
Fifth Session

# Alberta Hansard

Monday afternoon, March 19, 2012

Issue 19

The Honourable Kenneth R. Kowalski, Speaker

## Legislative Assembly of Alberta The 27th Legislature

Fifth Session

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Danyluk, Hon. Ray, Lac La Biche-St. Paul (PC)  
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Premier  
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Rodney, Dave, Calgary-Lougheed (PC)  
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Weadick, Hon. Greg, Lethbridge-West (PC),  
Deputy Government House Leader  
Webber, Len, Calgary-Foothills (PC)  
Woo-Paw, Teresa, Calgary-Mackay (PC)  
Xiao, David H., Edmonton-McClung (PC)

### Party standings:

Progressive Conservative: 66    Alberta Liberal: 8    Wildrose: 4    New Democrat: 2    Alberta: 1    Independent: 1    Vacant: 1

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Rogers  
Swann  
Woo-Paw

## Legislative Assembly of Alberta

1:30 p.m.

Monday, March 19, 2012

[The Speaker in the chair]

### Prayers

**The Speaker:** Good afternoon. Welcome back.

Let us pray. At the beginning of this week we ask for renewed strength in the awareness of our duty and privilege as members of the Legislature. We ask for the protection of this Assembly and also the province we are elected to serve. Amen.

Ladies and gentlemen and hon. members, we'll now be participating in the singing of our national anthem. We'll be led today by Mr. Paul Lorieau, and I'd invite all to participate in the language of one's choice.

### Hon. Members:

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

**The Speaker:** Please be seated.

### Introduction of Guests

**The Speaker:** The hon. Minister of Human Services.

**Mr. Hancock:** Thank you, Mr. Speaker. It is a pleasure for me to rise today and introduce to you and through you to all members of the Assembly a bright and enthusiastic group of 35 grade 6 students from Westbrook elementary school. Westbrook elementary school is located in my constituency, but as of the anticipated drop of the writ it will move to Edmonton-Rutherford and be in the constituency of the Member for Edmonton-Rutherford. Accompanying these students are their teacher, Arlene Walker, and parent helper, Najat Tarrabain. They're here this week at the School at the Legislature. They're seated in the members' gallery, and I'd ask them to please rise and receive the traditional warm welcome of the Assembly.

Mr. Speaker, it's also a pleasure for me to rise and introduce to you and through you to members of the Assembly another bright, enthusiastic group of 29 grade 6 students from Brander Gardens elementary school, also located in my constituency of Edmonton-Whitemud. Accompanying the students is their teacher, Natalie Gago-Esteves. I must say that Ms Esteves has brought classrooms to this Legislature every year, I think, certainly in the last four or five years, and has certainly been a regular. She's accompanied by Erin Regan. They're seated in both the members' and the public galleries, and I'd ask them to please rise and receive the traditional warm welcome of this Assembly.

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

**Mr. Prins:** Thank you, Mr. Speaker. It's my pleasure to rise before you in this Assembly to introduce to you and everyone else a group of students and visitors from the Lacombe outreach school. There are 21 students and four adults. The adults are Mr. Darcy Blum, Ms Donna Benson, Ms Travis Mills, and Mr. Keith

Godlonton. I hope that they have had a nice day here and enjoyed their visit. I would ask them to rise and receive the warm welcome of this Assembly.

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

**Mr. MacDonald:** Yes. Thank you very much, Mr. Speaker. It's a pleasure to rise and introduce to you and through you to all hon. Members of this Legislative Assembly another delegation from the Suzuki charter school in the constituency of Edmonton-Gold Bar. We have 39 visitors this afternoon, and they're led by teachers Miss Shannon Eremenko and Mrs. Ashlee Carl. Suzuki charter school is a very fine school in Edmonton-Gold Bar, and they put on many concert recitals throughout the city, including in the Legislative Assembly here at Christmastime, of course. I would urge all hon. members, if they do have a chance, to please go to their spring recital at the Winspear. It's an exceptional concert. They're in the public gallery, and I would now ask the delegation to please rise and receive the traditional warm welcome of this Assembly.

Thank you.

**The Speaker:** Hon. Member for Calgary-Varsity, do you have a special guest today?

**Mr. Chase:** A very special guest. Thank you, Mr. Speaker. I would like to reintroduce to you and through you to all members of the Assembly my extremely loving, supportive, and, as members of this House will appreciate, patient wife of 43 years. Heather, please stand and receive the recognition.

**The Speaker:** The hon. Deputy Premier.

**Mr. Horner:** Thank you, Mr. Speaker. It's an honour to introduce to you and through you to all members of the Assembly four teaching professionals from Red Deer. While attending the St. Albert food bank annual auction last year, Mr. Laurie Stamp bid on a special tour of the Legislature, and I'm pleased that he was the highest bidder. He couldn't be here with us today and has graciously asked four teachers from St. Thomas Aquinas Catholic school in Red Deer to join us. They are Christa Smereka, Crystal Mason, Angela McLean, and Landon Stamp. Christa is a student teacher studying at the University of Alberta, Crystal is a grade 8 social studies teacher with 10 years' teaching experience, Angela is a grade 7 social studies teacher with five years' teaching experience, and Landon is a grade 6 social studies teacher with one year of teaching experience and was raised in St. Albert. I had a great opportunity to have lunch with these four fine individuals who are teaching Alberta's youth. They are seated in the members' gallery this afternoon. I would ask that they rise and that the Assembly give them the warmest of welcomes.

**The Speaker:** The hon. Minister of Advanced Education and Technology.

**Mr. Weadick:** Thank you, Mr. Speaker. Indeed, it's an honour for me today to introduce to you a very special group of students. These are students from the Council of Alberta University Students, or CAUS for short. CAUS represents the interests of over 70,000 of Alberta's university students from across the province. I meet with them on a regular basis to discuss issues and concerns that they might have. The group hosted a reception a little bit earlier this morning and had the opportunity to meet with some of our MLAs and have a discussion around some of the topics that they think are extremely important. I'll be meeting with this group a little later in the week. I'd like to ask them to rise as I introduce them: from Lethbridge Mr. Zack Moline, Farid

Iskandar, Matt McMillan, Petros Kusmu, Andrew McIntyre, Armin Escher, Hardave Birk, Duncan Wojtaszek, Rory Tighe, Dylan Jones, Andrew Williams, Julia Adolf, and Raphael Jacob. If we could give them the warm welcome of this Assembly.

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

**Mr. Renner:** Thank you, Mr. Speaker. As you know, behind every successful MLA is a strong support system at the constituency level. The key to that support system is the constituency office. Today I am very proud to introduce the person who has masterfully handled every constituency file that came across my desk for the past 14 years. As a matter of fact, I strongly suspect that when I leave office this spring, more people will miss her than will miss me. I'm proud to introduce to you and through you to all members of the Assembly Mrs. Allyson Sadden, constituency manager extraordinaire. She's accompanied today by her son Brooks, who is visiting the capital city for the first time. It may be of interest to you that Allyson and Brooks are the granddaughter and great-grandson of Canada's oldest citizen, Mrs. Cora Hansen, who celebrated her 113th birthday with the Premier and the Minister of Seniors last week. I would ask that they stand and be recognized by all members of the House.

**1:40**

**The Speaker:** The hon. Member for Innisfail-Sylvan Lake.

**Mr. Ouellette:** Thank you, Mr. Speaker. It gives me great pleasure to stand today and introduce to you and through you to all members of this Assembly a good friend of mine from Taber, Alberta, in the wonderful riding of the Member for Cardston-Taber-Warner. Back in my days in the oil patch I used to work with this gentleman. He has quite a large excavation company in Vauxhall, Alberta, and did hundreds of hours of work on the Academy of Baseball to help get that to fruition in Vauxhall, and everybody knows how successful that's been. After question period I plan on giving him a small tour of the Legislature. I'd ask him to stand and get a welcome from all of us here today. His name is Mr. Bob Miller.

**The Speaker:** Thank you.

The hon. Member for Calgary-Foothills.

**Mr. Webber:** Thank you, Mr. Speaker. I would like to introduce to you and through you to all members of the Assembly a wonderful family that I met with today in my office. They came up from Calgary to attend the rally at noon hour regarding Bill 2. We've got up in the audience here in the members' gallery Brad Osborne, Linda Osborne, and their son Kieran Osborne. I'd like them, please, to stand, which they're doing, and to accept the warm welcome of the Assembly.

**The Speaker:** The hon. Member for Lesser Slave Lake.

**Ms Calahasen:** Thank you very much, Mr. Speaker. I am pleased to introduce to you and through you to the members of this Assembly the Bergen family. They're home-schoolers from beautiful Kinuso. These family members are strong advocates for home-schooling, and I have appreciated their passion and advice that I've received on Bill 2. They know that they have a lot of life left in them, and I know that they teach their kids really well. We've met many times in the past to discuss this. They drove many miles to be here today. They are seated in the members' gallery, and I'd ask Patricia and Gary Bergen and their three very bright children, Angelina, Luke, and Teneille, to rise and receive the traditional warm welcome of this Assembly.

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

**Mr. Elniski:** Thank you, Mr. Speaker. It's a pleasure to rise today to introduce to you and through you to all members of the Assembly a group of people seated in the public gallery: Mr. Ted Boldt from the Kipnes Centre for Veterans; Mr. Emmett and Ms Terri Crossman, his son-in-law and daughter; Joanne Charchuk from the Norwood extended care centre; Pearl Rachinski from the Norwood extended care centre; Linda Ruggles, recreational therapist and bus driver extraordinaire; Elvira Mellott, the licensed practical nurse; and Bernadette DeSantis. I would ask them all to rise and receive the traditional warm greeting of the Assembly.

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

**Mr. Rogers:** Thank you, Mr. Speaker. I'd like to introduce to you and through you to all members of this Assembly a group of constituents of mine that have come to the Legislature today to express their concerns and their interest in the debate on Bill 2, the Education Act. I don't believe they're here as yet, but I would like to acknowledge them for the record and ask that the members acknowledge them. They are Arlene Travnik and her children Joshua and Levi, from Leduc, and Connie Stollery and her children Amy, Derek, and Allyson, from the hamlet of Armenia. I would ask that the members acknowledge their attendance here today.

Thank you.

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

**Mr. Sandhu:** Thank you, Mr. Speaker. It's a pleasure to introduce to you and through you to all members of the Assembly a group of 32 future leaders in our province from one of my new schools, Dr. Donald Massey, in my constituency of Edmonton-Manning. They all enjoyed their visit here. The students are accompanied by their three teachers and one parent helper. I believe they're all sitting in the public gallery. I would ask them to please rise and receive the traditional warm welcome of this Assembly.

## Members' Statements

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

### Tribute to Long-term Care Residents

**Mr. Elniski:** Thank you, Mr. Speaker. They say that adversity is the mother of strength. I'm pleased today to celebrate with you a group of remarkable people who have taken adversity and proven that it can be a strength. Mrs. Pearl Rachinski is a 56-year-old mother of four, a former marathon runner, who suffered a traumatic car accident but who now continues to live her life thanks to the great care she receives at CapitalCare Norwood.

Joanne Charchuk, age 72, is legally blind but participates every year in the five-K walk for the brave by walking behind her wheelchair. She, too, lives at CapitalCare Norwood. She was the inspiration for me to have my business cards printed in Braille.

Ted Boldt is 89 years old. Ted is a veteran of both WWII and the Korean conflict. Ted resides at the Kipnes Centre for Veterans. We know each other quite well as Ted is a leader in the community and very active within the facility.

Each of these people, Mr. Speaker, last week participated in the Rick Hansen relays in Edmonton, Spruce Grove, and Stony Plain. Pearl, Joanne, and Ted are just three examples of people whose circumstances require that they live in long-term care. They live

meaningful, purposeful lives with the support of the many caring and hard-working staff who look after them every day.

It is time, Mr. Speaker, to stop talking about beds when we talk about care. To accuse someone of being a bed blocker is a gross injustice that ignores the reality that life is more than a bed. Too often I have heard members talk of beds much in the same tone as is used to describe storage or parking, and frankly it is time for that to end. It is time to remember that no matter what limitations may be imposed by age, injury, or disease, people need more than beds; they need dignity and self-respect.

My guests today have limitations but none so much that they cannot make the best of what life has given them. As the MLA for both Norwood and Kipnes I want to thank their staff for their tireless efforts in ensuring the care and the utmost quality and promotion of the residents' self-respect that goes so far beyond beds and goes into making a life.

Thank you, Mr. Speaker.

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

#### Retrospective by the Member for Calgary-Varsity

**Mr. Chase:** Thank you. This being my last member's statement, as opposed to my last will and testament, I have a number of individuals I'd like to thank for the support they have given me not only in the last eight years as the elected Member of the Legislative Assembly for Calgary-Varsity but for many years of my life. I want to first acknowledge my father, Bryce Chase, who will turn 89 this year, for his unfaltering support and the service example he sets for me.

I want to thank my incredibly loving and patient wife of 43 years, Heather. Members of this House who have had to put up with me for only the past eight years can certainly empathize with and attest to Heather's fortitude.

I want to recognize the strength and loyalty of our daughter, Christina, who together with my wife, Heather, co-chaired our three campaigns and served as my first constituency executive assistant: boss.

I'm grateful for Vivek, Christina's loving husband and the wonderful father of our two terrific grandsons, Kiran and Rohan Warrior.

I want to recognize the tremendous work ethic and backup provided by my other constituency office boss, Linda Pushor, whose dedication extended well beyond the 9 to 4, Monday through Friday operational hours of our constituency office; and Debbie Puppato, who over the last year diligently supported both Linda's and my efforts.

I want to thank my caucus colleagues.

I want to especially thank the constituents of Calgary-Varsity, who looked beyond the trappings of party politics to choose an individual who they thought would best represent their values. My proudest democratic moment came on election day March 2008 when Calgary-Varsity constituents defied the provincial apathy that saw only 41.6 per cent of eligible Albertans bothering to cast a vote. Calgary-Varsity had the highest voter turnout in the city and among the highest in the province. Apathy is democracy's worst enemy. Hopefully, Calgary-Varsity's exemplary participation will become the provincial norm in the upcoming election.

It has been my honour and privilege to serve Calgary-Varsity.

#### Oral Question Period

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

#### Postsecondary Education Costs

**Dr. Sherman:** Thank you, Mr. Speaker. Premier, welcome back. Societies that outeducate us today will outperform us tomorrow. The education of Albertans will determine the future prosperity of our province. In Alberta we have Canada's highest high school noncompletion rate and lowest postsecondary participation rate. This is because Alberta has the nation's highest tuition fees, highest noninstructional fees, a form of backdoor tuition that allows institutions to skirt government rules and tuition increases. To the Premier: will you please stop gouging our students and cap tuition and noninstructional fees charged by our institutions?

1:50

**Ms Redford:** Mr. Speaker, we have a fantastic education system in this province, whether it's infrastructure, whether it's programming, whether it's support for students, and I've very proud of that. It's going to mean the future of our province. Tuition is actually capped.

**Dr. Sherman:** Mr. Speaker, yes, we have a great education system if you can afford to go there.

Given that the Premier just said that we've capped tuition – Premier, I was referring to noninstructional fees as well – and given that capping these fees would only be a good start, would you follow the Alberta Liberal lead and create a postsecondary endowment fund to reduce and eventually eliminate tuition by 2025, starting with a \$250 reduction in tuition and fees today?

**Ms Redford:** Mr. Speaker, as the hon. minister of advanced education has said, we have a very good working relationship with a lot of postsecondary students' organizations in this province. One of the things that I know I've certainly heard from them is that while it's important for the provincial government to invest in postsecondary education, which we do to a dramatic extent, it's also important for students to make a commitment to that. So as we manage that and balance which part students need to pay and which part institutions of government need to pay, we'll continue that dialogue with students.

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

**Dr. Sherman:** Thank you, Mr. Speaker. This is why I'm asking these questions, because of our students, who are sitting up above, the young who are going to go to university and the ones who are in university and colleges right now. Given that the extraordinarily high cost of living and of tuition is burdening our students with a crushing debt load in addition to nonrepayable grants, will you follow the Alberta Liberal lead and encourage students to stay and work in Alberta by forgiving 5 per cent of their student loans, or \$1,000 of debt, each year that a student stays and works in Alberta?

**Ms Redford:** Well, Mr. Speaker, one of the very exciting things about Alberta right now is that not only are students staying in Alberta; there are more people coming to Alberta because of the economy, and that's a very good thing. We believe that one of the ways that it's most possible to attract people to continue to come and to stay is to make sure that we're creating a knowledge-based economy, that we're continuing to invest in postsecondary education, and that we're creating business and opportunities so that people can be gainfully employed.

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

### Alleged Intimidation of Physicians

**Dr. Sherman:** Speaking of knowledge, Mr. Speaker, on Friday five physician representatives of Alberta's 7,200 doctors stood up to this current government and accused them of stonewalling the inconvenient truth of physician intimidation. They also spoke up about the intimidation of nurses, all front-line health care workers, teachers, and municipal officials, that echoed the AMA's demand to hold a public inquiry into physician intimidation. To the Premier: will you stop the slick lawyer talk and do what you promised and do what Albertans and the doctors expect and call a real public inquiry into physician intimidation?

**Ms Redford:** Mr. Speaker, first of all, I did exactly what I promised. We have an independent judicial inquiry with respect to queue-jumping, and I will say that over and over again.

Secondly, I was disappointed to see the comments by the doctors on Friday. Whether they may speculate on other professions or other career tracks, Mr. Speaker, I think that it's more appropriate for us to keep the conversation with respect to doctors. We've said that we understand and accept the fact that there are issues to deal with in Alberta Health Services with respect to doctor intimidation. We want to work with the college of physicians, with Alberta Health Services, and with the AMA to fix health care so that that doesn't happen.

**Dr. Sherman:** Mr. Speaker, given that this Premier just delivered us smoke and mirrors – Premier, you promised; Albertans expect it. Will you show the real-life leadership that Albertans deserve and admit that you blundered, you flip-flopped, and you broke your promise by keeping the issue of doctor intimidation out of the public health inquiry?

**Ms Redford:** Mr. Speaker, I made the commitment on June 13. We introduced the legislation in the fall. We have an independent judicial inquiry. I kept my promise.

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

**Dr. Sherman:** Thank you, Mr. Speaker. The Premier made the commitment and broke it the day after she got elected.

Given that the health minister's own Health Quality Council of Alberta's report clearly states that there's "a culture of fear [and] intimidation" and "bureaucratic and political interference" and a "blurring of lines" of authority, Premier, as an educated and intelligent person would you not agree that it would make sense to identify those who created the unjust culture and remove them from the system?

**Ms Redford:** Mr. Speaker, I think it's quite interesting that the hon. member will selectively quote from the report. There was another reference in that report, and what it said was that while there was doctor intimidation identified, it was not appropriate to have a judicial inquiry, that what we had to do was fix health care. And that is what we are doing.

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

**Dr. Sherman:** Mr. Speaker, the Premier is ducking and jiving, so let's move on.

### AIMCo Investments

**Dr. Sherman:** Five years ago Leo de Bever, the man entrusted with managing \$70 billion worth of Alberta's heritage, pension,

and other funds, kicked off an investment for his Australian employers and eventually lost them half a billion dollars. A subsequent legal investigation showed that the investment in a discounted life insurance policy, a death fund, was very poorly researched and rushed through without treasury approval. Now Mr. de Bever has quietly asked the Premier to allow AIMCo to start borrowing money in order to raise its rate of return. Why is this man . . .

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

**Mr. Liepert:** Mr. Speaker, I happen to have in front of me, I guess, sort of a news release from the hon. Leader of the Opposition making some accusations about the government giving AIMCo the authority to borrow funds. I can't for the life of me figure out where he's getting this information from, but I suspect what he is doing is confusing it with an order in council that we passed which allowed us to increase the cap on the amount of money we borrow for the Alberta Municipal Financing Corporation and the Agriculture Financial Services Corporation. I think he's linking the two together, so I'm not quite sure what information he's referring to.

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

**Dr. Sherman:** Thank you, Mr. Speaker. Just so Albertans are sure of what's happening with their hard-earned money and their pension funds, to the Premier: what controls are in place to ensure that Alberta's heritage fund and the pension funds, that thousands of people rely on for stability, will not be invested in schemes like death funds?

**Mr. Liepert:** Mr. Speaker, the legislation has established that AIMCo clearly answers all of the questions that were just raised. I'm not going to repeat the legislation, but as the hon. member would know, we have a board, that is highly respected, that oversees the operations of AIMCo. We have international management that runs the investment arm of AIMCo. I've got great confidence. All of the investments are vetted through this Legislature, so I don't think there's any reason to be concerned.

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

**Dr. Sherman:** Thank you, Mr. Speaker. Given that AIMCo's CEO wants you to let him borrow money to invest in an attempt to increase AIMCo's returns, Premier, will you just admit that this is wrong, irresponsible, and risky and just say no?

**Mr. Liepert:** Well, Mr. Speaker, this particular member must be having conversations that I'm not aware of because I have a conversation quite regularly with the CEO of AIMCo, and that issue of borrowing money has never come up. So I just have to believe that this is another one of these situations where the member is throwing out an unfounded allegation in this Legislature.

**The Speaker:** The hon. Member for Calgary-Fish Creek.

### Alleged Intimidation of Physicians

*(continued)*

**Mrs. Forsyth:** Thank you, Mr. Speaker. Over the weekend the medical staff association spoke of the need for an inquiry into physician intimidation. Dr. Maybaum said that this issue has simply been brushed aside as an inconvenient truth on the eve of an election, and he's called for a tsunami of change. How does the

health minister then respond? He follows the Premier's lead and shrugs the issue off as being overly politicized. Is the Premier just going to keep ignoring our doctors and throwing them aside, or is she going to do the right thing and finally call a full, judge-led public inquiry into the bullying of our doctors?

**Ms Redford:** Mr. Speaker, the Health Quality Council report has been very clear in identifying the fact that we have these issues. That's the reason this hon. member can stand up in the House every day and make these suggestions. We are not denying the fact that we need to do work to resolve issues in the health care system. We think it's important for the government, Alberta Health Services, the college, and the AMA to come together constructively to do just that. [interjections]

**Mrs. Forsyth:** Premier, what you need to do is step up to the plate and do the right thing.

Given that an extensive culture of fear and intimidation exists throughout this government and given that the AMA, the MSA, and Albertans are screaming for an inquiry into physician intimidation, when is the Premier going to admit that the terms of reference for her inquiry are completely backwards and that it ignores the most important issues impacting our health care system?

2:00

**Ms Redford:** Mr. Speaker, the day that we announced the judicial inquiry with respect to queue-jumping, the discussion started with respect to why it didn't include doctor intimidation. My first response was because our commitment was to have a judicial inquiry with respect to queue-jumping, and as I have said over and over again in this House, the reason you need to have an inquiry is if you are trying to determine the facts. [interjections] We accept the facts, and we're going to fix health care in partnership with doctors.

### Speaker's Ruling Decorum

**The Speaker:** I heard a number of words that were echoed there during that last exchange, and I would remind members that there is always a place for civility and decorum in the Legislative Assembly of the province of Alberta. This is not a place where we should expect anything less. If an hon. member believes strongly in what he or she is saying, they may always rise on a point of privilege and deal with such a matter.

### Alleged Intimidation of Physicians (continued)

**Mrs. Forsyth:** Premier, the facts are that you're doing what you want to do, not what Albertans want.

Given that Dr. Maybaum said that what physicians and health care workers want is some sort of truth, an acknowledgement of what's happened, and a steadfast desire that we are going to change, how can the Premier possibly think that not calling an inquiry into physician intimidation is moving forward?

**Ms Redford:** Mr. Speaker, Dr. Maybaum said a number of things that are important in terms of what we need to do in order to fix health care, and we're looking forward to working with physicians to fix the system, but to presume that the only way to fix the system is to call an independent judicial inquiry, which will do nothing more than delay the process and not allow us to get on with fixing health care, doesn't make sense.

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

**Mr. Mason:** Thank you very much, Mr. Speaker. This Premier is the master of delaying tactics.

### Electricity Exports

**Mr. Mason:** Two power companies, Direct Energy and Capital Power from Edmonton, have applied for approval for a massive export of electricity to the United States equivalent to two-thirds of Alberta's total consumption. Most of this electricity would potentially come from Alberta and would tie us into the western U.S. grid and market. To the Premier: does the government of Alberta support this application or not, and if not, will it take measures to prevent the mass export of Alberta power to the United States?

**Mr. Liepert:** Mr. Speaker, I'll answer that question. You know, we had the same kind of question I think it was a year or two ago by, I think, probably the same member or sidekick over there relative to another company that filed an application with the National Energy Board. This is a process that companies have the right to go through. It has absolutely nothing to do with exporting power. As this hon. member knows, Alberta is a net importer of power, not a net exporter, and it's only going to get worse as we move forward unless we get these transmission lines built.

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

**Mr. Mason:** Thank you very much, Mr. Speaker. Given that the minister is completely wrong and that this is specifically an application for a massive export of electricity largely from Alberta to the United States, I will ask the question: has the government done any analysis regarding the export of this power on Alberta electricity prices in the future, and if so, what are the results, and if not, why not?

**Mr. Liepert:** Well, Mr. Speaker, the analysis that we've done is not this kind of bogeyman analysis but analysis of what are going to be the requirements of Alberta. With this economic growth that we're experiencing and will likely continue to experience over the next decade, it's going to be a question of: where do we get the power to fuel this economic growth? That's why the whole issue around transmission is so critical to us maintaining our industrial base. We will, I am sure, be requiring more power generation in the future, not less.

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

**Mr. Mason:** Thank you very much, Mr. Speaker. Well, given that I specifically asked twice about the government's position relative to massive exports of power from Alberta to the United States and that twice the minister has absolutely avoided answering the question, my question to the minister and to the Premier, in fact, is: what is it that you're hiding over there?

**Mr. Liepert:** Well, Mr. Speaker, we're not hiding anything. That's what I tried to answer in the first couple of questions. Alberta has an economy that is the envy of the world. We also have a situation where much of our generation is threatened because we're heavily coal based. We're going to have to be searching wherever we can for the generation of power in this province. We're going to have to move it around. Whether it's cogeneration at the oil sands or wind in southern Alberta, we have to move it to where it's required, so the least likelihood that there will be any export of power.

### Noninstructional Postsecondary Tuition Fees

**Dr. Taft:** Mr. Speaker, the minister of advanced education has brought in so-called best practices for postsecondary institutions to follow before they charge mandatory noninstructional fees to students, but frankly students are disappointed and angry with these. Since it is students who are forced to pay these fees, why didn't the minister protect the interests of the students and require student approval of mandatory noninstructional fees?

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

**Mr. Weadick:** Well, thank you, Mr. Speaker. Yes, mandatory noninstructional fees are an important issue, and we continue to work with our postsecondaries to find a solution. Each of our postsecondaries is a little bit different, and they're looking for policies that would work within their institutions. I have a number of copies of the best practices here. This is what we've suggested that they do.

- All mandatory non-instructional fees need to be clearly identified . . .
- Each institutional mandatory non-instructional fee is to fund specific identifiable services for the students.

**Dr. Taft:** That was a pretty empty answer, Mr. Speaker, so let's try another one. Given that the so-called best practices accepted by the minister will allow universities to start charging students extra for services that are already provided, why didn't the minister require that these new extra fees cover new extra services?

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

**Mr. Weadick:** Thank you, Mr. Speaker. What I just read says exactly that, that these fees will cover exactly that, services directly provided to students, clear and open and transparent so that students know what they're going to be paying for, know what the fees are for, have an opportunity for input into those fees as they meet with the boards of governors and are met with to determine what those fees should look like.

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

**Dr. Taft:** Well, thanks, Mr. Speaker. Given that the minister in his earlier answer conceded that these best practices are really just suggestions, if he believes that they actually are best practices, then why doesn't he make them mandatory, or is he not interested in his institutions delivering best practices?

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

**Mr. Weadick:** Well, thank you, Mr. Speaker. I'll file the copies of the best practices with the House because I am reading from them. We have actually said that all of our institutions must have these best practices placed into policies by the end of March for our review so that we can ensure that they have these best practices as part of the policy around their institutions and how they'll handle all fees.

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

### Home-schooling

**Mr. Vandermeer:** Thank you, Mr. Speaker. Many of my constituents are parents who choose to educate their children at home, making a conscious decision to do so. They are making the right choice for their family. My question is to the Minister of

Education. Will this minister and this government uphold the freedoms and liberties of parents who decide to home educate their children?

**Mr. Lukaszuk:** Well, it's a good question, Mr. Speaker. There is a reason why my family moved to this country and this province, including myself, and it is to enjoy the rights that we get to enjoy in this province. There is also a reason why I feel so strongly about choices in education, because not only am I the Minister of Education, but I'm also a parent of a school-age child. There is nothing more important to me and, I imagine, all members of this House than giving parents the choice and the ability to teach what they want, when they want, and where they want without any interference from government.

**Mr. Vandermeer:** Mr. Speaker, my second question is to the same minister. Given that parental and family choice on topics such as religion or human sexuality is absolutely fundamental, can this minister assure all parents that in the context of religious or ethical education children are the responsibility of their parents, not the provincial government or you, the Minister of Education?

**Mr. Lukaszuk:** Mr. Speaker, I have a hard time parenting my own two children; I would not want to parent anybody else's children. The fact is that, yes, parents have the paramount responsibility of teaching religion, of teaching morality, and of teaching cultural values. That has always been the practice in this province and will always continue to be the practice in this province.

2:10

**Mr. Vandermeer:** Back to the same minister. Allow me to ask this question bluntly and without equivocation. Is there any intention at all to change any aspect of parental choice in this province? Yes or no?

**Mr. Lukaszuk:** No, not whatsoever.

**The Speaker:** The hon. Member for Calgary-Varsity, followed by the hon. Member for Edmonton-Ellerslie.

### Long-term Care Accommodation Rates

**Mr. Chase:** Thank you, Mr. Speaker. After finding her sitting soiled, crying out in agony, her family transferred 80-year-old Grace Denyer from a public to a private continuing care facility, Tranquility Care Homes. From there she was evicted on February 21, her family unable to afford the extra \$1,500 a month charged to her care for advanced Alzheimer's. To the Minister of Seniors: how is it that such facilities are able to increase their monthly fees by 43 per cent and without notice?

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

**Mr. VanderBurg:** Thank you, Mr. Speaker. All the facilities that we license and that we fund have a cap of \$1,700 maximum. I'm not lifting that cap either.

**Mr. Chase:** Well, obviously, this organization ignored the cap, and you didn't enforce it.

Why has Tranquility Care Homes, a licensed group home, been allowed to advertise itself as being capable of providing long-term care services? Where is the regulation?

**Mr. VanderBurg:** Mr. Speaker, I did have a report from my staff that they were advertising – this is a private facility – as a long-

term care facility. They are not, and they shouldn't be allowed to, and we are investigating this.

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

**Mr. Chase:** Thank you. You might want to check out their advertisements.

How many more seniors must be evicted from the care they need before this government fully commits itself to properly resourcing publicly funded and publicly delivered long-term care?

**Mr. VanderBurg:** Well, I've made it very clear, Mr. Speaker, that whether it be a community, whether it be a foundation or a private facility, I'm willing to partner with whoever would like to provide the standards and accommodations and facilities for our seniors. I have some very, very clear marching orders from the Premier, and the Premier and all our caucus are adamant that we are going to form a thousand new spaces across this province each and every year over the next five years. I'll partner with the right people.

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

#### **Noninstructional Postsecondary Tuition Fees** (continued)

**Mr. Bhardwaj:** Thank you very much, Mr. Speaker. The Council of Alberta University Students has recently met with a number of MLAs. One of the topics they have been discussing is noninstructional fees. My fellow MLAs and I have been hearing these concerns from students about this government's approach to managing noninstructional fees for quite some time. My questions are to the Minister of Advanced Education and Technology. Does the government truly intend to keep its promise and make postsecondary a priority, and what action is being taken to address these students' concerns?

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

**Mr. Weadick:** Well, thank you, Mr. Speaker. This Premier and our government did promise to make postsecondary education a priority. We have listened to our students, and that's why I have required all of my postsecondary institutions to develop formal policies around noninstructional fees and formal policies around consultation with students. We also require that they present these policies to my department so that we can ensure that students' concerns are being met.

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

**Mr. Bhardwaj:** Thank you very much, Mr. Speaker. My next question to the same minister. You had asked postsecondary institutions for their noninstructional fee policies, some of which the students don't fully agree with. Did all postsecondary institutions reply, and if so, what exactly were the responses to address students' specific concerns?

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

**Mr. Weadick:** Thank you, Mr. Speaker. We did receive policies from all of our public postsecondary institutions, and we found that the policies did vary quite a bit and that they were not good enough. We believe we can do better around these fees, so we've met with the presidents and board chairs of all of our institutions to discuss the best practices. We've compiled a review, and we're

working with our institutions to ensure we have appropriate policies to deal with this issue.

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

**Mr. Bhardwaj:** Thank you very much, Mr. Speaker. My final question to the same minister: when do postsecondary institutions intend to implement these policies so that our students can finally see some results?

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

**Mr. Weadick:** Thank you, Mr. Speaker. We have told our institutions that we expect revised policies from all of our institutions by the end of March so that these policies can be in place before the upcoming school year.

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

#### **Education Funding**

**Mr. Hehr:** Thank you, Mr. Speaker. The Education minister has made much ado about his recent budget, but the facts get in the way of his rhetoric. To the Minister of Education: how is it that there are 480 fewer teachers in Alberta schools right now than there were this time last year?

**Mr. Lukaszuk:** Mr. Speaker, the member well knows that the day-to-day operations of schools and school boards are done by trustees. I know that we are committed to our classroom sizes. As a matter of fact, we are batting below the recommended classroom size average. I know that there are pressures in some classes that are being addressed. But I also would like to remind this member that recently under the Premier's directive we have reinjected an additional \$107 million, which now is replicated in the next three budgets, for hiring teachers.

**Mr. Hehr:** Well, given that your new budget reads like an insurance policy in that what the large print giveth, the small print taketh away, are you not well aware that your 1 per cent increase for teachers' salaries and classroom operations will lead to fewer teachers in the classroom next September?

**Mr. Lukaszuk:** Well, I know, Mr. Speaker, that the Liberal opposition is awaiting a big windfall of taxpayers' dollars because they want to tax some more, but let me tell you about the big print and the small print. This budget is increasing from \$6.8 billion to \$7.1 billion over the next three years, spending on average some \$36 million per school day. If that is small print or blueprint and irrelevant, then I think they will have to tax more. We believe that we fund education very well compared to any other province in this country.

**Mr. Hehr:** I'd just like to ask the minister again what kind of fantasy world he was in when he crafted the budget, giving a 1 per cent raise to teachers' salaries. In order to make this budget, will the minister admit that either (a) the budget is wrong or that (b) he's going to have to keep teachers out on strike in order to make his budget a reality?

**Mr. Lukaszuk:** Well, Mr. Speaker, sometimes I do think that I live in a fantasy world when I'm being told by world-renowned organizations that we are in the top four education systems in the world. I also think that I sometimes live in a fantasy when I'm being told by parents that they get to exercise more choice than in

any other province in Canada. I'm also being told that we fund education higher than any other province on a per student basis. This is a great fantasy. It's a fantasy for students. We will continue to be committed to our students and make sure that they get this kind of education.

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

### Education Property Taxes

**Mr. Amery:** Thank you, Mr. Speaker. Many of my constituents have expressed deep concern about the education property tax requisition for 2012-13. As a matter of fact, the Calgary city council is saying that they are forced to dip into a savings account to offset the province's take. Can the Minister of Municipal Affairs explain why the city of Calgary is required or forced to do that?

**Mr. Griffiths:** Mr. Speaker, the city is not required to do it, but I applaud them for it. Quite frankly, we lowered the education portion of property tax rates last year in anticipation of leaving \$42 million in the hands of property taxpayers. The city chose not to pass that down and kept it. Now they're accessing the fund that they created with that money and passing it on to taxpayers. I think it's the right thing to do, and I applaud them for it.

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

**Mr. Amery:** Thank you, Mr. Speaker. Can the minister explain to my constituents and to all Calgarians if the city of Calgary taxpayers pay more in education property taxes than the school boards receive?

**Mr. Griffiths:** No, Mr. Speaker. In fact, all of the education property taxes collected in the province only pay for 30 per cent of our education system. In Calgary, in particular, it's just over \$600 million that's collected in education property taxes, and the two school boards in Calgary alone get close to \$1.4 billion, so it's hardly half of the education system funding that the province provides.

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

**Mr. Amery:** Thank you, Mr. Speaker. Again to the same minister: can the minister inform Albertans if the province is needing and collecting more money this year than last year from Albertans to pay for education?

**Mr. Griffiths:** Mr. Speaker, I've said many times in this House – and I'll say it again – that the property tax rates remain the same, unchanged from last year. The growth in the value of properties, the growth in the number of properties has generated more revenue, but every single dollar of that revenue goes to support the best education system in the world.

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

### 2:20 School Capital Construction

**Ms Notley:** Thank you, Mr. Speaker. On Thursday the Minister of Education said that small schools will stay open as long as there are enough children to keep the program viable, but the Edmonton public school board has some, quote, tough decisions to make. In Edmonton public there are 76 schools that the province calls small

schools, and of those, the ministry says that only 33 are small schools by necessity. To the minister: based on these numbers, is the minister of the view that 43 of the so-called small schools in Edmonton should be closed?

**Mr. Lukaszuk:** Mr. Speaker, well, yes, Edmonton public school board does have some difficult decisions to make because they have some 40,000 vacant seats, frankly, enough empty space to accommodate the entire Catholic school system in their empty classrooms. At the same time they have challenges because they have kids where they don't have schools, and they have schools where they don't have kids. But closures should only be considered when there aren't enough students to have a viable educational program. It's all about education. It's all about the kids in the classroom. As long as the program is viable and adequate, schools should remain open.

**Ms Notley:** Mr. Speaker, given that the Edmonton public school board just approved a capital plan that prioritizes a request for upgrades to six older schools followed by a request for two new schools and given that the minister has been heard to suggest that upgrading old schools is not cost-effective and that new schools are preferred, can the minister tell this House whether he will respect the request made by the local school board or whether he would rather have the older schools close in favour of newer ones?

**Mr. Lukaszuk:** Mr. Speaker, this is an ongoing dialogue between my office and that of school boards, and as long it focuses on what is best for the children in the classroom – that is the business we're in; we're in the business of educating our children and providing them with the best education possible – this dialogue will continue. If education can be delivered at the high level that we're accustomed to, there is no reason to close schools.

**Ms Notley:** Mr. Speaker, given that the minister has suggested that the school board would be provided with a new school for every three or four schools closed, is it the minister's intention to hold the children and their families hostage to the province's historical failure to fund school infrastructure by forcing school boards to close schools in the city centre to qualify for the new schools required as a result of predictable population growth?

**Mr. Lukaszuk:** Mr. Speaker, a needless use of very strong and inappropriate language. The fact is that we will continue collaborating with school boards, with parents, with teachers, making sure that they have the critical mass of students so that they can provide students with proper and adequate education. We will be looking at capacity of schools, we'll be looking at the number of children they have in the schools, and those decisions will be made on a per school basis, only using the criteria of quality of education.

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

### Primary Care Networks

**Dr. Swann:** Thank you, Mr. Speaker. Recently the minister of health unilaterally imposed a one-year payment on the province's doctors, including after nine years of no increase the equivalent of a cost-of-living increase for the primary care networks. On this they're supposed to expand their services to the public. He also talks about restoring a, quote, just culture, end quote, for staff working in the health system. Does the minister not see how hypocritical these sentiments are in light of his arbitrary actions?

**Mr. Horne:** Mr. Speaker, this is hardly a question of policy, but what I will tell the hon. member is that we have continued our negotiations with the Alberta Medical Association and Alberta Health Services on a new agreement. Those are progressing extremely well. I had the opportunity to speak to the Representative Forum of the AMA last Friday. We discussed many of these issues and others as well, and I'm hopeful that we will have something to further communicate in the near future.

**Dr. Swann:** Well, I'm surprised at the minister not seeing primary care networks as an issue of policy.

Adding further insult, Alberta Health Services is asking physicians to sign contracts allowing employers the right to dismissal without cause. How does this reflect a move to a more just culture?

**Mr. Horne:** Mr. Speaker, I have no idea what the hon. member is talking about with respect to his last statement.

If he is interested in our policy regarding primary health care, I can tell him, as I have told him before, that PCNs are a very, very important part of that future. We are in discussions with the AMA about how to further enhance and support the work of primary care networks across Alberta. There are over 40 in place today. There are 2.8 million Albertans who live in communities served by PCNs.

**Dr. Swann:** Exactly my point, Mr. Speaker. Why not strengthen them instead of giving them a cost-of-living increase?

Will the minister follow the Alberta Liberal policy and strengthen PCNs appropriately and ensure that all Albertans have access to a family doctor?

**Mr. Horne:** Mr. Speaker, this government will take its suggestions for how to improve primary care networks from our family doctors and the other professionals who work with them in teams on a day-to-day basis. As I think the hon. member well knows, there is much innovation that has been supported by government working in collaboration with our primary care networks, our doctors, the nurse practitioners, and other professionals. We have every intention of continuing to build on that in the future.

**The Speaker:** The hon. Member for Calgary-Mackay, followed by the hon. Member for Airdrie-Chestermere.

### Education Consultation

**Ms Woo-Paw:** Thank you, Mr. Speaker. The delivery of education is top of mind for many Albertans. Parents play a critical role in a child's education. They are their child's first teacher and a key source of information about what is working and what is not working in the child's learning. My first question is to the Minister of Education. We talk a lot about parents as partners in education. How is the government engaging parents?

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

**Mr. Lukaszuk:** Thank you, Mr. Speaker. Actually, it's a good day to ask this question because today I will be having yet another teleconference forum with our parents. Last time we had one, over 1,000 parents called in to this town hall meeting on the telephone.

I also wanted to let you know, Mr. Speaker, that we will be formalizing the partnership between the minister's office and parents so that parents can not only contribute to policy development while the act is being reviewed but will be able to

contribute to policy development on an ongoing basis from now on.

**Ms Woo-Paw:** My second question is to the same minister. It's great that we're providing passive information, but parents also expect a more active kind of communication with their government. How is the minister ensuring that this is happening?

**Mr. Lukaszuk:** Mr. Speaker, two things are already happening. One, I have committed to having ongoing town hall meetings via telephone with parents. As I said earlier, over 1,000 parents called in, and we're having great discussions. The benefit is that parents get to hear each other and discuss with me. Also, I have instituted a newsletter right now that reaches every school in every corner of the province, where parents now get to communicate directly with the minister's office. That is something that is unprecedented, and it actually generates very good debate and discussion, and some creative ideas are stemming from that.

**Ms Woo-Paw:** Given that we already have important organizations like the Alberta School Councils' Association, how does this new council differ?

**Mr. Lukaszuk:** Well, Mr. Speaker, this new council will have direct input on policy development in the minister's office, and we'll have continuous dialogue. It will be representative of parents from across the province, and it will enhance the dialogue between the parent community from all sectors of schooling in this province and the minister's office.

### Alberta Human Rights Act

**Mr. Anderson:** Mr. Speaker, some of the worst human rights violations of free speech and freedom of religion in Canada over the past decade or so have been at the hands of the Alberta human rights tribunal under section 3 of the Human Rights Act. This Premier during the PC leadership told several media outlets that "section 3 of the Alberta Human Rights Act should be repealed." To the Premier: that's a pretty clear promise. Are you breaking yet another promise that you made in order to get elected PC leader?

**Mr. Olson:** Mr. Speaker, thank you to the member for the question. I will remind the member that in my mandate letter the Premier asked me to investigate whether we should repeal or amend section 3 of Human Rights Act. I've had responsibility for the Human Rights Act for about four or five months now. Work is under way to review not only section 3, but I want to have an understanding of how the Human Rights Commission is operating. I would just ask the hon. member to stay tuned. I'm working on it.

**Mr. Anderson:** She said that she would repeal section 3, not review it. It's called telling the truth.

Given the outpouring of opposition to Bill 2 by thousands of parents across this province who are very concerned that parts of Bill 2 trample on the paramount rights of parents over choices involving their children's education, why will you not now get rid of section 3 of the Alberta Human Rights Act and also amend Bill 2 to protect the human rights of Alberta's parents? Why will you not listen to their concerns?

**Mr. Olson:** Mr. Speaker, I would also point out to the hon. member and to all of my colleagues here that the Alberta Court of Appeal is currently considering section 3. As well, there is a case out of Saskatchewan before the Supreme Court of Canada on virtually the same language as is in section 3, and I would like to

see what the Supreme Court of Canada has to say about this section.

**Mr. Anderson:** It's called leadership. Just repeal it.

Given that this Premier has broken her promise to call a public inquiry into doctor intimidation and to set a fixed election date and to stop the north-south power lines and to not raise taxes and given that now she is breaking her word on repealing section 3 of the Human Rights Act, is there any reason why any Albertan should trust her to keep her promise to protect free speech or to protect the human rights of parents? Start keeping your promises.

**Mr. Horner:** Mr. Speaker, it's unfortunate that the hon. member has trouble with the truth himself. This Premier has kept every one of the promises that she had made during the leadership race. This Premier has made an effort on all of those fronts, as we've just heard from the Minister of Justice. It's unfortunate that there would be that kind of misinformation presented in this House.

### 2:30 High-speed Internet Service for Rural Alberta

**Mr. Ouellette:** Mr. Speaker, given that the SuperNet has been around for a dozen years or so now, my constituents would like to know why it is taking this government so long to provide access to high-speed Internet service across the province. When will the remaining unserved rural communities finally get this essential service, which many in this province and around the world take for granted? To the Minister of Service Alberta.

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

**Mr. Bhullar:** Thank you very much, Mr. Speaker. We know this member is very passionate about everything high tech. We are delivering on Premier Redford's commitment to ensure that at least 98 per cent of Albertans have access to this vital service. This morning I announced that up to \$900,000 will be made available to provide satellite Internet service to rural Alberta in low-density, remote areas. In addition, \$9.5 million will be available to work with Internet service providers.

**The Speaker:** The hon. minister knows he made an error in his statement.

The hon. member, please.

**Mr. Ouellette:** Mr. Speaker, that's pretty good to hear.

I know that people in here are wondering why I don't just lean over my desk and ask the hon. minister the question. I have to tell you that this is very important to our constituents out in rural Alberta, and they need to hear these answers. Will the services delivered by the initiative cover the entire province or only parts of the province?

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

**Mr. Bhullar:** Thank you, Mr. Speaker. I'll let the member decide if he wants to try and lean over. I won't go any further with that.

This funding, Mr. Speaker, will cover a vast portion of Alberta. Of course, we'll still have some areas in the province that have issues, like infills where geography is a challenge. We will address those issues as well. We will look at all of that. That's part of the plan. It's been a four-step plan. In the last five months we've made a lot of progress, and we are going to make sure that all of Alberta is connected.

**Mr. Ouellette:** Well, Mr. Minister, are you going to be able to

justify the cost, given that your program is connecting relatively very few rural households?

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

**Mr. Bhullar:** Thank you, Mr. Speaker. Every single one of our rural households is very important to us. They deserve high-speed Internet access. They deserve access to the world at their fingertips. That's what we are delivering on. We are leveraging and working with our private-sector partners to make sure that we get the best value for our dollars.

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

### Workforce Employment Services

**Mr. Kang:** Thank you, Mr. Speaker. The government recently announced amendments to the employment agency business licensing regulations, that are to come into effect on September 1. My questions are to the Minister of Service Alberta. Why is the government making it expressly illegal for employment agencies to intimidate or threaten individuals seeking work, but it won't do anything about its own intimidation of health care workers? Why the double standard?

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

**Mr. Bhullar:** Thank you, Mr. Speaker. I didn't know the hon. member across the way had a problem with me protecting people in east Calgary. These are people that deserve our protection. They are families that have put their dollars on the line to sponsor people to come over from places like India, the Philippines, and Vietnam, and we are acting to protect them. The hon. member should be consistent on what he says in this House and what he says back in northeast Calgary.

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

**Mr. Kang:** Thank you, Mr. Speaker. I'm speaking about all Albertans. I'm not speaking about just a few temporary foreign workers. I'm speaking for all Albertans.

Given that the province's temporary foreign worker advisory office is supposed to advise foreign workers on their rights yet exploitation and misstatements have continued to be a problem, are these amendments an acknowledgement that the temporary foreign worker advisory office either isn't doing its job properly or the government is not doing enough to promote the services provided by that offices? To the minister again.

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

**Mr. Bhullar:** Thank you, Mr. Speaker. The fact is that Alberta has one of the most robust economies of any jurisdiction in Canada, in North America, and in the world, and we are a destination where people want to be. This is the land of opportunity. With that, we know that there have been some employment agencies that have acted in ways that do not represent the best of us. We're taking action to make sure we are prepared for the next boom, which is right around the corner because of this government's actions, and ensuring that nobody will be taken advantage of.

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

**Mr. Kang:** Thank you, Mr. Speaker. To the minister again: given

that the government has demonstrated its willingness to license all sorts of businesses, including employment agencies and home inspections for resale properties, why won't it adapt the most basic homeowner protection measure by requiring residential builders to be licensed as well?

**Mr. Bhullar:** Mr. Speaker, I'm continuously looking for more ways and new ways to protect Albertans. We have a wide variety of initiatives that we're working on today. For example, I'm the first minister in Canada to approach the federal government to say that we need more protection for cellphone consumers in Canada. We're leading the way. We always seek new ways to ensure that we protect Albertans, and I'll look at the member's considerations.

### Restorative Justice

**Dr. Brown:** Mr. Speaker, Alberta remand centres and jails are filled to capacity while there seems to be more and more demand for mandatory minimum sentences. However, for many persons convicted of personal and property crimes, incarceration alone is not effective. It does little to hold offenders accountable for the wrong they're doing, and it does little to help victims heal. My question is for the Solicitor General and Minister of Public Security. What is your department doing to advance and support organizations that can deliver restorative justice and that can have a positive impact both on the victim and on the offender?

**The Speaker:** The hon. minister

**Mr. Denis:** Thank you very much, Mr. Speaker. After the last exchange I'm very happy to talk about restorative justice. Restorative justice is an important program throughout the province. It does provide assistance to victims first of all but also some positive aspects to offenders. Just this last Friday the Minister of Justice and Attorney General and I announced \$351,000 of funding for this program in this province.

**Dr. Brown:** To the same minister: can he provide some specific instances where restorative justice works in the system?

**Mr. Denis:** Well, Mr. Speaker, I could talk for half an hour, but I'll do it for 45 seconds. I met with a gentleman named J.J. Beauchamp from the Innisfail Restorative Justice Society, and he informed me of a case where there were 120 graves knocked down in Innisfail. In particular, the offenders had to do research about the people whose names were on these gravestones and actually apologize to their families as a result of this.

**Dr. Brown:** My second supplemental is for the Minister of Justice and Attorney General. Can the minister advise how restorative justice programs work with the safe communities initiative and the justice system in general?

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

**Mr. Olson:** Well, thank you, Mr. Speaker. The safe communities initiative talks a lot about balance. As important as enforcement is, early intervention, prevention, and innovative approaches are also a big part of the safe communities initiative. Restorative justice is very consistent with that kind of an approach, and restorative justice organizations are really crucial in not only assisting victims of crime but also engaging with the perpetrators of those crimes to get them, maybe for the first time, to consider the impact of their actions.

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

### Sand and Gravel Extraction Management

**Ms Blakeman:** Thanks very much, Mr. Speaker. Gravel is big business in Alberta, we think, but it's a bit tricky to know quite how big given this government's continuing failure to track it. The government has no real way to track what is being taken from the ground so has no clue about what kind of revenue is due. As we have seen with the oil and gas infrastructure, this government has no idea how much Albertans will be on the hook for in the reclamation of gravel sites in the future. To the Minister of Sustainable Resource Development: why is this government unwilling to ensure that Albertans are getting their fair share from this resource?

**Mr. Oberle:** I have to tell you, Mr. Speaker, that I disagree with absolutely everything the member said in her preamble. We are certainly very much interested in making sure that Albertans get their fair share of revenues from resource extraction.

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

**Ms Blakeman:** Thanks again. Back to the same minister: when this ministry is allowing access to public lands for extraction of gravel, why does it continue to ignore its responsibility in regard to reclamation? You're not doing inspections, you're not collecting appropriate amounts for security, and you're not checking to see if reclamation is being done.

2:40

**Mr. Oberle:** Again, Mr. Speaker, I agree with absolutely nothing in that preamble. That's just simply not true.

**Ms Blakeman:** Well, it's a shame that the Auditor General – well, actually, it's a shame for the government. I'm glad that the Auditor General agrees with me, not the government. He has been raising these concerns for years, not a couple but many years. What steps has this minister taken to ensure that the free-for-all that is happening with gravel development doesn't continue for another day?

**Mr. Oberle:** Mr. Speaker, if the hon. member could point me to the part of the Auditor General's report that says that the government is not doing any measurement of gravel and no monitoring and has no idea what's happening out there, then I'd be happy to address it. But that's not, in fact, what the report says. We do work with the Auditor General, and there's always room for improvement, but this is a well-managed resource, and the province is looking after the resource.

**The Speaker:** Hon. members, 19 members today raised 57 questions, which led to 57 responses.

We'll continue with the Routine momentarily.

### Members' Statements

*(continued)*

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

### Results-based Budgeting

**Mr. Fawcett:** Thank you very much, Mr. Speaker. One of the most important elements of fiscal responsibility is identifying and achieving the outcomes that Albertans expect from their government. It's about ensuring that we're delivering the right programs and services the right way at the right time. That's why the Results-based Budgeting Act was the first piece of legislation

introduced this year under the leadership of this Premier. The Results-based Budgeting Act demonstrates a new approach to governance in this province.

Just because something has always been done, it does not mean that it should continue forever. Results-based budgeting will ensure that the priorities of Albertans, not bureaucrats, will be paramount in determining where tax dollars are allocated, and it gives Albertans a fundamental role in contributing input into the allocation of their tax dollars. Additionally, Mr. Speaker, it reflects a pragmatic approach that today's public governance requires in order to adjust shifting priorities.

In a province where economic growth is double that expected in the entire country and where the employment growth is the highest in Canada, Albertans expect their government to respond to their ever-changing needs. This means examining existing programs to see if they are getting the results Albertans expected. It also means connecting people and their communities to services that they need in the most effective and efficient manner.

Results-based budgeting demonstrates the principled, fiscally conservative approach that Albertans have embraced in over 40 years of Progressive Conservative government, Mr. Speaker. This is a long-standing principle that doesn't change, and this is one that Albertans can count on under the leadership of this Premier.

Thank you very much, Mr. Speaker.

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

#### **International Adult Learners' Week**

**Ms Woo-Paw:** Thank you, Mr. Speaker. I rise today to tell you about International Adult Learners' Week, which is being celebrated throughout Canada beginning this week, from March 24 to April 1. Adult Learners' Week is an international initiative co-ordinated by the Canadian Commission for UNESCO, the United Nations Educational, Scientific, and Cultural Organization. Our common message this year is I'm Still Learning.

During Adult Learners' Week we celebrate the achievements of adult learners and encourage them to continue learning throughout their lives to develop the skills they need to achieve their goals. Mr. Speaker, across Alberta community learning organizations, postsecondary institutions, libraries, and other groups will mark the week by promoting adult learning in all its forms through seminars, workshops, learner readings and stories, and other events. It is clear from their commitment that these groups share this government's recognition of the importance of lifelong learning.

The government of Alberta supports a wide variety of learning opportunities throughout the province. Thanks to this support adult learners are able to learn and grow in their own communities to develop the knowledge and skills they need for success. It also means that these Albertans are able to realize their full potential and contribute to their families, their communities, and to the success of our province.

On behalf of this government and the citizens of Alberta I would like to thank all those volunteers and staff who support and deliver adult learning programs. Thanks to you Albertans across the province are still learning.

Thank you.

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

#### **Sagewood Seniors' Residence**

**Mr. Doerksen:** Thank you, Mr. Speaker. On March 2 I was extremely pleased to attend the official opening and tour of Sagewood seniors' community with the Minister of Seniors in

Strathmore. Sagewood is a beautiful facility and an example of a new era in accommodations that are being built throughout our province. There are 60 supportive living units and 40 independent living apartments currently filled in this facility, and a further \$7.6 million has also been dedicated to build 70 more supportive living units as well as 30 more long-term care units.

This project and others like it will allow Albertans to stay close to family and friends and to live in a more comfortable, familiar setting. When I was there for the opening and the tour, I saw first-hand the difference that this facility is making and will continue to make in the lives of those who live there. There were many smiling faces, Mr. Speaker, at the grand opening and a lot of pride by residents with regard to the homes that they now live in.

Residents will receive top-quality care at Sagewood, which will enable them to live the fullest possible lives in a community setting. There is no doubt that our Premier and this government are fully committed to helping seniors and persons with disabilities increase and improve their quality of life.

Sagewood is an excellent example of how future long-term care and supportive living places will be built. This facility will serve the people of Strathmore and the county of Wheatland and area and our province for a long time and will make a lasting contribution to our society and our quality of life.

I acknowledge the strong commitment of the community to work together with the province of Alberta and our government to see this facility come to fruition. Thank you, Mr. Speaker.

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

#### **Edmonton-McClung**

**Mr. Xiao:** Thank you, Mr. Speaker. I rise this afternoon to speak about the wonderful constituency of Edmonton-McClung, that I have been so fortunate to represent for the last four years. Edmonton-McClung is named after Nellie McClung, one of the Famous Five in Alberta's history. Edmonton-McClung lies along the north and the west bank of the North Saskatchewan River south of Whitemud Drive and all the way to the city boundary in the west.

In 2011 the completed overpasses of Lessard Road, Callingwood Road, and Cameron Heights has made the everyday commute in and around Edmonton safer, more convenient, and more enjoyable.

Mr. Speaker, McClung is the best place to raise a family. It has 15 diverse schools, including two brand new schools, Sister Annata Brockman Catholic school and the Bessie Nichols public school in the Hamptons.

Edmonton-McClung is also home to the beautiful Lois Hole library and the Jamie Platz YMCA. We also include the Callingwood recreation centre, the new water spray park, and the Callingwood skateboard park, our last urban recreational facility in McClung.

Mr. Speaker, through the amount of \$620,000 in community initiatives program funding our diverse grassroots organizations in McClung have become more vibrant than ever before. Our community leagues and other community organizations have received \$1.6 million from the community facility enhancement program to enhance and improve their facilities and playgrounds. Three child care facilities have received a total amount of more than \$100,000 to create new child care spaces. Callingwood district park has received \$1.3 million from the municipal sustainability initiative fund for redevelopment purposes. The safety and the security of our community has been tangibly improved through the work of the neighbourhood empowerment team in the Callingwood area.

The McClung family has a very high graduation rate. In the last four years alone 2,600 students graduated . . .

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

### 2:50 Emergency Preparedness

**Mrs. Jablonski:** Mr. Speaker, every year we mark Emergency Preparedness Week during the first full week of May, but no matter what time of the year, we never know when a disaster will strike. We all know that Alberta is no stranger to severe weather events like tornadoes, wildfires, and flooding.

While we can't prevent disasters like these, we can prepare for them. In fact, it's a proven fact that the more prepared we are, the safer Albertans and their families are from these tragic events. That's why it's important for Albertans to know the risks in their area and the most appropriate way to respond, to make a family emergency plan, and to create a 72-hour kit filled with nonperishable food items, water, medications, and important documents. Similarly, Albertans should have a ready-to-go kit in case they need to evacuate their home or work on short notice.

However, Mr. Speaker, no matter how prepared people are for a disaster, there will always be times when government will need to help people in their time of need. This has been especially true over the past two years, when we experienced extremely high numbers of disasters.

The Alberta government was and still is helping the people of the Slave Lake region recover from the horrific wildfire last spring. To date \$289 million has been dedicated to the recovery efforts, and temporary housing was provided to all of the 300 displaced families.

We were there to help the people of southern Alberta deal with significant flooding in 2010. More than \$43 million has been paid out to over 3,100 applicants, and 99.8 per cent of the residential claims have either received their first cheque or their files are complete and closed.

In fact, Mr. Speaker, in 2011 there were 13 disaster recovery programs around the province, for a total commitment of up to \$212 million. It's plain to see that the Alberta government is committed to the people who need help while facing disasters. We've done all this while weathering a recession that crippled many economies in North America and around the world.

### Tabling Returns and Reports

**The Speaker:** The hon. Member for Edmonton-Centre, then Calgary-Varsity, then Edmonton-Calder.

**Ms Blakeman:** Thank you very much, Mr. Speaker. I'm most honoured today to be able to present tablings on behalf of two of my colleagues. The first is a series of letters from Stephanie Parks, Lise Plamondin, Christine Duteau, Gordon Evans, Darlene Bloxham, Sandra Kimball, Betty Evans, Nancy Callihoo, and Brian Fisher. They are asking the government to institute the funding necessary for beds, staffing, and programming until the mentally ill are stable; to build a world-class facility for the severely mentally ill, including transition housing and staffing of occupational therapists and social workers; and to decriminalize the mentally ill and implement a mental health court. That's on behalf of my colleague for Calgary-Mountain View.

On behalf of the Leader of the Official Opposition I have a number of tablings from different media sources which have covered a story regarding AIMCo approaching the government to borrow additional funding. That's three of the tablings.

The final tabling is concerning Bill 203 and the various issues that the leader had raised on March 12, 2012, when, in fact, he was debating second reading of Bill 203. Any references he made are included in those tablings.

Thank you very much, Mr. Speaker.

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

**Mr. Chase:** Thank you, Mr. Speaker. I have two tablings. The first is an advertisement from Tranquility Care Homes Inc. from the health and fitness magazine, January 2012, where it states "Long Term Care for Seniors in a Residential Home" and "We accept Alzheimer's, Dementia and Wheelchair Patients. Respite and Semi-Palliative Care Available." That's to back up my concerns stated in question period today.

My second, Mr. Speaker, is a further 20 e-mails out of the hundreds I've received from the following individuals who are seeking the preservation of the Castle wilderness, all of whom believe clear-cutting will damage the ecology, watershed, wildlife, and natural species and must be prohibited at all costs: Carri Bedard, Cecily Mills, Hazel Holoboff, Barend Dronkers, David J. Brown, Sandy McAndrews, Ken Wood, Brent Gavay, Dr. Rosalyn McAuley, Stefanie Niawchuk, Eric Willis, Maryann Emery, Kevin and Anita Miller, Paul Falvo, Nancy Ingersoll, Robert and Pamela Porter, M. Judith Stockdale, Brenda Allan, George Payerle, and Jon LeBaron.

Thank you, Mr. Speaker.

**The Speaker:** The hon. Minister of Advanced Education and Technology.

**Mr. Weadick:** Thank you, Mr. Speaker. I rise to table the appropriate number of copies of the Student Consultation on Mandatory Non-instructional Fees Policy – Best Practices, which I referred to earlier in question period.

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

**Mr. Elniski:** Well, thank you, Mr. Speaker. I table the appropriate number of copies of a document that I had previously tabled on March 15. I'm a little bit embarrassed because, apparently, I did not provide you with the entire e-mail, sir, and for that I apologize. This document, as you may recall, was an e-mail from the assistant principal at M.E. LaZerte high school, Marion McIlwraith, where she expressed her dismay with respect to the behaviour of three members of the Wildrose opposition.

Thank you.

**The Speaker:** Hon. Minister of Agriculture and Rural Development, you indicated to me that you wanted to raise a point of order.

### Point of Order Remarks Off the Record

**Mr. Berger:** Thank you, Mr. Speaker. I wish to raise a point of order today. At estimates for Agriculture and Rural Development on the evening of Monday, March 12, 2012, the hon. Member for Calgary-Glenmore said, and I quote: I did not say repeal. I quote the following exchange between the member and myself. Minister: "So there is that. We also have to be respectful of the fact that the very acts that you've spoken of repealing are what it takes to create water reservoirs . . ." Calgary-Glenmore: "I didn't say repeal." Minister: ". . . because we cannot supply or store that in the ether, or we wouldn't have the need for the other 50 reservoirs. That's one of the things, then, going forward. We have to have the ability to create that."

Mr. Speaker, while I'm glad the hon. member has seen the light and admitted that he would not repeal those acts, I believe that it needs to be corrected in *Hansard*. Although the comment is clear on the audio, *Hansard* left that comment off. Although all of his other interjections were left in *Hansard*, that one is left out.

I'd just like to clarify for the record that the Member for Calgary-Glenmore is in favour of those acts. Assuming that he is the deputy leader, all of the Wildrose also must be in favour.

Thank you, Mr. Speaker.

**The Speaker:** Well, that appears to be a point of clarification rather than a point of order. There would have been a more appropriate time for that.

Hon. Member for Fort McMurray-Wood Buffalo, did you have a point of order?

### Point of Order Parliamentary Language

**Mr. Boutilier:** Yes. Thank you very much, Mr. Speaker. In the question period exchange this afternoon between the Member for Airdrie-Chestermere and the Deputy Premier in a response from the Deputy Premier I rose on a point of order under 23(h), (i), and (j). In the exchange the question was posed:

Given that this Premier has broken her promise to call a public inquiry into doctor intimidation and to set a fixed election date and to stop the north-south power lines and to not to raise taxes and [also] given now that she is breaking her word on repealing . . . 3 of the Human Rights Act, Premier, is there any reason why . . . Albertan should trust you to keep your promise to protect free speech . . . of parents?

Mr. Speaker, I draw to your attention that the response by the Deputy Premier was: "The hon. member has trouble with the truth . . ."

I only reference for your consideration, Mr. Speaker, finally, that this was personalized to a member of this House, and I draw attention to your ruling of April 27, 2009, when the Speaker ruled that twisting the truth warranted an apology from a member. This afternoon I would ask that the Deputy Premier, in fact, withdraw his comment.

**Mr. Horner:** Well, Mr. Speaker, it is my opinion that the hon. member has a little trouble with the truth. You know, he's making a lot of claims and accusations in this House on an almost daily basis. He's used a lot of language that many would consider to be unparliamentary throughout the week, and we probably could have called points of order and those sorts of things, but in the interests of ensuring that your Assembly operates in a most efficient manner, we've chosen not to do that.

You know, the hon. member says that we're raising taxes. Mr. Speaker, that's not the truth. So one would argue that even this hon. member is having a little difficulty with the truth. The truth is that there is not a tax increase in this budget.

3:00

Mr. Speaker, the hon. member says that the Premier didn't fulfill her commitment on a health care quality inquiry. In fact, there is a judicial inquiry that has been called based on what the Premier has asked the task force to do or the Health Quality Council to do. So, again, having a little difficulty with the truth.

They talked about the election date, that we would have fixed elections in the province of Alberta. Mr. Speaker, as the hon. member well knows, we are currently within that period of time, and there will be an election. Everybody in this Assembly knows

it. Everyone in the province knows it. So, again, a little issue with the truth.

I find it interesting, Mr. Speaker, that this is almost like they're saying that we're not honouring the democratic traditions or we're not honouring democracy in our province. Our leader actually ran for a seat in this House when their leader had the opportunity to do so in a by-election and did not. I find it rather strange that there are a lot of these kind of hypocritical issues that are floating around from that particular party.

I didn't say that they were lying. I didn't say that they were calling out other members. I simply said, Mr. Speaker, that they had trouble with the truth, and I think I've proven that.

**The Speaker:** I think I've heard enough, with all honesty, to make a conclusion in this matter. This, obviously, was an opportunity for clarification.

### Orders of the Day

#### Written Questions

[The Clerk read the following written question, which had been accepted]

#### Registered Apprenticeship Program Participation

Q2. Dr. Taft:  
How many high school students per calendar year have participated in the registered apprenticeship program since its implementation?

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

#### Registered Apprenticeship Program Cost

Q1. Dr. Taft asked that the following question be accepted.  
What has been the cost per fiscal year of the registered apprenticeship program since its implementation?

**Dr. Taft:** Yes. I just need to get a point of clarification here. Written Question 1 has not been accepted or has been accepted? Not accepted. So I would move that Written Question 1 be accepted.

I will leave the response to the minister.

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

**Mr. Weadick:** Thank you, Mr. Speaker. We have heard the question. Costs for the RAP, registered apprenticeship program, are aggregated with our other costs for apprenticeship delivery. It simply wouldn't be possible to provide an accurate line item cost for the program. RAP apprentices, for example, register in exactly the same way as regular apprentices, so the costs are simply absorbed into the costs of the thousands of apprenticeship registrations we do each year. There are some promotional costs associated with the program, but again these are simply part of a broader cost of promoting apprenticeships as a first-rate career option for young people. It should be noted that the real promotion of this program takes place in classrooms and among our employer partners, who make this great program possible.

So, Mr. Speaker, I would move that we reject this question. Thank you.

**The Speaker:** The hon. Member for Edmonton-Riverview to close the debate.

**Dr. Taft:** Yes. I was actually surprised and disappointed with the response. It strikes me as surprising and worrying that a government has a program, a well-recognized program, for which it cannot give fiscal accounting. I think that speaks probably to the widespread issues of lax financial or fiscal control of this government.

[The Deputy Speaker in the chair]

I have to question the appropriateness of this, Mr. Speaker, because if we have something as specific as a registered apprenticeship program and the minister cannot give any accounting of what it costs, we should all be worried. Maybe my next written question would be: how many other programs does this minister have for which he cannot give any clear indication of the cost?

Frankly, I'm startled. I don't know how a minister can stand here and just rattle off that excuse. "I have a program, Mr. Speaker," he says, "but I don't know what it costs, and I'm not going to try to find out or tell anybody." Pretty disappointing. I think the Assembly should require this minister to go back and return with an answer. I bet they will, too; I can feel that.

Thank you, Mr. Speaker.

[Written Question 1 lost]

### Motions for Returns

[The Clerk read the following motion for a return, which had been accepted]

#### Lawsuits against Alberta Health Services

M3. Dr. Swann:

A return showing a list of lawsuits in which Alberta Health Services is, as of March 31, 2011, named as a defendant, indicating the cause of action and amount in damages claimed.

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

#### Postsecondary Institution Student Fees

M1. Dr. Taft moved that an order of the Assembly do issue for a return showing copies of all correspondence from August 1, 2011, to February 3, 2012, between the Minister of Advanced Education and Technology and the province's postsecondary institutions regarding development of and student input on fee payment policy.

**Dr. Taft:** Thank you, Mr. Speaker. Having made that motion for a return, I'm sure my friend the minister would agree that it's remarkably timely given that we had a number of representatives of student organizations in the Assembly just minutes ago. They may still be up there; I'm not sure.

Exactly on the issue of postsecondary institution fee payment policies, Mr. Speaker, we would like to have on the public record this correspondence because we think that it's very important. There are many, many, many tens of thousands of postsecondary students in Alberta who are required to pay a whole host of different kinds of fees, some of which are explained and some of which just seem to come out of the blue and may or may not be connected to any particular service.

The minister knows very well that these have been contentious concerns for students and for student organizations and that the student organizations have been working hard on this. Earlier today I met with representatives of, boy, if I did quick math in my head, maybe 77,000 postsecondary students, and believe me they were not happy. They felt they had not been heard.

I think that if we were to approve this motion, we could actually get a sense of what the nature of the discussion was and perhaps help the students or perhaps help the government in explaining its position and definitely help the public in understanding an issue that affects many of us to the tune, in total, of millions upon millions of dollars. It's just a matter of being open for the public record.

Thank you, Mr. Speaker.

**The Deputy Speaker:** The hon. minister of advanced education.

**Mr. Weadick:** Thank you, Mr. Speaker. We move to reject this motion at this time. We are right now in the middle of working with all of our institutions and our student groups on the area of noninstructional fees. As you're aware, it has come forward over the past few months. It was brought on or instigated by a couple of institutions bringing in some fees that were things that were not typically seen as fees. So we've been having discussions both with our institutions and with our student groups around how we manage this into the future.

Mr. Speaker, today I tabled the outcome of a lot of those discussions around the student consultation on mandatory noninstructional fees policies. We continue to work with our students and our institutions because there are also issues around fees charged by students through student unions. There are all kinds of fees that are both mandatory instructional and noninstructional.

3:10

This province is the final province in Canada that has a tuition fee cap. Mr. Speaker, we want to maintain that tuition fee cap, and we think it's very, very important to keep education cost-effective. We want the students to access the finest programs. Earlier today someone said that we have high fees, but we're in the middle of the pack as Canada goes for fees, and actually we're among the lowest in the country for graduate students, a thousand dollars below most graduate student programs.

We also want to keep the quality in our systems. We want the number one quality programs, Mr. Speaker, as well as being accessible and affordable. Because of that we also provide the most scholarships in the country, in fact, more than all of the provinces combined, to keep our education system affordable.

So, Mr. Speaker, as we move forward and work with our institutions, information will go back and forth as we try to develop these policies. We're in the middle of that. I will commit that when we complete the process with our institutions, we'll then make available information as it's available to all members to review. But as I said, right now we're right in the middle of that. I don't want anyone feeling unduly challenged as they work to negotiate and discuss how these policies may fit.

We think it's important that our students, as they sit on the boards of governors, working with our boards of governors to come through with these policies – Mr. Speaker, if the students want to disclose any of that information that's available that isn't confidential to any members, they are able to do that, but for the moment, as we work through these negotiations and try to come to these policies, we just want to ensure that we can keep them fair and open for the boards of governors and students to work together to find a solution to these noninstructional fees. So at this time releasing all of that information wouldn't be appropriate. We would ask that it not be released at this time, but we'll continue to work with all members in this House, all of our institutions, and all of our students.

Thank you.

**The Deputy Speaker:** The hon. Member for Edmonton-Riverview to close.

**Dr. Taft:** Yes, thank you. I appreciated the comments of the minister, but I obviously take issue with them. Among other things he said two or three times that the government is right in the middle of sorting this policy out, yet he's presented their best practices policy as if it's a done deal. So as far as it looks to anybody in the public, certainly to students or to me, they're not in the middle of anything; they're at the end of it. They've done it. They've issued their statement, and we're looking just for the background on it.

The minister also referred to the quality of postsecondary education in Alberta. I would venture to say that, in general, it's adequate, occasionally it's excellent, but by most measures Alberta's universities barely make the top ranks of Canadian universities. The University of Alberta consistently comes in, depending on your ranking, around number 5; U of C, maybe number 10. The quality of postsecondary education in this province is not what it ought to be. We're just trying to hold the government to account.

One of the issues with quality is accessibility, and we know increasingly that university education in particular is a privilege for higher income Albertans and that participation rates for lower income people or for First Nations or other populations is way too low. And one of the biggest issues, in fact, around accessibility is cost, which includes all these extra fees that are tagged on and can add many hundreds of dollars to tuition fees.

So once again I have to differ with the minister. Thank you.

[Motion for a Return 1 lost]

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

#### Alberta Innovates and Pfizer Canada MOU

M2. Dr. Taft moved that an order of the Assembly do issue for a return showing a copy of the 2011 memorandum of understanding between Alberta Innovates: Health Solutions and Pfizer Canada Inc.

**Dr. Taft:** Thanks, Mr. Speaker. The reason I'm making this request is because we have here something that's part of a growing trend, which is a close relationship between drug companies and Alberta Innovates, which is the successor to the old Alberta Research Council, the Alberta Heritage Foundation for Medical Research, and a number of other organizations. The public has a right to know what's in these memoranda of understanding. Public money is at stake. A public institution's role is at stake. There is rapidly increasing concern about the corporatization of public research institutions, about their loss of independence, about the concern that, in fact, public research organizations and universities are increasingly simply the R and D department for drug companies or oil companies or other interests. That's a concern I hear a lot about.

Mr. Speaker, this kind of memorandum of understanding between a publicly funded, publicly administered public body and a drug company should be available to the public. The public has a right to know. If the government is hiding something, then alarm bells go off. There shouldn't be anything to hide in these deals. I can't imagine what legitimate concern the minister would have in hiding this memorandum unless it's, frankly, a tad on the unacceptable side. I would look forward to the minister accepting this motion.

Thank you.

**The Deputy Speaker:** The hon. Minister of Advanced Education and Technology.

**Mr. Weadick:** Thank you, Mr. Speaker. As the member opposite stated, we are seeing more and more interest from corporations working closely in research. As Alberta Innovates and Alberta work to solve the world's problems, we will see more of that as oil companies come to us to try to help them resolve issues in the tailings ponds or as we look to new drugs or new opportunities.

Mr. Speaker, we have a gentleman living in Alberta now, Dr. Michael Houghton, who's working at the University of Alberta. Dr. Houghton is actually the person that discovered hepatitis C and is now working on a vaccine for it. These are wonderful things happening right here in Alberta. They create unique opportunities for health, for a healthier province, for better opportunities for Albertans.

Mr. Speaker, they also create opportunities for commercialization, for those great jobs that we want our young people to have as they come out of university, as they go through their graduate studies. Also, these relationships with some of these companies – Johnson & Johnson, for example, has funded research chairs in universities – allow postsecondaries to bring in some of the brightest and best so that our young people, our graduate students, can work with and study with some of the world's finest researchers. So this is really, really important work, and it is truly a partnership.

Mr. Speaker, I'm here to ask and would like to move that the motion for a return be amended by adding "Advanced Education and Technology," after "memorandum of understanding between." Then it would read:

That an order of the Assembly do issue for a return showing a copy of the 2011 memorandum of understanding between Advanced Education and Technology, Alberta Innovates: Health Solutions, and Pfizer Canada Inc.

With that amendment, I would accept the motion and will supply a copy of the MOU for return. I'm proposing this because this does show that this truly is what the MOU is.

Mr. Speaker, this clearly is a relationship with Alberta Innovates, Alberta advanced education, and with Pfizer, so I wanted to make sure that it reflected the true nature of this MOU. Following discussion with the information and privacy office and legal counsel we concluded that disclosure of this MOU will not breach confidentiality of any of the parties.

As an open and transparent government we want to share these things with Albertans. We want to work with our opposition members, Mr. Speaker. We're happy to work with them and to share these wonderful agreements that provide great opportunities here in Alberta for both employment and jobs. This government has worked very hard over the past number of years in a tough economy to create employment, to keep jobs going, and these kinds of agreements can create those value-added jobs in our economy. We think it's critically important.

With that amendment, I would accept this motion for a return. Thank you.

3:20

**The Deputy Speaker:** The hon. Member for Edmonton-Riverview to close.

**Dr. Taft:** Yes. Thank you, Mr. Speaker. I appreciate the gesture from the minister, and I think that sounds like a perfectly reasonable amendment. I could certainly live with that.

Thank you, Mr. Speaker.

[Motion for a Return 2 as amended carried]

**Dr. Swann:** Mr. Speaker, I wonder if we could revert to introductions.

**The Deputy Speaker:** I've got a note here from the hon. member. May I have the agreement of the Assembly to revert briefly to Introduction of Guests?

[Unanimous consent granted]

### **Introduction of Guests** (reversion)

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

**Dr. Swann:** Thank you very much, Mr. Speaker. A great pleasure for me to introduce some folks in the public gallery who, at least some of them, are here to attend for Bill 203, the private member's bill on smoking in vehicles. They're also very eminent professionals who are working on advancing Alberta as a leader in prevention programs in Canada. They are part of the Alberta Policy Coalition for Chronic Disease Prevention and the Campaign for a Smoke-free Alberta. They include Laura Kemp, Les Hagen, and Shandy Reed. I would ask them all to stand, even if I haven't introduced you, so that we can include all of you. Welcome to the Legislature.

### **Motions for Returns** (continued)

**The Deputy Speaker:** The hon. Member for Calgary-Mountain View on Motion for a Return 4.

#### **Supportive Living Personal Care Facilities**

M4. Dr. Swann moved that an order of the Assembly do issue for a return showing copies of all requests for proposals and all documents relating to requests for proposals issued by Alberta Health Services for supportive living personal care facilities throughout the province.

**Dr. Swann:** Thank you very much, Mr. Speaker. These have, obviously, a tremendous relevance today in our health care system, where seniors' care is the issue not only in terms of relieving pressure on emergency departments, relieving the pressure on acute-care hospitals but also in terms of standards and quality and affordability of care in our society.

This is a pretty central issue for all of us in the Legislature as we grapple with ensuring a good planning framework, a long-term commitment to quality, and dignified end-of-life or late-life issues. It relates to not only the numbers of long-term care or assisted living services that we have in the province but increasingly to concerns about how much public money is going into it and how much private money is going into it and to what the accountability is both on the public funds and on the private services in terms of maintaining standards, maintaining affordability, and ensuring that Albertans are served in the best way possible in their latter years.

Thank you, Mr. Speaker.

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

**Mr. Horne:** Thank you very much, Mr. Speaker. Well, I appreciate the request for information from the hon. Member for Calgary-Mountain View. However, I am going to have to ask hon. members to reject the motion for a return. The reason – and I'll preface it with a simple explanation, I guess, of who does what

with respect to requests for proposals for supportive living facilities – is that Alberta Health and Wellness has no requests for proposals or related documents issued by Alberta Health Services for supportive living facilities. Alberta Seniors is, in fact, the ministry responsible for working with AHS to co-ordinate and administrate supportive living capital grant programs. Alberta Health and Wellness is responsible for setting standards for health services provided in publicly funded supportive living facilities, and Alberta Seniors is responsible for accommodation standards for seniors regardless of any health services that may be provided.

Funding for capital to build supportive living accommodation is issued under a request for proposal or a request for grant by Alberta Seniors. Funding for health services from Alberta Health Services is considered part of this process, depending on the level of acuity of the clients that the operator is proposing to serve. Details on the funding provided by Alberta Health Services are provided as part of the request for grant process.

Mr. Speaker, with respect to this particular motion the administration of the request for proposals process for supportive living facilities for seniors is, in fact, a function of the Ministry of Seniors, not Alberta Health Services and not the Ministry of Health and Wellness. Alberta Health Services, with funding provided by the Ministry of Health and Wellness, does in fact negotiate with operators for contracts to provide health services within designated supportive living facilities across the province but, as I stated earlier, does not issue requests for proposals for the construction of those facilities.

Thank you.

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

**Dr. Swann:** Thank you very much, Mr. Speaker. Thank you to the minister. An error on our part.

[Motion for a Return 4 lost]

### **Public Bills and Orders Other than Government Bills and Orders Committee of the Whole**

[Mr. Cao in the chair]

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

#### **Bill 203**

#### **Tobacco Reduction (Protection of Children in Vehicles) Amendment Act, 2012**

**The Chair:** Are there any comments, questions, amendments to be offered? The hon. Leader of the Official Opposition.

**Dr. Sherman:** Thank you, Mr. Chair. I'm pleased to open debate in Committee of the Whole on Bill 203, the Tobacco Reduction (Protection of Children in Vehicles) Amendment Act, 2012. We've had very good debate and discussion on this very important bill. As you know, this bill is really about the safety of our children. There's been a lot of good work in the Legislature and in the legislation about making tobacco reduction a priority. In fact, this is the real solution to fixing health care: let's not get sick in the first place. Tobacco use has been on the decrease because of a lot of this legislation.

This piece of legislation is so important because it involves our children. It was brought before the Legislature in 2008 as Bill 215

at the time, a private member's bill. Unfortunately, we ran out of time, and it dropped off the Order Paper before Christmas of 2008. There are municipalities and communities in Alberta that in 2008 took leadership roles in this country to ban tobacco smoking in vehicles when young people are present. Unfortunately, there are only two provinces that haven't passed this kind of bill, Alberta and Quebec.

Mr. Speaker, in light of the fact that we have an election coming very soon and that the bill has come back and that it was unanimously endorsed by all the members in the Legislature on second reading, I would hope and ask all of the hon. members today to unanimously consent to moving this bill into third reading and making it law before we convene for the election season. In light of all of the advocates and champions who have championed this legislation for years, that are present here today, Mr. Chair, I ask all members to unite to get this bill passed today, once and for all.

I thank everyone and thank you for the opportunity. I call the question.

3:30

**The Chair:** Any other hon. members wishing to speak? The hon. Member for Edmonton-McClung.

**Mr. Xiao:** Thank you, Mr. Chairman. I'm very honoured to stand today to participate in the Committee of the Whole debate on Bill 203, the Tobacco Reduction (Protection of Children in Vehicles) Amendment Act, 2012, proposed by the hon. Member for Edmonton-Meadowlark. Before I begin, I would like to thank my hon. colleague for bringing forth this important topic for discussion as it addresses a very important issue, and I would like to express my support for this bill.

Mr. Chairman, the health of our children is very important. Any piece of legislation that deals with this matter requires our full attention. That being said, I would like to dedicate my time here today to discussing specific sections of the bill in question. I will start by mentioning that Bill 203 intends to make it illegal to smoke in a car whenever a minor is present.

Section 3 of the Tobacco Reduction Act, the legislation that Bill 203 intends to amend, states that

no person shall smoke

- (a) in a public place,
- (b) in a workplace,
- (c) in a public vehicle, or
- (d) within a prescribed distance from a doorway, window or air intake of a public place or workplace.

Section 3 of Bill 203 would amend the above portion by adding the following clause: "in a vehicle in which a minor is present." As I'm sure everyone is aware, a minor in this province is anyone under the age of 18.

Now, I completely agree that the government should be proactive and take certain precautions in situations where people cannot protect themselves, but I am sure that many people would also agree that there is a difference between children and teenagers, that are still legally defined as minors. For instance, young children in vehicles do not have the choice of removing themselves from a car and are often unaware of the dangers of second-hand smoke. In these situations the health of young children may be at serious risk, especially if the exposure is long term.

Conversely, some 17-year-olds are enrolled in universities, may be financially independent and live on their own. As such, they may feel they have the prerogative and the maturity to make their own decisions about who they choose to ride in a car with. My point, Mr. Chairman, is that the term "minor" encompasses a wide

range of ages, from the very young to people who may be financially independent. Even in this province jurisdictions that have passed bylaws similar to Bill 203 have different or relevant ages that range from 16 to 18.

Another issue, Mr. Chairman, that I feel should also be addressed in this bill pertains to groups of minors that are smoking while in a car together. What would happen if there was a car full of 17-year-olds, and all of them were smoking? Who, if anyone, would receive the ticket? Moreover, what would happen if there were both adults and minors in the vehicles, and one of the minors was smoking? Who would get the ticket in this situation? There's no mention in the legislation about what would result if these scenarios occurred. This is not to say that I condone smoking in vehicles in any way, but that clarification with respect to the relevant age group may be needed.

The addition of the clause "in a vehicle in which a minor is present" also raises other questions. As I mentioned previously, protecting our children from the harm of second-hand smoke is an important goal and one that should not be taken lightly. However, Mr. Chair, if this legislation intends to protect children, then it should also include other vulnerable populations as well. Certain groups, much like young children, may not have a choice in their exposure to tobacco smoke while riding in cars. For example, those with a cognitive and a physical disability often depend on other people for transportation. Many individuals that suffer from these unfortunate disorders may also be unaware of the dangers of tobacco smoke. Some may also have compromised immune systems, making vehicles filled with tobacco smoke especially harmful.

Our province thus far has addressed this issue of second-hand smoke through programs that promote education and public awareness. Many of these programs fall under the Alberta tobacco reduction strategy and advocate against second-hand smoke around all populations regardless of age or demographic.

Mr. Chairman, section 2(2) of the Tobacco Reduction Act currently states: "this Act does not apply to a building, structure or vehicle, or a part of a building or structure, that is used as a private residence." Section 2 of Bill 203 would amend the above portion by striking out " , structure or vehicle" and substituting "or structure." The amended section would then state the following: "this Act does not apply to a building or structure, or part of a building or structure, that is used as a private residence." What this means is that the Tobacco Reduction Act would apply to all private vehicles, which may include motorhomes that are used as a primary residence. I believe that preventing people from smoking in cars with children present is an honourable goal, but extending this limitation to a primary residence may potentially lead to other issues.

Mr. Chairman, I'm simply concerned about the perception of excessive intrusion into the lives of private citizens. For some a motorhome is a primary residence, so would they still be excluded from the Tobacco Reduction Act if Bill 203 is passed? This is another important question which I believe should be considered before any further action is taken with respect to this bill.

With that, I would like to conclude my statements regarding Bill 203. I would once again like to thank the hon. Member for Edmonton-Meadowlark for bringing this important issue up for debate. Thank you, Mr. Chair.

**The Chair:** Are there any others? The hon. Member for Edmonton-Mill Woods and then the hon. Member for Cypress-Medicine Hat.

3:40

**Mr. Benito:** Thank you, Mr. Chairman. It is an honour for me to

rise today in this Assembly to speak in Committee of the Whole on Bill 203, the Tobacco Reduction (Protection of Children in Vehicles) Amendment Act, 2012, brought forward by the hon. Member for Edmonton-Meadowlark. The hon. member brings a valuable medical perspective on issues of health to this House, and I would like to thank him for bringing this bill forward as it gives us an opportunity to raise awareness of the dangers of tobacco use.

Mr. Chairman, Bill 203 proposes adding a new tool to the tobacco reduction tool kit. Section 1 of Bill 203 states: “The Tobacco Reduction Act is amended by this Act.”

Bill 203 would also alter section 3 of the Tobacco Reduction Act, which lists numerous places where smoking is banned. The first part of section 3 reads: “Subject to section 5, no person shall smoke,” and from there it goes on to list those places where one may not smoke. The rest of section 3 of the act reads:

- (a) in a public place,
- (b) in a workplace,
- (c) in a public vehicle, or
- (d) within a prescribed distance from a doorway, window or air intake of a public place or workplace.

Bill 203 would amend section 3. Section 3 is amended out by striking out “or” at the end of clause (c) and by adding the following after clause (c):

- (c.1) in a vehicle in which a minor is present.

Mr. Chairman, the health effects of smoking have been known for years, and on average smokers tend to have shorter lifespans than nonsmokers. As well, individuals exposed to second-hand smoke are also subject to negative health effects.

It wasn't so long ago that public spaces such as malls and food courts would have had only a handful of nonsmoking tables, but as awareness has grown, our society has changed to reflect our increasing concern about the risks of smoking. The generation of young people in colleges and universities today has seen significant change over their lives with regard to smoking. Most 20-year-olds can likely remember as children going to restaurants with their parents where other patrons could light up relatively freely. Just a few years later smoking is no longer permitted, even in bars and nightclubs. In fact, sometimes it's easy to forget just how much things have changed in a relatively short time. Bill 203 and its provision that bans smoking “in a vehicle in which a minor is present” could be that next step forward.

This overall societal transformation has been possible due to both cultural shifts and government initiatives. Mr. Chairman, from time to time the government leads and public attitudes play catch-up, and at other times it is the government catching up to public opinion. We can see this change over time in the statistics. The Youth Smoking Survey conducted by Health Canada helped us determine whether tobacco reduction efforts are impacting young people's choices. This is important as smoking trends among youth are seen as a leading indicator for adult smoking since many habits formed in youth are carried into adulthood. Among those aged 15 to 19 the percentage of smokers in Alberta was 26 per cent in 1999, well below the national average at the time. By 2010 the percentage of youth aged 15 to 19 in Alberta that smoked fell by one-third compared to 1999, a major decrease.

Additionally, for the population as a whole smoking prevalence has dropped to 19 per cent in 2010 from 26 per cent in 1999 according to Health Canada's Canadian Tobacco Use Monitoring Survey. Through these surveys we can see how changes among youth are leading the way in smoking reduction.

The question that is often asked is: are we doing enough? Before jumping into action, we must ask a second question: what can we do that will be most effective? Bill 203, the Tobacco Reduction Amendment Act, adds the words “in a vehicle in which

a minor is present.” I ask: are these words an effective way forward with respect to protecting our children from the adverse effect of second-hand tobacco smoke? In order to implement a successful tobacco reduction policy, we must look at many factors not only on an individual level but on a policy level as well. We must also be cognizant of developing a suite of policies that work well together.

Other proven effective forms of tobacco control are those that include social pressures to change habits. These include education, advertising such as health warnings, restricting advertising by tobacco companies, and restricting smoking in workplaces, restaurants, bars, and schools. Additionally, higher prices for cigarettes help to deter experimental smoking. These and other actions listed earlier help make up Alberta's tobacco reduction strategy.

Mr. Chairman, the actions that our government has taken have already greatly reduced the exposure children have to second-hand smoke, far below what the level was a generation ago. I'm happy to say that these measures along with enforcement against illegal tobacco sales to minors have led to the reduction of tobacco use among the youth of our province. To continue the downward trend of tobacco use and second-hand smoke exposure in our society, we must continue to continually update our integrated tobacco reduction policy.

Bill 203, which would ban smoking in a vehicle in which a minor is present, could be an effective part of the overall strategy. I would like again to thank the hon. member for bringing it forward.

Thank you, Mr. Chairman.

**The Chair:** I have a list of speakers here, so I'll just follow it. The hon. Member for Cypress-Medicine Hat.

**Mr. Mittel:** Thank you, Mr. Chairman. I'm pleased to rise today in Committee of the Whole and share my comments on Bill 203, the Tobacco Reduction (Protection of Children in Vehicles) Amendment Act, 2012, brought forward by the hon. Member for Edmonton-Meadowlark. Before I begin, I'd like to thank the hon. Member for Edmonton-Meadowlark for all the hard work he has put into the drafting of this piece of legislation. I acknowledge that the protection of children's health is and should be a priority of this government and all MLAs in this House. This is why I believe Bill 203 should be supported.

Mr. Chairman, I believe Bill 203 targets two main issues. First, it focuses on raising awareness of the negative effect of second-hand smoke. Second, it specifically targets adults who smoke in vehicles while minors are present. It is this second point that is subject to debate here today in Committee of the Whole. The amendments to this bill provide an excellent opportunity to rethink attitudes and approaches surrounding a couple of very important issues; that is, the dangers of tobacco use and the safety of Alberta children.

I used to smoke some 25 years ago. I do recall that when I did smoke, I did not and could not smell that tobacco smoke. When I was a child, my mom and dad both smoked, so it seemed natural that I would as well. I did smoke for many years. It got to a point that I guess I kind of disliked that smoker's cough that I had. In fact, Mr. Chair, I think what broke this terrible addiction I had was when I developed a very painful bronchial cough. Without thinking, I finished my normal coughing, lit a smoke, and began coughing all over again, and it hurt. At that moment I told my wife: “That's it. I will never smoke again.” And I haven't. Perhaps I'm lucky to have broken it this way.

Some time later I noticed how bad cigarette smoke smelled. I

could smell it in homes and vehicles. It makes you wonder, when this smoke can permeate upholstery and headliners of vehicles, what it must be doing to children and children's lungs when they're subject to this smoke. I don't believe that any of this is done on purpose. The addiction is so strong that mothers and fathers and families and friends of these children cannot stop. As I said, the addiction may be so strong that they may not want to stop.

With that, Mr. Chairman, I'd like to focus the majority of my comments today on the amendments in Bill 203 and how I think it's a good piece of legislation. For the record section 2(2) is amended by striking out "structure or vehicle" and substituting "or structure." Section 3 is amended by striking out "or" at the end of clause (c) and adding the following after clause (c): "(c.1) in a vehicle in which a minor is present."

3:50

Perhaps most notable, Mr. Chairman, is that the Tobacco Reduction Act itself is amended by this act. I feel that the proposed amendments to the original Tobacco Reduction Act will strengthen the overall intent of Bill 203. It's no secret that our province's Tobacco Reduction Act already ranks among the most comprehensive and protective pieces of legislation in the country, and I feel that Bill 203 only furthers it.

Currently 4 out of 5 Albertans claim to not use any tobacco. There are more ex-smokers than current smokers, but 1 in 5 still does. Mr. Chairman, I believe it's imperative that those Albertans who do still use tobacco do not do so in the presence of children, especially when in a vehicle. Having children exposed to the very real dangers of second-hand smoke is amplified when riding in a vehicle. Quite simply, there's nowhere for the child to hide in a vehicle when an adult is smoking there. Bill 203 in section 3 clearly indicates that smoking in a vehicle in which a minor is present should be illegal. I believe this to be the case as well.

Mr. Chairman, I feel that the goal of Bill 203 is a commendable one. Bill 203 seeks to address the serious matter of smoking in a vehicle with minors present. But it is also important to raise awareness of this issue and to amend the Tobacco Reduction Act itself.

Again I'd like to thank the hon. Member for Edmonton-Meadowlark for the hard work that went into drafting Bill 203. I'd like to inform him that I'm strongly supporting this bill.

Thank you.

**The Chair:** Hon. Minister of Health and Wellness, do you wish to speak on the bill?

**Mr. Horne:** Yes. Thank you very much, Mr. Chair. I'm pleased to join others in debate in Committee of the Whole on this bill. As other hon. members have indicated, the issue of exposure of children to second-hand smoke within vehicles is an issue that we take seriously as a government. In fact, it reminds me of the comprehensiveness of the current Alberta tobacco reduction strategy, which is under review at the moment and expected to be announced in a renewed form in the next few months.

We've made significant reductions in tobacco use rates over the last 10 years, but tobacco use rates are still unacceptably high in our province. Our focus and this bill would support that it needs to be on youth, young adults, and at-risk populations to ensure that Albertans receive appropriate protection from the harms of tobacco.

A renewed strategy is being developed in collaboration with government stakeholders, including some of those observing this debate in the House today, Mr. Chair: Alberta Health Services, nongovernmental organizations, and other tobacco control

stakeholders. We hope to have a renewed strategy to guide tobacco reduction efforts for another 10-year period; namely, 2012 to 2022. As with the current strategy the new strategy is evidence-based. It is aligned with components of other strategies and frameworks. One in particular that I would like to draw the committee's attention to is our new addictions and mental health strategy as well as the World Health Organization's framework convention on tobacco control, which I know has been referred to in previous debates in this House with respect to tobacco reduction.

Mr. Chair, I think that while we can certainly and I can certainly support the tenets of the bill that's before us today, I guess the broader question for government is whether we proceed with simply single initiatives aimed at reducing tobacco, in particular tobacco use and exposure to second-hand smoke in a particular area, or whether we continue with the very successful tradition we've seen in the last 10 years of developing a very broad strategy that addresses not only tobacco use among youth and exposure to second-hand smoke among youth but other issues.

As we have seen in previous legislation passed in this Assembly, Alberta has led the country in innovative ways to provide additional incentives for people not to smoke. That includes the banning of the sale of tobacco in pharmacies, that we saw in legislation a few years ago. It includes limiting exposure to second-hand smoke outside public buildings and a number of other strategies that have proven themselves to be quite successful.

In addition, Mr. Chair, I think it's important that any legislation that's passed in this House or any strategy that is considered and brought forward by government be evidence based, contain information from research studies and other documents that need to be referenced in order that these initiatives can be justified to Albertans and in order that we can garner the requisite support from the public for any particular strategy that we might choose to advance.

Mr. Chair, I guess the other thing that I wanted to draw to the attention of the House is the work of a committee – I believe some of the members are represented here today in the gallery – that has worked diligently over the last little while to promote tobacco reduction across Alberta. The provincial advisory committee on tobacco, or PACT, the acronym that is used to refer to the committee, has been providing recommendations to government to update the current tobacco reduction strategy. It includes the issue that is addressed by the bill that's before the committee at the moment, but it also includes many other strategies and many other representatives from different government ministries, professional associations, and not-for-profit groups. Health and Wellness and Alberta Health Services co-chair this committee.

A subcommittee of PACT, with representation from Alberta Finance, Solicitor General and Public Security, the Lung Association, the Canadian Cancer Society, and Alberta Health Services, is also working diligently on the revised and comprehensive strategy. So, Mr. Chair, it's clear that many organizations in the community and many ministries in this government have been involved in trying to address the issue of tobacco use and exposure to second-hand smoke in a comprehensive way.

While I certainly applaud the initiative of the hon. member in bringing this bill forward and while it is certainly an initiative that is actively under consideration as part of our renewed tobacco reduction strategy, it is but one initiative that needs to be considered. So in the context of this debate I would hope that other hon. members would agree with me that, in fact, the comprehensive approach, the long-term approach, the approach

that involves the integration of the efforts of many across government and in the community to address tobacco use in the long term is the direction that we need to pursue if we are truly going to achieve specific outcomes not only for this generation of Albertans but for generations to come.

With that, Mr. Chair, I would again reiterate my appreciation to the hon. member for bringing this forward. I would hope that the debate for the remainder of the afternoon could perhaps reference some of the other strategies that need to be considered as part of a comprehensive approach to this problem. I think that in doing so, we can demonstrate to Albertans that we are taking action not simply with single initiatives at random points in time but that we are in fact offering them a very connected, very integrated approach to this issue, that could well include the initiative that is proposed by the bill this afternoon.

Thank you, Mr. Chair.

**The Chair:** Hon. Member for Grande Prairie-Smoky, do you wish to join the debate?

**Mr. Knight:** Thank you very much, Mr. Chairman. Smoking: this is a topic that I actually know a little bit about for a change. My first recollection of smoking goes back some time. My father worked on the Northern Alberta Railways, and in those days, of course, it was the main transportation route from Edmonton up into the Peace Country and ended in Dawson Creek. My dad was a station agent in McLennan. Well, actually, he started in Beaverlodge, one of the stations along the way.

My first recollection of people smoking – and I was quite young at that point in time, probably three or four years old, something like that, five maybe. When you went into the station, there was a lot of activity going on around the station at that point in time. They didn't still burn coal; they burned bunker fuel. It had a particular odour to it, and the odour of the oil and the engines and all of that kind of thing was pretty prevalent around the premises. They had hardwood floors in the stations in those days, and they were oiled. The oil that they used had a particular odour to it, and you could smell it. I can smell it as I'm standing here today. Actually, I think it's George.

4:00

**Mr. Groeneveld:** It stunk.

**Mr. Knight:** Yeah.

Anyway, there was a particular odour to the oil. Mixed with that, most of the people that worked in the station smoked, including my father as the agent, the other people that worked there in communications. Of course, the telegraph station and all that was there. The odour of cigarette or tobacco pipe some of them smoked and of the other oil and so on left a lasting impression, and actually, I have to tell you, Mr. Chairman, it was comforting. In those days nobody really realized that tobacco smoke or any of these odours were, you know, particularly harmful to anybody.

The second thing was that we moved. My father took up a job, actually, on the rail. So he was, I think, called an express messenger or something, moved from the station, anyway, onto the rail. I can recall when we would ride in the baggage car, in the express car, on the railroad. This again is pretty clear in my memory. We'd get on there at 4 o'clock in the morning, and the first thing we'd do, Mr. Chairman, is fold down a little cot that was attached to the wall on the side of the car, crawl up on there, and the old man would cover us with an army blanket, one of those wool army blankets.

The train is kind of chugging along – right? – and you know what? The next thing you'd actually remember: wake up about 8 or 9 o'clock, my dad would have a pot of coffee on a little stove that used charcoal briquettes. He'd have his coffee on there. He had cooked a couple slices of bacon and some eggs. You'd wake up to this beautiful smell of toast that's cooked over a fire and coffee, but the old man was having coffee and smoking a cigarette. Again, it was the kind of thing where the world was right as long as this was going along. The train was chugging along, and it clunked along the railroad not very fast. You know, you just felt like there's some comfort to this whole thing, and the world was doing what it was supposed to do as the train kind of trundled along.

Of course, smoking and cigarettes were just around. I had an older brother. He was two years older than me. At about the age of 11 he decided that, you know, if it's good for all the rest of those people, it's probably good for me. So he started smoking but on the sly. Tobacco was not that hard to come by. We got a little bit of an allowance for doing our chores and so on. He would figure out a way to save up a bit and get himself a little Vogue package of tobacco. Well, my dad found out that he was smoking, so he was going to put a stop to this. Kids should not have been exposed to tobacco, but nobody knew about that. But kids should certainly not be smoking at that age.

What he did – and I can recall this, sitting outside on the steps in a little house in McLennan – is he goes downtown and buys a can of Vogue tobacco and half a dozen packs of papers – right? – and he starts rolling cigarettes and making my brother smoke them. I was there while he did the whole can, the whole can of tobacco. The only one that got sick was the old man because it cost him a lot of money. Anyway, that didn't work. Obviously, it didn't work. He tried to stop it, but it didn't work. Then on top of that he thought: okay, I'll fix this. He gets an old King Eddie cigar, and gives him that. That didn't work either.

Then I come to myself and my experience with tobacco, not just smoking but tobacco generally speaking. I started smoking when I was 16. It was just the thing to do. We were all doing it. Everybody that I hung around with smoked, so I took up smoking. I went to work at the age of 19 driving a truck. I actually went to work at 17, but that's another story. I started driving a truck when I was 19 years old, and I can tell you as sure as I'm standing here, Mr. Chairman, that at 19 years old I did not have a pocket in my clothing that didn't have some sort of tobacco stuck in it. I smoked a pipe, Old Port Colts cigars – Colts they were called – and cigarettes all at the same time. I'd drive a truck and have a pipe going. That would go out, so I'd grab a cigarette. It was normal, I have to tell you. Not very brilliant, but normal.

**Mr. Groeneveld:** Are you sure this was normal?

**Mr. Knight:** Normal. Absolutely normal, my friend.

At 21 years old I went to work in a gas plant, and you couldn't smoke. Well, you can imagine what kind of situation I was in. It seemed to me like we were living on tobacco and coffee, that was about the size of it. I go to work in a place where I can't smoke, so I thought: "Well, that's okay. I'll quit." You know, we tried smoking at coffee time, but I quit. What I did instead of just quitting, period, is I thought: well, if I can't smoke, the next best thing is why don't we try a little chewing tobacco, right? So I actually chewed tobacco for two years, and my wife didn't even know it. I was that good at it or that bad at it, whatever way. Nobody knew. Anyway, that went on for a while.

Then I went out on my own and started a business. Then when we were working in the field, it also became taboo. People started

to smarten up: this stuff's not good for you. There was no smoking in any of our facilities or around any of the offices or stuff like that. What we did then is that we took a little page out of the professional baseball players' book. You chew a little bit of bubble gum – right? – get a nice little wad of bubble gum going, and then you take your Beech-Nut, or whatever kind of tobacco you like, and you make a bubble out of the bubble gum, put the tobacco inside that, and you chew that. It'll last all afternoon. You know, great fun. We thought we were okay. It wasn't hurting anybody, and what the hell? At the same time I had, you know, the odd cigar.

I've got to tell you that when my grandchildren started to come along, I got to thinking, "You know, there's so much evidence out there now that this is not really the way a person should conduct themselves," so I decided that I would stop. But being a guy that doesn't want his grandchildren to think he's a quitter, I didn't quit. I just still have the odd cigar. I don't want to be a quitter, but I canned the rest of it. I probably never will stop doing that. [interjection] I know the good doctor over there has got something to say about how bad a person I am, but he can say that later.

Anyway, what I learned over that period of time was actually that tobacco probably killed my old man at the ripe old age of 63. You know, there was that and the health effects.

More than that I think, Mr. Chairman, is this business of the damage and danger in second-hand smoke. I have to tell you that none of us in here, including me, would ever expose our loved ones – like your wife, children, in my case grandchildren and now great-grandchildren – to a hazard like that. It's unconscionable that you would do it. So I stopped, and I think that anybody that's, you know, a rational, reasonable thinking person would take the same direction. You can find places to smoke that don't bother people.

Anyway, I think that that's what should happen. However, Mr. Chairman . . .

**The Chair:** Hon. member, the 10 minutes allocated to you have completed.

Hon. Minister of Culture and Community Services, you wish to join in, right?

**Mrs. Klimchuk:** Thank you, Chair. It's a privilege today to speak on Bill 203, the Tobacco Reduction (Protection of Children in Vehicles) Amendment Act, 2012. I just want to say that as a parent to me it's very sad that we have to consider passing legislation. Nonetheless, today is a very important conversation.

I also want to acknowledge the role of Les Hagen – he was introduced earlier – for the excellent work he does and continues to do. I met him a few years ago in my constituency office. We had a great conversation about the work that goes on and how much more work we have to do.

We all know that in Alberta, as the Minister of Health and Wellness indicated, we have one of the best tobacco reduction acts in Canada. We also know that the strategy began in 2002 and, as the minister said, it's going to be renewed. We know that the ATRS has made significant progress in addressing tobacco use and second-hand smoke, and it's extremely cost-effective, resulting in a long-term cost avoidance to our economy of about \$465 million in the first three years.

**4:10**

Four out of five Albertans do not use tobacco, and there are more ex-smokers than current smokers, so that's the good news. The number of nonsmoking Canadians who report being exposed to cigarette smoke in a private vehicle has also fallen about 25 per

cent between 2003 and 2009. We also know that between 2001 and 2006 there was a reduction of more than 50 per cent in the portion of youth exposed to second-hand smoke in their homes. We also know that the incredible mass media campaigns have enhanced public awareness of smoking, especially Barb Tarbox and the campaign that was very effective among youth.

I want to talk about some of the root causes. The sad part is that if children do not know better and they are exposed to smoke in their home, then when they are exposed to smoking in a vehicle it becomes severely normal to them. It's just part of their life, their daily lives. It's everywhere they go. The question is: how do we assist those parents with this terrible addiction, the ones who really want to quit but perhaps need counselling support and other tools to succeed? I've had family members who have successfully quit and others who have not, so I have ultimate respect for those who try to quit.

I know that growing up, some of the travelling in cars to Saskatchewan with my family and being around grandparents that smoked. They smoked in the house, and that's what I grew up with. That's just the way it was. But now as a mother and as a parent I remember making my 80-year-old aunt smoke outside on the back step when I had my first home.

So those are very important to me. I'm also concerned about the prevalence of smoking in our youth and in our junior highs. That's something that I think we need to address as well.

The other thing I want to talk about is enforcement. We all know right now with Bill 26, the distracted driving act that was passed – even when I'm driving right now, I see people on their phones. So we know that distracted driving, people still aren't buying totally into it. When I look at a piece of legislation like this, I worry about enforcement. I worry about the pressure that it puts on our police services, on all the good work they're doing. Also, how do you actually enforce it, and how do you catch someone, say, if an adult is smoking in the car and the child is 17 as well? We know that there are all those questions that need to be asked. Again, having this conversation is really important.

We also know that legislation that we've had banning smoking in certain areas has been very powerful, and that's a good thing. Again, going back to the police monitoring and enforcing such behaviour which may divert their attention away from other areas, we know that Albertans are doing the right thing already by not smoking in their vehicles. That is getting better.

What we also need to know is whether the proposed change is intended to apply to only adults or adults and minors, as I said before. I think the option of prohibiting smoking in a vehicle when minors are present is something that we're already looking at as well. I know that we're certainly not there all the way. As well, we know that this particular bill is consistent with recommendations from health organizations such as the Canadian Cancer Society and the Canadian Medical Association.

I guess, for me, if we can deal with the issue of enforcement, work with the police and work with the people who are doing that, then I think that this would be good. I guess as a parent and as a mother I would support this piece of legislation. I think it's, again, unfortunate that we have to have it, that we have to actually pass a law. When you see people in their cars with young children, you want to do something, but you know you can't.

I appreciate being able to talk on this item. Member, I just want to conclude by saying that there are so many issues out there that government needs to be a leader on. I think we are a leader in many areas on this. Unfortunately, I think this is a conversation we have to have. I will be supporting this bill.

Thank you.

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

**Dr. Taft:** Yes. Thank you, Mr. Chairman. I'd just like to rise to draw to the attention of the Assembly and our guests that we have a chance here, people, to pass this. If we work together and collaborate, in the next 45 minutes we could actually go through committee, we could give unanimous consent, go through third, have a vote, and pass this. Otherwise, this is going to die on the Order Paper.

I have to be honest, having listened to speech after speech after speech, which I rarely hear from the government side, I suspect that the strategy here actually is to look good while sabotaging the bill. I would challenge you to prove me wrong by calling the vote in committee, giving unanimous consent for third, passing this, and showing the respect that our guests deserve for, as many of you noted, having worked so hard on this.

Those are my comments. Let's get on with this. Thank you.

**The Chair:** The hon. Minister of Human Services.

**Mr. Hancock:** Thank you, Mr. Chairman. I want to start by saying that the concept that's outlined in this bill is entirely consistent, in my view, with the Tobacco Reduction Act that we were fortunate to bring forward when I was minister of health and with the good work that was done by previous ministers of health, the Member for Sherwood Park and the member, I think, then from Nose Creek, Gary Mar.

A lot of very significant work has happened over time on tobacco reduction strategies in the province. This bill would take it one step further. But, Mr. Chairman, I think the important piece about legislation is making sure that legislation works together and comprehensively. I didn't have the privilege of hearing the whole speech from the minister of health, but I know that I've had discussions with him very recently with respect to a tobacco reduction strategy, and I know that there is a comprehensive look at a tobacco reduction strategy to see what we can do next in the area of encouraging young Albertans in particular to not start smoking and encouraging those who have started to stop smoking.

I know that in a tobacco reduction strategy, one of the things that actually does work is making the opportunity to smoke inconvenient. That's a very important piece of a strategy. That's why in many cases not just the protection of people from second-hand smoke but the opportunity for people to take a second thought about whether they actually want to do it anymore is a very important part of any tobacco reduction strategy. That's why 15 metres away from doorways is not just so that people don't have to walk through the smoke; it's to create a modest amount of inconvenience, which will allow people to have that second thought about whether they want to quit or not. Those are important pieces in the equation.

I had the occasion very recently, within the last couple of months, to meet with a group of people in my office about a tobacco reduction strategy. I was quite amazed at the types of products that are now being sold, the design of those products, and, in fact, the question of whether those products are being designed specifically to attract children. Quite frankly, I was appalled at some of the products that were there. I think the concept of having this further tobacco reduction strategy review is an extremely important one.

In bringing forward pieces of legislation, there's a real approach that needs to be taken. The approach needs to be one that's very solid and well thought out because you are interfering with the way people handle themselves and the way people live their lives. If you do things on a one-off basis without thinking about what

effect you're going to have on the public, you can end up with a backlash to it rather than the normal course that Albertans take, which is a respect for the law and following the law, which I think is the truth.

You can see that through time. When seat belt legislation came in, for example, there was an incredible discussion around the province about whether or not people should be forced to wear their seat belts. But once the law was passed, there was quite good adoption of that law. That's because Albertans by and large are law-abiding people. But in order to get people to abide by the law rather than push back on it – we see some of the push-back on the .05 legislation that we debated before Christmas, for example – if you want to actually have not just a comprehensive law but comprehensive public understanding and adoption of the law and a willingness to follow the law, you have to actually do it in an appropriate and cohesive way.

That's why I think that while the concept of this bill is a very important one and one that I endorse and support and would like to see happen, I would like to see it happen in a way that is focused on the protection of children and focused on not just second-hand tobacco smoke in cars but also on the way in which we deal with some of these tobacco products and the sale of tobacco, which appears, at least to me and I think to the people who are talking to me about it with the little can of products that they brought to my office, to be clearly – I mean, flavoured small cigarillos, bubble gum cigarettes. These are products which in my view are tailored to encourage kids to smoke and to start smoking, and I think we need to deal with that.

4:20

There are a number of things. I think that comprehensive strategy is important. I think that we need to deal with this in a comprehensive way. Mr. Chairman, one of the concerns I have and I should mention about private members' bills overall is that often they're drafted with a good concept in mind, but they're not drafted in a way that fits with an overall strategy or fits, in fact, with the language of bills. I always encourage private members on both sides of the House to have bills come into effect on proclamation. This bill, under section 4, comes into force on January 1, 2013. While that is a significant amount of time to put the necessary regulations and enforcement procedures in place, it isn't, in my view, enough time to put the rest of the strategy together and to bring it all into effect at a time when you can have a concerted, focused strategy on a number of issues and really build the public support for this, which is really important for its success.

Mr. Chairman, I would like to move an amendment. I think you have it at the table. I'll wait for it to be distributed.

**The Chair:** We shall now pause for a moment for the pages to distribute the amendment.

Hon. minister, you may proceed now.

**Mr. Hancock:** Thank you, Mr. Chairman. The amendment that I would move – and I understand you have it at the table. I presume that you will want to label it A1.

**The Chair:** Yes. It is now known as amendment A1.

**Mr. Hancock:** Thank you. I'd move that Bill 203 be amended in section 4 by striking out "January 1, 2013" and substituting "Proclamation." Again, a very simple change, but a change which will make it possible, when this bill is passed, to ensure that it aligns with the rest of the work on a tobacco reduction strategy, on the sale of tobacco to young people, and, indeed, in my view, even on location of tobacco sales.

I was absolutely astounded, when I was Minister of Health, when we brought in the tobacco reduction strategy amendment act. I think that's what it was called. I had to meet with a number of groups that were opposed to the bill, retail organizations, an example. Now, some of them I had some sympathy for: you know, pharmacists in rural Alberta who were concerned that they wouldn't be able to sell tobacco in their stores, and if the pharmacy was in a grocery store and they were the only one in the location, they would lose customers, in essence. I took a pretty hard line on that, and many of my colleagues were upset about that hard line. But I did take a hard line on that and said: "No. It's inconsistent for pharmacies, which are health facilities, in essence – they're supposed to be in the promotion of health – to sell products which are detrimental to health."

But we also had representation from small store owners, from the convenience store owners. I was absolutely astounded to discover that there were placement payments being made to convenience store owners to place product. We dealt with some of that when we got rid of the power walls. That was an important piece. I don't have any independent evidence of this, but I was told by people who had been receiving the payments that they got paid more if they were located close to schools than if they were further away from schools. That's the type of thing which really caused me a great deal of concern.

Now, that act, in my view, has been quite successful. Those amendments were successful, and they were successful because they weren't brought in in a one-off piece. In fact, as I said, they had been started by Gary Mar when he was minister of health. The Member for Sherwood Park was minister of health, and she did some work on the tobacco reduction strategy. I happened to be the beneficiary of a lot of that work in being able to bring it forward at a time when we could make it acceptable to a cross-section of the public right across the province. That, as I said earlier in my remarks, is extremely important because a law that doesn't have public acceptance is very difficult to enforce, and you get push-back on it. This is too important to do on an ad hoc basis. This is something that must be done comprehensively.

I move the amendment, Mr. Chairman, because I think it's important that the act come into force on proclamation so that the act can be aligned with the other work that's currently being done on a tobacco reduction strategy. It's not something that needs to be slowed down. It's something that needs to be done, actually, this year, and it needs to be done as soon as it can be done. But it needs to be done in an appropriate way, and that's a way which allows not just the passing of the act but looking at those other pieces that I think are absolutely important to this process and designing an appropriate public relations strategy so that it can be moved quickly into the public and build that confidence level in the public.

**The Chair:** The hon. Leader of the Official Opposition on amendment A1.

**Dr. Sherman:** Thank you, Mr. Chair. I appreciate the comments from the hon. Member for Edmonton-Whitemud. In an ideal world we wish this bill was already in place. In the interests of co-operation and compromise I support the amendment so we can pass this bill. I encourage all members to pass this bill today.

Thank you.

**The Chair:** Any other hon. member on amendment A1?

Seeing none, the chair shall now call the question.

[Motion on amendment A1 carried]

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

**Dr. Taft:** Yes. I need a little procedural guidance here. We might want to have a recorded vote on this, but it would be a shame to spend 10 minutes on the division, so could I move a one-minute bell? If it comes to that, we can have a bell that's just for one minute. I make that motion.

Thank you.

**The Chair:** All right.

**Mr. Hancock:** I am often a proponent of one-minute bells, but what we normally would try to do is make sure that people were aware of it. So the first bell would normally be 10 minutes and then subsequent bells one minute. It would be difficult to have a one-minute bell when none of our colleagues would be aware of the fact that it had been reduced to one minute.

**The Chair:** The hon. Member for Edmonton-Riverview has a motion to reduce the first bell to one minute.

**Dr. Taft:** Yes, that's my desire.

**The Chair:** The first division is one minute between bells, right?

**Dr. Taft:** That's what I'm calling for.

**The Chair:** Okay.

[Unanimous consent denied]

**The Chair:** We'll get back to the bill. The hon. Member for Strathcona.

**Mr. Quest:** On the bill. Thank you, Mr. Chairman. I'm glad we've had the opportunity to have some good discussion on this. I know there are those who want to rush this through, but I think part of democracy is the importance of participation, the importance of thorough debate. We've seen hours and hours of that in this Chamber from both sides. I think it's important.

It is an honour for me to rise today and participate in Committee of the Whole on Bill 203, the Tobacco Reduction (Protection of Children in Vehicles) Amendment Act, 2012, brought forward by the hon. Member for Edmonton-Meadowlark. Thank you for doing that. I really enjoyed some of the stories here this afternoon.

4:30

I just thought of even my father, who was a doctor of veterinary medicine, who was a smoker in the '60s, when I was a little kid. I remember driving around in the tiny enclosed space of his Corvair, which was probably a second mistake, buying that car. Anyway, it was just normal, like the Member for Grande Prairie-Smoky was saying, in those days. But things have changed, and this is a serious health issue. Bill 203 would amend the Tobacco Reduction Act to make smoking in a vehicle carrying anyone under the age of 18 illegal, and I think that's a pretty good idea. The intent of this legislation is of course to protect children from the health risks associated with second-hand smoke in these enclosed spaces.

Section 2.2 of the Tobacco Reduction Act currently states, "This Act does not apply to a building, structure or vehicle, or a part of a building or structure, that is used as a private residence." Section 2 of Bill 203 would amend the above portion by striking out " , structure or vehicle" and substituting "or structure." This amendment section would then state the following: "This Act does not apply to a building or structure, or a part of a building or structure, that is used as a private residence." Now, what this

means is that the Tobacco Reduction Act would apply to all private vehicles, which, by my logic, may include motorhomes. Sometimes those are used as a primary residence. This is why we need to have some fairly thorough discussion on this because these things often come up after. They need to be caught before we pass legislation, not after.

I believe that preventing people from smoking in cars with children present is an honourable goal, but extending this limitation to a primary residence may create some challenges if, again, that is the interpretation. Mr. Chairman, I'm just concerned about the perception of excessive intrusion into the lives of private citizens. This is always the balance. We often hear criticism about creating nanny states when we get into these. We expect people to be responsible but not in all cases.

Personal vehicles are not the same as public transit, and they're not public places. Nonetheless, this legislation would impose restrictions on the activities that private citizens would engage in in these vehicles. A number of governments have already made it illegal to smoke in a private vehicle when a child is present. That's good. However, they've also understood that it may be inappropriate to insert themselves into the private spaces of a residence, especially a primary residence. As such, this is something that needs to be clarified. Would the bill make it illegal to smoke in a motorhome, and if so, what if that motorhome is a primary residence?

Mr. Chairman, section 3 of the Tobacco Reduction Act, the legislation that Bill 203 intends to amend, states that

no person shall smoke

- (a) in a public place,
- (b) in a workplace,
- (c) in a public vehicle, or
- (d) within a prescribed distance from a doorway, window or air intake of a public place or workplace.

Section 3 of Bill 203 would also amend the above portion by adding the following clause: "in a vehicle in which a minor is present."

The question that should be asked, Mr. Chairman, is whether a motorhome is defined as a structure or a vehicle. This distinction is very important as it determines whether people that own motorhomes and use them as a primary residence can smoke in their motorhome when children are present. I'm not condoning smoking in motorhomes – many studies demonstrate the harmful effects of second-hand smoke in general – but it certainly is a question that should be addressed before any further action takes place with respect to this bill. I find it difficult to believe there would be any contention over limiting a child's exposure to second-hand smoke.

My concern, Mr. Chairman, is with the larger impact this legislation may have on Albertans' individual rights. Again, there is a lot of sensitivity to the personal rights of Albertans. They're very independent people, and we support and understand that, take pride in it, as a matter of fact.

Mr. Chairman, I have a bit of a concern with this bill in that as it's written, it could be – could be – the beginning of a long list of intrusions into the private space of individuals. As I mentioned before, Bill 203 speaks to preventing smoking in private vehicles if people are under the age of 18. This is understandable in many ways. Young children don't have the ability to make a choice to avoid second-hand smoke in vehicles, and many are unaware of the dangers of second-hand smoke.

However, children may not be the only ones that are in need of this protection. As mentioned previously, Bill 203 would add the clause "in a vehicle in which a minor is present" to the Tobacco Reduction Act. Bill 203 intends to protect children from second-

hand smoke in cars because they're vulnerable, but it does lead to the question: do we also need to pass legislation to protect other vulnerable populations as well?

Many of these groups, like children, may not have the ability to avoid situations where the driver is smoking. I hardly consider myself vulnerable, but we've all been stuck in cabs, in foreign countries in some cases, where a driver is smoking. Nobody wants to be in that situation, vulnerable or not. As such, in the future new bills may be introduced to make it illegal to smoke in a vehicle carrying the elderly or the disabled. As a result, we could continue down a long road of inserting ourselves into Albertans' private lives.

Mr. Chairman, this government has established a number of laws and programs to reduce or prohibit smoking in public places. Most of these programs fall under the Alberta tobacco reduction strategy. These comprehensive initiatives work to protect all Albertans from the dangers of second-hand smoke and have also been changing social attitudes around smoking, and I think this continues to happen. It is less and less prevalent as we look around.

In 10 years we've seen a massive decrease in the number of young people picking up smoking, and many long-time smokers have found the strength and support that they need to quit. These initiatives do not require the government to infringe upon an individual's personal rights within their private domain, yet they've had significant results in reducing tobacco use and, thus, overall exposure to second-hand smoke. Legislation may further decrease the amount of second-hand smoke that some children are exposed to, but I think it's important that we discuss all aspects of an issue before this bill is passed.

With that, Mr. Chairman, I'd like to conclude my statements on Bill 203. I really am still undecided. There have been some fabulous arguments made in favour of this bill this afternoon, on the concept and the spirit of the bill, absolutely, but have we really covered off everything and some of the pitfalls and some of the difficulties we may run into, some of the people that aren't included with the passing of this bill? I look forward to hearing from any other hon. colleagues during the rest of this debate so that we can decide where to go with this.

Thank you, Mr. Chairman.

**The Chair:** On my list here I have the hon. Member for Calgary-Nose Hill.

**Dr. Brown:** Thank you, Mr. Chairman. I would like to make a few comments of a personal nature as to where I'm coming from on the particular issue. I see this particular measure, this piece of legislation, as being somewhat of a natural progression from where we've been in the social history of tobacco use and how we as a society have influenced attitudes and how we have progressively come up with more and more regulations.

I know that when I was a young boy many years ago, tobacco smoking was seen as somewhat glamorous. It was seen as a way to show that you were mature, that you were an adult, and so on. I know that a lot of my peers at the time took up smoking, and many of them still smoke to this day. Some of them, in fact, are no longer around because of the fact that they smoked.

We all know that tobacco smoking, when you first encounter it, is a rather unpleasant experience. Nobody ever says that they enjoyed their first cigarette or their first few cigarettes because they usually have some nausea or are sick and turn green and maybe even become sick to the stomach. But despite the fact that it's unpleasant at first, there is something that causes people to continue doing it, and I would suggest that a lot of it is peer

pressure. A lot of it is the desire, as I said, to be seen to be part of a group or to be seen to be more mature, more glamorous, or whatever.

4:40

I think that even to this day there are other influences. As we've become more and more knowledgeable about the detrimental effects of smoke and we put these horrible images on tobacco packages which would be enough to scare anybody, from the fact that those things are on there, in fact, maybe those people that are defying the knowledge that it's harmful and defying the fact that these ugly images are on there are showing in some way that they don't care, that they're brave, that they're big, that they're adult. "I don't give a damn about what other people say. I'm my own person." In a way, it may actually have a negative effect on some of those young people.

I just want to relate my own family history with respect to smoking. My father smoked very heavily throughout almost all of his life. From the age of about 15, when he joined the Calgary Highlanders militia regiment, he began to smoke. Everybody did it in the militia, in the army in those days, young or not.

I recall as a young boy my father smoking in the vehicle. When I was as young as five or six or seven years old, we used to go goose hunting. We would leave at 3 o'clock in the morning from our home out in Midnapore, a part of Calgary now, and head out to where we were going. I can always remember my father smoking in the vehicle. To me, it was quite overwhelming. Whenever I would ask my father to roll down the window a little bit, you'd think that I was really putting him out. He could not understand how this boy sitting next to him could be offended or in any way find some distaste in the fact that there was all this smoke inside the vehicle. But I can tell you that I didn't like it then, and I don't like it now.

I remember also those trips into the goose hunting country around Gem, Alberta. I would sleep upstairs in one of these abandoned farmhouses that we used to stay in with the permission of the owners. My father would sleep downstairs. I can tell you that on more than one occasion I would wake up in the middle of the night with the strong smell of smoke drifting up the stairs to the upper chamber of these houses. My father was so addicted to tobacco at that point that he had to wake up in the middle of the night to have a cigarette. He used to smoke those old Export 'A', and then later he switched to Rothmans, both of which were very high in tar and nicotine and all of those bad chemicals, which we know are very detrimental to one's health.

As my father progressed through his years, he began to cough more and more. Then we noticed that my father was having increasing difficulty with respect to climbing up stairs and going up a hill or whatever. My father was always an avid outdoorsman. He was a great fisherman and hunter. He loved camping in the outdoors. All of those pursuits that I learned as a young person were what my father enjoyed. But I can tell you that as he got to middle age, into his 40s and his early 50s, he no longer was able to do those types of things because his lung capacity was slowly being eroded. As his children we used to get on dad's case a lot about stopping smoking because the coughing, we could see, was progressively worsening.

My mother was also a smoker from an early age, but my mother could see what was happening to my father, and she made an example by quitting. She just quit cold turkey. My dad could not quit. My dad was terribly addicted to the tobacco, and the effects of that, we could see, were happening. On many, many occasions he tried to quit with the help of things like Nicorette and everything, but he just couldn't do it.

The hon. Member for Grande Prairie-Smoky had indicated that his father died at the age of 63 years because of smoking. My dad died at the age of 66 years because of smoking.

I believe that what we are proposing in this bill I am fully in favour of. As the hon. Member for Strathcona has mentioned, however, there are some who will say that we are drawing a line here with respect to personal rights, that a man's home is his castle and that, similarly, a car should be a private place, where he can do whatever he wants. But here is how I would rationalize this bill. We draw the line when we talk about minors because the behaviour of parents should not be allowed to cause detriment to minors. We look at other analogous types of legislation, and we can look at the helmet laws, where we are talking about bicycles. We don't force adults to wear helmets but we do children, and that is because children cannot always make rational decisions for themselves.

It's the same thing as when the Wildrose was talking about, you know, the parental rights over education. We have to have the right for children to be educated in the basics, and parents should not have paramount rights over them.

I am very much in favour of the bill that the hon. member has brought before us. I think it's a natural progression in things like hiding tobacco, prohibiting smoking in public places, prohibiting the sale in stores that have pharmacies and so on. It's just one more step, and I think it should proceed.

**The Chair:** Any other hon. member?

Seeing none, the chair shall now call the questions on the bill.

[The remaining clauses of Bill 203 agreed to]

[Title and preamble agreed to]

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

**Hon. Members:** Agreed.

**The Chair:** Opposed? Carried.

The hon. Government House Leader.

**Mr. Hancock:** I would move that the committee rise and report Bill 203.

[Motion carried]

[The Deputy Speaker in the chair]

**Dr. Brown:** Mr. Speaker, the Committee of the Whole has had under consideration a certain bill. The committee reports the following bill with some amendments: Bill 203. I wish to table copies of all amendments considered by Committee of the Whole on this date for the official records of the Assembly.

**The Deputy Speaker:** Having heard the report, does the Assembly concur?

**Hon. Members:** Concur.

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

The hon. Member for Edmonton-Riverview.

**Dr. Taft:** Thank you, Mr. Speaker. That's encouraging. We are down to short moments here. I would ask, as I believe it's necessary, for unanimous consent of the Assembly to move to third reading of the bill under consideration.

Thank you.

[Unanimous consent granted]

4:50 **Public Bills and Orders Other than  
Government Bills and Orders  
Third Reading**

**Bill 203  
Tobacco Reduction (Protection of Children in Vehicles)  
Amendment Act, 2012**

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

**Dr. Sherman:** Thank you, Mr. Speaker. It's my pleasure to rise today to move third reading of Bill 203, the Tobacco Reduction (Protection of Children in Vehicles) Amendment Act, 2012.

I'd like to thank all the members of the Assembly who have spoken to the bill. I thank everybody for their support.

Mr. Speaker, I ask for the question on the bill.

**The Deputy Speaker:** Any hon. members wish to speak on the bill at third reading?

Seeing none, the chair shall now put the question.

[Motion carried; Bill 203 read a third time]

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

**Bill 205  
Scrap Metal Dealers and Recyclers  
Identification Act**

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

**Mr. Quest:** Thank you, Mr. Speaker. I'll speak, albeit fairly briefly today, to open debate on Bill 205, the Scrap Metal Dealers and Recyclers Identification Act.

We're proposing this bill because we do have a serious problem today in our province, which is the theft of scrap metal just because of its value, and it's becoming all too common. This theft not only deprives the victim of the replacement cost of the metal, but it potentially creates unsafe conditions for the public and workers. Attempts to steal scrap metal can lead to power outages, injury, and death if the thefts are attempted from, say, live electricity infrastructure, and this has happened. Loss of metal on construction sites can seriously delay work, creating costs that outweigh the value of the metal itself.

Mr. Speaker, I believe this bill would help stem the tide of scrap metal theft in our province. It is a serious problem. According to the Edmonton Police Service in the first 11 months of 2011 stolen copper alone accounted for close to \$1 million in theft and about \$100,000 in associated damages. The Calgary Police Service in the first 10 months of 2011 reported \$645,000 worth of copper stolen and \$88,000 in associated damages. It keeps growing, and it keeps growing, again, because of the value of these metals, copper specifically. There are hundreds of thousands of dollars stolen in copper spoils.

The problem, Mr. Speaker, is that today these thieves can take the stolen metal to a scrap metal dealer or recycling-related business and sell it for cash. We need to make it harder for scrap metal thieves to operate in Alberta, and that's the objective of this bill. Without a ready market for illegally obtained scrap metal in Alberta, the ability for many criminals to profit from scrap metal theft would be greatly diminished. Again, with these ever-increasing prices, the profit margin – well, it's all profit – just keeps growing and growing.

The Scrap Metal Dealers and Recyclers Identification Act, if it's

brought into force, would have all scrap metal dealers be required to ensure that the seller of scrap metal provides proof of identity and to record information about the transaction as set out by regulations and keep the records for one year and would inform the seller of scrap metal that the recorded information may be provided to law enforcement. In addition to these basic requirements, for all transactions scrap metal dealers would be required to report purchases above a certain weight to law enforcement agencies.

Now, some have argued that this should be left to municipalities, but it's too much of a patchwork, Mr. Speaker. They have a bylaw in Calgary, but it doesn't apply, of course, once you're outside the municipality of Calgary, so the illegal scrap metal just leaves the jurisdiction. A province-wide system would prevent this.

Bill 205, the Scrap Metal Dealers and Recyclers Identification Act, would also protect scrap metal dealers from legal action due to disclosures of information collected under the act for the purposes of the act, protection that the municipal bylaws don't currently provide.

Mr. Speaker, Bill 205 would be an important tool for fighting this crime and a tool for law enforcement by both reducing the burden on law enforcement and making it harder for sellers of scrap metal to find a ready market.

The requirements for scrap metal dealers and purchasers in this bill are not onerous. As a matter of fact, most large- and medium-sized scrap dealers would not need to change their practices because they do it already.

Among the outcomes of this legislation is that it would crack down on fly-by-night scrap metal businesses that cater to scrap metal thieves. The legislation provides for serious fines both for individuals and the corporations that do not keep records. Individuals could also face jail time.

I'd like my colleagues to note that this bill does have the support of law enforcement. The Alberta Association of Chiefs of Police passed a resolution in support of this bill, and through that, the RCMP has also indicated its support. Also, the Edmonton Police Commission has called for regulations surrounding the presentation of ID by scrap metal sellers and the recording of information of buyers, as is already done in Calgary.

Mr. Speaker, I would ask that all hon. members, as the debate goes on today or in the future, consider supporting what I think is a very important bill leading to, I would think, the significant reduction in the theft of scrap metal in our province.

Thank you, Mr. Speaker.

**The Deputy Speaker:** The hon. Member for Calgary-Mountain View on the bill.

**Dr. Swann:** Thank you very much, Mr. Speaker, and thanks to the member for this opportunity to speak to the Scrap Metal Dealers and Recyclers Identification Act. On the face of it, it looks very sensible to ensure that we understand the source and the validity of individuals and the materials they bring forward. Obviously, it shouldn't be too much to expect in a transaction that we understand the identity of people and information respecting the transaction as a basis for legitimacy, for accountability, and for safety in some cases if damage occurs as a result of a transaction.

I guess the only concern I might raise for the record is that whenever we're talking about gathering data on individuals, one wants to know with some assuredness what's going to happen to that data: how secure it is, who gets access to it, what it can be used for, and who can also have access to that data.

With those reservations I guess I'd like to hear a little bit of clarification around whether that's been thought through and, on one level, that we be assured as legislators that we're not adding to

the burden or to the access to private information that may in fact come back to bite the individuals or us, especially when we're talking about significant fines and penalties under this act.

If the member has anything further to add on that, that would be helpful.

**The Deputy Speaker:** Any other hon. member? The hon. Member for Edmonton-Decore on the bill.

**Mrs. Sarich:** Yes. Thank you, Mr. Speaker. I'm pleased to rise to discuss Bill 205, the Scrap Metal Dealers and Recyclers Identification Act, introduced by the hon. Member for Strathcona. Bill 205 seeks to add a new tool to our arsenal for preventing scrap metal theft, which, with the increasing price of many metals, has become an issue in a number of jurisdictions across the province.

The bill would do so by requiring scrap metal dealers and recyclers to record scrap metal sales and to identify the seller. This information, Mr. Speaker, would then be made available to authorities, who could use the information for investigations.

In addition, Bill 205 would enable peace officers to perform a search or to seize materials held by a scrap metal dealer if it is relevant to a specific investigation, and that would perhaps be helpful.

Mr. Speaker, I know the hon. member has championed this issue for a number of years, and I'm very pleased that he has maintained his particular commitment to this very important area of concern. As legislators it is our responsibility to respond to issues that we have seen within our communities, and this member has been excellent in advocating for his constituents in this regard.

Mr. Speaker, although we know that theft is a criminal offence under the Criminal Code of Canada, because of the rising prices of metals like copper, scrap metal theft has been increasing in jurisdictions across Canada and around the world. Since about 2003 global metal prices have been rising.

I would encourage members to support this direction. Thank you.

### 5:00 Motions Other than Government Motions

**The Deputy Speaker:** The hon. Member for Edmonton-McClung on Motion 504. [interjections]

**Mr. Xiao:** Thank you, Mr. Speaker. I was actually sick and took some medicine, so I just had a nap, unfortunately, but I stayed to open the debate on Motion 504.

#### Fines for Minor Offences

504. Mr. Xiao moved:

Be it resolved that the Legislative Assembly urge the government to explore options for reducing the number of arrest warrants issued and offenders incarcerated for the repeated nonpayment of fines for minor provincial and municipal bylaw offences, with the goal of increasing the efficiency of the criminal justice system and reducing the cost to taxpayers of sanctioning minor offences.

**Mr. Xiao:** Mr. Speaker, I'm bringing forward this motion because I believe that our government has the ability to come up with creative new ways of reducing warrants and costs by finding additional methods of dealing with minor offences.

I had the opportunity, Mr. Speaker, to visit the Edmonton Remand Centre a few months ago, and I learned about some of the issues that officers face there. One thing that really struck me was the cost of incarceration. To hold an offender in the remand centre costs our government and taxpayers over \$125 per day. And when

a person is arrested, they must be given any necessary medical treatment, including dental treatment, free of charge, which only adds to the cost.

This information surprised me, so I began to do some research about how many outstanding warrants we have in our province. What I found was that in 2007 alone Alberta had 200,000 outstanding warrants. In response to this information our government established the Fugitive Apprehension Sheriff Support Team, also known as FASST. This team tracks, investigates, and arrests criminals who are wanted on outstanding warrants in Alberta and have previously evaded capture. I believe that establishing this team was an important step and one that has kept our streets safer. However, Mr. Speaker, only 8,000 of these outstanding warrants, or 4 per cent, were for serious or violent crimes. What this means is that in 2007 there were approximately 192,000 outstanding arrest warrants for nonserious, nonviolent crimes in Alberta.

While I was at the Edmonton Remand Centre – I think it was with the Solicitor General; you know, we visited that facility together – I learned that some inmates had been arrested on warrants for repeatedly not paying fines for things like jaywalking, littering, and failure to pay transit fees. Although I agree that there need to be consequences for these types of infractions, when approximately 96 per cent of Alberta's outstanding warrants are for nonserious crimes, you can imagine, Mr. Speaker, how these cases might tie up our police resources and make it more difficult to get the serious offenders off the streets. According to the FASST website fugitive apprehension is a specialized investigative skill and capturing these individuals requires a lot of time and police resources.

In addition, Mr. Speaker, for some individuals incarceration does not act as a deterrent. In these cases the costs of housing, feeding, and treating offenders for two or three days in our remand centres may not be money well spent. Motion 504 urges the government to explore other options for penalizing individuals for whom a two- or three-day jail sentence is not a deterrent. In particular, I believe we must focus on finding new ways to penalize offenders who have no means to pay tickets in the first place and to ensure that we are effectively diverting mentally ill offenders away from remand centres and, when necessary, getting them the treatment that they need. While our province already has criminal diversion programs in place to help people suffering from mental illness to avoid the criminal justice system, some homeless and mentally ill Albertans are still making their way into our remand centres.

Mr. Speaker, spending about \$125 a day to hold an offender in custody for not paying their jaywalking or littering ticket is not an efficient use of tax dollars and our resources, particularly when the offender in question has no means of paying their fine, which is the case for many. I believe that there must be a better way and a more cost-effective way to deter criminals and to break cycles of criminality in Alberta, at least for certain offenders.

The Alberta government has a history of demonstrating leadership and innovation in coming up with new policies to save taxpayers' money and improve the efficiency of our programs and services. In fact, Mr. Speaker, the ministries of Justice and Attorney General and the Solicitor General and Public Security have already started doing more work to reduce the number of warrants in Alberta through their joint outstanding warrant review process initiative.

Mr. Speaker, I believe that now is a great time for us to envision new opportunities for our justice system. As such, I strongly urge all my hon. colleagues to stand in support of Motion 504, and I urge our government to continue their important work in reducing outstanding warrants using innovative means. With that, I will conclude my comments. I look forward to listening to the debate.

Thank you.

5:10

**The Deputy Speaker:** Any other hon. member? The hon. Member for Calgary-Nose Hill.

**Dr. Brown:** Thank you very much, Mr. Speaker, and thanks to my hon. colleague for his motion. I would like to make a few comments on it. I know that the intention of the hon. Member for Edmonton-McClung is to have an exploration of certain avenues that might reduce the number of arrest warrants that are issued. Particularly, I think he's concerned about some of the people that may be in temporary holding facilities like the remand centre when they are awaiting an appearance in court on fairly minor provincial and municipal bylaw offences.

I would certainly see where he's coming from on that issue. It's a laudable objective. Nobody wants to see people spending their weekend behind bars because they've got a couple of outstanding parking tickets or some other minor thing. I would suggest to the hon. member that if he investigates that situation further, he'll find that that is not really something that happens on a regular basis. In fact, I find it very difficult to believe that anybody is spending time in jail if they've only got a couple of outstanding parking tickets or anything of a minor nature.

What I would believe, however, is that people who are repeated scofflaws and maybe have \$10,000 or \$20,000 worth of outstanding fines and have completely thumbed their nose at the justice system might be apprehended as a final resort, as a very last resort, in order to get them to come to accept the consequences of their behaviour, because we can't have people out there that are parking in handicapped stalls or parking in a fire zone or parking willy-nilly on the streets and maybe impeding traffic. They have to come home and pay the piper at some point, and for those people that are refusing to do that, we have to have some ultimate sanction. So I would not say that there has to be a blanket prohibition on putting somebody under arrest because of those circumstances.

I understand where the hon. member is coming from. He wants to increase the efficiency of the criminal justice system, and he wants to perhaps save money. But I wouldn't say that you're saving any money because if somebody's got a whole raft of unpaid fines, it's in the interests of us to collect those fines and to make sure that people know that there are ultimate consequences to their behaviour.

The crux of his motion, as I understand it, is that he wants to tailor it towards different groups of individuals and to expand and strengthen some of the options that we have for various types of offences.

Mr. Speaker, in 2007 the Fugitive Apprehension Sheriff Support Team, or FASST, was established, and it has since that time been the body responsible for handling outstanding arrest warrants. Now, when that body was established, it's worth noting that there were more than 200,000 outstanding warrants. That is a staggering number, and of that number, 8,000 of them were actually for serious or violent crimes. I know that's not the intention. But, still, when you take 8,000 away from 200,000, you've got 192,000 outstanding warrants.

So we need a process, and we need to facilitate handling those warrants. We can't have people out there, as I said, that are just ignoring facing the consequences of the law. I mean, a law is only effective if the sanctions that are imposed by that law can be enforced, and if you have no way to apprehend somebody and make them face the consequences or the sanctions imposed by that law, then law and order breaks down ultimately.

Laws are there for a reason. We try not to impose laws which restrict people's freedoms unless we have a justification for them,

and that's why we have things like laws against speeding. We know that speeding is dangerous. It's possibly even more dangerous than drinking and driving. Those people that are out there speeding are causing major accidents, injuries, and deaths.

That's why we need the laws that allow people to be arrested if they ignore the consequences of being served with summonses and there's no other way to get them involved in the justice system. We've got to have those sanctions. I do have some very serious reservations about where we're going with this. I understand the objective, but I do have some reservations about that.

Going back to the issue of the FASST teams, that I mentioned, and the 200,000 outstanding warrants at the time of the establishment, the bulk of those warrants, Mr. Speaker, were for those very things that the hon. member is talking about. They were for repeated nonpayment of fines for minor provincial offences. Those would be things like road offences and municipal bylaw offences. It would be my contention that the FASST teams that we have in Calgary and Edmonton are doing very good work to keep our communities safe by arresting these offenders who have managed time and again to just flaunt the law and have evaded arrest.

Those teams consist of five sheriffs, and they've undergone very extensive training. They target criminals across the whole breadth of our province. While they have proven effective at reducing the number of serious criminals that are out there on the street, there's a lot of work still to be done. Particularly, what we haven't done yet is have adequate focus on those outstanding warrants that are for minor offences. There are still a whole lot of them out there.

I understand where the hon. member is coming from. I can say without hesitation that there are some good ideas in there and that there are some ideas that we may want to work towards, some innovative solutions to the challenges of those outstanding warrants. Quite frankly, I don't know how we would do it if we didn't just go out there and ultimately arrest people. How else are you going to bring the offenders to justice?

I think, also, there's a scope here to examine potential policy and some legislative changes, and that would minimize the accumulation of outstanding warrants. In other words, we'd get on top of this issue earlier. We don't wait until they have \$10,000 or \$15,000 or \$20,000 in outstanding fines before we go out and try and search for them. This is something that requires resources.

I know, Mr. Speaker, that Alberta Justice has been looking at ways that we might adjust sentencing options so that the sentencing bears a better relationship to the seriousness of the offence. There are, however, a significant number of offences that have the potential to lead to incarceration. Those procedures that govern provincial and municipal offences are set out in the Provincial Offences Procedure Act, and they fall out of parts 2 and 3 of that act.

Part 2 offences are what I think the hon. member is directing his motion at today. Those are the ones that could be penalized by the issuance of a warrant and possible incarceration. Those would include the violation of a number of acts, provincial offences, things like the Blind Persons' Rights Act, the Dangerous Goods Transportation and Handling Act, Forests Act, Fuel Tax Act, Fisheries (Alberta) Act, Gaming and Liquor Act, Insurance Act, and the Livestock Identification and Brand Inspection Act.

Thank you, Mr. Speaker.

5:20

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

**Mr. Vandermeer:** Thank you, Mr. Speaker. It's a privilege for

me to rise today to speak on Motion 504, brought forward by the hon. Member for Edmonton-McClung. This motion urges the government to explore options for reducing the number of arrest warrants issued and offenders incarcerated in cases of repeated nonpayment of fines for minor provincial or municipal bylaw offences. I would like to thank the hon. member for his interest in this issue.

This motion examines how government resources and manpower are deployed to deal with frequent violators of minor provincial and municipal laws. The expectation with deterrents such as fines is that offenders will pay their fines and be less likely to reoffend in the future. However, there is a segment of frequent repeat offenders that continues to be undeterred by the accumulation of fines, which often results in outstanding arrest warrants, and the justice system spends time and money in attempting to punish that segment of offenders. Mr. Speaker, the intent of this motion would be to encourage a discussion about reducing these costs to taxpayers by exploring other options for deterrence.

It is important to know that the vast majority of arrest warrants issued in any given year are actually for minor offences. In the case of the minor offences an arrest warrant is issued, specifically when the offender has not paid his or her fines. Examples of these minor offences include jaywalking, littering, and not paying for transit fares. A variety of factors contribute to the issue of people not paying their fines. For example, if a person is unemployed, homeless, or struggling with mental illness, they may be less likely to gather the necessary financial resources to pay their fines. As well, these factors could also be contributing to the reason they are committing these offences in the first place.

Mr. Speaker, I'd like to talk about what measures other jurisdictions have taken to combat the same problem. This issue of outstanding warrants is certainly a complex one, which requires more study to determine some potential solutions. In fact, many other jurisdictions have carried out comprehensive reviews of this issue. As it turns out, though, very few of these reviews have suggested ways to reduce the overall numbers of warrants. They have generally focused on the enforcement of the warrant, apprehending the individual, and, hopefully, collecting the fine.

In other jurisdictions like New Zealand the government implemented a tracking system meant to identify serious fine defaulters as they attempt to enter or leave the country. Likewise, many of the solutions proposed by other jurisdictions have not fully addressed and improved the way to deal with repeat offenders. In 2004 Scotland put together a working group on outstanding warrants. At the time over 72 per cent of the country's outstanding warrants were for nonpayment of fines. The working group was given the task of reviewing systems for communication of information related to outstanding warrants with the goal of making improvements to the efficiency of the justice system. In the final report the group noted that an obvious problem was police resources being diverted to deal with outstanding warrants for nonpayment of fines. The committee concluded that fine enforcement procedures should be redesigned in order to free up the police officers for higher priority tasks. As well, the committee recommended improving information-sharing processes to process arrest warrants more quickly.

On that note, Mr. Speaker, Alberta Justice and the Solicitor General are currently leading a working group on an outstanding warrant review process. This group was tasked with recommending solutions for clearing up the current backlog of outstanding warrants and with changing the various systems and processes to prevent so many warrants from being created in the

first place. This is a collaborative effort between the two ministries to address an issue from multiple angles.

Mr. Speaker, it is my belief that the objective of Motion 504 would align with the vital work currently being carried out by the outstanding warrant review process working group. Clearing up the backlog of outstanding warrants is an important step in the right direction. However, in examining the process and systems in place, it might also be useful for the working group to explore other approaches towards reducing warrants for repeat offenders of minor offences.

Mr. Speaker, I know that it is supremely important that we continue to support the justice system in its work of making society safer for all. In the meantime I look forward to hearing what my fellow members have to say.

Thank you, Mr. Speaker.

**The Deputy Speaker:** Any other hon. member?

Seeing none, the chair shall now recognize the hon. Member for Edmonton-McClung to close the debate.

**Mr. Xiao:** Thank you, Mr. Speaker. I'm pleased to rise once again to offer some closing remarks on Motion 504. The purpose of this motion is to urge the government to explore options for reducing the number of warrants issued and the persons incarcerated for minor offences. It is important that our policies, initiatives, and programs are as effective as possible and that our government makes the best use of taxpayers' dollars.

Alberta is a truly innovative and forward-thinking province, and I believe that it is possible for us to devise new ways of penalizing people who commit minor regulatory and bylaw offences in order to reduce our outstanding warrants. As I said in my opening speech, it is important that the programs are tailored to specific individuals.

Alberta Health Services has a diversion program to help people with mental illness to stay out of the criminal justice system, and the Solicitor General and Public Security also have programs to help youth and first-time offenders avoid criminal records.

Mr. Speaker, this motion urges our government to continue exploring additional options for dealing with offenders who have refused to pay fines for minor offences in order to ensure that our financial, police, and judicial resources are freed up to deal with the more serious offences. Alberta Justice and the Solicitor General and Public Security are already doing important work in reducing warrants in our province, particularly when they are issued for nonserious infractions, but I think more needs to be done. I support these efforts, and I look forward to seeing new initiatives in the future that will increase the efficiency of the judicial system.

Mr. Speaker, I would like to thank hon. members for the thoughtful debate today, and I urge all of my colleagues to vote in support of this motion. Thank you.

[Motion Other than Government Motion 504 lost]

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

**Mr. Weadick:** Well, thank you, Mr. Speaker. In view of the great work done earlier on Bill 203, working together with members opposite, and getting some discussion in on Bill 205, and now having Motion 504 completed, I would move that we call it 6 o'clock and that we adjourn until 7:30 tonight.

[Motion carried; the Assembly adjourned at 5:30 p.m.]

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1001 Legislature Annex  
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