



Province of Alberta

The 28th Legislature
First Session

Alberta Hansard

Monday afternoon, November 18, 2013

Issue 68

The Honourable Gene Zwozdesky, Speaker

Legislative Assembly of Alberta The 28th Legislature

First Session

Zwozdesky, Hon. Gene, Edmonton-Mill Creek (PC), Speaker
Rogers, George, Leduc-Beaumont (PC), Deputy Speaker and Chair of Committees
Jablonski, Mary Anne, Red Deer-North (PC), Deputy Chair of Committees

Allen, Mike, Fort McMurray-Wood Buffalo (Ind)
Amery, Moe, Calgary-East (PC)
Anderson, Rob, Airdrie (W),
 Official Opposition House Leader
Anglin, Joe, Rimbey-Rocky Mountain House-Sundre (W),
 Official Opposition Whip
Barnes, Drew, Cypress-Medicine Hat (W)
Bhardwaj, Naresh, Edmonton-Ellerslie (PC)
Bhullar, Hon. Manmeet Singh, Calgary-Greenway (PC)
Bikman, Gary, Cardston-Taber-Warner (W)
Bilous, Deron, Edmonton-Beverly-Clareview (ND)
Blakeman, Laurie, Edmonton-Centre (AL),
 Liberal Opposition House Leader
Brown, Dr. Neil, QC, Calgary-Mackay-Nose Hill (PC)
Calahasen, Pearl, Lesser Slave Lake (PC)
Campbell, Hon. Robin, West Yellowhead (PC),
 Deputy Government House Leader
Cao, Wayne C.N., Calgary-Fort (PC)
Casey, Ron, Banff-Cochrane (PC)
Cusanelli, Christine, Calgary-Currie (PC)
Dallas, Hon. Cal, Red Deer-South (PC)
DeLong, Alana, Calgary-Bow (PC)
Denis, Hon. Jonathan, QC, Calgary-Acadia (PC),
 Deputy Government House Leader
Donovan, Ian, Little Bow (W)
Dorward, David C., Edmonton-Gold Bar (PC),
 Deputy Government Whip
Drysdale, Hon. Wayne, Grande Prairie-Wapiti (PC)
Eggen, David, Edmonton-Calder (ND),
 New Democrat Opposition Whip
Fawcett, Hon. Kyle, Calgary-Klein (PC)
Fenske, Jacquie, Fort Saskatchewan-Vegreville (PC)
Forsyth, Heather, Calgary-Fish Creek (W)
Fox, Rodney M., Lacombe-Ponoka (W)
Fraser, Hon. Rick, Calgary-South East (PC)
Fritz, Yvonne, Calgary-Cross (PC)
Goudreau, Hector G., Dunvegan-Central Peace-Notley (PC)
Griffiths, Hon. Doug, Battle River-Wainwright (PC)
Hale, Jason W., Strathmore-Brooks (W)
Hancock, Hon. Dave, QC, Edmonton-Whitemud (PC),
 Government House Leader
Hehr, Kent, Calgary-Buffalo (AL)
Horne, Hon. Fred, Edmonton-Rutherford (PC)
Horner, Hon. Doug, Spruce Grove-St. Albert (PC)
Hughes, Hon. Ken, Calgary-West (PC)
Jansen, Hon. Sandra, Calgary-North West (PC)
Jeneroux, Matt, Edmonton-South West (PC)
Johnson, Hon. Jeff, Athabasca-Sturgeon-Redwater (PC)
Johnson, Linda, Calgary-Glenmore (PC)
Kang, Darshan S., Calgary-McCall (AL),
 Liberal Opposition Whip
Kennedy-Glans, Donna, Calgary-Varsity (PC)
Khan, Stephen, St. Albert (PC)
Klimchuk, Hon. Heather, Edmonton-Glenora (PC)
Kubinec, Maureen, Barrhead-Morinville-Westlock (PC)
Lemke, Ken, Stony Plain (PC)
Leskiw, Genia, Bonnyville-Cold Lake (PC)
Luan, Jason, Calgary-Hawkwood (PC)
Lukaszuk, Hon. Thomas A., Edmonton-Castle Downs (PC)
Mason, Brian, Edmonton-Highlands-Norwood (ND),
 Leader of the New Democrat Opposition
McAllister, Bruce, Chestermere-Rocky View (W)
McDonald, Everett, Grande Prairie-Smoky (PC)
McIver, Hon. Ric, Calgary-Hays (PC),
 Deputy Government House Leader
McQueen, Hon. Diana, Drayton Valley-Devon (PC)
Notley, Rachel, Edmonton-Strathcona (ND),
 New Democrat Opposition House Leader
Oberle, Hon. Frank, Peace River (PC)
Olesen, Cathy, Sherwood Park (PC)
Olson, Hon. Verlyn, QC, Wetaskiwin-Camrose (PC)
Pastoor, Bridget Brennan, Lethbridge-East (PC)
Pedersen, Blake, Medicine Hat (W)
Quadri, Sohail, Edmonton-Mill Woods (PC)
Quest, Dave, Strathcona-Sherwood Park (PC)
Redford, Hon. Alison M., QC, Calgary-Elbow (PC),
 Premier
Rodney, Hon. Dave, Calgary-Lougheed (PC)
Rowe, Bruce, Olds-Didsbury-Three Hills (W)
Sandhu, Peter, Edmonton-Manning (Ind)
Sarich, Janice, Edmonton-Decore (PC)
Saskiw, Shayne, Lac La Biche-St. Paul-Two Hills (W),
 Official Opposition Deputy House Leader
Scott, Hon. Donald, QC, Fort McMurray-Conklin (PC)
Sherman, Dr. Raj, Edmonton-Meadowlark (AL),
 Leader of the Liberal Opposition
Smith, Danielle, Highwood (W),
 Leader of the Official Opposition
Starke, Hon. Dr. Richard, Vermilion-Lloydminster (PC)
Stier, Pat, Livingstone-Macleod (W)
Strankman, Rick, Drumheller-Stettler (W)
Swann, Dr. David, Calgary-Mountain View (AL)
Towle, Kerry, Innisfail-Sylvan Lake (W),
 Official Opposition Deputy Whip
VanderBurg, Hon. George, Whitecourt-Ste. Anne (PC)
Weadick, Hon. Greg, Lethbridge-West (PC)
Webber, Len, Calgary-Foothills (PC)
Wilson, Jeff, Calgary-Shaw (W)
Woo-Paw, Hon. Teresa, Calgary-Northern Hills (PC)
Xiao, David H., Edmonton-McClung (PC)
Young, Steve, Edmonton-Riverview (PC),
 Government Whip

Party standings:

Progressive Conservative: 59 Wildrose: 17 Alberta Liberal: 5 New Democrat: 4 Independent: 2

Officers and Officials of the Legislative Assembly

W.J. David McNeil, Clerk	Stephanie LeBlanc, Parliamentary Counsel and Legal Research Officer	Philip Massolin, Manager of Research Services
Robert H. Reynolds, QC, Law Clerk/ Director of Interparliamentary Relations	Fiona Vance, Sessional Parliamentary Counsel	Brian G. Hodgson, Sergeant-at-Arms
Shannon Dean, Senior Parliamentary Counsel/Director of House Services	Nancy Robert, Research Officer	Chris Caughell, Assistant Sergeant-at-Arms
		Gordon H. Munk, Assistant Sergeant-at-Arms
		Janet Schwegel, Managing Editor of <i>Alberta Hansard</i>

Executive Council

Alison Redford	Premier, President of Executive Council
Thomas Lukaszuk	Deputy Premier, Minister of Enterprise and Advanced Education, Ministerial Liaison to the Canadian Forces
Manmeet Singh Bhullar	Minister of Service Alberta
Robin Campbell	Minister of Aboriginal Relations
Cal Dallas	Minister of International and Intergovernmental Relations
Jonathan Denis	Minister of Justice and Solicitor General
Wayne Drysdale	Minister of Infrastructure
Kyle Fawcett	Associate Minister of Regional Recovery and Reconstruction for Southwest Alberta
Rick Fraser	Associate Minister of Regional Recovery and Reconstruction for High River
Doug Griffiths	Minister of Municipal Affairs
Dave Hancock	Minister of Human Services
Fred Horne	Minister of Health
Doug Horner	President of Treasury Board and Minister of Finance
Ken Hughes	Minister of Energy
Sandra Jansen	Associate Minister of Family and Community Safety
Jeff Johnson	Minister of Education
Heather Klimchuk	Minister of Culture
Ric McIver	Minister of Transportation
Diana McQueen	Minister of Environment and Sustainable Resource Development
Frank Oberle	Associate Minister of Services for Persons with Disabilities
Verlyn Olson	Minister of Agriculture and Rural Development
Dave Rodney	Associate Minister of Wellness
Donald Scott	Associate Minister of Accountability, Transparency and Transformation
Richard Starke	Minister of Tourism, Parks and Recreation
George VanderBurg	Associate Minister of Seniors
Greg Weadick	Associate Minister of Regional Recovery and Reconstruction for Southeast Alberta
Teresa Woo-Paw	Associate Minister of International and Intergovernmental Relations

STANDING AND SPECIAL COMMITTEES OF THE LEGISLATIVE ASSEMBLY OF ALBERTA

Standing Committee on Alberta's Economic Future

Chair: Mr. Amery
Deputy Chair: Mr. Fox

Bhardwaj	Olesen
Cao	Pastoor
Donovan	Quadri
Dorward	Rogers
Eggen	Rowe
Hehr	Sarich
Luan	Strankman
McDonald	Xiao

Standing Committee on the Alberta Heritage Savings Trust Fund

Chair: Mr. Khan
Deputy Chair: Mrs. Jablonski

Amery	Eggen
Anderson	Kubinec
Casey	Sherman
Dorward	

Select Special Chief Electoral Officer Search Committee

Chair: Mr. Rogers
Deputy Chair: Mr. Quadri

Blakeman	Leskiw
Eggen	McDonald
Goudreau	Saskiw
Lemke	

Select Special Conflicts of Interest Act Review Committee

Chair: Mr. Luan
Deputy Chair: Mr. Dorward

Blakeman	Notley
Fenske	Saskiw
Johnson, L.	Wilson
Kubinec	Young
McDonald	

Standing Committee on Families and Communities

Chair: Mr. Quest
Deputy Chair: Mrs. Forsyth

Brown	Leskiw
Cusanelli	Notley
DeLong	Pedersen
Fritz	Swann
Goudreau	Towle
Jablonski	Wilson
Jeneroux	Xiao
Khan	Young

Standing Committee on Legislative Offices

Chair: Mr. Cao
Deputy Chair: Mr. McDonald

Bikman	Leskiw
Blakeman	Quadri
Brown	Rogers
DeLong	Wilson
Eggen	

Special Standing Committee on Members' Services

Chair: Mr. Zwozdesky
Deputy Chair: Mr. Young

Casey	McDonald
Forsyth	Quest
Fritz	Sherman
Kennedy-Glans	Smith
Mason	

Standing Committee on Private Bills

Chair: Mr. Xiao
Deputy Chair: Ms L. Johnson

Allen	Goudreau
Barnes	Jablonski
Bhardwaj	Leskiw
Brown	Notley
Cusanelli	Olesen
DeLong	Rowe
Fox	Strankman
Fritz	Swann

Standing Committee on Privileges and Elections, Standing Orders and Printing

Chair: Ms Olesen
Deputy Chair: Mr. Lemke

Calahasen	McAllister
Cao	Notley
Casey	Pedersen
Goudreau	Quadri
Hehr	Rogers
Kennedy-Glans	Saskiw
Kubinec	Towle
Luan	Young

Standing Committee on Public Accounts

Chair: Mr. Anderson
Deputy Chair: Mr. Dorward

Amery	Khan
Anglin	Luan
Bilous	Pastoor
Donovan	Quadri
Fenske	Quest
Hale	Sarich
Hehr	Stier
Jeneroux	Webber

Standing Committee on Resource Stewardship

Chair: Ms Kennedy-Glans
Deputy Chair: Mr. Anglin

Allen	Hale
Barnes	Johnson, L.
Bikman	Khan
Bilous	Kubinec
Blakeman	Lemke
Calahasen	Sandhu
Casey	Stier
Fenske	Webber

Legislative Assembly of Alberta

1:30 p.m.

Monday, November 18, 2013

[The Speaker in the chair]

Prayers

The Speaker: Good afternoon.

Let us pray. And please remain standing after the prayer. Almighty God, help us to understand, help us to prioritize, and help us to be ever available to the constituents who have elected us to be here on their behalf today and every day. Amen.

Please remain standing.

Hon. members, as is our custom, we pay tribute on our first day to members and former members of this Assembly who have passed away since we last met.

Dr. Charles Robert Elliott
October 15, 1927, to October 14, 2013

The Speaker: Dr. Bob Elliott served as the Member for Grande Prairie for three terms, from 1982 to 1993. Dr. Elliott was a distinguished agronomist who during his scientific career developed a new variety of fescue and two new varieties of clover. He was elected to the Beaverlodge Town Council and served from 1967 to 1979, the last eight of those years as mayor.

During his service as a member in this Assembly Dr. Elliott served on many legislative committees, including as chair of the Select Standing Committee on Legislative Offices and as deputy chair of the Select Standing Committee on Law and Regulations.

Unfortunately, members of Dr. Elliott's family were not able to be with us today, but they are all in our thoughts and prayers as we pay this special tribute to Dr. Charles Robert Elliott.

In a moment of silent prayer I ask you to recall and reflect on Dr. Elliott as you may have known him. Rest eternal grant unto him, O Lord, and let perpetual light shine upon him. Amen.

Please remain standing for the singing of *O Canada*. We're grateful to have with us again Colleen Vogel, a member of our Legislative Assembly staff, who will lead us in our national anthem.

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: Thank you, Ms Vogel. Thank you, hon. members. Please be seated.

Introduction of Guests

The Speaker: The hon. Deputy Premier. The first of our school groups.

Mr. Lukaszuk: Well, thank you, Mr. Speaker. It's indeed a pleasure to welcome 52 fine students from St. Charles school from Edmonton-Castle Downs. They're accompanied by teachers and adult supervisors: Mrs. Samantha Davidson, Mr. Hoang Tran, Mr.

John Trosko, Mrs. Maureen Ferra, and Mrs. Leanna McMurdo. These are fine students who are now learning about the democratic process and, in particular, about our provincial government. I would ask them to rise and receive the warm welcome of our Assembly.

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

Mr. Young: Thank you, Mr. Speaker. It is my pleasure to rise today and introduce to you and through to all members of the Assembly a group of incredible students from McKernan elementary school. I spoke with these really bright young children today, and they talked about how they debated a very interesting bill about subsidizing pets for pet therapy. They are joined by their teacher, Mr. Jason Ludwar, and parent helpers Mr. Doug Klein and Mr. Tim Mastel-Marr. They're seated in the public gallery, and I'd ask that all guests please rise and receive the traditional welcome of this Assembly.

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

Mr. Quadri: Thank you, Mr. Speaker. It is indeed my honour and pleasure to rise today to introduce to you and through you to all the members of this Assembly – and also I want to add that I took a challenge posed by my friend Edmonton-South West, who last week introduced his students, and I have the most fantastic students, the most incredible students – the students of Edmonton-Mill Woods, my elementary school. There are 37 members of the school visiting today, and they're accompanied by their teacher, Allison Sylvester. Now I will ask them to please rise and receive the warm welcome of this Assembly.

The Speaker: Are there other school groups?

Let us go on with other special guests. The hon. Member for Edmonton-Ellerslie.

Mr. Bhardwaj: Thank you very much, Mr. Speaker. It's an honour and a pleasure for me to rise today and introduce to you and through you some very important members of the Filipino community who are here for the funding announcement this afternoon by the government of Alberta for a typhoon which hit the Philippines and affected the lives of millions and millions of people overseas and right here at home. Joining us today is Edmonton Philippine Honorary Consul General Esmeralda Agbulos; Virgilio Agbulos; Mandy Servito, president, Council of Edmonton Filipino Associations; Thomas Ancheta; Dave Fabiosa; Edward Lacerna; and Eloisa Lau. I'd ask all of my guests to please rise and receive the traditional warm welcome.

The Speaker: The hon. Minister of Education.

Mr. J. Johnson: Thank you, Mr. Speaker. It's a pleasure to introduce to you and through you to members of this Assembly education stakeholders and staff here today who participated in the bullying prevention and healthy relationships webcast and luncheon hosted by our Associate Minister of Family and Community Safety. I'd ask these individuals to please rise as I say their names and to receive the traditional warm welcome of the Assembly at the end with all of them standing: Dr. Fern Snart, dean of the Faculty of Education at the University of Alberta; Dr. Kris Wells and Dr. André Grace from the Institute for Sexual Minority Studies and Services at the University of Alberta; Dr. Marni Pearce and David Rust from the Society for Safe and Caring Schools and Communities in Alberta – Marni also works in my department on these initiatives – Joan Carr, superintendent of Edmonton Catholic,

here as an executive member of the College of Alberta School Superintendents; Dean Sarnecki, executive director of the Alberta Catholic School Trustees' Association; Patty Dittrick and Mary Lynne Campbell from the Public School Boards' Association of Alberta; Dr. Marilyn Huber and Ann MacKay-Drobot, both from Alberta Ed; and Shane Scott and Breanne Fulawka, active alumni from Speak Out and members of my student advisory council.

1:40

The Speaker: The hon. Minister of Tourism, Parks and Recreation, followed by the leader of the Liberal opposition.

Dr. Starke: Well, thank you, Mr. Speaker. It gives me great pleasure today to introduce to you and through you to all members of the Assembly some visitors that we have representing concerns and interests of off-highway vehicle owners. First of all, from the Canadian Off-Highway Vehicle Distributors Council – and I'd ask these folks, that are seated in the members' gallery, to rise as I give their names – Bob Ramsay, president of the Canadian council; Luc Fournier, who is the director of policy and government relations; and Oksana Buhel, who is the manager of rider federations and partner relations. From the Alberta Off-Highway Vehicle Association I have the president, Brent Hodgson; the vice-president, Aaron Bauer; and the treasurer, Garry Salekin. Also joining these fine folks, we have someone who is no stranger to the Assembly, Mr. David Coutts. I'd like to have everyone join me in the traditional warm welcome of the Assembly.

The Speaker: The leader of the Liberal opposition, followed by the Associate Minister of Family and Community Safety.

Dr. Sherman: Thank you, Mr. Speaker. Today I have three introductions. It's my pleasure to introduce to you and through you to all members of this Assembly three members of the Edmonton Filipino Seventh-day Adventist church: Benjamin Barboza, head elder; Ephraim Baragona, associate elder; and Pastor Ron Yabut. I attended a vigil for the victims of Typhoon Haiyan this weekend at Pastor Yabut's church. This typhoon has caused thousands of deaths and utter devastation. I appreciate the government's commitment to donate up to half a million dollars, and I ask every member of the Assembly to consider contributing to this as well as every Albertan. They can visit www.adra.ca or www.redcross.ca to donate. I would ask my guests to please rise and receive the traditional warm welcome of the Assembly.

The Speaker: You have a second introduction, hon. member?

Dr. Sherman: Thank you, Mr. Speaker. It's my pleasure to introduce to you and through you two individuals from Dogs with Wings, which is located in the hard-working constituency of Edmonton-Meadowlark, President Toby Ramsden and Executive Director John Wheelwright. Dogs with Wings is a locally owned and operated dog assistance society in Alberta which since 1996 has been providing highly trained assistance dogs to Albertans. I would ask them to rise and receive the traditional warm welcome of the Assembly.

Mr. Speaker, last but not least, I'd like to introduce to you and through you to all members of this Assembly a very special person in the audience. It's my niece Fiona Sherman. She asked me to attend and join her class at McKernan to talk about politics. Out of the nine grandchildren in our family she's our pride and joy. I'd ask all members of the Assembly to give the tradition warm welcome to Fiona.

Thank you.

Ms Jansen: Mr. Speaker, it truly takes a community to prevent bullying. As we launch national Bullying Awareness Week today, I'm pleased to rise to introduce a number of dedicated community partners who are doing tremendous work to eliminate bullying and to promote healthy, respectful relationships in our province. One of those individuals is Mackenzie Murphy, a junior high student from Airdrie. Mackenzie is an inspiration to all Alberta children and youth. After being tormented online and at school for many years, she worked with her mayor and city council to create a new antibullying bylaw and a community awareness campaign in partnership with Airdrie's PEACE Committee. She continues to share her story and create awareness so that other youths will not have to go through the pain she experienced.

Mackenzie is joined by members of the Prevention of Bullying Youth Committee, including Steven Bizuns, Karly Johnson-Renman, and Willow Van Wolde. These youth leaders work closely with our government to advise on public education awareness materials and to promote healthy and respectful relationships in their communities. We're also honoured as well to have a number of community leaders here who specialize in bullying prevention from the South East Edmonton Seniors Association – if you could stand – the Institute for Sexual Minority Studies and Services, and The Support Network, that operates our bullying helpline. I would like to ask all our guests to receive the warm welcome of our Assembly.

The Speaker: The hon. Member for Rimbey-Rocky Mountain House-Sundre, followed by the leader of the New Democrat opposition.

Mr. Anglin: Thank you, Mr. Speaker. I actually have two introductions. It's an absolute pleasure to rise today and introduce to you and through you to this Assembly my constituency manager, Monica Rosevear. Monica is a hard-working, organized, and talented individual who would certainly be considered an asset to all my constituents. And, as many members here may attest, it takes a very special person to work for me. I would ask her now to please rise and receive the traditional warm welcome of the Assembly.

It's also my pleasure to rise today to introduce two constituents of mine who have travelled to the Legislature today all the way from the town of Bentley. Chris Wiese is an unfortunate victim of the Out-of-Country Health Services Committee. Despite having followed all the procedures and meeting all the requirements, Chris has been denied for her back surgery. She joins us today to raise awareness of the need to review this broken system. I would also like to introduce Chris's husband, Cam. I'd ask you both to please rise and receive the warm welcome of this Assembly.

The Speaker: The hon. leader of the New Democrat opposition, followed by Lac La Biche-St. Paul-Two Hills.

Mr. Mason: Thank you very much, Mr. Speaker. I'm very pleased to introduce to you and through you to this Assembly my guests from the Filipino community in Edmonton. They are Letty Tria, the president of the Filipino Nurses Association in Alberta; Ellen Lardizabal, the president-elect of the Filipino Nurses Association; Lulu Bernal, a representative of the Filipino-Canadian Political Action Group; Jun Aller, the vice-president of the Filipino Radio Enthusiast of Edmonton; and Beth Aperocho, the vice-president of the Filipino Retirees' Association in Alberta. They came here today to encourage the government to do its part and provide provincial relief support to those in the Philippines who have been affected by Typhoon Haiyan, and I'm pleased to say that in that endeavour they have been successful. I would now

ask them to stand and receive the traditional warm welcome of this Assembly.

The Speaker: Are there others? Hon. Member for Lac La Biche-St. Paul-Two Hills, I understand that your guests have not yet arrived. Edmonton-Riverview, did you have another intro?

Mr. Young: Yes, I do.

The Speaker: Please proceed quickly.

Mr. Young: Thank you, Mr. Speaker. It is my pleasure to rise today and introduce to you and through you to all members of the Assembly my Edmonton-Riverview constituency staff: Colleen Martin and Cindy Landreville. These ladies work incredibly hard in my constituency, and I'm so proud to have them as part of my team. They are seated in the members' gallery, and I would ask that my guests rise and receive the traditional welcome of the Assembly.

The Speaker: Hon. Associate Minister of Family and Community Safety, you have one more intro?

Ms Jansen: I do. Thank you, Mr. Speaker. I would be remiss if I didn't welcome and give a warm shout-out to our ADM of Human Services responsible for helping put together all of the initiatives for National Bullying Awareness Week. Susan Taylor is our ADM responsible for family violence, domestic supports. She's here with her staff. I would ask her to rise and receive the warm welcome of our Assembly.

Members' Statements

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

Philippines Disaster Relief

Mr. Quadri: Thank you, Mr. Speaker. On November 7 one of the most intense storms ever documented, Typhoon Haiyan, made landfall in the Philippines. This typhoon caused incredible amounts of damage to the infrastructure, hearts, and minds of the people of the Philippines and to their loved ones abroad, with about 2.5 million people requiring food aid, 4 million people being displaced, and over 9 million people affected.

The stories of resilience and recovery less than two weeks later are a testament to the strength of the Filipino people and their ability to bounce back in the face of incredible adversity. But the road to recovery is just beginning. Beyond the initial devastation of the typhoon itself, there are many dangers and struggles that still lie ahead of us. Lack of food, shelter, and aid along with the risk of disease are still very real threats to the people there and more support is needed.

1:50

Alberta is home to over a hundred thousand people of Filipino descent, and Tagalog is the most spoken foreign language in Edmonton and second most spoken foreign language in Calgary. This means our connection to the Filipino community is strong. Filipinos are active in our communities and provide us with a portion of the multicultural diversity that makes our province and our country strong and proud.

In times of difficulty we often look to our extended community to help us strengthen our resolve, offer support, and overcome even the most insurmountable of odds. On this note, I am very proud to announce that the government of Alberta is committed to provide assistance to the Philippines relief and recovery efforts by

matching Albertans' donations to the Canadian Red Cross for up to half a million dollars. This fantastic news is greatly needed. I would like to also encourage all my colleagues here at the Legislature to offer their support to their Filipino communities during this time of need.

The Speaker: Thank you, hon. member.

Oral Question Period

The Speaker: The Leader of Her Majesty's Loyal Opposition. First main set of questions.

Health System Administration

Ms Smith: Mr. Speaker, the health system is in chaos. On late Friday night, after everyone had gone home for the weekend, Alberta Health Services announced that it had turfed their interim CEO and replaced him with two co-CEOs while they start a search for a permanent CEO. While Albertans continue to worry about long waiting times and crowded emergency rooms, the government is worried about shuffling the deck chairs. To the Premier: when is her government going to provide some real stability in the leadership of Alberta Health Services?

Ms Redford: Mr. Speaker, on Friday evening, over the weekend, and this morning Alberta Health Services did what it always does, and that is to put patients first and to provide health care for Albertans. We will continue to strive with our Health minister to put in place the best systems possible to allow front-line workers to do that work. This is part of the process, it's good progress, and we're going to continue to take those steps.

Ms Smith: Mr. Speaker, it doesn't matter how many CEOs, co-CEOs, interim CEOs, and interim co-CEOs this government appoints. It doesn't change the fact that the government's approach to public health is wrong. Instead of focusing on cutting wait times and putting patients first, the government seems more focused on finding new people to take the fall for this Health minister's incompetence. To the Premier: when will she admit that the Alberta Health Services monopoly is just plain bad policy?

Ms Redford: Mr. Speaker, I was at the Glenrose hospital today making an announcement that matters to Albertans. [interjections] It was the proclamation of the Alberta Health Act, which ensured, as we have always promised, that this government was committed to a public health care system. I'm disappointed to hear the Leader of the Opposition suggest that there might be other ways to provide health care in this province, but we don't believe that.

Ms Smith: Yes. Other than a top-down AHS monopoly that seems to have a revolving door on CEOs.

It's increasingly clear to Albertans that there is chaos at the very top of this government. While the Premier may be more concerned about her leadership review on Friday, Albertans are more concerned about the future of their public health system. When will this Premier realize that the only shuffle at the top of the health system that will fix the problem for good is a shuffle out of the Health minister?

Mr. Horne: Well, Mr. Speaker, as the hon. the Premier said, I think Albertans will be heartened to know that unlike other individuals or caucuses represented in this Legislature, this is one government that's willing to stand up for public health care in Canada. To put that in a law and to back it with a charter and a

series of advocates that are going to support Albertans in seeking the care that they need and support them in helping to make decisions for parents and for other family members who require care: that's responsible leadership, and that's what this Premier is delivering. [interjections]

The Speaker: Thank you.

Hon. members, we have a number of young people here watching you, hoping to see an example of what it means to not interrupt others and be polite, so let's show them the highest possible accordance of that if we could.

Second main set of questions. The hon. Leader of Her Majesty's Loyal Opposition.

School Construction and Modernization

Ms Smith: Well, Mr. Speaker, there is chaos and confusion at the top of Education also. The government's been saying that it will build 50 new schools and do 70 modernizations before the next election, but the Education minister is now claiming that there are 100 school projects that are already completed, under way, or recently announced and that there will be 90 more that will be announced sometime within the next six to eight months. The Education minister says that there are a total of 190 projects; the Premier says 50 new schools and 70 modernizations. So which is it?

Ms Redford: Mr. Speaker, something that the hon. member won't be familiar with is the fact that in government you continue to make change and you continue to have progress. This government has been committed to infrastructure in Education for many years, and we are seeing the success of that now. We are continuing to see schools that are being built and being opened for communities across this province because that's what we committed to. We continue to be committed to an additional 50 and 70 renovations. That's what we promised, and that's what we'll do.

Ms Smith: I have to say, Mr. Speaker, that with all the announcements and reannouncements and double counting, I think we're all beginning to lose track. Will the minister table the list of 100 projects that he claims are completed, under way, or recently announced so we can get to the bottom of all of this?

Mr. J. Johnson: Mr. Speaker, those lists are already tabled. Many of them are online. The schools that are announced and are under way are pretty easy to find. Ask any of the communities that have the shovels in the ground and the bulldozers beside the school site project. I think this hon. member will be heartened to know that by the end of this term I think we'll be able to look back and say that between the projects that were completed or announced during this term we're going to be in the neighbourhood of 200 schools, well above the 50, 70. So stay tuned. We still have two years in the term left to go. I think that the one great thing we know is that we elected the right Premier, who is going to invest in those schools.

Ms Smith: Well, that'll be quite a feat, Mr. Speaker. We know that the Education minister is already having a hard time finding construction firms willing to build these schools as P3s. Our major construction firms are all busy, and our medium-sized ones lack the capacity to bid on P3s. We also know that under normal circumstances it takes the better part of three years to build a school. So how much of a premium are Albertans going to pay to build all of these schools in record time, or are we just on track for yet another broken promise?

Mr. J. Johnson: Mr. Speaker, I'm not sure if the member is asking us to build more schools or to build less schools. They came out last year and said that 30 per cent of the schools we're building right now we shouldn't be building. I'd love to see that list. They're not able to show us that list. I can tell you from my previous position as well as all the work that the government has done on P3s that we're trying to get as many schools on the ground as affordably as possible for the taxpayer and in the shortest time possible to accommodate these growth pressures that we've got in the province, and we'd sure appreciate some support on that effort.

The Speaker: Hon. leader, for your third main set of questions.

Bitumen Price Differential

Ms Smith: Well, Mr. Speaker, all of this points to budget chaos that goes right to the top. I will remind you that last year I was warning about revenue forecasting problems almost every day and every day the Premier would deny it. Then in December the Premier discovered for the very first time that there is a differential in what we sell our bitumen for and the price of international markets and her government did a wholesale rewrite of the budget. The differential today is \$36.60. That's within pennies of where it was when she invented the bitumen bubble. Is this Premier planning to do anything in response to this?

Ms Redford: Well, Mr. Speaker, Albertans understand that we want to get a premium price for our product. That's why I went to Washington last week. One of the three commitments that we made to Albertans was to make sure that we continue to open new markets. Working with Premiers across this country last week, on Friday with Ontario, Quebec, and New Brunswick, working with British Columbia, and being down in Washington last Tuesday: we're making good progress. This government is committed to opening markets to ensure that we get the best possible price, and that's what we'll continue to do.

Ms Smith: Well, in the meantime, while we're waiting for those pipelines to get built, we've got a little spending problem. Since the bitumen spread is up, government royalty revenues are likely to be down. The interesting thing, though, is that this government has found lots of money for new spending: \$50 million for postsecondary, \$85 million for Mount Royal's library, \$15 million to top-up senior managers' pension plans, and it would appear 190, 200 new school projects. To the Premier: since the spread is up and revenues are down, how is her government going to pay for all of this?

2:00

Mr. Horner: Well, Mr. Speaker, I'd have to ask the hon. member all of the things that she listed. I'm assuming she doesn't want us to do those things now, I guess.

Mr. Speaker, the question was around the bitumen differential being at \$36. I'm sure the hon. member knows that we don't budget on a day-by-day basis. We budget on the annualized number. The annualized number is something underneath our current budget number of \$27, so in fact things are not looking as bad as the hon. member might think. There is a reason why 140,000 people moved to our province last year. It's because this is where you should be.

Ms Smith: Mr. Speaker, the bitumen spread always goes up and down. Usually the spread is low in the summer, and Alberta takes in higher royalties. Then the bitumen spread goes higher in the

winter, and royalty revenues go down. Albertans are wondering what we should expect this December when the Premier once again discovers this problem. Will she continue to cut front-line nurses, teachers, and support staff, or will she just simply go into more debt?

Mr. Horner: Mr. Speaker, it's a moment of revelation. The hon. Leader of the Official Opposition has realized that bitumen prices go up and they go down, and they go up on a day-to-day basis. [interjections] This is something that we have been talking about for some time. It's why we do an annualized number in our budget. Within the next few weeks we will be coming back to the hon. members and talking about what our first half of the year was, and I'll be very pleased to present to this House and to all Albertans what that number is.

Speaker's Ruling Interrupting a Member

The Speaker: Hon. members, I don't know who started the cheering and the chanting, if it was this side or that side. But whoever it was that started it, I'd be very grateful if you also ended it. You're just being disrespectful to each other because nobody can hear this stuff on television or on radio. Let's at least be respectful of one another, starting with the hon. Member for Edmonton-Meadowlark, leader of the Liberal opposition.

Health System Administration (continued)

Dr. Sherman: Thank you, Mr. Speaker. They say that it's lonely at the top, but in the case of AHS, it's busy, too. A summary of the past three years. CEO Stephen Duckett was replaced by Dr. Eagle, who was recently replaced by Duncan Campbell, who has now been replaced by two new co-CEOs. These new co-CEOs report to AHS administrator John Cowell, who replaced new deputy minister Janet Davidson, who back in June replaced chairman Stephen Lockwood and the entire board of directors. To the Premier. That's a lot of people getting hired and fired. Have you ever considered that maybe your real problem is that fellow over there, your minister?

Ms Redford: Mr. Speaker, I find that absolutely amazing coming from the hon. member who stood in this House time and time again and lectured us on how we needed to make changes at the top of Alberta Health Services. As I said before, we are committed to ensuring that front-line staff and patients in the health care system get the best possible services. There is no doubt that we continue to make improvements. We will continue to do that, and we're really pleased to know that the hon. member thinks that this is a helpful step.

Dr. Sherman: Mr. Speaker, I have lectured this government time and again, as has every other health care provider, on how to fix health care. As you can see, there are many bodies under the bus, and now the minister has only two people left to throw under the bus, the AHS administrator and the deputy minister. Interestingly, both have produced reports on AHS governance, two very different reports. Dr. John Cowell says: let the system stabilize before making any changes. Janet Davidson's report says: no; make more changes now. To the minister: to help us book easily the correct odds on who will be thrown under the bus next, can you please tell us whose recommendations you plan to follow, your AHS administrator's or your deputy administrator's?

Mr. Horne: Well, Mr. Speaker, what we plan to do and what we will continue to do is to put patients first and put front-line health care staff first in this health care system. If the hon. member wants to interest himself in reports and recite chronology, that's entirely up to him. But as he well knows, this government took a very direct stand early in our mandate that we were going to provide more direct oversight over health care in this province. We hired an official administrator who has become, thankfully, the deputy minister, who pointed out to us quite rightly that the organizational structure there was not aligned with front-line staff and needed to do a better job of supporting them. Thank goodness the leadership is in place now to make this happen.

Dr. Sherman: Mr. Speaker, this minister's idea of putting patients first is putting them into overcapacity beds, where after a surgery they wait for six days on the emergency gurney with broken ankles and wait more than seven days to get them fixed. The bottom line is this. The cost and chaos in AHS has left our health care system in disarray. We constantly hear reports of people waiting far too long for care that they need.

Speaking of waiting, Mr. Speaker, AHS's first quarterly report, our wait times report, is now 78 days late. While the next quarterly report is due in 13 days, this quarterly report is a quarter late. How bad can it be, Minister? Will you please tell us? Will we get this before the Premier's leadership review or after?

Mr. Horne: Mr. Speaker, all you have to do to figure out how bad it can be is to look at a Member of this Legislative Assembly who is a physician, who would constantly stand up and undermine the work of front-line health care workers and undermine the performance of a system that is the envy of every province in this country. We have made a commitment as a government to exercise oversight to maximize all of the opportunities so they are available to us through a single delivery system. We are leading in areas like access to bone and joint surgery in the province. We are leading and holding our own against the national average in many others despite 140,000 people coming here last year.

The Speaker: The hon. Member for Edmonton-Highlands-Norwood, the leader of the New Democrat opposition.

Mr. Mason: Thank you very much, Mr. Speaker. Well, another day, another Alberta Health Services CEO fired. The constant political interference – restructuring, changing titles, changing positions, firing boards, hiring executives and then firing executives – has turned the management of AHS into a farce. You just can't trust this PC government with our public health care system. Since its creation five and a half years ago this government has been unable to provide stable governance for our health care system. To the Premier: why not?

Ms Redford: Well, Mr. Speaker, again, déjà vu. I tell you that we stand in this House and we listen to the opposition tell us that we need to make changes at the top of Alberta Health Services. We are doing that. We are ensuring that as we move forward, we are continuing to put patients first to ensure that front-line workers have the best possible circumstances to work in. We will continue to do that. We are committed to ensuring that that happens, and I am very pleased that this minister is in charge of that department to do it.

Mr. Mason: I hate to inform the Premier that when we ask for changes at the top, we meant her.

Just two weeks ago, after the NDP raised the alarm about the privatization of lab services in the Edmonton region, then CEO

Duncan Campbell announced that they were pausing to consult with health care professionals. The decision was immediately countermanded by good old Mr. Interference, the Minister of Health. To the Minister of Health: will he admit that Duncan Campbell was turfed because he wanted to consult with doctors before privatizing a key piece of our health care system?

Mr. Horne: Well, Mr. Speaker, as the hon. member knows, we are in an interim period between one permanent CEO and the next permanent CEO of Alberta Health Services. I trust Dr. Cowell, the official administrator, to make the best use of all of the talent on the executive team to ensure that during the interim period we continue to be focused on the things that matter most to Albertans. The hon. member is well aware of all of these facts. The hon. member is also aware that this government has asked Alberta Health Services to do a better job of consulting with employees and stakeholders and others prior to making major decisions. They are doing that. They've been doing it for some time now. We're very pleased to see it, and we expect to see more.

The Speaker: The hon. leader.

Mr. Mason: Thank you very much, Mr. Speaker. Well, this government has been in an interim period ever since Dr. Duckett learned that cookies were not on the menu.

Back in February of 2012 the Health Quality Council said that "massive reorganization at the system level and within Alberta Health Services has further blurred lines of authority and accountability." They recommended that "no further major restructuring in the system be done without a clear plan, rationale and consultation," yet this government has continued its compulsive meddling and habitual tinkering. Every day this government's incompetence saps the morale of front-line health care workers. When will this Premier admit that her government is simply incapable of running our health care system?

Mr. Horne: Mr. Speaker, diatribes like that are what undermine the confidence and morale of front-line health care workers.

Mr. Speaker, the hon. member knows full well that we are operating through an interim period now. These are management day-to-day decisions. I believe they are not of concern to my constituents. If the hon. member wants to believe that they're a concern to his, he's welcome to focus on that as he sees fit during question period. But make no mistake. The envy of Canada with respect to funding for health care and with respect to the opportunity of a single delivery system is this province. That just went up a whole lot more today with the proclamation of the Alberta Health Act.

2:10

The Speaker: Thank you, hon. members. That concludes the spots reserved for leaders, where preambles are permitted. I would ask you to now please curtail your preambles, and let's start with Innisfail-Sylvan Lake, followed by Red Deer-North.

Seniors' Advocate

Mrs. Towle: Thank you, Mr. Speaker. Today the government announced a seniors' advocate, which is quite interesting since the government has promised a seniors' advocate since the Premier's leadership race. As well, my own private member's bill, Bill 208, the Seniors' Advocate Act, is set to be debated in the Legislature today, which would have created an independent seniors' advocate. Now, maybe this announcement is a huge coincidence, but one has to wonder about the timing. To the Associate Minister of Seniors:

was today's announcement an attempt to avoid debate on Bill 208 today, or was it to boost the Premier's image for the leadership review this weekend?

The Speaker: The hon. associate minister.

Mr. VanderBurg: Thank you, Mr. Speaker. I didn't realize that question period was a time to debate and talk about private bills, but if this member wants to talk about this – you know, we should be shooting off the fireworks any time that we can increase advocacy on behalf of our seniors population. It's a great thing. It's a great time in Alberta today. When we had this act proclaimed this morning, I had many, many issues across the province that were brought to me by seniors and their families that will have an office to turn to. This is a great opportunity.

Mrs. Towle: I look forward to the other side taking the opportunity to support Bill 208, making the advocate independent. Given that those who advocate for seniors already shuffle from one place to another to another to another within the Health ministry, can the Associate Minister of Seniors explain to Albertans why the government is not interested in creating an independent seniors' advocate?

Mr. VanderBurg: Mr. Speaker, you know, I've had the opportunity, unlike this member, to deal with previous ombudsmen. The Ombudsman doesn't ask if you're 64 and a half or 65 and a half. He's an independent officer of this Assembly. You know that. Everybody knows that. There's no need to create another duplicate office, an independent office, for Albertans to go to. It exists in the Ombudsman's office right today. This is a new opportunity for seniors to help navigate through the difficult system of our health system right now. We all have had members that we've helped out over the years. How about those that don't have a family member?

The Speaker: The hon. member.

Mrs. Towle: Thank you, Mr. Speaker. That's a very interesting comment, especially given that the Human Services minister created an independent Child and Youth Advocate because children in care need a voice independent of government. Can the Associate Minister of Seniors explain why our most vulnerable seniors don't deserve the same protection as children in care?

Mr. VanderBurg: Mr. Speaker, what I'm interested in and what my colleagues are interested in on the government side is to increase the advocacy on behalf of the seniors of this province and to help them navigate their way through difficult issues with the health system. At times those exist, you know, whether you have a family member helping out or not. We need this office to be created as soon as possible. Like the member said, it was one of my mandated issues. Promise made, promise kept, delivered.

The Speaker: Thank you.

Let's be reminded that Bill 208 will come up here in the Assembly, perhaps this afternoon – who knows? – and there'll be lots of time to debate it.

Also, be reminded that we'd appreciate no preambles to your supplementaries. Let's see how Red Deer-North demonstrates that for us.

The hon. member.

Health Act Proclamation

Mrs. Jablonski: Thank you, Mr. Speaker. I was very pleased to see that the Alberta Health Act was proclaimed today and will

come into force on January 1, 2014. This will allow the government to establish a health charter, which sets out its commitment to the principles of the Canada Health Act. My first question is to the hon. Minister of Health. What does the proclamation of the Alberta Health Act mean for Alberta patients and for their families?

Mr. Horne: Well, Mr. Speaker, it means a number of things. It means, first of all, that they can rest assured that regardless of what they might hear elsewhere, their government is committed to the principles of the Canada Health Act and to supporting and helping to thrive a public health care system. The citizens can also be assured that they will have the protection of a health charter, which will be going out for consultation in January, and, as my hon. colleague has said, they will have available to them the services of advocates in the areas of mental health, health care generally, and particularly for seniors to assist in supporting people as they make decisions and become full partners in their own health care.

The Speaker: The hon. member.

Mrs. Jablonski: Thank you. To the same minister: how will Albertans be able to provide input on the health charter and the office of the Alberta health advocate?

Mr. Horne: Well, Mr. Speaker, the consultation process that led to the Alberta Health Act was an 18-month process. As someone who was leading that process, I can tell you we heard consistently that people want to be regularly consulted before changes to legislation and regulation. In the case of the Alberta Health Act the health advocate regulation, which will form the basis for the health advocate's role, will be presented for consultation in January, as will the draft health charter that appeared in the report in 2010.

The Speaker: The hon. member.

Mrs. Jablonski: Thank you. To the same minister: what will the office of the Alberta health advocate be responsible for?

Mr. Horne: Mr. Speaker, there are a number of functions that are critically important. First of all, the health advocate will have responsibility for monitoring compliance with the health charter, and that will include making sure that the roles of professional bodies in the health care system and other stakeholders that have similar documents are in alignment with the law of the province under the Alberta Health Act. The health advocate will also assist in referring people to appropriate bodies within the system that can deal with concerns and will assist greatly in public education about health and laying the groundwork for a healthier future generation of Albertans.

The Speaker: Thank you, and thank you, hon. Member for Red Deer-North. Well demonstrated. Let's keep it going.

Rimbey-Rocky Mountain House-Sundre, followed by Calgary-Foothills.

Athabasca River Containment Pond Spill

Mr. Anglin: Thank you, Mr. Speaker. Talking about competency, as we speak, nearly a billion litres of toxic waste water are travelling down the Athabasca River from the Obed mine disaster, and the minister of environment is on record telling Albertans that it poses no risk to the environment or people. I know this government wouldn't intentionally mislead Albertans, so what rationale

does this ministry rely upon to claim that a hundred-kilometre slick of contaminated water is safe?

The Speaker: The hon. Minister of Energy.

Mr. Hughes: Thank you, Mr. Speaker. I'm pleased to take that question on behalf of my colleague. We hope to have preliminary results later this week so that we can all see with a sense of objectivity exactly what the facts are in this case. I would note that no drinking water was put at risk through the course of this incident, which none of us would have wanted to see in the first place, and all drinking water access points were closed off before they were put at risk at all.

The Speaker: The hon. member.

Mr. Anglin: Thank you, Mr. Speaker. Let's talk about credibility. Given that both the national pollution release inventory and Environment Canada have confirmed the toxic waste leak from the Obed mine contains harmful levels of arsenic, cadmium, lead, mercury, and other known cancer-causing agents, will this minister admit this catastrophic spill, in fact, poses an extraordinary risk to both the environment and human health?

Mr. Hughes: Well, again, Mr. Speaker, I'd like to await the facts before I try and hang somebody. Of course, as soon as the facts are available, I know that our colleague will make those facts available so that everybody can have an objective conversation about what's happened here, what the risks are, and how this sort of thing could be prevented in the future.

Mr. Anglin: They must be top secret facts, secret facts.

Given that this minister said that there are no public health concerns with the water concerning what is now known to be the largest toxic waste spill of its kind in Canadian history, I have to wonder: is this minister competent enough to protect Alberta's environment?

Mr. Hughes: Mr. Speaker, the minister of environment is highly competent and is serving Albertans very well at this moment in Poland and around the world. As I mentioned earlier, we hope to have the preliminary results from the work that's being done so that we can look at the facts and assess the facts instead of pure conjecture, that the hon. member is currently throwing out.

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

Organ and Tissue Donation

Mr. Webber: Well, thank you, Mr. Speaker. A few weeks ago Bill 207, the Human Tissue and Organ Donation Amendment Act, 2013, received royal assent. Now, although the passing of Bill 207 to develop a provincial agency is a positive step in the right direction, questions remain regarding the implementation of this agency. My question to the Minister of Health: now that Bill 207 has passed, when will your ministry establish the Alberta organ and tissue donation agency?

2:20

Mr. Horne: Well, Mr. Speaker, the answers to these questions are well known. We talked about the implementation plan both in the course of debating the hon. member's bill – we thank him for sponsoring that originally as a private member's bill – and subsequently. We will have the agency established in 2014. Our immediate priority will be on the establishment of registries where

Albertans can easily register their intent to donate organs and tissue.

Mr. Webber: Well, thank you, Mr. Minister. Given that 74 patients died last year while waiting for an organ transplant – that is one every five days – and given that there are over 550 patients on the Alberta organ donation list waiting for a transplant, I see that we need to get this implemented as soon as possible. When in 2014 will this be established?

Mr. Horne: Mr. Speaker, of course, as a member of our caucus and as a colleague I have talked at length with the hon. member about the implementation process. As I said, we will be proceeding initially, and by spring we will have an online registry in place where people can register their intent to donate organs and tissue. As well, this spring people will be able to register their intent when they renew their driver's licence or personal identification card. The work to establish the provincial agency will also begin right away. We expect that to take a little longer to complete but certainly not beyond the end of next year.

The Speaker: The hon. member.

Mr. Webber: All right. Well, my third question, then, is to the Minister of Service Alberta. I think that the hon. Minister of Health already answered this question, but I need to know, hon. minister, when the registry will be set up. It is a responsibility of your department. When will the registry be set up?

The Speaker: The hon. minister.

Mr. Bhullar: Thank you, Mr. Speaker. First of all, I'd like to congratulate the member for this very noble cause, and I want to thank all members for supporting it. The instructions to my department are very clear: get this done quickly. We want to save lives, we want to make meaningful change for everyday Albertans, so we expect results as soon as possible, and our department is working to make that happen.

The Speaker: The hon. Member for Edmonton-Centre, followed by Edmonton-Strathcona.

Municipal Governance

Ms Blakeman: Thanks very much, Mr. Speaker. The Minister of Municipal Affairs has backpedaled on big-city charters and the unique needs of metro areas. He's sounding something like exactly what the MGA is today. Along with this, he's refusing to reconsider redistribution of the industrial property taxes to formally share this wealth with populated areas. Remember, 83 per cent of Albertans live in urban areas, receiving only 6 per cent of this revenue. To the minister: why does this minister continue to set up rural areas as winners and cities and towns as losers to fair distribution of industrial taxes and big-city charters?

Mr. Griffiths: Well, Mr. Speaker, I haven't backtracked on anything. We have continued to go forward with the charter issue, and I have spoken with both mayors, who are reviewing it right now, and I hope that we have some good announcements to make in the few weeks ahead.

When it comes to taxation, I have pointed out time and time again that taxation assessment is a third of the MGA, and there will be some vigorous discussions around it. But you don't rob Peter to pay Paul. There isn't a municipal jurisdiction, whether it's rural or urban or north or south, which isn't having challenges meeting the exceptional growth this province has. We have to

continue to work together, not compete for the same resource but figure out how we're all going to do this together for the sake of Albertans.

The Speaker: The hon. member.

Ms Blakeman: Thanks very much, Mr. Speaker. Well, can the minister provide hard copies of the so-called agreements he referenced between MDs or counties, agreements with municipalities to share the industrial property tax revenue? All I can find are gifts and informal agreements, which can be withdrawn at any point that the MD or county becomes displeased with the urban area.

Mr. Griffiths: Well, Mr. Speaker, there are countless agreements where municipalities have come together and either share a cost or share the revenue that they've got. If she would get out of the city and go travel around the province and actually talk to some of the municipalities, they might volunteer some of those agreements to her.

Ms Blakeman: I'm more interested in serving the two-thirds of the population that live in urban areas.

My final question to the minister: what is the point of a regional or growth management board if membership is voluntary? How do they have any credibility or any reliability?

Mr. Griffiths: Here you go, Mr. Speaker. This is exactly proof positive of why they don't have one single member in rural Alberta, because they only consider the cities important. We consider every single municipality in this province, from the far north to the far south, critical to helping make sure that the prosperity of this province carries on in the years and generations to come.

Child and Youth Advocate Report on Youth Suicide

Ms Notley: Mr. Speaker, no support to adjust to the profound changes associated with moving to Canada from his violent homeland, regular isolation from his ethnic community, six different caseworkers and 10 different homes in four years: this is what 13-year-old Kamil had to look forward to when he was put into this government's care, and this is the history the children's advocate found after Kamil hung himself at the age of 17. To the Minister of Human Services. The points at which the system failed Kamil are too frequent to count. How can Albertans believe our system under this government is capable of protecting our province's most vulnerable children?

Mr. Hancock: Mr. Speaker, the death of any child is tragic. The death of a child in care, in particular one who has come to this country for a sense of purpose and promise, is very, very tragic, and we have to take that with us as we try and move forward to build a system that is there for every child regardless of their background, regardless of where they came from. Every child in Alberta deserves the opportunity to be successful.

The good news, Mr. Speaker, is that we're moving very strongly in that direction. The Premier, when she brought together the Department of Human Services, created a foundation for that holistic sharing, that the Child and Youth Advocate talked about in his report, that's necessary for us to be able to serve these children.

Ms Notley: Well, Mr. Speaker, given that, ironically, this government is patting itself on the back today for creating more positions

like the mental health advocate and given that under that advocate's watch Human Services failed repeatedly to ensure that basic recommended mental health prescriptions were provided to Kamil or that Kamil received addictions treatment or that Kamil received treatment for the PTSD he suffered from, will the minister admit that his government is failing so profoundly on the issue of providing mental health services to our most vulnerable Albertans that 10 mental health advocates couldn't fix the mess they've made?

Mr. Hancock: Mr. Speaker, the most profound statement that the Child and Youth Advocate made in his report was that what we needed to do is to work together collaboratively to share information appropriately. In fact, that's what this Premier determined more than two years ago in putting together the Department of Human Services, just basically mandating this minister to come forward with legislation both from the Child and Youth Advocate Act, which created the independent office of the Child and Youth Advocate, and the Children First Act to mandate the sharing of information in appropriate ways precisely for this particular circumstance.

Ms Notley: Mr. Speaker, given that the children's advocate has likened this minister's department to an emergency room lurching from crisis to crisis while failing to provide the consistent, forward-looking support that is needed to help these young people grow, why won't the minister commit today to providing the resources necessary to guarantee the improved service delivery the advocate recommends instead of insisting that his plan to divest responsibility to care for vulnerable children won't create more tragedies – more tragedies – like Kamil's?

Mr. Hancock: Mr. Speaker, we're doing precisely what the Child and Youth Advocate has recommended, and we started doing that some two years ago, when the Ministry of Human Services was put together. But we actually started prior to that with respect to information-sharing processes, with respect to making sure that professionals, whether they're health professionals, whether they're mental health workers, whether they're teachers, whether they're social workers, whether they're police, work together and share information in the best interests of the child so that children can get precisely the help that they need, so that their issues can be identified on a timely basis and resources can be applied to ensure that those children get the help that they need. We're doing that under this Premier's leadership.

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

Calgary Ring Road Completion

Mr. Wilson: Well, thank you, Mr. Speaker. To listen to the Transportation minister's excitement on the completion of the southeast portion of the Calgary ring road in September was contagious. We're right on schedule, and we're anticipating opening right on time, he said. But now the deadline of October 1 has come and gone, and commuters are still stuck on incomplete interchanges and reduced lanes and speeds on Stoney Trail. To add to the confusion, the minister's press secretary said that he wouldn't even speculate on when the delays would end and the road would finally open. To the minister: when are we going to see an end to the chaos and confusion?

The Speaker: The hon. minister.

2:30

Mr. McIver: Thank you, Mr. Speaker. I think what the member is asking is when we're going to see the end of the construction or at least to the point where we'll open the road. That's a fair question. In fact, we continue to work closely with the contractor. We know that when we're done, Albertans are going to get a very good piece of infrastructure. We know that we've saved millions of dollars through the P3 process, which this member's party disavows. They don't want that good value for Albertans. We continue to spend money on good projects for building Alberta. The road will be open very soon, and we will make an announcement.

Mr. Wilson: Well, given that this minister has all but disappeared on this file recently and given that the residents around Stoney Trail have lived with construction for over three years and congestion for far longer, when is the minister going to show some leadership and give us a definitive date when this road is going to open?

Mr. McIver: Well, Mr. Speaker, the hon. member has it wrong. They've actually put up with construction for four years. He's not even close, but I've come to be accustomed to that. The fact is that I've been very active on this file, been working closely with the contractor. Albertans are benefiting by in the neighbourhood of \$70,000 a day. When we can get the infrastructure complete, into the public's hands, where their safety is protected, where traffic will be able to flow, it'll happen, and it won't be too soon for me or for any Albertans.

Mr. Wilson: A record to be proud of, Mr. Speaker.

Given that the fines in this P3 contract are about \$70,000 a day, or equivalent to roughly \$3 million at this point, can the minister outline what benefits taxpayers will receive in return for your ministry's failure to deliver on the deadline?

Mr. McIver: Actually, Mr. Speaker, again, unfortunately, the member has it wrong. Our government has delivered on a major project. We're delivering on completing the ring road in Calgary. We're going to make traffic better. We actually signed a contract on behalf of taxpayers that protects their financial interests. When the road opens, it will be convenient, and it'll make life better for them. It's a few days late. There's no doubt about that. It's a construction project. This is quite normal. All in the fullness of time, and it won't be long.

The Speaker: The hon. Member for Bonnyville-Cold Lake, followed by Airdrie.

Emergency Medical Services for Bonnyville-Cold Lake

Mrs. Leskiw: Thank you, Mr. Speaker. There have been continuous concerns raised over ambulance dispatch times, and my constituency of Bonnyville-Cold Lake is no exception to this. Cold Lake community ambulance service is now dispatched through Edmonton. The Cold Lake Ambulance Society is worried. These changes have drawn ambulance resources and services away from the Cold Lake area and transferred them to Edmonton. To the Minister of Health: can the minister offer assurances to the residents of my constituency that the current dispatch system in Edmonton will not negatively affect the availability of ambulance service in Bonnyville-Cold Lake?

Mr. Horne: Well, Mr. Speaker, I thank the hon. member for the question. I think that Cold Lake made a very wise decision when

they decided to consolidate dispatch services with Edmonton. I can tell you that since August there were actually only nine calls that Cold Lake ambulance responded to in Edmonton. Of course, when we consider the importance of central dispatch, it's with the belief that it would be inappropriate for an ambulance to drive by an emergency because it's not in their home community. This is the reason why we've moved to consolidate dispatch services in Alberta. These concepts and these processes were backed by a quality-based review by the Health Quality Council, and they're benefiting Cold Lake residents.

The Speaker: The hon. member.

Mrs. Leskiw: Thank you. My first supplemental is again to the Minister of Health. What is being done to acknowledge and address the concerns of fatigue that staff at the Bonnyville-Cold Lake ambulance societies have raised since this new dispatch system has been implemented?

Mr. Horne: Mr. Speaker, although it's not related to the issue of central dispatch, I know that Alberta Health Services' EMS staff are working at all times to identify ways that they can better support EMS workers that provide those services. I can tell you that the calls per month in Cold Lake have remained relatively stable since Cold Lake consolidated dispatch with Edmonton. Fatigue management, as I've said, is top of mind for AHS, and they continue to work to develop fatigue management plans for all shift workers, including EMS, to ensure their well-being.

The Speaker: The hon. member.

Mrs. Leskiw: Thank you, Mr. Speaker. Finally, I would like to ask the same minister to clarify the ambulance dispatch billing and payment processes as many of the calls the Bonnyville-Cold Lake ambulances make in Edmonton are unable to be properly billed back to each respective ambulance society.

Mr. Horne: Well, Mr. Speaker, I would agree, as would any member of this House, I'm sure, that it would be inappropriate for any patient to receive two invoices for a single EMS event. I'm not aware that this is an issue in Cold Lake. We're happy to look into it if the hon. member wishes. It is something that has been taken into consideration, and thanks to the support from Cold Lake for the orderly transition of dispatch, I'm sure it is not going to be an issue in the future.

Thank you.

Securities Fraud

Mr. Anderson: Mr. Speaker, in the spring I questioned the Finance minister regarding several exempt market security schemes that have defrauded over 25,000 Albertans of roughly \$2.2 billion. The Alberta Securities Commission has charged one of the alleged scammers in this matter, but sadly, although the ASC can levy fines, it does not have the mandate to recover and return money from these scams to the defrauded investors. To the minister: will you alter the law so that the ASC is given broader powers to recover funds from schemes like this and then to return those funds to their rightful owners?

Mr. Horner: Well, Mr. Speaker, it's actually a good question, and I'm impressed with the hon. member putting the question out there. It took a couple of years, but we got there.

The chairman of the Alberta Securities Commission and I have spoken about this issue. As the hon. member has mentioned, there

have been some fines levied. Unfortunately, in many of these cases there may not be anything to go and get because a lot of the stuff has dissipated out into the nether lands of people spending the money. However, I do agree, and the ministers that are responsible for securities regulation across Canada and I are sitting down and talking about further regulation. In fact, we have some amendments coming.

The Speaker: Thank you.

Mr. Anderson: I'm still in shock from getting an answer from the minister after two years. Very good.

Minister, given that in many of these exempt market schemes Albertans have invested money for a specific project only to see their money used instead to fund everything from lavish executive benefits to random properties in Central America and that in most cases the fraudsters have gotten away with it, would you be willing to appoint an MLA working group – and I'd be willing to volunteer if you'd like that – to review the current exempt market rules and regulations so that we can better protect Alberta investors from these all-too-common frauds and scams?

Mr. Horner: Well, Mr. Speaker, I don't know if that was a request to come back, or whether it was just . . .

Mr. Lukaszuk: He's looking for extra pay. That's what he's looking for.

Mr. Horner: Or perhaps, Mr. Speaker, it's a request for extra pay.

Mr. Speaker, as I said, the ministers responsible for securities regulation will be meeting again in December. It was my intention to bring this up in one of those conversations. Again, as I'm sure the hon. member would be aware, we do want to harmonize our securities regulation across Canada so that these, for lack of a better word, shysters who may be crossing the boundaries of the law in other jurisdictions don't simply just move from one jurisdiction to another. So we are going to be working on that.

Mr. Anderson: Mr. Speaker, given the Alberta Investors Protection group represents 25,000 Alberta investors on this issue and has several proposals to help protect Albertans from being victimized by exempt market scams in the future and given the minister clearly offered to meet with this group during his response to my question back on May 9, this spring, in this House – yet apparently his office forgot about that and turned down the request during the summer recess – Minister, will you instruct your office to set a time with the Investors Protection group on this matter as soon as possible? I know it must have been an oversight. Would you be willing to meet with these folks?

Mr. Horner: Well, Mr. Speaker, the timing didn't work during the summer months. Obviously, we had a few other things that we were working on as a government given the flood, and I am a member of that task force. I have no issues meeting the group, but as I've said, until we have a meeting of all of the provinces – and I have their information, and one of the things that we'll be taking to the ministers' meeting in December is that information. But there are also other ways that we may be able to mitigate this sort of thing in the future. However, overregulation is also something that we want to be careful to avoid.

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

Seniors' Issues

Mr. Xiao: Thank you, Mr. Speaker. Many of my constituents have family members who live in long-term care facilities. They have concerns regarding the well-being of their parents across the province in regard to a variety of issues such as general safety and the quality of food being served. My question is to the Associate Minister of Seniors. What is being done to ensure that the quality of food in those facilities is being kept to a high standard?

Mr. VanderBurg: Well, Mr. Speaker, it's important in our continuing care facilities that food not only taste good but that it's nutritional and it provides variety and it is suited to the cultural and ethnic community. That's why we have what's called a provincial core menu program. It ensures consistent quality and standards in our food. That doesn't say that in our continuing care homes that staff aren't continually, you know, adjusting the menus and working with resident councils to make sure that the best possible food is offered in those homes.

2:40

Mr. Xiao: To the same minister: given that elder abuse continues to be a sad reality for some seniors across the province, can you provide an update on what is being done to combat elder abuse in our province?

Mr. VanderBurg: Mr. Speaker, this is one of the issues that bothers me when I get calls. It's unfortunate that there are bottom-feeders out there that prey upon vulnerable people. You know, about 10 per cent of the seniors in the province have been hit with financial abuse, and that's why we've worked so hard within the department to have a train the trainers program. I think we've worked with over 500 care providers to make sure that they know what's available. But I want to tell everybody in the Assembly that if there's something like this going on that comes to your office, call the police.

Mr. Xiao: Again, to the same minister: given that a number of my constituents have issues regarding the accessibility of long-term care facilities for their parents, what is your office doing to ensure that spaces are available when they are needed?

Mr. VanderBurg: Well, Mr. Speaker, one of the issues that we have in the province is the increased capacity. You know, every 15 minutes someone turns 65 in this province, so 470,000 seniors today, and in about 20 to 25 years we're going to have double that population. This government recognizes the need to continue to build more seniors' homes. This is why we've announced another thousand in construction this year, and that's why we've opened a thousand new units in facilities across this province.

Statement by the Speaker

Oral Question Period Practices

The Speaker: Hon. members, that concludes the time allotted for question period. Just a couple of quick points I'd like to mention. First of all, there were a number of side conversations today. Obviously, you've all missed each other this last week, but sometimes they get a little overbearing. Nobody minds a little bit of private whispering, but keep it to a whisper. I can almost make out some of the conversations over on this side of the House, for example, so let's keep them down.

Number two, when you're using notes to speak, whether it's in question period or elsewhere, please don't put them between your

speaking apparatus and the microphone because it muffles it, and people don't get good, clear sound as a result.

Number three, I want to compliment Red Deer-North. Well demonstrated. No preamble whatsoever to her supplementary questions.

Number four, clearly, you haven't missed me as much as I've missed you because I set a new record today: only five notes from you to the Speaker. That has never happened in this Assembly ever. Only five notes from members to the Speaker. So thank you for that. It made my concentration a little better.

In a moment here I will continue with Members' Statements, starting with Cypress-Medicine Hat in 20 seconds.

Members' Statements

(continued)

The Speaker: Let us begin then, please, with the hon. Member for Cypress-Medicine Hat, followed by Edmonton-South West.

Infrastructure Planning

Mr. Barnes: Thank you, Mr. Speaker. Today I am pleased to release *A Better Way to Build Alberta*, a report following a seven-day, 7,000-kilometre, province-wide tour to consult with Albertans about infrastructure. This document comes as a result of talking with hundreds of Albertans about their infrastructure priorities and how infrastructure decisions are made.

From industry stakeholders to city and town planners to municipal leaders and local residents in coffee shops, Albertans know there is a better way to build Alberta than the way it is being done now. When this government begins or completes a project, they hold a press conference, stage a photo op, install billboards, or even reannounce the same thing several times. Meanwhile, critical infrastructure priorities remain unaddressed and are not on a three-year plan or have been yanked off the list with no explanation given. The result is confusion and frustration. Albertans want to know when their priorities will be completed. They want to get the politics out of infrastructure decisions.

Mr. Speaker, that is why I'm proud to release *A Better Way to Build Alberta*. This document offers 10 common-sense solutions to accomplish what Albertans want to see when it comes to infrastructure decisions. Albertans want the government to plan for the future, and this includes conducting cost-benefit analyses so economic priorities are addressed. Currently Alberta spends 80 per cent more per capita than Ontario and western provinces on infrastructure. The Wildrose debt-free capital plan proposes to bring this down to 15 per cent more than the average, which would be a significant improvement for long-term sustainability. Albertans want to see an infrastructure priority list based on objective criteria so they know when their priorities will be completed.

I would like to take this opportunity to offer a heartfelt thank you to all the people I met while touring the province. With the help and support of so many great people I have great optimism for the future of our province.

The Speaker: The hon. Member for Edmonton-South West, followed by Sherwood Park.

National Bullying Awareness Week

Mr. Jeneroux: Thank you, Mr. Speaker. I rise today to recognize November 17 to 23 as National Bullying Awareness Week. This is a time that brings communities together to stand up against bullying and to encourage kindness, respect, and inclusion in our

province. I commend all members of this Assembly who are wearing the bully-free wristbands today as a display of unity and leadership in preventing bullying.

As a number of activities and events are taking place across Alberta in honour of this week, this morning Albertans joined the hon. Associate Minister of Family and Community Safety and special guest panelists in an interactive, live webcast. They learned more about how to stop bullying and promote healthy, respectful relationships in communities, schools, and workplaces. Bullying is a societal issue with terrible consequences. Far too many lives have been affected by it. It hurts our friends, our colleagues, and our families. Eliminating bullying will not be an easy task. No one person, group, or government can do it alone. It will take all Albertans becoming informed, getting involved, and taking responsibility.

I encourage Albertans to visit bullyfreealberta.ca and b-free.ca to learn how to make a difference in their community. If you or someone you know is being bullied, please call Alberta's toll-free bullying helpline at 1.888.456.2323. You can get assistance 24 hours a day and in more than 170 different languages. Together let's create a province where bullying is not tolerated in any circumstance. Let's ensure that all Albertans are safe, respected, and included in our schools and communities.

Thank you.

The Speaker: The hon. Member for Sherwood Park, followed by Calgary-Varsity.

Community Development

Ms Olesen: Thank you, Mr. Speaker. Last week I had the pleasure of reconnecting with many of my former colleagues in municipal government from across this province at the Alberta Association of Municipal Districts and Counties fall convention. Today I would like to extend a special tribute to the men and women from all walks of life who put their names forward to serve their communities. As everyone in this Chamber knows, it takes courage to stand before your communities and neighbours to run for public office, to develop consensus on how to make your communities better, build roads, attract development, create jobs, provide recreation opportunities, and make your communities a fine place to live, work, and raise a family.

Communities don't just happen. People settle in an area for a reason. They find employment or invest in a business. They build or buy a home. They get together with others in their community to plan for the services and facilities and how to fund them. New infrastructure such as highways and overpasses, new facilities such as community centres or transit terminals, and new commercial and residential growth depend on the vision and consensus-building skills of elected officials. It may take years for an infrastructure project to make its way up the list of priorities from all over the province, survive financial scrutiny, be budgeted for, designed, and built. Major facilities such as community centres or transit may be subjected to years of public consultation and reassessment until a majority of council is convinced to build them and has the confidence to allocate the funding.

Further, attracting industry requires visionary councils to put in place the services, zoning, and other factors important to industrial success. Facilities such as libraries, schools, museums, recreation facilities, roads, and bridges are built on decisions of elected officials.

So for all these reasons, I salute all of those who stand forward, who make the plans and create the conditions for their commu-

nities to not only survive but to thrive. Together we must continue to build Alberta.

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

2:50 Pacific NorthWest Economic Region

Ms Kennedy-Glans: Thank you, Mr. Speaker. Last week Alberta hosted meetings with some of our closest trading partners. With GDP in the trillions and more than 10 million people this group shares our challenges and recognizes collective opportunities. Whom am I talking about? The Pacific NorthWest Economic Region, or PNWER, our province's partners in the American states of Alaska, Idaho, Montana, Oregon, and Washington and the western Canadian jurisdictions of British Columbia, Alberta, Saskatchewan, the Northwest Territories, and Yukon. We share some common challenges in this region, including how to get landlocked commodities to tidewater and growing markets: potash from Saskatchewan, wind power and coal from Montana, bitumen from Alberta, and, of course, natural gas from western Canada.

This past week PNWER met in Banff, where I had the privilege of co-chairing a panel on market access. We brought together legislators from across North America and connected them to industry leaders to face these challenges together. We had frank, open discussions on the realities of all of our experiences getting commodities to markets. We shared best practices and identified opportunities for collaboration.

This wasn't just an academic exercise; PNWER is about action. We had framed these issues in July, progressed them last week, and now we've agreed to move forward, talking about how complex decision-making and regulatory processes can be improved in the region. We're committed to talking openly about how we access transportation and port facilities across jurisdictions and across commodities. PNWER members are uniquely positioned to access growing markets.

We may not be assuming the same physical risks taken by Lewis and Clark, Yellowhead, and David Thompson when they opened up new frontiers centuries ago, but the pioneering spirit may well be quite the same.

Thank you, Mr. Speaker.

Transgender Community Victims of Violence

Mr. Hehr: November 20 is the day of remembrance for transgendered individuals, where we remember the victims of hate-based violence and suicides brought on by discrimination. Despite much progress this group of people still remain largely misunderstood, isolated, and vulnerable. Imagine waking up and having to decide whether to express yourself, risking harassment and often violence, or hiding who you are. Think of your faith, your family, your language, or other qualities that are central to you, which you cannot change. Imagine having to hide these qualities or risk assault. This is the reality faced by our transgendered community.

These are individuals who are born as one gender and whose brain functions in a way that tells them that they are another gender, and they want to express who they are. It seems so simple, yet statistics on what this community goes through are astounding. Egale Canada found that 49 per cent of trans students reported being sexually harassed; 25 per cent reported being physically assaulted. Another shocking statistic: 43 per cent of trans individuals have attempted suicide.

There is a solution. The key to tolerance is understanding, and the key to understanding is education. We need to make things

better today for our transgendered community and our larger LGBTQ community. One way to do this is to follow the lead of other jurisdictions, making mandatory gay-straight alliances in our schools where students desire their establishment. The evidence is clear that when these are established, students feel safer and bullying is reduced. Further, the government must do more than simply march in pride parades. It must get rid of section 11 in Bill 44, which, in my view, is a slap in the face to our LGBTQ community.

On Wednesday let us stop and remember those that we have lost, but then for the next 364 days we must work to protect and support this community. Thank you.

The Speaker: Hon. members, before we proceed with the next item of business, might we have unanimous consent to revert briefly to Introduction of Guests?

[Unanimous consent granted]

Introduction of Guests

(continued)

The Speaker: Hearing no opposition, the hon. Minister of Tourism, Parks and Recreation.

Dr. Starke: Well, thank you very much, Mr. Speaker. It's my very great pleasure today to introduce to you and through you to all members of the Assembly two guests from Lloydminster who have braved the roads to come here today. Bonita Brick is the chair of the Lloydminster action on youth tobacco reduction. She's here from the Saskatchewan side of Lloydminster, so no doubt we know who she'll be cheering for this coming Sunday. [interjections] Sorry, Calgary fans, but you got your butts kicked.

Secondly, Mr. Speaker, I'm also very pleased today to introduce Jianna Marin. Jianna is a grade 12 Lloydminster comprehensive high school student. Jianna has been working very hard for the last couple of years as the chair of the Lloyd Flavour . . . Gone campaign and has a particular interest in Bill 206 because it was largely the actions of her and her committee, bringing this to the attention of the Associate Minister of Wellness and myself, that brought Bill 206 to fruition and, we hope, to a successful conclusion today. In addition, Jianna was a participant in the MLA for a Day program and certainly enjoyed that. On Thursday she along with Lloyd Flavour . . . Gone will be awarded one of the Barb Tarbox awards for tobacco reduction in Alberta.

I'd like them to stand and receive the warm welcome of the House.

The Speaker: Hon. Deputy House Leader, Minister of Justice, you were signalling that you might want to seek unanimous consent under SO 7(7) to proceed beyond 3 o'clock. Did you wish to ask that?

Mr. Denis: It seems to me, Mr. Speaker, that you've taken the words right out of my mouth. I would so move.

[Unanimous consent granted]

Notices of Motions

The Speaker: Hon. Member for Edmonton-Calder, given the day's events did you still wish to proceed with your notice?

Mr. Eggen: Well, considering how we managed to get some funding for the Philippines relief – I think we were certainly

concerned about this, and we did not appreciate the sort of long delay. A lot of the Filipino community members from all across the province were . . .

The Speaker: Hon. member, do I take it, then, that you wish not to proceed with giving notice at this time? It's just a simple yes or no.

Mr. Eggen: Well, considering all of those things, yes, Mr. Speaker, we will withdraw. Thank you.

The Speaker: Thank you very much, hon. member.

Tabling Returns and Reports

The Speaker: The hon. Minister of Tourism, Parks and Recreation, followed by Calgary-Fort.

Dr. Starke: Well, thank you, Mr. Speaker. I rise today to table five copies of written responses to questions raised during the March 20, 2013, main estimates debate for Tourism, Parks and Recreation.

The Speaker: The hon. Member for Calgary-Fort, followed by Fort McMurray-Wood Buffalo.

Mr. Cao: Well, thank you, Mr. Speaker. As chair of the Standing Committee on Legislative Offices and in accordance with section 4(2) of the Election Finances and Contributions Disclosure Act I would like to table five copies of the report of the office of the Chief Electoral Officer titled 2012 Annual Report of the Chief Electoral Officer. The report will be distributed to all members today.

The Speaker: The hon. Member for Fort McMurray-Wood Buffalo, followed by Rimbey-Rocky Mountain House-Sundre.

Mr. Allen: Thank you, Mr. Speaker. I rise today to table the requisite number of copies of Syncrude Canada's aboriginal review for 2013 entitled Pathways. Syncrude is proud to say that over 9 per cent of their employment base is aboriginal. They have also been nationally recognized and awarded for many years as a leader in aboriginal employment. Syncrude strongly believes that community involvement and diversity are strong reasons for their successes over the years. They work closely with aboriginal business owners within the Wood Buffalo community to identify further opportunities. It's my pleasure to share copies of this report with the Legislature.

The Speaker: Hon. Member for Rimbey-Rocky Mountain House-Sundre, I understand you have four tablings.

Mr. Anglin: Three tablings.

The Speaker: Three? Please proceed.

Mr. Anglin: Thank you, Mr. Speaker. I rise to table three years of Environment Canada's national pollution release inventory system of the contaminants in the Obed coal mine.

Thank you.

3:00

The Speaker: The hon. Member for Calgary-Buffalo, followed by Edmonton-Beverly-Clareview.

Mr. Hehr: Thank you very much, Mr. Speaker. I have three tablings today. The first is Egale's final report on homophobia,

biphobia, and transphobia in Canadian schools. It goes through the issue in great detail and actually recommends gay-straight alliances in all our schools.

The next is Trans Pulse, which goes through some of the statistics of the horrible nature of discrimination that our transgendered population faces.

The last is a letter from Kristen Read from Calgary, outlining the challenges facing people with developmental disabilities in this province.

Thank you very much, Mr. Speaker.

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

Mr. Bilous: Thank you very much, Mr. Speaker. Today I'd like to table 100 handwritten letters my office received expressing concerns about the deep cuts to postsecondary education that are happening in Alberta. A feeling of confusion, frustration, and hopelessness is reflected in over 1,000 letters my office has received from concerned staff and students at the University of Alberta. These letters call on this PC government to reverse their harmful cuts to postsecondary education.

Thank you, Mr. Speaker.

The Speaker: Are there others?

I have a tabling. Pursuant to section 28(1) of the Ombudsman Act I would like to table with the Assembly the requisite number of copies of the annual report of the office of the Ombudsman for Alberta for the period from April 1, 2012, through to March 31, 2013.

Thank you.

Hon. members, we don't have any points of order, which is wonderful. Thank you for that.

Speaker's Ruling Private Members' Public Bills

The Speaker: We're going to proceed onward with Orders of the Day, but before we do that, I would like to make a brief comment, if I might, hon. members. During Tabling Returns and Reports on our last sitting day, which I believe was around November 7 if memory serves me correctly, right before the constituency week break, I tabled in the House a letter from the hon. Member for Calgary-Currie, in which she requested that her Bill 206 proceed directly to third reading today, once it has completed consideration in Committee of the Whole. As I noted on that day, this request is actually hypothetical at this point since there are still 68 minutes remaining for consideration of Bill 206 at the committee stage.

I also noted that in my view as your chair I have a concern about this matter. I indicated that "in order for this bill to proceed to third reading [today], I would suggest that unanimous consent of the House be required so as to not unduly prejudice other members in the progress of their private members' bills." Your chair fully acknowledges that there have been a number of occasions when private members' bills have proceeded from Committee of the Whole to third reading on the same day. In some instances there were requests from the bill's sponsor for early consideration. In other cases unanimous consent of the House was requested, and in fact it was received.

Hon. members, I have taken some considerable time to review the precedents of this Assembly as well as rulings of previous Speakers on this topic. Suffice it to say that the matter of requesting early consideration has been an issue that both I as your

current Speaker and my immediate predecessor have repeatedly requested House leaders' attention to and review of with respect to procedural policy. The specific question to the House leaders would be for them to please review whether or not they can put in place a procedural policy that is equitable for all matters should the issue of early consideration for a private member's bill arise again.

I would refer members to Speakers' rulings from November 26, 2012, at page 1003 of *Hansard*; November 23, 2009, at page 1940 of *Hansard*; and December 1, 2003, at page 1968 of *Hansard*.

I would like to cite from a November 27, 2001, ruling from Speaker Kowalski, at page 1285 of *Hansard*, where he commented on a similar situation where a request for early consideration of a bill at third reading was submitted before the bill had actually reached that stage.

Taken to the extreme, this practice could jeopardize the legitimacy of the draw by considering one member's bill early by virtue of one request, thereby prejudicing other members.

Your chair is concerned that these requests may unfairly delay the ability of other members to bring forward their bills for consideration by the Assembly, and in this case, this would have the result of Bill 206 taking precedence over other bills for two consecutive weeks. In the absence of any House leaders' agreement or understanding on this subject, it is my view that requests for early consideration of a private member's bill should not be submitted until the bill has actually reached the stage for which early consideration is being sought.

Now, this has not been referenced before, so I am referencing it for you from my point of view for the first time. For instance, a request for early consideration at the committee stage should not be made until the bill in question has actually passed second reading because we cannot foretell what the House may do at any given stage of any particular bill, much less whether there would be amendments and the like to be considered. If we were to follow something more rigid, shall we say, this would avoid scenarios such as what we have before us today with the request for Bill 206.

In conclusion, I want to emphasize that my ruling on this today does not mean that Bill 206 is prohibited from proceeding to third reading this afternoon. That will be up to you to decide. Rather, it simply means that consent of the House is required for this to occur. That's what I mean by it being up to you. In the chair's view this process will be much more fair for all private members and will leave any decision about early consideration for third reading up to the Assembly itself. That being said, I would anticipate that the Member for Calgary-Currie may wish to exercise her right to ask for early consideration when the appropriate time comes up – that would be after the Committee of the Whole stage, assuming there is success at that stage, of course – or someone else on her behalf. Thereafter, perhaps we could ask the House leaders to do as I've requested earlier in my comment.

Thank you very much for your attention to that.

Orders of the Day Public Bills and Orders Other than Government Bills and Orders Committee of the Whole

[Mrs. Jablonski in the chair]

The Deputy Chair: I'd like to call the committee to order.

3:10 **Bill 206**
Tobacco Reduction (Flavoured Tobacco Products)
Amendment Act, 2012

The Deputy Chair: I understand that we are on amendment A1 and we also have 68 minutes left in Committee of the Whole. This amendment to Bill 206 was made by the hon. Member for Calgary-Currie, and I think you all have a copy with you.

Are there any comments, questions, or other amendments offered on this bill?

Mrs. Forsyth: Madam Chair, I'm pleased to stand up and speak to Bill 206. I wonder if you could just read into the record the amendment, as I don't have a copy of it in front of me, before I speak.

The Deputy Chair: I can read into the record the amendment.

- A The title of the Bill is amended by striking out "2012" and substituting "2013".
- B Section 2 is struck out and the following is substituted:
 - 2 The following is added after section 7.3:
 Sale of flavoured tobacco products prohibited
 - 7.4(1) In this section, "flavoured tobacco product" means a tobacco product that
 - (a) has a characterizing flavour,
 - (b) is represented as being flavoured, or
 - (c) is designated under the regulations as a flavoured tobacco product.
 - (2) No person shall sell or offer for sale a flavoured tobacco product.
- C Section 4 is struck out and the following is substituted:
 - 4 Section 9(1) is amended by adding the following after clause (d):
 - (d.1) designating a tobacco product as a flavoured tobacco product;
 - (d.2) respecting the exemption of a flavoured tobacco product from the prohibition in section 7.4(2).

Are there any comments, questions to this amendment A1? The hon. Member for Calgary-Fish Creek.

Mrs. Forsyth: Thank you, Madam Chair. I'm pleased to stand up and speak in support, actually, of Bill 206, the Tobacco Reduction (Flavoured Tobacco Products) Amendment Act, 2012. I have spoken in this House before, from the time when I was minister of children's services, about the importance of protecting our youth in regard to tobacco. When the hon. Member for Edmonton-Meadowlark brought his bill forward in regard to smoking in cars, I also supported that bill. I am wanting to tell the member that I will be supporting it, and I know that I'm going to be speaking in response to the amendment. There were just some questions, and I'm hoping that she can answer them as we go through the bill.

I guess one of the things that is bothering me are some of the things that she is incorporating in the regulations as far as the tobacco flavours, et cetera. I would like to get some answers from her on how that regulation is going to be enforced and what exactly is going to go into the regulations.

The other thing that I wanted to talk to her about is under her preamble when she talks about: "Whereas other jurisdictions have recognized the need to restrict the sale of certain tobacco products that are designed to attract young persons." And it goes on about the consumption: "Whereas there is a need in Alberta to curb consumption of tobacco products among youth by restricting the sale of flavoured tobacco." I have not heard anything on the floor while I've been listening in regard to what she's talking about when she says "certain tobacco products," so I'm hoping that at some time during debate in Committee of the Whole – I believe

you said that we have about 68 minutes left – she will rise and speak to that.

My last comment, and it alludes to what the Speaker said about the unanimous consent that I imagine the hon. member is going to be asking for after the debate of the committee. The comment that I want to make there is that if this bill is so important to the government, why don't they take the bill and put it into a government bill, similar to what they did for the organ donation bill from the hon. Member for Calgary-Foothills, where they've taken a private member's bill and had it turned immediately into a government bill in a very short period of time?

I hearken back to when I was a new member in this House, and I had brought forward my private member's bill, the Protection of Children Involved in Prostitution Act. One week it was a private member's bill, and then a couple of weeks after, it became a number one government bill. I know that the government can do this, so I guess, for me, it's wondering exactly why the government isn't taking this private member's bill and putting it into a government bill.

If the member could answer these questions. I certainly would love to give her my full support on this particular private member's bill but would like a couple of answers.

The Deputy Chair: Thank you.

We have an additional speaker, the hon. Member for Lac La Biche-St. Paul-Two Hills.

Mr. Saskiw: I'd like to put forward a subamendment to amendment A1, please.

The Deputy Chair: Okay. We have a subamendment. We'll pause for a moment while the copies of the amendment are passed out to the Assembly.

Hon. member, I think that we can proceed. This will be known as SA2.

Mr. Saskiw: Thank you, Madam Chair. The purpose of this amendment – well, I'll just go through the technicality of it. It's simply striking out the word "or" and substituting the word "and." I'd be interested in hearing what the mover of this piece of legislation has to say in this regard. A bill of this kind should not indiscriminately capture products. The use of the word "and" rather than "or" would require the government to look at each individual product on the market and determine whether each has a characterizing flavour that causes the product to have a significant use among youth before taking it off the market.

We, obviously, want to see in this province a reduction in the use of tobacco products by youth, but in this instance I feel this particular amendment is still overreaching. There should be a requirement before taking a product off the market that, you know, responsible adults have the ability to use and consume. Before taking it off the market, there should be a determination on whether or not that particular product has a characterizing flavour that would cause the product to have a significant use among youth.

3:20

For example, the government may want to ban cherry small cigars but not cherry pipe tobacco. In those circumstances there may not be empirical evidence that shows that cherry pipe tobacco is used by youth. In fact, it may be used by adults who can responsibly use that product. What this amendment would do would be to ensure that the government would make that analysis before taking the product off the market.

Bill 206 as currently drafted does not allow for this discrimination between products. Passing this proposed amendment will help to prevent the unintended consequences of large numbers of products that adult consumers choose being taken off the market and entering the underground, contraband market. In this province adults have the ability to use and consume products responsibly.

We understand that the mover of this bill intends to reduce the amount of tobacco use among youth, particularly combined with Bill 33, which is in second reading right now. But I feel that this amendment will make the government look on a case-by-case basis, when you look at a product, to ensure that that characterizing flavour is in fact causing youth to consume that product. If it's not, then it shouldn't be taken off the market if that's the aim of this piece of legislation. I'd be interested in hearing whether or not the member opposite would be interested in accepting this amendment to change the word "or" to "and" and have the three-part test in that subamendment section.

Thank you, Madam Chair.

The Deputy Chair: Are there any other members interested in speaking to subamendment SA2? The hon. Member for Calgary-Mountain View.

Dr. Swann: Thank you very much, Madam Chair. I'd also like to stand and add my support to this amendment. I think it is appropriate. It adds expansion. It's more inclusive than the other statement, and if there's anything we can do to reduce the use of flavoured and substitutes for tobacco in any of its forms, anything we can do to reduce the uptake of tobacco by children or adults, I think we should be doing it. I think this is a positive step forward.

The Deputy Chair: Thank you.

Are there any other members who wish to speak to subamendment SA2? The hon. Member for Lac La Biche-St. Paul-Two Hills.

Mr. Saskiw: Thank you, Madam Chair. Sometimes we criticize the government for putting forward a piece of legislation or amendments without having enough time to review them. I understand that making a change like this needs a little bit of time. I'm not sure whether or not the hon. Justice minister may be considering accepting this recommendation or reviewing the legislation to see if there's a possibility that this specific amendment could be passed, but obviously, when we put forward amendments like this, it'd be nice to see the government's position on the record of why they would support an amendment or not support an amendment. I think that's done in most Legislatures. We'd hope that these members, obviously, know their legislation inside out and so would have a reason to not accept an amendment or perhaps a reason to accept it.

Madam Chair, again, what this amendment does is ensure that the government requires on an individual product basis that that characterizing flavour must in fact influence the youth to consume harmful tobacco products. Again, I give the example of cherry small cigars. There's probably evidence that the youth disproportionately use that type of product, and in that circumstance the test would be met, that the characterizing flavour, in that case cherry, would cause the product to have a significant use among youth. However, for cherry pipe tobacco there's a possibility that adults are the ones that are using pipes. I've read some studies where, you know, we don't often see 14-year-olds using pipes. I'm not saying that it doesn't happen, but I don't think it would in that case be a significant use. That characterizing flavour wouldn't cause a significant use among the youth.

In these circumstances, Madam Chair, I believe that this amendment strengthens the legislation with respect to not inhibiting individual liberty or personal freedom while at the same time going to the intended consequences, which is reduced consumption of tobacco products among youth. If a characterizing flavour, as it's defined in the legislation, does not in fact impact youth, then responsible adults should have the ability to consume those legal products. Of course, if it does influence the youth, then the minister, when they look at the different tobacco products, can then at that point make that determination. This is an amendment that would actually require the government to look at empirical evidence when determining which product to take off the market.

Madam Chair, I just ask again. This is a change of one word in a subamendment section in what has been heralded as a very important piece of legislation. If it's an important piece of legislation and an important subsection, it would be nice to hear from the government on why they would be accepting it or not accepting it. It would be nice to see what the government's position is on this particular amendment. Of course, this is a subamendment to the hon. member's amendment, and we had hoped to see what their position is.

Thank you, Madam Chair.

The Deputy Chair: Thank you, hon. member.

Are there any other members who wish to comment? The hon. Member for Calgary-Currie.

Ms Cusanelli: Thank you, Madam Chair. With respect, to the member, we're just having some difficulty – and I've consulted with two different attorneys here – and we're trying to find exactly where it is that you're referring to. Is there an issue with the draft of the subamendment? I'm not sure.

The Deputy Chair: Thank you, hon. member.

The hon. Member for Lac La Biche-St. Paul-Two Hills.

Mr. Saskiw: Yeah. What would this amendment do? You had made an amendment that had a three-part test, one where (a) there has to be a characterizing flavour, and then if you look at the third part of the test, it required that the product actually have a significant impact among youth. What this does is just require each and every level, (a), (b), and (c), to be met before a product is taken off the market. Right now it's either (a) or (b) or (c). This amendment would require all three aspects of that test to be met before taking the product off the market.

The Deputy Chair: Are there any other members who wish to speak, make comments, or ask questions on SA2? The hon. Member for Rimbey-Rocky Mountain House-Sundre.

Mr. Anglin: Thank you, Madam Chair. I rise in support of this amendment, and I do so to give the hon. member an opportunity to do a little work here because we really would like an answer. It is a very simple amendment, striking out "or" and substituting "and," making this test apply to all three parts, as the member has said. Basically, all we're asking for here is: what is the significant difference by making this requirement and the changes that this amendment actually brings forward, in effect? By doing so, it's an interesting amendment to improve the bill.

What I would like to hear from particularly are the two counsels that have provided their legal advice, and hopefully they would tell this honourable Assembly the points of that legal advice and exactly how this is going to apply and why this amendment either should or should not come forward and be approved.

With that, I will hopefully hear from the two legal counsels that provided that fantastic advice for the hon. member. Thank you very much.

The Deputy Chair: Thank you, hon. member.

The hon. Minister of Health on subamendment SA2.

3:30

Mr. Horne: Well, thank you, Madam Chair. First of all, I'd like to thank the hon. member for bringing forward the amendment, and in general the support of members, I think, on all sides of the House for the intent of Bill 206 is appreciated.

With respect to the subamendment that's proposed, I would not be able to support the subamendment, Madam Chair, for the simple reason that the premise of the entire bill is based on an overwhelming body of evidence that all flavoured tobacco, in fact, functions as a gateway for youth to, sadly, in many cases become lifelong smokers. So the bill and the particular amendment that this subamendment would clarify is designed, first of all, to recognize that evidence, to provide a ban on the sale of flavoured tobacco overall, and then within regulation to provide the ability for specific products to be exempt.

What I would say, recognizing the spirit in which the subamendment is put forward, is that the bill as it is originally proposed provides a means that if for some reason there was evidence that was identified with respect to some specific flavoured tobacco product that it did not have necessarily the same effect on a scientific or an evidentiary basis in attracting someone to become a lifelong smoker, there is certainly ability within the bill as it is proposed to exempt specific products which fall under the general label of flavoured tobacco.

Madam Chair, you know, again, to the main point for which I believe most people on my side of the House would not be able to concur with the subamendment is that it would provide a loophole that we're currently trying to close, and that loophole is the ability for manufacturers to market products in very new and innovative ways on a recurring basis. We're presuming that they would attempt to continue to do that. They are in a business. They are in a legitimate business. They're certainly allowed to market their product as they see fit, and we would expect them to continue to try to entice consumers, particularly young consumers, to buy these products.

As I say, the overwhelming evidence is that flavoured tobacco in general is a major factor in attracting children and youth to begin smoking. That's the premise of the bill, and to accept this subamendment would be to support something that's inconsistent with the premise as set out.

Thank you, Madam Chair.

The Deputy Chair: The hon. Member for Lac La Biche-St. Paul-Two Hills.

Mr. Saskiw: Thank you, Madam Chair. That was a very thorough answer. Perhaps he should be their legal counsel instead of the other two.

Just with respect to the subamendment – and I understand where the hon. member is coming from. He is quite right that under the existing legislation Bill 206 would provide the minister the ability to exempt a product by regulation in a kind of reverse onus scenario. I guess that on the basic premise, though, that a characterizing flavour automatically leads to increased use of tobacco products by youth, I'm not sure whether the empirical evidence does in fact demonstrate that, and I gave a couple of examples. One of the other aspects is whether that is, in fact, the

intent of the legislation. My understanding is that menthol is not currently prohibited under Bill 206.

Again, I feel that we should err on the side of personal liberty and freedom, and if there is no evidence that a particular product is aimed at youth, then it should not be taken off the market. Responsible adults should be able to consume tobacco products that have characterizing flavours. If we go too far down this line, where do we stop? Do we ban flavoured alcohol because flavoured alcohol is targeted towards youth? Do we ban coloured firearms because they're targeted towards youth? Do we ban, you know, high-sugar pop because we feel that's impacting youth in a bad way? We have to in this province ensure that responsible adults can responsibly use products and not have government overreach on those types of products.

I'm sure I understand what the government's position is here, and it looks like I know how this is going to go. Thanks.

The Deputy Chair: Thank you.

Are there any other members who wish to comment on subamendment SA2?

Seeing none, I'll call the question.

[Motion on subamendment A1-SA2 lost]

The Deputy Chair: We'll go back to amendment A1 as presented by the hon. Member for Calgary-Currie. Are there any other comments or questions on amendment A1?

Seeing none, I will call the question.

[Motion on amendment A1 carried]

The Deputy Chair: Now we're back to Bill 206 in Committee of the Whole. The hon. Member for Edmonton-Beverly-Clareview.

Mr. Bilous: Well, thank you very much, Madam Chair. It's my honour to rise and speak to Bill 206 in Committee of the Whole here. I think, first of all, a bill such as this one is long overdue, and it will be supported by myself and the NDP caucus in an effort to place more restrictions on flavoured tobacco products but especially to discourage young people from using these types of products.

I think, you know, what we would like to see is not only the bill as it's currently written but even stricter legislation or bans on some of these products, which are specifically designed by tobacco companies to target young people. We see that in the form of not only the products themselves but also the packaging and the marketing that goes with it. Unfortunately, this bill as it's currently written doesn't address how these tobacco companies are targeting youth and trying to get them to use their products and getting them addicted. One of the ways they do that, Madam Chair, is by the sale of individual flavoured tobacco products. Obviously, as opposed to having to purchase a package, they're much cheaper; therefore, it's much easier for young people to get their hands on these individual products, which is of grave concern to us.

Madam Chair, obviously, restricting the sale of flavoured cigarette products to youth is a very good decision and a step in the right direction. But, again, on some of the issues like the packaging and the targeting, which I would consider are some of the underlying issues, this bill doesn't go far enough to protect our vulnerable youth from tobacco companies' profit-driven strategies. Something that should be noted is that menthol is used by about a third of young smokers, but it may not be regulated in this bill, therefore again not going far enough to protect our youth and young people.

I just want to make mention, Madam Chair, that it's worth noting that nine provinces currently have legislation to curb tobacco sales to minors, and Alberta is the only remaining province without such legislation. You know, in some ways, I guess, it's nice to see that the government of Alberta is finally catching up to the rest of Canada. What's interesting to note is that British Columbia has actually achieved a merchant compliance rate of about 94 per cent through comprehensive provincial regulation of tobacco sales to minors, again going to show that there is absolutely a role for the government to play in curbing the use and discouraging young people from using flavoured tobacco products.

3:40

Madam Chair, we do and we will support this legislation. As I've said, this is a step in the right direction. I do wonder and ask the question: if this bill is of such importance to the government, why haven't they taken this bill from the private member and taken it on as a government bill to send that strong message that this is a priority for the government?

As I've said, Madam Chair, I wish that this bill would have gone a little bit further. There are still some questions that we have, but it's definitely a step in the right direction and a necessity that Alberta is finally catching up to our sister and brother provinces in the country.

Thank you, Madam Chair.

The Deputy Chair: Thank you.

Are there any more members who wish to comment on Bill 206? The hon. Minister of Health.

Mr. Horne: Thank you very much, Madam Chair. I want to again thank the last speaker for his support of this bill. I will attempt to answer a couple of the questions that have been raised by members opposite thus far in the debate in Committee of the Whole. The first question was raised, I believe, by the hon. Member for Calgary-Fish Creek, about the enforcement mechanisms that will be available should this bill be passed. I'm pleased to report that this bill, if passed, would have the same enforcement provisions as the Tobacco Reduction Act currently in force in Alberta. Under that act, within the Provincial Offences Procedure Act to which that bill refers, any peace officer in Alberta is automatically an inspector for the purposes of the Tobacco Reduction Act. In other words, for anyone who under the Tobacco Reduction Act is identified as an inspector for purposes of enforcement, those enforcement provisions will also apply to this bill should it be passed by the House.

In addition to that, Madam Chair, the Department of Health would have the ability to make use of inspectors appointed or designated by the minister under the tobacco reduction regulation to enforce the legislation, and that's specifically section 6 of the regulation. These inspectors, in fact, do not have to be peace officers as identified under the Provincial Offences Procedure Act which I referred to earlier. As an example, inspectors in other areas such as the Alberta Gaming and Liquor Commission could potentially serve as inspectors for the purposes of this legislation. Equally, the government would be free to arrive at arrangements with municipalities, perhaps through bylaw enforcement officers who could also function as inspectors for the purposes of this act.

These opportunities, Madam Chair, are not restricted to the provisions under this particular bill. These provisions, in fact, as I said, currently exist under the Tobacco Reduction Act and can be applied to any provision under that act, whether we're talking about the use of flavoured tobacco among youth, whether we're

talking about children in vehicles where smoking is occurring, and so on. There is quite a wide range of options that are available and, actually, many points in the community generally where inspectors can be aware, can be vigilant, and can in fact enforce the legislation.

The second question that I wanted to respond to was posed by two members opposite, and that is: why was this particular bill not adopted as part of Bill 33, which has currently received first reading in the House, which is a bill that contains broader provisions, additional provisions to protect children and youth against tobacco use and the use of tobacco-like products? The reason for that is procedural, Madam Chair. I'll leave it to other more learned members to quote specific sections, but I can tell you from my own research that it would not be in order in the House to have a bill, albeit a private member's bill, on the Order Paper at the same time as another bill with the same substantive content. For that reason, we were not in a position to discuss with the various sponsors of this bill the opportunity to include it as part of a government bill.

Bill 207, to which some of the other members referred, was in quite a separate situation. There was no other bill, government or otherwise, on the Order Paper that contained substantive content similar to that which was provided in Bill 207, so there was a very good opportunity both procedurally and otherwise for the government to adopt Bill 207 as a government bill. We're only limited to doing that in this case because of the procedural rules in the Legislative Assembly.

I'll just conclude by pointing out, though, and I think it's very gratifying to observe, that this is the second situation in the same few months where we have had recognition of very, very good, very high-quality pieces of legislation put forward by private members that have been noted to be well supported on all sides of the House and in the opinion of many members to be worthy of being, in fact, government legislation. So I am pleased about that. But in this particular case, the rules don't allow us to do that.

Thank you, Madam Chair.

The Deputy Chair: Thank you, hon. minister.

The hon. Member for Calgary-Fish Creek.

Mrs. Forsyth: Thank you, Madam Chair. I appreciate the minister getting up and answering some of the questions that I and a couple of other colleagues brought up. Under the Tobacco Reduction Act he talks about the enforcement provisions that apply, so can he please tell me how many charges were made under that act in regard to smoking and things that were done illegally, charges under the Tobacco Reduction Act? Now, I know that under the Canada Health Act, I think, or under the Criminal Code there was some confusion on why the government is bringing forward this government bill, which we refer to as Bill 33.

He also mentioned that under the tobacco reduction regulations it doesn't necessarily have to be a peace officer. It could be a bylaw enforcement or an Alberta Gaming and Liquor Commission agent. I guess, for me, I'm wondering if they're going to be hiring more people under the AGLC because from the knowledge that I've gathered, the officers are busy trying to attack organized crime, money laundering, all that sort of stuff, that obviously has a much higher priority when we see some of that going on within the casinos, things where they've been trying to attack organized crime and some of the gang activity and money laundering.

The last thing I want to ask is about the procedural rules that he talked about in regard to taking a private member's bill, which is the hon. member's bill, and putting it into a government bill. I believe we have a private member's bill, Bill 206, and we have a

government bill, which is Bill 33, and there are some procedural rules. So when the government was putting Bill 33 together, the government bill, why didn't they incorporate what was in the private member's bill into the government bill so we could talk about one major piece of legislation?

As I explained earlier, I am going to be supporting Bill 206. I'm just trying to understand why we're spending an incredible amount of time on a private member's bill, debating Bill 206, when what was in Bill 33 and what the member is bringing forward under her private member's bill could have been incorporated into a government bill, and we could proceed on private members' day with other private members' bills.

Thank you.

The Deputy Chair: Thank you, hon. member.

Mr. Horne: Well, thank you. To the hon. member's point, at the risk of spending an inordinate period of time on discussing matters other than the bill at hand, I'll say two things. One is that I don't know offhand, Madam Chair, the number of charges that have occurred under the Tobacco Reduction Act. I'm talking here about legislation that is already proclaimed and enforced and has various provisions, including the prohibition on smoking in public places, among other things. Certainly, I can try to get that information.

We start from the position that, in fact, most people want to obey the law. My understanding is that both this bill and Bill 33, which is currently before the House, are the result of an update of the tobacco reduction strategy, that the government released last year, but also a result from long-standing leadership from many advocates in the community, including some municipalities who prior to provincial legislation enforced bans on smoking in public places through municipal law. So this is very much a situation, Madam Chair, where we are recognizing the fact that Albertans are looking for this sort of leadership through legislation. They are a hundred per cent behind this government, in particular our efforts to reduce smoking among children and youth, including the smoking of tobaccolike products. We are doing our best in all legislation to reflect the will of the people in bringing our legislative framework up to date.

3:50

As to the matter of, you know, the consolidation or nonconsolidation of Bill 206 and Bill 33 all I can say to the hon. member is that Bill 206 has been on the Order Paper for some time in this House, including preceding the current session. It was originally sponsored by a private member who is today the hon. Minister of Tourism, Parks and Recreation. Other sponsors of this bill on this side of the House are known to other members. But the bill has been on the Order Paper for some time. So, Madam Chair, the advice to us from counsel, under the rules of procedure that we observe here in the Legislative Assembly, is that we are not permitted to have before the Assembly two bills which contain the same substantive content.

I should think, by the number of people that are standing in support of this both on the government side and the other side, that should in no way suggest to anyone, Madam Chair, that there is nothing but very, very strong support for the provisions of Bill 206. Assuming it is passed by the Legislative Assembly, it will form a very integral role in our legislative framework to deal with the use of tobacco and tobaccolike products in the province, and I think Albertans will be very well served by that.

Thank you, Madam Chair.

The Deputy Chair: Thank you, hon. minister.

Are there any other members who wish to speak? The hon. Minister of Tourism, Parks and Recreation.

Dr. Starke: Thank you, Madam Chair. It's a great pleasure for me to speak on this bill, that I originally introduced into first reading last December. I'd just like to make a couple of comments that I think are very important. The hon. Member for Calgary-Fish Creek made some commentary with regard to the length of time that is being spent on this bill and that we could have perhaps saved time had it been incorporated into the main government legislation. I'm hoping that I'm misinterpreting her comments. I certainly hope that she's not suggesting that somehow we are wasting time by debating private members' legislation in this House. I think that Bill 206 has as much right to be discussed as any other private members' legislation, and as a result I'm pleased to be able to stand up and advocate on its behalf even though I'm no longer the sponsor of the bill.

I do want to give hon. members, though, a little bit of the history of this bill because I do think it's germane not just to our discussion as to how this bill came to be but also to address something that I think is important to all of us, and that is involving youth in the parliamentary and democratic process. Indeed, this bill came about as a result of a group of young people in Lloydminster, high school students, who got together and said that on behalf of their colleagues and on behalf of their peers they wanted government to take action and, in fact, to protect the youth of our province against the pervasive activities and marketing of tobacco companies.

It seems that each time a new regulation is introduced that restricts the tobacco industry, the tobacco industry comes up with new ways to go around or to avoid those regulations in order to put tobacco products in the hands of young people. I think that we can all agree that having increased tobacco usage by young people is something that we all want to avoid. This particular group, the Lloyd Flavour . . . Gone group, began a very effective postcard campaign in our community of Lloydminster – and it's a campaign that has spread province-wide – in which thousands and thousands of postcards have been signed by young people urging the Members of this Legislative Assembly to take action to protect Alberta's youth, and that is exactly what Bill 206 is intended to do.

I'll give you some examples of some of the sorts of things that go on. You know, until I became more familiar with this, I really had no idea just how pervasive and how damaging it is. As an example, flavoured tobacco products are in fact used as a gateway and as a lever to get tobacco into the hands and into the usage of our young people in many ways. One of the areas that I was very concerned to hear about is that it has actually, in fact, become a culture within the culture of midget hockey. Now, I'm also the minister responsible for recreation, so clearly I'm very interested in young people being involved in sporting activities. When I heard that in the city of Lloydminster the usage of what is called spit tobacco or chewing tobacco by 15-, 16-, and 17-year-olds who play midget hockey is over 50 per cent – over 50 per cent of the young folks that play midget hockey are users of chewing tobacco.

During the course of this particular campaign one of the people working on the campaign left a shoebox in the dressing room of the midget hockey team and said: when you're done your can of chewing tobacco, put it in this shoebox. Within one week 42 cans were collected, and of those 42 cans some 39 of them were flavoured tobacco. So you get an idea of just how pervasive this problem is. You get an idea that flavoured tobacco is very much the hook that is being placed, the bait that is being placed to lure

our young people into tobacco usage and, in fact, then results in increased usage of tobacco as we move forward.

Madam Chair, I was very, very pleased to be able to choose this topic as the first private member's bill that I introduced in this House because to me it married two things that are very important to me. One is preventative health care, and working in the veterinary profession as I did throughout my career, I will tell you – and I've said this to my colleagues before, including the Minister of Health – that veterinarians have it all over doctors in terms of understanding about preventative health care. We'll work on bringing the medical profession forward to catch up to us, but they've got a big gap to make up.

I'm very interested in preventative health care as it applies to all areas, but to be truthful, the one single thing that we could do in society to improve our overall health care outcomes is to reduce tobacco usage. That is by far the single measure that would save money and improve our overall health system and improve overall results.

The second area that I'm very interested in, Madam Chair, is involving young people in the democratic process. When I was approached by this very active group, a group that will be recognized as having the best antitobacco-use initiative in the entire province and be awarded one of the Barb Tarbox awards on Thursday at a luncheon, you know, I was compelled to act, with the co-operation of my colleague the Associate Minister of Wellness. We worked together on the drafting of this bill.

I'm very proud of this piece of legislation. I'd certainly like to thank the hon. Member for Calgary-South East, now the Associate Minister of Regional Recovery and Reconstruction for High River, and also the hon. Member for Calgary-Currie, who have taken up the sponsorship of this bill. Indeed, I'd like to think that we could have 87 sponsors of this bill because, truly, Madam Chair, I believe that we are all in favour of reducing tobacco usage amongst our youth and, in fact, are prepared to get behind the movement that was started in Lloydminster – and I'm very proud of that – to ban flavoured tobacco in the province of Alberta.

Thank you.

The Deputy Chair: Thank you.

The hon. Member for Edmonton-Calder.

Mr. Eggen: Thank you, Madam Chair. I just wanted to get up and ask a couple of questions, as is the custom during this reading of the bill. I guess the first issue that I wanted to ask about was in regard to specific products that are being considered for a ban. I mean, I'm just not that familiar with tobacco products for sale in general, so I just wanted to have a sense and perhaps the public would like to have a sense of what products are actually going to be taken off the shelves after we pass this piece of legislation.

I just wanted to ask the question as well, in the spirit of better health for youth, as to why we don't spend more time and effort in having more specific punishments for those vendors who are selling tobacco illegally. You know, perhaps having licences revoked or a higher penalty would help to reduce tobacco sales to young people.

Section 3 of this bill makes the selling or offering of flavoured tobacco products banned under the regulations, subject to a penalty of not more than \$10,000 for the first offence and not more than \$100,000 for the second offence and subsequent offences. I'm just curious to know why the author of this part of the bill didn't include more stringent penalties for offering or selling to minors specifically.

4:00

Section 4 talks about prohibiting certain flavouring agents, candy- and fruit-flavoured agents. Everyone knows that they are deliberately targeting children or young people to buy these cigarettes with alternative packaging and so forth.

[Mr. Cao in the chair]

However, you know, menthol cigarettes loom large in youth tobacco use, Mr. Chair. It seems that 1 in 25 adults who are smokers use menthol cigarettes, but 25 per cent of youth smokers are using menthol cigarettes. I know that menthol cigarettes serve a number of purposes to make smoking more palatable. They reduce the harshness of tobacco, and they act as a bronchodilator – is that what you call it? – which facilitates deeper absorption of the nicotine and deeper inhalation as well. I'm just wondering: why don't we go after menthol additives to cigarettes? It's my understanding that they, in fact, put menthol in lots of regular cigarettes, too, in a smaller dosage or to a smaller degree, thus making the negative effects even worse from deeper inhalation, reducing the harshness of tobacco, and with greater absorption of nicotine.

Again, my central issue around this bill is that I wished and hoped that we did include menthol into the whole package, and I'm wondering how come we didn't. Thank you, Mr. Chair.

[Mrs. Jablonski in the chair]

The Deputy Chair: Thank you, hon. member.

Are there any other members? The hon. Member for Calgary-Currie.

Ms Cusanelli: Thank you, Madam Chair. Just in response to this member's questions – and I thank you very much for those questions – I'd like to address first off the idea about the actual product lines that will be targeted, shall we say. In this case here, as is outlined in the amendment, we see in section 7.4(1) that it is a flavoured tobacco – so it is outlined essentially in the amendment itself – that

- (a) has a characterizing flavour,
- (b) is represented as being flavoured, or
- (c) is designated under the regulations as a flavoured tobacco product.

As I've said many times before, once regulations are developed for the bill itself, this is where we're going to get into the specifics of products themselves. Menthol, for example, is one topic of great interest that, you know, has been the rise of much debate and interesting conversation. While we are not including it in the actual bill itself, we are also not excluding it. I want that point to be made very clear.

I think that once we see the regulations unfold, this is going to give us an opportunity for consultation and an appropriate level of debate that will address where we do sit. I think it has been mentioned that this is legislation that is taking things a step further than other pieces of legislation across the country. I think we can be very proud to be the carriers of and championing this issue, especially where it's concerning flavoured tobacco, which will inhibit people who are selling tobacco products from being able to include the flavoured piece, which we know is pretty much the gateway to opening up the issue of tobacco use amongst youth.

With respect to addressing the actual enforcement or sanctions with respect to the sale to minors, my answer to that would be that we'll have a more fulsome discussion of this when we look at Bill 33, which is going to more so encompass enforcement. It's going

to address, I think, more in-depth and adeptly the notion of enforcement on sale to minors.

Once again, just to reiterate, Bill 206 itself is specifically targeted – and I think that’s what makes it such a powerful bill – at the notion of flavoured tobacco products, which, again, really classifies it as a bill where the intent very clearly is directed at protecting youth in our province.

Once again, thank you for the question.

The Deputy Chair: Thank you, hon. member.

The hon. Member for Rimbey-Rocky Mountain House-Sundre.

Mr. Anglin: Thank you, Madam Chair. I’ve listened to a lot of the arguments, and the idea of reducing the use of tobacco, particularly with the young but with everyone, is actually a good thing for our health system. It’s probably a very good thing for the public at large. Now, I’ve never been a smoker, and I don’t understand some of the arguments that have been made. I question the statistics on flavouring, and I don’t know how they bear out. I’ve not seen that.

What I’m more interested in – hopefully, one of the members can comment on this – is that other provinces have instituted it. What are the results? Has it worked? That’s really the key. Do we know that it works? One of the things that happens is that with our best intentions we can create laws, but if it doesn’t really make the impact that we intended to make, then this debate that’s happening here today is not worth anything. The whole goal is to reduce the use of tobacco.

I understand that people have taste buds and that they go to whatever flavours they go to, but I’ve never known the level of flavouring and its implications on our youth, on whether or not they use tobacco. What I do know: there are a lot of sociological studies out there that say that young people trying to emulate adults have been influenced and have used tobacco as a result of that. I also know that there have been studies on movies that influence young people and on the introduction of cigarettes as far as the mature or the very cool aspect to entice, and that’s been subject to debate in the whole industry.

I do have concerns, and the concerns are: where do we go, and where do we stop? What we’re not addressing in the bill and we’re not going to address in the next bill is the real concern, which is the carcinogens, the tar, the nicotine, the addictive nature. We won’t touch that. I think it’s probably not universal, but if we were to make tobacco illegal altogether, we would only create a nice black market.

So how do we get our young to stop using tobacco? If the member has any data to point me to – in these other provinces do they have any reliable data to point to that says, “When we introduced this type of legislation, here is what we’ve seen, this is what has happened, and this is how effective or ineffective it has been”? I haven’t seen that. I’m hoping that somebody could provide that. In the end, I get concerned between doing what is best and then also doing what is more of a nanny-state type of legislation that will not have any effect whatsoever.

I question the whole idea of flavouring. Someone brought up the issue of flavouring alcohol. I would argue, without any data in front of me, that you could probably make a fairly substantive argument that alcohol has just as much of a health implication on our health system as does tobacco, but certainly in the case of domestic violence I would argue that alcohol probably has a far bigger implication and that we’d be a heck of a lot better off if we reduced the consumption of alcohol. But I don’t know how many young people are influenced by the flavour of alcohol any more

than I know about how many are really influenced by the flavour of tobacco.

The question that I’m posing to any member is: of the provinces that have already implemented this legislation, is there any statistical data to back it up, to say that this is the reduction we’ve seen as a result of passing legislation that has removed flavouring? Does it exist? If it does, could you please point me to it, and I will definitely support this bill.

Thank you very much, Madam Chair.

4:10

The Deputy Chair: Thank you, hon. member.

The hon. Member for Calgary-Currie.

Ms Cusanelli: Thank you, Madam Chair. I’d just offer a little bit of information to your questions. When we look across Canada, one thing, as I said before, we note is that some of the legislation has not allowed for other provinces to be successful in preventing the use of flavoured tobacco products because companies have found loopholes in order to get through. There’s a lot of comparison, which I find interesting, between the use of flavoured tobacco and flavoured alcohol. When you really come down to it, I mean, with the comparison of liquor and tobacco regulations we’re talking about apples and oranges.

An Hon. Member: Apple and orange flavouring.

Ms Cusanelli: Apple and orange flavouring.

I’m not sure why we continue to use this as a level of debate. When you come right down to, you know, “How do we control liquor here in Alberta?” there’s a very big difference, and we have made many, many steps for a long, long time in terms of making sure that we keep that product out of the hands of young people. In my view, we are really at the embryonic stage of being able to adopt legislation that is going to prevent tobacco from getting into the hands of youth.

To me, if we look at the liquor control act, we have an establishment control over retail sales, prohibiting it to minors. Retailers have to post mandatory signage. There’s an authority that oversees the licensing. There are retailers that have to obtain a licence. There are retail sales staff that have to be 18 years of age in order to sell the product. They have to complete mandatory training to authorize them to have a licence. The list goes on. We have all of these particular particularities with respect to legislation in our liquor control act, yet with tobacco, again, we are at the beginning stages of ensuring that our kids do not fall prey to these products.

When we look at the facts behind making sure that we prohibit the sale of tobacco products to our youth, we know – and, again, I’m going to use the words “gateway product” – that flavoured tobacco is a gateway product so that our kids have a way to, you know, mask the flavour. We know that it’s dangerous for us to be giving them something that’s very tempting because at this stage in the game they are curious. They want to try new things. The statistics are showing that 46,000 Alberta youth are using tobacco products. That’s 23 per cent of our youth. Now, more than half of them are using flavoured tobacco products. I guess the question, to me, isn’t so much: how has legislation across the country worked? By those very data results and statistics we can see that something very serious needs to be done and soon.

To me, when I look at the idea of offering something that’s very tempting to kids and that can be sold, is far more readily available than a liquor bottle of flavoured vodka per se, you know, we haven’t done enough. Bill 206 is taking this to those very

beginning stages where we really do need to head in terms of tobacco legislation. We think about the costs just in Alberta alone, \$1.8 billion. Now, those are statistics from 2002, which is a while back. You can only imagine. Hopefully, the things that we have put in place legislationwise, educationwise have made an impact. We know that it has decreased the levels of children who are smoking, which is great, but that \$1.8 billion in 2002 is essentially the cost to Alberta that is more than alcohol and illicit drug use combined. That number, we can see, is a very big problem to our province.

Madam Chair, I guess I would conclude my response to the hon. member with that and once again just say, you know, that this isn't a bill about restricting people's rights. This is a bill about adults in this province taking the responsibility, our fiduciary duty to our kids, to ensure that we do not some things that are possible but everything that is possible in order to keep a product away. Probably 50 per cent of them or more will fall prey to some kind of a health problem as a result of using the product, that has directions on how to use it. That's completely absurd. So why do we continue in this day and age to think that we ought to be looking at my own personal right as an adult to smoke a menthol cigarette versus making sure that it does not fall in the hands of my daughter so that later on she falls prey to lung cancer or any other form of cancer, that I would never want to see my daughter fall prey to?

Thank you.

The Deputy Chair: Thank you, hon. member.

The hon. Member for Calgary-Mountain View.

Dr. Swann: Thanks very much, Madam Chair. I'm pleased to respond again to this important bill, Bill 206, Tobacco Reduction (Flavoured Tobacco Products) Amendment Act, 2012, in committee. The average daily smoker loses about 15 years of life. If we don't do everything possible to reduce uptake, especially in children, where roughly a quarter of provincial smokers start, we are failing. That means restricting access, restricting sales, restricting marketing promotion, signage, and access to school kids.

A number of things have happened federally as well as provincially that have, I guess, dropped the rates of smoking in this country from about 27 per cent 10 years ago to about 17 per cent now, a little higher in Alberta for some reason. I can't quote any statistics about flavourings, but I think it's very clear on the surface of it that flavourings are what human beings respond to regardless of what food or beverage or, in this case, tobacco is being discussed. Anything we can do, as has been discussed, to reduce that is essential.

I'm again a bit troubled that we're not talking specifically about menthol because that is probably the most prominent and highly recognized enhancer of tobacco. We should be including that very specifically and not fudging, I think, on that specific issue. I'd certainly like to hear why we're not ensuring that flavourings include menthol very specifically.

Given the number of tobacco lobbyists that have visited this government – and it's surprising that the government would allow 12 or 14 highly paid lobbyists to lobby their interests. It's really surprising that the government would allow this kind of lobbying when they're also suing the tobacco industry for \$10 billion. There's a contradiction here. Twelve lobbyists have come to this government and had access to government members to talk about, probably menthol being one of them . . .

Mr. McAllister: Who gets to sue them?

Dr. Swann: This government gets to sue them. They seem to have a strong interest in recouping health costs, productivity losses, and damages done by the tobacco industry, and at the same time they're allowing 12 big people in Alberta – Hal Danchilla, one of them, is now lobbying on behalf of big tobacco.

Mr. McAllister: Who's the law firm?

Dr. Swann: I wish I knew who the law firm was, but there's a contradiction here.

Indeed, I expect that menthol will be one of the most highly contentious issues in the regulations that are now coming out. It could have been dispelled by simply adding menthol and other flavourings into this bill, but I think that's partly the influence of the lobbyists.

I would like to ask anyone in relation to the water pipe issue – and apparently about 35 per cent of young people have tried water pipes, which is another form of tobacco and is just as damaging as any other tobacco; even though it's filtered through water, the damaging chemicals are the same – how that would be enforced. How would we assess tobacco pipes and the extent to which they have tobacco or tobaccolike products and flavourings? How would we enforce that? That's an area that isn't clear to me. Perhaps it's something that could be discussed later.

The key issue here is that we are making progress. We are still among the highest of youth smokers in Alberta. We need to do everything we can. Taxation is a big thing, and I think we should be reconsidering increasing the tax on tobacco. That's a big one for all smokers, the cost of tobacco.

Certainly, I'm going to be watching very carefully to see that menthol is one of those flavourings. As has been mentioned, about 25 per cent of young people get hooked on tobacco with menthol, so that's a critical one that we need to be looking at. How will we test water pipes in terms of tobacco content and fining those who are actually using tobacco and tobacco flavourings in water pipes? I'd be interested to know what the technology is there.

4:20

The Deputy Chair: Thank you, hon. member.

The hon. Member for Calgary-Currie.

Ms Cusanelli: Thank you, Madam Chair. I'm going to address three points that the hon. member has made. The first one, with respect to menthol, once again, to get it on the record, is that there is no hidden agenda to not include menthol in the actual bill. The idea behind it: as you probably know, hon. member, when we create the regulations behind any bill, quite often it is viewed as the teeth of the bill. My personal belief on including menthol in the bill is that if we include it in the bill, we don't have that same flexibility that we might otherwise have if we include it in our regulations. So that's our stance on that.

With respect to some information related to where we stand datawise in our province, I would have to agree with the hon. member. I don't have the numbers directly in front of me, but one of the pieces of data that I saw that I found most alarming had to do with the use of menthol cigarettes here in Alberta. Looking comparatively at this particular study of children who have used tobacco products but also used menthol products here in Alberta, we are leading the country. In this particular study 60 per cent of our girls are smoking menthol cigarettes. I don't want to skew results, but, I mean, in the study itself, in my view, the actual data itself was based on a large enough population to make it credible data to use. If we have the leading number of children who are smoking menthol cigarettes, that is something that we need to look at; that is something that we need to debate. In my view, including

it in the regulations and opening it up to consultation is going to give it far more leverage and far more coverage at large within the public to make a decision that will be at the forefront, a stronger stance than any other province has taken.

Thank you.

The Deputy Chair: Thank you, hon. member.

The time for debate on Bill 206 in Committee of the Whole has expired, so we will move to the question.

[The voice vote indicated that the remaining clauses of Bill 206 were agreed to]

[Several members rose calling for a division. The division bell was rung at 4:23 p.m.]

[Ten minutes having elapsed, the committee divided]

[Mrs. Jablonski in the chair]

For the motion:

Amery	Horne	Olson
Bhullar	Horner	Pastoor
Bilous	Hughes	Quadri
Brown	Jeneroux	Quest
Calahasen	Johnson, J.	Rodney
Cao	Kennedy-Glans	Rowe
Casey	Khan	Sarich
Cusanelli	Klimchuk	Scott
Denis	Kubinec	Starke
Dorward	Lemke	Stier
Eggen	Leskiw	Swann
Fenske	Luan	Towle
Forsyth	McDonald	VanderBurg
Fraser	Oberle	Woo-Paw
Hancock	Olesen	Xiao

Against the motion:

Saskiw Strankman

Totals: For – 45 Against – 2

[The remaining clauses of Bill 206 agreed to]

[Title and preamble agreed to]

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

Hon. Members: Agreed.

The Deputy Chair: Opposed? Carried.

The hon. House leader.

Mr. Denis: Thank you very much, Madam Chair. I would move that the committee rise and report Bill 206.

[Motion carried]

[Mrs. Jablonski in the chair]

The Acting Speaker: The hon. Member for Calgary-East.

Mr. Amery: Thank you, Madam Speaker. The Committee of the Whole has had under consideration certain bills. The committee reports the following bill with some amendments: Bill 206. I wish to table copies of the amendments considered by Committee of the Whole on this date for the official records of the Assembly.

The Acting Speaker: Thank you.

Does the Assembly concur in the report?

Hon. Members: Concur.

The Acting Speaker: Opposed? So ordered.

The hon. Member for Fort Saskatchewan-Vegreville.

Ms Fenske: Thank you, Madam Speaker. I would ask that we proceed to third reading for Bill 206.

The Acting Speaker: Hon. member, are you requesting unanimous consent to move directly to third reading?

Ms Fenske: Yes, Madam Speaker.

[Unanimous consent denied]

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

Bill 208 Seniors' Advocate Act

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

Mrs. Towle: Thank you, Madam Speaker. It truly is a pleasure to rise and speak on Bill 208. It's been an honour as a first-time MLA to work as the Wildrose Seniors critic. I have one of the best jobs in Alberta. Every day I get to meet with seniors and their families about what matters most to them.

We have truly amazing seniors in this province. I don't think there is a group of people in all of Canada who have given so much back to their communities. Seniors are charitable, they volunteer, and they sacrifice. They do all of this because they care deeply about the future of this province. That's why I believe it's important for us to ensure that the seniors who built this province and our country be treated with the respect and the dignity that they deserve.

4:40

Bill 208, the Seniors' Advocate Act: it's an independent advocate, and it reports directly to the Legislature. This will mean that seniors no longer have to feel like they don't have a voice.

The office of the seniors' advocate must be independent for all the same reasons that the office of the Child and Youth Advocate was made independent. Madam Speaker, when Bill 25 was introduced in this Legislature almost exactly two years ago, establishing the Child and Youth Advocate as independent, the Minister of Human Services said: "With this legislation the advocate's reports and recommendations and advice will not go through the ministry but will go directly to the Legislature, providing an open and transparent process and involving Albertans." Two years later is it not still important to provide Albertans with openness and transparency? If the government felt it was so important to the function of the Child and Youth Advocate, does that same argument not hold true today for Alberta's seniors?

Seniors in care can often be vulnerable, without a voice and in need of someone to speak up for them. In a lot of ways they're no different from the children represented by an independent Child and Youth Advocate. Seniors deserve this independent voice. The government's proposal is simply not good enough. By reporting to the Minister of Health and not to the Legislature, the seniors' advocate will simply serve at the will of the government of the day.

The current government announced today a seniors' advocate. It said that this role would include

- requesting inspections, investigations, and quality and safety assessments related to care provided in seniors' facilities as laid out in Alberta law.

Unfortunately, the health facilities review, which was recently cancelled by this current government, did just that already, and they could do those inspections unannounced. It also said that the seniors' advocate role would refer

concerns and complaints to the appropriate channels.

This is what our front-line staff and workers and caregivers and advocates do already.

- providing information and referrals to seniors, their families, and caregivers regarding government-funded seniors' health, continuing care, and social support programs and services.

This is already the role of the Minister of Health and the Associate Minister of Seniors.

- providing public education on the rights, interests, and needs of seniors.

That should be the role of every single Albertan, Madam Speaker.

The advocate may have the best of intentions, but if he or she is not empowered with independence from the government, it's inevitable that their critiques of policy will run up against the politics of the ministry. How can the advocate make honest and public assessments of seniors' policy and the quality of their care when the person responsible for the system is also their boss? We have seen time after time after time within this ministry and within Alberta Health Services that doctors, front-line staff, caregivers, and family members are scared to come forward. The bullying and intimidation of our front-line staff and doctors has been made all too clear by Alberta Health Services. It just doesn't make sense, Madam Speaker, and that's why after many years this government moved to make the Child and Youth Advocate independent.

I'd like to go back to that day, November 22, 2011, when the hon. Minister of Human Services spoke very passionately about why the Child and Youth Advocate needed to be independent. He went on to say:

Many people in Alberta are unaware of the important role and function of the advocate to ensure that the rights, interests, and viewpoints of children and youth in the child intervention system are heard. Some may question why there's a need for an advocate or why an independent advocate is [so] necessary. Understanding the role of the advocate in individual and systemic advocacy is therefore an important part of understanding this legislation.

He went on to say:

[The Child and Youth Advocate] will now have the ability to make recommendations to the Legislature and to the people of Alberta as a whole through the Legislature about the services it provides to children and youth in the child intervention and the youth criminal justice systems. The advocate's reports from investigations into serious injuries and deaths will also be made public. Albertans can then be confident that the advocate is doing his job in identifying concerns in the child intervention and youth criminal justice systems, beholden to no one but the children.

One can only ask the inevitable question here. Do seniors in care not deserve the exact same dignity, respect, and protection as children in care?

A key part of the Child and Youth Advocate legislation provides the advocate with authority to investigate critical incidents involving children and youth in the child intervention and youth criminal justice systems. Right now, when a child in care is seriously injured or dies, the ministry conducts internal reviews to identify where enhancements can be made. With this act there will now be two additional mechanisms by which incidents can be investigated by the advocate and by the Council

for Quality Assurance. The purposes of these serious review processes are not to duplicate or interfere with any police investigations or court proceedings but to identify where improvements can be made in a timely manner, to identify how we can do a better job for vulnerable children. Again, Madam Speaker, do seniors in care not deserve the exact same protection as our children in care? One can easily come to a solution here. If you made the seniors' advocate independent, they would be afforded all of the opportunities of our children in care.

The Minister of Human Services went on to say:

The advocate will have a significant role as both a member of the council for quality assurance and in his capacity and authority to investigate serious incidents involving children and youth served by his office. In carrying out these investigations from a systemic perspective the advocate will have the powers of a commissioner under the Public Inquiries Act, meaning he can compel information [under] his investigation.

Madam Speaker, these are all the same qualities of the Seniors' Advocate Act today, Bill 208. Bill 208 was modelled after the Child and Youth Advocate so that seniors in care were afforded the exact same protections as children in care. Many seniors in care are clearly not able to voice their own concerns and may have Alzheimer's, dementia, and are not able to speak up for themselves. They may be experiencing elder abuse in one form or another. They may have family members who are overburdened and overloaded by the responsibility of taking care of them. An independent advocate ensures that our seniors in care get the same protection as our children.

Prior to Bill 25 there was very little that was ever made public about children who, tragically, died while in government care. I understand that some of this was due to privacy concerns, and I also understand that that is the very same concern for many of our seniors in care. But, Madam Speaker, if we as legislators aren't privy to what's happening in the system, how can we work together toward improving the system?

We all saw in this House just today that while the government announced a new advocate, an employee of the minister, the independent Child and Youth Advocate released a heartbreaking but very important report into the death of a teen in care. Within that report there were very specific criticisms of the current system, and it identified where the government must make improvements.

Madam Speaker, having the Health minister have more employees under his ministry is not going to give seniors a stronger voice. If we really want to do something for seniors in care in this province, this government would immediately make the seniors' advocate independent and model it after the very successful Child and Youth Advocate, which is independent. I'll go on to talk about what the Child and Youth Advocate went on to say in his report.

In Stronger Voice for Kids in Care: "These are children at risk," the Minister of Human Services said in an interview. "People want to know there's a children's advocate who is beholden to no one but the children."

I think that is probably one of the most important statements that we hold in this Legislature, very, very powerful, and I applaud the Minister of Human Services for identifying that the Child and Youth Advocate's role is to stand up for children in care in this province, the one group of people under the age of 18 who do not have a voice. I would go on to suggest that the same government could hold seniors to the same level of care and respect and offer them the same protection and offer them the

opportunity for their advocate to be beholden to no one but seniors in care.

Opposition parties have long made the argument for an independent seniors' advocate. I'm certainly not the first one in this House to make this argument. There have been many before me, including members on the other side of the House. This government's own members have advocated for an independent seniors' advocate. I urge the government to support Bill 208.

The Acting Speaker: Thank you, hon. member.

The hon. Associate Minister of Seniors.

Mr. VanderBurg: Well, thank you, Madam Speaker. I want to thank the member for bringing Bill 208 to the floor for discussion, well intended but, in my opinion, a duplication of current government initiatives. I want to read out a few things. We just happened to get – it was pretty good timing – the Alberta Ombudsman annual report. At page 15:

The Alberta Ombudsman has the authority to investigate decisions, actions and recommendations made by a jurisdictional authority. Individuals who have concerns or complaints about the fairness of administrative actions by the Alberta government departments, agencies, boards, commissions, designated professional organizations and the patient concerns resolution process of Alberta Health Services may bring these matters to the Ombudsman. Contact may be made by a phone call to the office, through a letter, through the online complaint form [on the] website or in person.

4:50

It also goes on to state on page 18:

Most recommendations for resolution result in an action that directly impacts the complainant. Other recommendations correct a systemic issue that affects more than one person and improves the process or system within a department or agency.

There's lots of great information in that pamphlet that came out to us today. Page 45 tells us about issues that come to the Ombudsman, about dentists, medical lab technologists, hearing aid practitioners, denturists, optometrists, social workers, licensed practical nurses, dental technologists, registered nurses, psychologists, occupational therapists, dental hygienists, chiropractors, physicians and surgeons. There's nothing magical that happens when you're 67 versus 64. You still have the legislative body to go to to address your concerns.

When I was working as the chair of the Seniors Advisory Council and doing work on the Demographic Planning Commission for you, Madam Chair, it was made very clear to me by many Albertans that for something like Bill 208, that's nearly identical to the Child and Youth Advocate Act, there are some differences. Seniors are not necessarily in inherently vulnerable positions by virtue of age alone. That was told to me very clearly by many seniors, who may view the advocate's proposed authority in Bill 208 as infringing on their rights and independence.

We all know that issues that come to our offices regarding health and seniors are complex. We all know, you know, that if we want to deal with the seniors' property tax deferral programs or Alberta seniors' benefit programs or seniors' optical programs or the special-needs programs, just to name a few, our support centre works very, very well guiding seniors and their families through those issues. But we do know that when, especially, an adult in one of our acute-care facilities is ready to move into a seniors home, who doesn't have the support that you and I give for our family members, they are often stuck, and they need that person, that body to call that's an expert within the system, to navigate

through the health system and to make sure that they get the services that they need.

We also have a group led by the Calgary MLA . . .

Mrs. Forsyth: Calgary-Bow

Mr. VanderBurg: . . . Calgary-Bow – thank you for your help – with the seniors' council that do a lot of work in the province. This announcement this morning doesn't mean that the work that this valuable group of individuals provides – they still report their findings and observations through the ministry and will continue to do this meaningful work.

Like I said, the seniors' support centre continues to field hundreds of calls from seniors each and every day – hundreds of calls – about common issues that we all deal with in our MLA offices, but we all get bogged down when it comes to navigating through the health system, especially when seniors don't have that support. That's what I was so excited about with this morning's announcement. I think that with that announcement we're going to see a better way for Albertans, seniors, and their family members to navigate through the system, to be able to say: "You know, I'm in an acute-care facility now. I had my care plan developed. I live in Whitecourt, but I want to go to Innisfail. My family members are there. How do I get there?" That's when you need someone within the department that's close to the people that are making those decisions to help you navigate through that system.

I don't think that a legislative body is going to help that person, not like someone that we're proposing within the department now. I think the opportunity right now is to let the Health Act – it's proclaimed. We have the opportunity now to create these advocate positions, and let's work with that body. I think it's a great opportunity for Albertans. I've heard from many, many people across the province that this is a mechanism that they've asked for and they're looking forward to having.

With that, Madam Speaker, I do not support this bill and ask my colleagues not to support this bill. It's a duplication of existing services. The dollars that it would cost to operate another independent officer I'd like to have on front-line staff.

Thank you.

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

Mr. Eggen: Well, thank you, Madam Speaker. I appreciate the opportunity to say a couple of words in regard to this concept of an independent seniors' advocate. You know, Madam Speaker, quite frankly, we could have made something like this happen this morning, when the government announced advocates for seniors and mental health and for health in general, but by not making them independent, this fundamentally undermines the capacity of these officers to actually do the advocacy work that is necessary.

Let me just bring up a couple of scenarios that I thought of this morning, when I was hearing about this government's intentions in terms of the nonindependent advocates. First and foremost, if it's being administered through the ministry, then it makes it much more difficult for health professionals to work freely and openly with such an advocate. I don't have to go far to describe the very tense atmosphere that is existing between this government and so many different health professionals around the province.

I'll give you an excellent example, which is in the lab services area, where a number of pathologists expressed their concerns about a \$3 billion privatization of lab services in the Edmonton area, really probably for most of the whole province. A number of health professionals, including medical PhDs and workers in the labs and the pathologists as well, got together to express some-

thing, and they met absolutely a poisonous and very dangerous circumstance hit back at them for them speaking out in the interest of all Albertans. If you don't have the independence of an advocate, be it for seniors or for health in general, then that position is fundamentally undermined.

The second example that I have is the mental health advocate that we had here in the province. Again, it was very ineffective. It was not functioning well, and we ended up with quite a spotty record around that advocacy office. In fact, I think that person was removed from the office here just recently.

The independent advocate that this hon. member is bringing forward, I think, is just absolutely necessary. I have worked very closely with quite a number of seniors' organizations right from Medicine Hat to Fort McMurray, and this has boiled up as the number one issue, what we could do here in the Legislature to create an independent office as a seniors' advocate. Considering all of the issues around home care that have come up, the issues around a seniors' pharmaceutical strategy, around assisted living and long-term care, positions in hospitals – the list goes on and on, Madam Speaker – I really do want to speak to support this particular private initiative, and I think that the Alberta New Democrats would stand to make this happen. If we can't make it happen here today and now, we will bring it up again and again until we see this actually happening.

We know, for example, as well that there's been a province-wide tour on behalf of seniors in care, and they've been bringing up this issue considerably as well. The insufficient staffing . . .

The Acting Speaker: Hon. member, I hesitate to interrupt you, but the time limit for consideration of this item of business has concluded.

5:00 Motions Other than Government Motions

The Acting Speaker: The hon. Member for Rimbey-Rocky Mountain House-Sundre.

Out-of-province Health Care Coverage

515. Mr. Anglin moved:

Be it resolved that the Legislative Assembly urge the government to establish a working group to review whether decisions made by the Alberta health care insurance plan and the Out-of-country Health Services Committee are ensuring that there is adequate coverage for Albertans for their legitimate out-of-province health care.

Mr. Anglin: Thank you, Madam Speaker. I rise today to make this motion. It's an interesting motion, and I wanted it named after a constituent of mine who brought it to my attention, whom I introduced today, Chris Wiese. Chris is the example that I'm going to use for why I'm bringing this motion forward. Chris Wiese is an example, I think, that many members in this House have very similar examples of. She had to go outside the province to receive health care for a severe back injury, and she was denied reimbursement from our out-of-country health care insurance.

The premise of the motion is just to review, to make sure that it's doing what we said it's supposed to do. Let me give you an example. Chris Wiese needed back surgery, and it was very specialized back surgery. Two other people in Alberta had the exact same back surgery, went to the exact same clinic that Chris Wiese did. One was Wendy Finlay* back in 1999. Another was Melanie* – I can't pronounce her last name – and she was from Cochrane, of all places, and she was funded in 2009. A decade apart we recognized that these surgeries were necessary. We've

recognized and we now have a history where these people were reimbursed for this very unique surgery.

Chris Wiese comes forward, and she does everything that she's supposed to do. She has to go to this committee to seek reimbursement for this specialized surgery. She's living in pain, and she gets denied. Now, the reason that she got denied made no sense to her. Basically they said: you should have this done in Alberta. Now, Chris Wiese goes to the AMA, she goes to the College of Physicians & Surgeons, and she does this with the aid of her family doctor. The AMA and the College of Physicians & Surgeons say, "We don't know of any doctor that does this surgery in Alberta," which makes sense because we already know of two Albertans who have had to go to this clinic to get the same surgery done.

Now, getting back to the reasons why we need to review this – and that's all we're asking, to review it for legitimate reasons, that we're not denying people for legitimate reasons. Chris Wiese was denied, and one of the reasons she was denied is that they said: you need to go to an orthopaedic surgeon in Alberta. Well, Chris submitted a list. She went to Dr. Duffy, an orthopaedic surgeon, in 2010. She went to Dr. Weiss*, an orthopaedic surgeon, in 2010. She went to Dr. Storey in February 2011. In 2011 she also went to Dr. Powell, another orthopaedic surgeon. She also went to six other doctors in doing her research. Every doctor said the same thing: we don't do that surgery here in Alberta.

Now, Chris went to the same clinic two other Albertans had gone to, had the surgery done, paid the money out of her own pocket, and she's much better off for it. She's in no pain anymore. She has approached the review board and went through their process, and their argument is illogical. They're telling her that she should go have it done in this province. She has asked this board: what doctor does this in this province? They told her – and this is the part that's frustrating – that because of privacy information we can't tell you which doctor does this type of surgery. That doesn't make sense. That's not even logical.

Here is a person who has done everything she's supposed to do. On top of that, she approaches the minister's office and she writes the minister, and the minister's office actually responded to her. Thank you very much, minister's office. What's shocking about it is that when she contacted the minister's office today, they said that they have no record of her interaction with the minister's office. How can that be? How can that be?

What we want and all that we want is to make sure that we're doing what we said that we were going to do. We're not asking for anything more. We're asking for legitimate cases that do qualify to be properly reimbursed, to be properly approved. That's all this motion is asking for. In order to get there, what we're asking this government to do is to strike this working group and review this to make sure that these types of cases, cases that many of you, many of my fellow colleagues here, have experienced in your own constituencies. What we want to make sure is that the government rules and the government regulations are followed so people who are entitled to have these costs reimbursed get that reimbursement as is given to them by these regulations, these rules under our system.

We're not asking for any changes. We're not asking for any special favours. What we're asking for is for this minister, for this government to review this process with a working group and make sure that it is actually properly running the way it's supposed to. We have far too many cases now that have popped up that have, quite honestly, served as an embarrassment. These are huge cases that have directly affected the health and well-being of people who are entitled to have their costs reimbursed, who have sought

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

*This spelling could not be verified at the time of publication.

this medical care to relieve their pain and suffering. That's all they've done.

That's all that Chris Wiese has done. She needed this back surgery, which is a highly specialized back surgery that could not be performed in this province. The doctor she went to said: "We do not perform that type of surgery. That is highly specialized." Yet she runs into this bureaucratic circle that says, "You have to have it done in this province." She goes to the doctors, and they say, "But we don't do it in this province." She goes back to the appeals process. They say, "Well, you should have it done in this province." It's a "Who's on first?" but the problem is that it's not a joke. It is the suffering of an individual who is doing the best they can to follow the processes that this government set up, and they're faced with the illogical argument.

Her last go-round she was told: well, take it to your MLA. That should never happen in this process. It should go right to the committee. It should fit in the rules that the committee has set up, and as long as it fits in the parameters that this government has set in place, then it should be approved. But you cannot put in place a set of parameters and then just lock people into this vicious circle of a bureaucratic maze that just sends them around and around and around with no solution. That's wrong, and that's unjust.

Bringing this motion forward, what I am hoping for is two things; one, that this government actually does it, that it strikes a working group to look into this matter and that this working group will report back to the minister. If changes need to be made, we make those changes. I will tell you that there will be some examples given by my own caucus members where we can document individual cases where people are being denied their reimbursement, and it's a just reimbursement.

5:10

Again, I want to make a specific point of this. We're not asking for anything, I'm not asking for anything that is not a legitimate reimbursement issue. We're not going outside any existing parameters. What we're saying is that the people who are qualified – and we have an example right here – for that reimbursement are being denied for illogical reasons that do not make sense. Now, in Chris's case what is very fortunate is that she kept all her documentation, she kept all her letters, and she kept all the responses. Actually, one of her doctors went to her defence with the review panel.

I'll give you one last example. One of the members mentioned it. I think the Associate Minister of Seniors did it earlier, talked about the Ombudsman's office. [Mr. Anglin's speaking time expired]

The Acting Speaker: Thank you, hon. member.

The hon. Minister of Health.

Mr. Horne: Thank you very much, Madam Speaker. I thank the hon. member for bringing forward the motion. I don't think that there are any of us, perhaps, as Members of the Legislative Assembly who have not encountered questions about the Out-of-country Health Services Committee, questions about what is covered and is not covered under the Alberta health care insurance plan, and specifically constituents who have an interest in how those decisions were made.

I'm going to make a number of comments, Madam Chair, in response to the motion that's been presented, and I'm sure the debate will be very interesting this afternoon. I, first of all, of course, would want to express my empathy for the hon. member's constituent, who was present in the House earlier this afternoon and may still be here. I don't know. Although he's given an

account and shared some personal information regarding his constituent, I'm sure that he will appreciate the fact that under the Health Information Act I cannot discuss the details of an individual's health information or journey through the system.

So in response to his speech I will not be able to sort of follow through the journey of his constituent other than to say, Madam Speaker, that certainly both my department and my office have been in touch with this constituent. We've also been in touch with other Albertans who have contacted us regarding the processes of both the Out-of-country Health Services Committee and the appeal panel. Quite often, you know, we begin with a discussion, talking about the intent of the program, how it's constructed, and, most importantly, the basis upon which these decisions are made, which is a process that is independent, and that is the first and foremost thing that I think needs to be understood, that this process is set up to be independent of government.

The minister, under the regulations that exist for both the committee and the appeal panel, does not have the authority to intervene in those decisions. There are some very good reasons for that, Madam Speaker, and I would hope that members on all sides of the House wouldn't have too much difficulty thinking about why the application of clinical evidence and the exercise of clinical judgment by doctors and others with clinical knowledge would be an appropriate way to make decisions about exceptions within our health care system rather than to have politicians make those decisions. I don't know whether or not, as part of bringing this motion forward – I can't really tell so far from the debate – the hon. member is suggesting that somehow it should be something other than an independent process led by clinical professionals and based in evidence. I can't simply tell that. Perhaps we'll know that by the end of the hour.

Madam Speaker, the motion proposes the establishment of a working group to examine decisions made by the Alberta health care insurance plan and the Out-of-country Health Services Committee and appeal panel. The motion would encourage the creation of a working group that ensures all Albertans receive adequate health care coverage, from which they benefit already.

I want to begin with just, I guess, some basics, Madam Speaker, about the process for determination of what is covered under the Alberta health care insurance plan and, when Albertans need access to those services outside of Alberta, what arrangements are in place to make those decisions and, as I said earlier, the basis on which those decisions are made.

First of all, I think it's worth noting, Madam Speaker, that the Alberta health care insurance plan provides Albertans with outstanding health coverage, by most measures that I've read the broadest coverage of anywhere in Canada. In fact, if you look to the Canada Health Act, the only services that are insured under the Canada Health Act are physician and hospital services and some very specific dental services that have to deal with reconstructive surgery. Most provinces in the country – I would say all provinces in the country – are certainly today providing health care services, funding health services that go far beyond that. When we look at Alberta, we can take tremendous pride in the fact that we have some of the broadest seniors' coverage in the country, both through our seniors' health care plan and through other programs that we provide. We certainly provide tremendous access to diagnostic and laboratory services outside of hospitals. Again, these are services that are noninsured under the Canada Health Act.

Drug coverage beyond the seniors' plan is also very extensive, both in terms of the number of drugs that are covered in this province and the pace at which we keep up with new technology, and wherever possible, where the evidence supports it, we make

those new drugs available to Albertans. But we do so on the basis of evidence, Madam Speaker. We do not do so on the basis of advocacy, well intentioned as it may be, on the part of members, whether they're part of the government caucus or not.

We take great pride in the coverage that we provide under our health care insurance plan. As the hon. member has talked about, we also have a process for determining eligibility for this coverage when Albertans require it outside of Alberta. Within Canada we have reciprocity agreements in place with most other jurisdictions that allow us to pay for health care services that would normally be insured in Alberta when they're provided in another province. For the most part, that procedure and those relationships are working well on behalf of our citizens.

But, Madam Speaker, when it comes to the question of out-of-country services, that is certainly a different matter. For both the committee and the appeal panel the members are appointed by the Minister of Health in consultation with cabinet. They operate under regulations that require them to consider applications that are brought forward by physicians on behalf of patients, and they require them to determine things such as the availability of the same service within Alberta. The hon. member has referred to those criteria. They also allow the committee considerable scope in determining the urgency surrounding the situation, and they have a very difficult job in weighing all of that evidence. They are also permitted to review current literature with respect to a particular application that is at hand, to look at clinical evidence that exists, perhaps new evidence, and to have that weigh as a factor in their determination of eligibility.

Madam Speaker, the role of the government and the role of the Minister of Health end at the point when the members of the committee and the appeal panel are appointed, and that is for some very sound reasons that I talked about earlier.

Members across the aisle call on us on a regular basis for independent advocates and processes, yet with this motion it would seem to suggest, at least on behalf of the proponent, that they believe it is in order for Members of the Legislative Assembly or government to interfere with these arm's-length processes. Madam Speaker, I'm sure that we've all had experiences where we have talked to constituents or to others who have been through this process very successfully. I didn't have an opportunity to look up the statistics today, but there are millions of dollars in care that are provided through this process outside Canada for applications that are successful that go through this process.

As you would expect in any process that's evidence-based and led by clinical professionals, there are situations where both the committee and the appeal panel are unable to support the application. I have had the opportunity myself to talk to people that have been in this circumstance, including my own constituents, Madam Speaker, and I have read the reasons and the rationale that are presented by both the committee and the appeal panel. I believe that we have a very good record of supporting, where the evidence supports it, access to needed services outside the country.

But, Madam Speaker, this is not part of the Alberta health care insurance plan. This is not part of the regular process of funding insured services in our province. There I have a fundamental divide with the hon. member because the issue here is to understand the intent of the program and the way that it's administered.

I am unable to support the motion for these reasons, Madam Speaker. I think the independence in this case and the focus on evidence are paramount. I look forward to listening to the balance of the debate, but I would encourage my colleagues in the House

not to support this motion to open a door that we may not in fact wish to open.

Thank you.

5:20

The Acting Speaker: Thank you, hon. minister.

The hon. Member for Strathmore-Brooks.

Mr. Hale: Thank you, Madam Speaker. I find the hon. Health minister's comments a little . . .

Mrs. Forsyth: Disturbing.

Mr. Hale: Disturbing, yes.

He mentioned urgency. As I continue on with my speech here, I'll talk about some clients that have contacted my office. I have advocated on their behalf because they went through all the channels to try to get some help from the minister's office and haven't gotten anywhere.

Clinical evidence. I'll talk about clinical evidence in here. He mentioned what is covered. One of the gentlemen from my constituency had to go to Vancouver to get three discs replaced in his neck. They said that the discs aren't covered. They were, like, \$3,000 a disc. They classified them as hardware. I don't know why they would classify discs as hardware. You know, they did pay for the anesthesiologist and a few things. I've had numerous people come through my office looking for some help. The gentleman with the three discs, Russel Coyne, suffered for years with 30 per cent compression in his spinal cord, with loss of function and some feeling in his left arm. He said that it was going to be a two-year wait before he could get help here. An Alberta orthopaedic specialist advised him that if it was not taken care of soon, he would be teetering on full paralysis and that this needed to be addressed urgently.

The hon. Health minister just mentioned urgency. Well, he couldn't wait two years to get the discs replaced in his neck. He is a young man with a young family. He had to make a living. He couldn't make a living lying on the couch being afraid that he was going to become paralyzed. He had to go to Vancouver and paid I think it was \$27,000. He didn't have \$27,000 lying around that he could, you know, throw into health care, but he had to get it done. He went through the whole process. You know how much he got back? Fifteen hundred dollars out of \$27,000. That, to me, doesn't seem like the system is working very well.

This needs to be looked at, and I think that's what the hon. Member for Rimbey-Rocky Mountain House-Sundre is saying, that this isn't working, what is happening now. We need something to come forward to figure out what needs to be changed. I'm not saying that the Health minister has to look at each one and advocate on behalf of each one, but it's under the Health minister's control, you know, this arm of AHS. If he's hearing enough complaints, maybe he needs to have a look at it, and things need to be changed.

Another gentleman, Jessie Kett. He's 21 years old, works on the rigs, has a bad shoulder. Surgical wait time: two years, they told him. Another young guy. He doesn't want to be a burden on society and have to go on EI or some government subsidies. He wants to go to work. He wants to work, but he can't. He's had to take a month off work because his shoulder is too bad. He needs to get it fixed now. I don't know his financial situation. I don't know if he can afford to go out of province to get it fixed, but that's an option he's going to have to look at if he's going to have to wait here for two years. You know, he talked to the group in B.C. about doing it. They said: "Yeah, we can get you in right away, next week. Come on. We'll get you surgery." He talked to

the Alberta health care insurance plan. He was denied coverage. They can't do it. Now he has to either pay out of his own pocket or wait his two years.

Another gentleman I've brought up here in the House before, Grant Ellefson, needed discs replaced in his neck. Same thing: he couldn't work, was facing the possibility of paralysis if he continued on. He paid over \$20,000. You know what he got back? Two thousand dollars. Something isn't quite working right.

Another gentleman, Brett Bain, contacted me. He needed back surgery. He was told he would have to wait 18 to 24 months. You know, he's looking at other options for what to do. He told me he's taking 10 pills a day. Ten pills to try to keep functioning. Is that the quality of life that we would like to have? Would the hon. Minister of Health like to have that quality of life, where he has to live on painkillers just so he can function because he has to wait 18 to 24 months, when he can go out of province and get it right away?

I could go on and on with more examples, but, you know, these programs need to be reviewed. Something needs to be done to help these people. They're trying. They're going through the system; the system is not working. They're not getting the coverage that they need. It's something that concerns all Albertans, and I urge the members of this Assembly to take a good look at this and think back to how many people have contacted your office. I'm sure there are many that have been contacted with examples of how this isn't working. You know, it's time to step up to the plate and do something about it and help all of these Albertans that can't get the help that they need right now in Alberta.

Thank you.

The Acting Speaker: Thank you, hon. member.

The Associate Minister of Regional Recovery and Reconstruction for High River.

Mr. Fraser: Thank you, Madam Speaker. You know, when we talk about this and when I hear about reviewing the legitimacy of a process that's already in place, that is making the accusation already that perhaps there are some backdoor dealings or that perhaps, with what we've done in Alberta, particularly these people who are on these committees are not forthright and not genuine Albertans. That is seemingly the way it comes across, and more often than not we seem to get that tone from this particular party.

You know, I work in health care, and I've seen the changes over time, and what I can tell you is that there is a plan in place for this government to create many options around collaborative practice. That's really what it is. Seeking outside health services, whether it be in Europe or the United States, doesn't solve the problem with wait times. What we need are physicians, surgeons, nurses, paramedics, nurse practitioners, and physicians' assistants working right here in Alberta to come up with an Alberta solution.

It's highly complex. It's not simply just about that profession itself. It's their governing bodies. It's the unions that represent them. It's the contracts that get put in place. We reference, actually, how those wait times are growing. Particularly when you think about a hundred thousand Albertans coming to this province year after year and the countries that they come from. We need to continue to work on a collaborative practice model, and we've seen that. The minister has put together, along with the Premier, family care clinics, where you see multiple groups come together not only when we get to the stage of surgery but to look at it and come up with good ideas around preventative medicine. That's really where you solve the problem.

The Associate Minister of Wellness, with initiatives for grade-school children, advocates not only in that specific thing. You think about Human Services around mental health and getting out in front of that with our grade-school children. What I can tell you as we move forward: with the idea of an independent body to already look at a committee on out-of-country services, to me, you're saying that it's not working but that it actually works for those who have the means. It doesn't solve the problem for those people who don't have the means.

Madam Speaker, what I'll say is this. Health care is highly complex. I've studied many of the systems, whether it's the United Kingdom, Australia. Some people would say that it works in Germany, and they are facing the same potential problems that we have here. What we need to do is continue to work hard. I believe that the Minister of Health is doing the honourable thing by working around a collaborative practice model, family care clinics, working with different agencies, the professional bodies that govern these different practitioners to make sure that we actually get to an Alberta solution for Albertans.

Madam Speaker, thank you.

The Acting Speaker: Thank you, hon. member.

The hon. Member for Edmonton-Calder.

Mr. Eggen: Well, thank you, Madam Speaker. I rise with interest to speak on this motion. I find it a little bit problematic whenever we talk about out-of-country care, because I certainly don't want to undermine the primacy of always building and diversifying and strengthening our publicly delivered health care system here in the province of Alberta. If we are looking across the border too much, then we have the potential to undermine the capacity to serve our population here in this country. Certainly, there are circumstances where people have to go across the border to get some very specialized care, and I think that the hon. member who is sponsoring this motion has brought up an individual case here this afternoon which is clearly in that area.

5:30

I just really want to stress our caution, my caution specifically, on how we make those decisions, who makes those decisions, and how the compensation is arrived at because, of course, the best people who could be making choices about the requirements of a patient to receive out-of-country care are obviously the health professionals that are trained to do so. If we undermine or compromise their capacity to deliver best practices based on scientific and medical data, then again, I don't want to be a part of that, quite frankly.

You know, we need to make strong decisions to ensure the long-term strength of our health care system here within the borders of our jurisdiction of the province of Alberta. It goes right to the heart, Madam Speaker, of ensuring that everyone in this province has a chance to flourish and to get the health care that they need regardless of what they have in their pocket. So if there's a reasonable treatment that exists, then presumably with the large growth of our population here in the province of Alberta plus the fact that we do in fact serve much of the other northern territories in British Columbia and Saskatchewan and the Northwest Territories and Nunavut – people come here as a magnet for procedures. If there is something out there, we should consider providing it here in the province of Alberta.

Roy Romanow, who was the Premier of Saskatchewan and did a health care report back in 2002, said: "Canadians consider equal and timely access to medically necessary health care services on the basis of need as a right of citizenship, not a privilege of status

or wealth.” So while people do choose to pay for services in the United States or in other places around the world, we have to be very careful that we’re not subsidizing that choice based on income, the wealth of these people making these choices, but rather on the needs.

So there are some areas where I do have concerns about this motion specifically and out-of-country care specifically as well. It does make sense in some circumstances, but we can’t use it to cement over the cracks that are caused by the underfunding and the underdelivery of public health care here in our province, right? One of these cracks is becoming very clear. I’m talking about overcapacity, the crisis of overcapacity protocol. This protocol was developed as a short-term fix for emergency wait times, and rather than developing a long-term solution for wait times – right? – the government has leaned excessively on this sort of protocol. This sort of short-term thinking has been adopted too much in our own provincial health system. Certainly, it creates instability, and it’s understandable that this type of long-term vision is not occurring here when we need it most, right?

It’s very important to make out-of-country assessments and to make those measurements in a very, very specific sort of way. It’s very important that we do that in a fair and timely way. But out-of-country care cannot replace a long-term focused investment in reducing wait times and advancing research to build the health care that Albertans deserve and that this government does not provide on a consistent basis, all when we need it most, right? A long-term stable vision for health care in this province is something that Alberta New Democrats have consistently advocated for, and it’s something that we are very well known for right across this province. We will continue to wear that label proudly.

It’s very important that we do not feed into using out-of-country care as a wedge. We’ve seen people using the long wait-lists as an argument that we should pay for people to get that out-of-country care because our public system here doesn’t provide for those people in a timely way. Well, certainly, we can mitigate against that circumstance, Madam Speaker, by ensuring that we make long-term investment, that we have the capacity here in the province of Alberta, and that we’re not just looking south or to Asia or to Mexico to get the essential health care that individuals need.

This motion certainly brings up a lot of important points that I think are worth debating and talking about, but certainly my skepticism and instinct tell me that it’s important for us to allow best practices of a medical – perhaps strengthening the committee that makes decisions for out-of-country care but not building a separate, second bureaucratic layer that might interfere with timely access to the care that people need.

Thanks.

The Acting Speaker: Thank you, hon. member.

The hon. Member for Edmonton-Gold Bar, followed by Innisfail-Sylvan Lake.

Mr. Dorward: Thank you. I appreciate the closing comments made by the good Member for Edmonton-Calder relative to the building of a bureaucracy. At the start here I’d like to mention to you, Madam Speaker, that I’ve been very confused about this motion ever since I first read it. Coming from a member of the opposition that purports to want to reduce government, here we have a motion that seemingly wants to increase government bureaucracy. It’s very confusing. I appreciate that member bringing that up. In fact, we listen to that all the time in budget deliberations and in other ways, in questions in the House.

You know, I personally am involved in results-based budgeting, where we are working hard to find areas to reduce government and succeeding. Madam Speaker, I’m so confused about why this member would bring this motion forward in the wording that we’re presented with here. I wonder if there isn’t an ulterior motive here relative to the public-private situation with health care in our province.

I am pleased to join the debate. As we discuss the merits of the motion, we would do well to keep in mind how we got to where we are today and the value that our current system has to offer for our province’s out-of-country health services. Madam Speaker, I think that it’s dangerous when individuals try to create methods that find answers that they’re not finding in the current system. That’s not the way to deal with things, and I think that is part of what this is all about.

In 2009 the Alberta Ombudsman released a special report on out-of-country health services. The report is titled Prescription for Fairness, and it’s a detailed assessment of the out-of-country services available to Albertans. The report suggests ways to improve government responses to the ongoing needs of Albertans with respect to out-of-country health services. All of the recommendations were accepted and are being implemented and being moved forward.

I’d like to discuss the report and its recommendations, with the hope that it may be helpful to us in terms of lending greater credence to the arguments that we’ve already heard; namely, that there is much value in an arm’s-length agency’s ability to determine its own policies and best practices, and we do not need another overlay on top of that. This report will also help demonstrate that the formation of a working group, as is proposed in Motion 515, to review the decisions of the Alberta health care insurance plan and Out-of-country Health Services Committee is unnecessary and potentially, in fact, damaging to the purpose and the proper functioning of those two previously mentioned bodies.

The 2009 Alberta Ombudsman report, for the benefit of those who may not know about it, was the result of an independent investigation pursuant to section 12(2) of the Ombudsman Act. The report examined whether current practices met the needs of Albertans in assessing health care that’s either not available in Canada or is not available within a reasonable time frame. The report sought to understand and remedy some of the following issues. I’ve listed them here. Madam Speaker, I apologize for the length of this. There are six of them:

- how Albertans are informed of the availability of funding for out of country health services,
- how they find out about the availability,
- how medical practitioners are informed about the requirements and availability of the program
 - how out of country claims are reviewed . . .
- the actual claims process,
- how decisions are made by the [Out-of-country Health Services] Committee and [of course, a key part] the Appeal Panel
 - how wait times factor into the decision making process
- and
- how decisions are conveyed [and communicated] to Albertans.

5:40

Madam Speaker, the subsequent recommendations presented in Prescription for Fairness were designed to improve the administrative process related to the communication, review, and decision-making regarding applications for funding out-of-country health

services. All of the recommendations, I reiterate, were accepted and are moving forward.

This tells us that the current programs we have in place are responsive and adaptive in their approaches and that they are, first and foremost, aligned with the changing health care needs of Albertans. This raises an important question, and the answer should tell us that the creation of a working group to review the decisions made by those already adaptable and well-functioning arm's-length agencies is, in fact, redundant, potentially ineffective, and would be a strain on the limited resources that we have. Quite frankly, every time we're in this Chamber we hear about the complaining that goes on relative to that, but all of a sudden we're going to add to that burden.

Madam Speaker, examples of the recommendations made in this report and their adoption as policy are sound indications that the right steps are already being taken to improve upon what's already in place. For instance, with respect to applications for funding the report asked that all requests "be submitted by a physician or dentist on behalf of a resident," and that "applications include written reports of consultations with specialists, and the Out-of-Country Health Services Regulation be amended to reflect this requirement." It also discusses ways to improve management of the Out-of-country Health Services Committee, with particular reference on how hearings are conducted, how to address responses to applicants, and what materials to include.

It also makes recommendations on enhanced public communications and on the content of decision letters. Specifically, it asks that the applicants receive in clear detail the findings of fact, "how the Committee weighed the evidence before it and how it applied the [specific] legislative criteria." Madam Speaker, a gold standard of availability of information for Albertans.

It also recommends that applicants receive

a list of physicians or health centres in Canada that the Committee determined are available to perform the service requested, [that the committee] provide evidence that the service is available in a reasonable time frame, and document [the applicant's] available appeal rights.

These are just a few examples of the recommendations in the report that are currently being implemented and practised by the agencies involved in out-of-country health services. These recommendations help ensure that the applicant receives a full accounting of the evidence considered, the decision made, and the expertise available to them. While some may be still denied funding, sadly, at least they are able to understand why, and they are given greater access to the choices available to them regarding out-of-country health services.

Motion 515 seeks to interfere with this ongoing process. As such, I cannot support its purpose. Thank you, Madam Speaker.

The Acting Speaker: Thank you, hon. member.

The Member for Innisfail-Sylvan Lake, followed by Calgary-Fort and Calgary-Fish Creek.

Mrs. Towle: Thank you, Madam Speaker. I'm pleased to rise and support Motion 515, where the hon. Member for Rimbey-Rocky Mountain House-Sundre has said:

Be it resolved that the Legislative Assembly urge the government to establish a working group to review whether decisions made by the Alberta health care insurance plan and the Out-of-country Health Services Committee are ensuring that there is adequate coverage for Albertans for their legitimate out-of-province health care.

Earlier, the Minister of Health suggested that we didn't want political interference in the system. I don't believe that this motion actually is suggesting that at all. I think this motion is suggesting

that every once in a while you need to have a quality assurance factor, and that quality assurance sometimes can come from outside of the realm of the people who are currently looking at it. There is always room to improve, no matter what the system is. This motion just says that we would create a working committee to complement the out-of-country committee that already exists and ensure that Albertans are getting the best value for their dollar. I mean, this is exactly what our role is, and there should be no reason that we should be scared of that role.

Also, the Associate Minister of Regional Recovery and Reconstruction for High River made the suggestion that we were questioning our front-line services and suggesting that there was something untoward about the committees that are already doing the work. He also suggested that we were suggesting there are backroom deals. Well, Madam Speaker, we're not suggesting that on the part of Alberta Health Services.

However, there are backroom deals. Michele Lahey, Alberta Health Services executive, didn't have to go to the out-of-province fund when she required services at the Mayo Clinic. She was lucky enough just to bill those services directly back to Alberta Health Services, something no other Albertan is allowed to do. So she was able to bypass the whole system. She worked for Alberta Health Services, so she clearly would have known the process for out-of-province health care approvals, yet she was able to sort of skirt the whole system, just go around it. If we want to talk about backroom deals, there are backroom deals. Let's talk about what the out-of-country committee is supposed to review and not review because, clearly, Ms Lahey's expenses certainly shouldn't have been reimbursed by Alberta Health Services and, ultimately, the taxpayer. It probably should have gone to the out-of-country committee, where, unfortunately, her \$7,000-plus bill was likely to get paid about 50 bucks.

The second part of that is that the associate minister went on to talk about how he is a paramedic and he works in the health care system and that this doesn't alleviate wait times. No, it absolutely doesn't, but there's a fundamental problem with wait times right now. We have fantastic front-line staff. We have physicians right now who are appealing to the government for more OR time. We have a young man in Red Deer who has waited in excess of seven days with two shattered ankles, and he can't get surgery time. Is seven days really a realistic time for this young man to be sitting in an acute-care bed, which costs the system a fortune, while he waits for an available OR time, while he sits on pain medication? These are all costs to the system. Yet perhaps he might have been able to have surgery on those shattered ankles much sooner by accessing the out-of-province health fund. This is fundamentally why this fund needs to be reviewed.

Perhaps there are people who are already in the system who could have their pain and their suffering alleviated by sending them through the out-of-province health fund. We've heard many examples today, and there are a few more. Shane Womboldt from Fort McMurray needed cancer treatment, couldn't get it in the province of Alberta, applied to the out-of-province fund, and was told he didn't meet the criteria. And he was dying of a brain tumor.

In my own riding is Brooke Aubuschon. The Health minister has received several letters from us, has received several pleas from us to review her case. He keeps referring her to the out-of-province health fund. Well, that's great, except that the out-of-province health fund keeps telling her: well, you don't qualify because you're not actually getting the treatment; what you're asking for is different and doesn't meet the criteria. The minister is referring this four-year-old girl that's going to die of a rare genetic disease to the out-of-province health fund, and then the

out-of-province health fund is just kicking her back and saying: sorry; you don't meet the criteria. One hand doesn't know what the other hand is doing. There's that.

Then we have Flory and Bob Wilkins from my own riding. Mrs. Wilkins is a 70-year-old senior. She curls. She's very, very active. She takes great care of herself. She needed shoulder surgery. She was told by her surgeon that it would be a three-year wait. That is after receiving the referral to the specialist. From the specialist she would have a three-year wait. That exceeded the benchmark wait times that are set out by CIHI, that this government claims that they can meet 40 per cent of the time. So she was going to sit with a damaged shoulder that was getting more and more damaged every single day. At the one-year mark of the wait time she went back to the same surgeon, and the surgeon now told her that her other shoulder, because she had been over compensating, had now degenerated to a position where it needed to have surgery on it as well. She took matters into her own hands and basically said: I'm an active senior; I want to remain active. She went to the Cambie clinic in B.C., had private surgery on her one shoulder and was able to save her second shoulder but at a cost of \$17,000.

These are taxpayer dollars that are leaving our province, going to another province to get the care that isn't available in Alberta in reasonable wait times. To the Associate Minister of Wellness: surely you can agree that there is a direct cost to Albertans and to taxpayers when they actually do more damage while they're waiting for care between doctors' appointments, specialists' appointments, medications, lost work time, and lost family time. This has a direct cost to taxpayers in Alberta. That's a fact.

5:50

The sooner we can get these people back to work; the sooner we can get them back to health. We all save money. This is preventative medicine. You can reduce wait times by utilizing the out-of-province health fund and actually creating a wait time guarantee that says that the minute that you start to exceed the provincial benchmarks, which this government can't meet but 40 per cent of the time, then you can reduce the wait times. That's what a Wildrose wait time guarantee does. This committee has the ability to look at that solution and say: how can it work best for Albertans? That's a fundamental improvement on how we're doing business today.

Now, to go even further, just the same as the hon. Member for Strathmore-Brooks said, when Mrs. Wilkins brought back her bill and submitted it to the out-of-province health committee, she got less than \$1,500 back, and she was given the same excuses the hon. member spoke about before. She was told that the implements that they had to put into her shoulder to make her viable again were all hardware. That's it. So the bulk of her actual claim was completely denied. She got \$1,500 back from the out-of-province health fund.

Now, there has to be some room to review what this health fund does, what the criteria are that it uses, and what it's actually covering. There's nothing wrong with us as legislators actually working together to find common solutions that work for all Albertans. That is fundamentally the problem. We understand that no system is perfect. There's no question that no system is perfect, but every system is absolutely, one hundred per cent open to improvement.

It might do some good for the other side of the House to understand that opposition parties represent Albertans. I'm not sure if you know that. I understand that you always think we're wrong and you always think that we're doing the one-off, but the reality of it is that 440,000-plus Albertans didn't vote for your party. They voted for other parties, including all three of the

opposition parties. So every day you assume that everything we propose in this House, everything that we stand here and fight for every single day is somehow a slag on the government, and you don't appreciate that sometimes by working together, three heads – four heads in this case, with all four parties – certainly can be better than one know-it-all. That's a fact.

It's our job in here to do what's best for Albertans. People every day are sitting at home and not getting the treatment that they need. They're not getting the care that they need in acceptable wait times. Three years for shoulder surgery and a week for shattered ankles is unacceptable by any means. Front-line workers are begging this government to pay attention. Families and caregivers and the people who are suffering are begging this government to pay attention. Here is a great opportunity for the government to stand up and do the right thing and include all Albertans in the consultation process through their elected officials.

Thank you.

The Acting Speaker: Thank you, hon. member.

Under Standing Order 8(3), which provides for up to five minutes for the sponsor of a motion other than a government motion to close debate, I would invite the hon. Member for Rimbey-Rocky Mountain House-Sundre to close debate on Motion 515.

Mr. Anglin: Thank you, Madam Speaker. It's disappointing, some of the arguments presented by the government members. There's no conspiracy here. Nobody levelled a conspiracy. [interjections] I understand why the member may not understand, why he's confused. He's too busy heckling to even hear what the argument might be. It's sad, the fact that somebody's suffering would be thrown out to this type of partisan bickering, that has no bearing on the subject at hand.

Now, what I presented was cogent evidence in the form of one singular example, an example that can be followed up from riding to riding to riding. These are not examples that we're challenging so much the criteria of the decisions. What we're showing is that people who actually fit the criteria as written in the rules and regs are being denied and not just denied in a timely fashion but over a length of time that is absolutely inexcusable.

I want to put out a couple of things. One is that even the Ombudsman could not actually effectively help this person and is still saying that it's reviewing it, and it's been now over two and a half years. That does not even have to be. So what we're asking here is not to review every decision. That's not what I'm asking. And I'm not asking to increase bureaucracy. I don't even know where that member gets that from at all. What it says is that we have a process in place, we have rules in place, and what we want to do is ensure that those are being followed. That's it. Call it an audit. I call it a review. I cannot believe any argument that you would not want to review a process, because if you tell me that that's true, then why the heck do we have all of these review committees that are constantly being appointed by this government?

To stay consistent, what we're asking here is for the government to appoint a working panel, a working group, to make sure that the decisions that are being made by this agency do follow this government's policy and are following it to the letter of the rules and what this government has set it up for.

Now, I will tell you this. The evidence I presented is cogent in the form of: we know that over a 13-year period this surgery has been done for three Albertans. Two Albertans have been covered, and the third one has not. Now, does it make sense that the hon.

member over here says that we should do it in Alberta? Well, I'll let Alberta Health Services make that determination. They should do it on a cost basis. Should Alberta's medical community do every procedure known to man? I'm not so sure that's necessary. There are these rare circumstances. In this case I would suggest that this is a rare circumstance. The cost for this person is roughly, I think, \$15,000. I'm going to table the whole document tomorrow.

The fact of the matter remains: should we bring in surgeons, create a whole department to do a surgery that may be done three times in 13 years? Probably not likely. So I would suggest to the hon. member that there are lots of procedures that we may want to farm out until the necessity comes that we do them here. But we're talking about relieving the pain and suffering of individual Albertans, however rare it may be. That, to me, is the underlying principle, the underlying reason we have this process, that we do compensate or we do fund for out-of-province care when it meets the needs of our own medical system. That seems logical.

It also seems that if we manage it correctly – and I'll make the presumption that we'll manage it correctly – that we'll keep our costs down. It only makes sense. But we do fund out-of-province care, out-of-country care. We have done it according to the rules, but now we have evidence that the rules aren't necessarily being followed. That's not a conspiracy theory. In this case, with this one example, it's fact. I know these other members can find circumstances when they look at these individual cases that they realize: "Wait a minute. This one should qualify. Why did you get denied?" If there's not a logical answer, then we need to figure out: is the system working? In this case what this lady was being denied for was false. She qualified.

Thank you very much, Madam Speaker.

The Acting Speaker: Thank you, hon. member.

[The voice vote indicated that Motion Other than Government Motion 515 lost]

[Several members rose calling for a division. The division bell was rung at 5:59 p.m.]

[Ten minutes having elapsed, the Assembly divided]

[Mrs. Jablonski in the chair]

For the motion:

Anglin	Rowe	Towle
Hale	Strankman	

6:10

Against the motion:

Amery	Jeneroux	Olson
Bhullar	Johnson, J.	Pastoor
Brown	Khan	Quadri
Cao	Klimchuk	Quest
Casey	Kubinec	Rodney
Dorward	Lemke	Sarich
Fenske	Leskiw	Scott
Fraser	Luan	VanderBurg
Horne	McIver	Woo-Paw
Horner	Olesen	Xiao
Hughes		

Totals: For – 5 Against – 31

[Motion Other than Government Motion 515 lost]

The Acting Speaker: The House stands adjourned until 7:30 this evening.

[The Assembly adjourned at 6:12 p.m.]

Table of Contents

Prayers	2851
In Memoriam	
Dr. Charles Robert Elliott, October 15, 1927, to October 14, 2013	2851
Introduction of Guests	2851, 2863
Members' Statements	
Philippines Disaster Relief	2853
Infrastructure Planning	2861
National Bullying Awareness Week	2861
Community Development	2862
Pacific NorthWest Economic Region	2862
Transgender Community Victims of Violence	2862
Oral Question Period	
Health System Administration	2853, 2855
School Construction and Modernization	2854
Bitumen Price Differential	2854
Seniors' Advocate	2856
Health Act Proclamation	2856
Athabasca River Containment Pond Spill	2857
Organ and Tissue Donation	2857
Municipal Governance	2858
Child and Youth Advocate Report on Youth Suicide	2858
Calgary Ring Road Completion	2859
Emergency Medical Services for Bonnyville-Cold Lake	2859
Securities Fraud	2860
Seniors' Issues	2861
Statement by the Speaker	
Oral Question Period Practices	2861
Notices of Motions	2863
Tabling Returns and Reports	2863
Orders of the Day	2864
Public Bills and Orders Other than Government Bills and Orders	
Committee of the Whole	
Bill 206 Tobacco Reduction (Flavoured Tobacco Products) Amendment Act, 2012	2865
Division	2873
Second Reading	
Bill 208 Seniors' Advocate Act	2873
Motions Other than Government Motions	
Out-of-province Health Care Coverage	2876
Division	2883

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

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

Last mailing label:

Account # _____

New information:

Name:

Address:

Subscription information:

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

Price per issue is \$0.75 including GST.

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

Subscription inquiries:

Subscriptions
Legislative Assembly Office
1001 Legislature Annex
9718 – 107 St.
EDMONTON, AB T5K 1E4
Telephone: 780.427.1302

Other inquiries:

Managing Editor
Alberta Hansard
1001 Legislature Annex
9718 – 107 St.
EDMONTON, AB T5K 1E4
Telephone: 780.427.1875