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The 28th Legislature
First Session

Alberta Hansard

Wednesday afternoon, November 27, 2013

Issue 74a

The Honourable Gene Zwozdesky, Speaker

Legislative Assembly of Alberta The 28th Legislature

First Session

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Rodney, Hon. Dave, Calgary-Lougheed (PC)
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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

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Legislative Assembly of Alberta

1:30 p.m.

Wednesday, November 27, 2013

[The Speaker in the chair]

Prayers

The Speaker: Hon. members, let us pray. Dear Lord, help us to define, to know, and understand what is true, pure, and just. Then, we pray, please fill our hearts and minds with truth, purity, wisdom, and justice for all. Amen.

Please be seated.

Introduction of Guests

Mr. Jeneroux: It's an absolute pleasure to introduce this Assembly to Linda Worrell, seated in your gallery. Linda comes to our House with her son, Mike Worrell, both from Scarborough, Ontario. Linda is one the hardest working people that I have ever met in my life, a single mom often working two jobs. She has raised an incredible son, who has recently moved to our fine province and now works as a correctional officer within the Ministry of Justice and Solicitor General. Linda is my aunt and Mike my cousin. I ask them both to rise here today and receive the traditional welcome of the Assembly.

Mr. Speaker, it's an absolute pleasure to stand here today and introduce you to a lady very close to my heart, seated in your gallery. Despite raising three kids and working in a very successful public relations career, this lady has been my strength and my pillar for many years. She's been the one person that no matter what I decide to pursue in life is right there beside me all along the way. She's there for my two daughters when this job often has me running all over the province. She has put up with me as a rebellious teenager, and she's often understanding when I just need someone to listen. Importantly, though, she's taught me that the right to hope is the most powerful human motivation. After all of this, I ask that my mother, Jayne Jeneroux, please rise and receive the traditional welcome of the Assembly.

The Speaker: The hon. President of Treasury Board to introduce a school group.

Mr. Horner: Thank you, Mr. Speaker. It is my pleasure to introduce to you and through you to all members of the House 87 visitors from Muriel Martin school in my constituency of Spruce Grove-St. Albert. They are accompanied by teachers and group leaders Mme Kristen Campbell, Mme Lori Bilodeau, Mrs. Susanne Ambrose, Mrs. Rhonda Surmon, Mr. Rick Lof, Miss Lacey Zills, Mrs. Dana Nord, and parent helper Mrs. Yvonne Houle. They are seated in both galleries. They are Alberta's youngest, brightest lights for the future. I would ask them all to rise and receive the traditional warm welcome of this Assembly.

The Speaker: Are there other school groups?

Let us move on to other guests, then. The Minister of Health, followed by the Minister of Human Services.

Mr. Horne: Thank you, Mr. Speaker. It's an honour to introduce to you and through you today to all members some very special guests who have joined us from the Health Quality Council of Alberta as we prepare to table their annual report later today. These guests are Charlene McBrien-Morrison, executive director of the HQCA; and Dr. Eric Wasylenko, ethics consultant. The HQCA plays a vital role in improving patient safety and health

and service quality on a province-wide basis. I'd ask these guests to rise and receive the traditional warm welcome of our Assembly.

Mr. Speaker, it is also an honour to introduce to you and through you today to all members Paul Haskins and Cindy Gilmore. Paul and Cindy are both physician assistants for the Canadian armed forces, and I would first and foremost like to thank them for their service. Our guests are here today in recognition of Physician Assistant Day and to recognize the recent introduction of the profession of physician assistants to our health care system. I'd ask them both to rise and receive our traditional warm welcome.

The Speaker: The hon. Minister of Human Services, followed by the Minister of Aboriginal Relations.

Mr. Hancock: Thank you, Mr. Speaker. It's a great pleasure today to introduce to you a number of people from the Alberta Construction Safety Association, which is celebrating its 25th year this month. They've been promoting workplace safety and training continuously since 1988. I'd ask them to rise and receive the warm greetings of the Assembly: Tom Buchanan, representing the Lethbridge Regional Safety Committee; Georgina Nicholls, chairperson, Calgary Regional Safety Committee; Ryan Hawley, chairperson, Red Deer and area regional safety committee; Todd MacDonald, chairperson, Edmonton Regional Safety Committee; Kent Santo, representing the Grande Prairie Regional Safety Committee; Iris Steinley, chairperson, the Alberta ACSA board of directors; and Ken MacDonald, executive director of the ACSA from Lloydminster. Also joining them is someone who many of us have come to know and love through various capacities but is now here in his capacity as executive director of ACSA, Dan MacLennan. I'd ask them all to rise and receive the traditional warm welcome of this Assembly.

The Speaker: The hon. Minister of Aboriginal Relations, followed by Edmonton-Highlands-Norwood.

Mr. Campbell: Mr. Speaker, my guests aren't quite here yet.

The Speaker: The hon. leader of the ND opposition, followed by the Associate Minister of International and Intergovernmental Relations.

Mr. Mason: Thank you very much, Mr. Speaker. Today I am very pleased to introduce to you and through you to this Assembly my guests, who represent thousands and thousands of public-sector workers in Alberta. They're here today because they are very concerned about the implications for their members, which will occur with this PC government introducing Bill 46, the Public Service Salary Restraint Act, and Bill 45, the Public Sector Services Continuation Act. I would ask my guests to rise as I call their names to receive the traditional warm welcome of this Assembly: Heather Smith, president of the United Nurses of Alberta; Gil McGowan, president of the Alberta Federation of Labour; and Guy Smith, president of the Alberta Union of Provincial Employees. Join me in welcoming them.

The Speaker: The hon. Associate Minister of International and Intergovernmental Relations, followed by the Associate Minister of Regional Recovery and Reconstruction for Southeast Alberta.

Ms Woo-Paw: Well, thank you, Mr. Speaker. It's my great pleasure to introduce to you and through you two very important guests from the Hong Kong economic trade office in Canada, the official representative of the Hong Kong special administrative

region government. This office offers business seminars and programs for Canadian companies, helping us to build markets abroad. We are joined today by Miss Gloria Lo, who is a director of the main office in Toronto, as well as Mrs. Catherine Yuen, who is the principal consultant for western Canada at the Vancouver liaison office. Accompanying them today is Mr. David Tam, president of the Edmonton chapter of the Hong Kong Canada Business Association. They are seated in the public gallery, and I'd ask that they please rise and receive the traditional warm welcome of this House.

The Speaker: The hon. Associate Minister of Regional Recovery and Reconstruction for Southeast Alberta, followed by the leader of the Alberta Liberal caucus.

Mr. Weadick: Thank you, Mr. Speaker. It's my pleasure to rise today and introduce two of Lethbridge's finest, members of our Lethbridge Regional Police Service. Constable Kisinger is on the board of directors of the Alberta Federation of Police Associations and is a director for our Lethbridge Police Association, and Constable Tom Kramer is president of the Lethbridge Police Association. They're here in Edmonton meeting with MLAs to maintain our strong relationship. I'd ask them to rise and receive the warm welcome of our Assembly.

The Speaker: The hon. Member for Edmonton-Meadowlark for your first of two intros, I understand.

Dr. Sherman: Thank you, Mr. Speaker. I have two sets of introductions. Today I rise to introduce to you and through you to all members of the Assembly representatives of AUPE. These are the front-line heroes who make this province run each and every day: Executive Director Ron Hodgins and researchers Tom Fuller and Jim Selby. They are attending today with grave concerns about the government's plan to ram through bills 45 and 46, which they believe are both a violation of the Public Service Employee Relations Act and a potentially unconstitutional violation of the Charter of Rights. At a minimum such actions represent bad faith on the part of the government to try to get around the neutral arbitration process that they agreed to. I'd ask the Assembly to give them the traditional warm welcome.

Mr. Speaker, it's also my pleasure to introduce to you and through you four members of HAAV Heart, humanity against all violence. They are Rajneek Thind, Trina Joshi, Abnas Grewal, and Sonam Sharma. The HAAV Heart campaign is an initiative directed toward raising awareness of many inequalities that exist in the world today. They encourage everyone to help create change by volunteering their time to help others, standing up for those who are vulnerable, and simply talking about issues that are happening in the world we live in. They can be followed on Twitter at @haavheart. I commend them for their work and ask every member to give them the warm welcome of the Assembly.

Thank you.

1:40

The Speaker: The hon. Member for Edmonton-Decore, followed by Medicine Hat and the Minister of Aboriginal Relations.

Mrs. Sarich: Thank you, Mr. Speaker. It's an honour and a privilege for me to rise today to introduce to you and through you to all Members of the Legislative Assembly six wonderful individuals here in recognition of the 75th anniversary of ATB Financial. Alberta was a different place 75 years ago, struggling through the devastation of the Great Depression, and in an effort to provide hope for farmers and small business, the government of the day

created a system of temporary financial institutions known as Treasury Branches. ATB Financial has a proud history and today provides a full range of financial services.

Mr. Speaker, my guests are seated in the members' gallery, and I would now ask them to please rise and remain standing as I provide their introduction: Mr. Brian Koziol, branch manager, ATB Financial, Edmonton Namao Centre, located in the constituency of Edmonton-Decore; Mrs. Zorica Babich, assistant manager, ATB Financial, Edmonton Namao Centre; Mrs. Corene Zmurchik, assistant principal, Florence Hallock school, the recipients of ATB Namao branch's corporate social responsibility funding for a school-wide science presentation; Mr. Jack Christie, branch manager, ATB Financial, Edmonton Killarney, located in the constituency of Edmonton-Decore; Mrs. Maria Andreoglou, assistant manager, ATB Financial, Edmonton Killarney; and Mr. Greg Turner, executive member and past president, Killarney Community League. The community league is the recipient of ATB Killarney branch's corporate social responsibility funding for the development of a preschool program. Congratulations and best wishes to all of my guests. I would now ask this Assembly to provide the traditional warm welcome.

Thank you.

The Speaker: The hon. Member for Medicine Hat, followed by the Minister of Aboriginal Relations.

Mr. Pedersen: Thank you, Mr. Speaker. I have three introductions. I'll just go through them all at once. It is my honour to introduce to you and through you to all members of this Assembly three of the over 1,000 volunteer heroes who came together at the greatest time of need during the summer's flood in Medicine Hat. My first introduction is Constable Dave Allen, originally from Belfast, Northern Ireland. He's an eight-year member and is the president of the Medicine Hat Police Association and currently serves in the forensic identification unit. During the flood and evacuation of the police station Dave was responsible for overseeing the transfer of over 100,000 exhibits while setting up a functional ident lab in the temporary facility.

My second introduction is Mr. Darryl Hubich, a seven-year member and the vice-president of the Medicine Hat Police Association. He currently serves in the patrol section. Darryl holds an allegiance to his favourite green football team due to policing for seven years prior in Saskatchewan. During the flood Darryl was responsible for evacuations of affected areas and maintaining order afterwards, and to do this, Darryl worked 11 days straight, averaging 11 hours a day while on scheduled vacation.

My third introduction is Sergeant Ryan Thorburn, a 10-year member. He is the secretary of the Medicine Hat Police Association and currently works in the major crime section. During the flood Ryan worked with the support team to develop a temporary police substation in a safe area of the city. Ryan was later assigned to the residential safety inspection team, going door to door in affected areas before re-entry was permitted.

Mr. Speaker, these Medicine Hat heroes are seated in the public gallery, and I would ask them to rise and receive the traditional warm welcome of this Assembly.

The Speaker: The hon. Minister of Aboriginal Relations, followed by Fort Saskatchewan-Vegreville.

Mr. Campbell: Thank you. It's an honour and a privilege to rise and introduce to you and through you to members of the Assembly three outstanding First Nations youth who are from the Mountain Cree Camp, located south of Edson in my constituency of West Yellowhead. Before I introduce them, I want to acknowl-

edge that the success of these youth was in part due to the work that you did, Mr. Speaker, as Minister of Education and the work that the Member for Lesser Slave Lake did as associate minister of aboriginal affairs in establishing an education program in their remote community. The youth that are here today are outstanding because they are the first to graduate from their community in 30 years. I'd ask that these graduates, who are seated in the members' gallery, rise when I say their names so they can be recognized in the Assembly: Skywind Roan, Rodney Morin, and Shayna Papin. They are also joined by Chief Wayne Roan and 16 supportive family and friends who are seated in the public gallery. Congratulations to these graduates on a job well done. They are role models for many First Nations youth across this province. I'd ask that all members give these individuals the traditional warm welcome of this Assembly.

The Speaker: Congratulations.

The hon. Member for Fort Saskatchewan-Vegreville, followed by Edmonton-Calder.

Ms Fenske: My guests are not here, Mr. Speaker.

The Speaker: Thank you.

Let's go to Edmonton-Calder, followed by Stony Plain.

Mr. Eggen: Thank you, Mr. Speaker. Today I'm very pleased to introduce to you and through you to everybody in this Assembly my guests from the Alberta Refugee Care Coalition. This coalition is formed by a group of public health students and physicians. They're advocating for this provincial government to cover the cost and restore essential health care coverage for refugees and refugee claimants here in the province of Alberta. I would like my guests to please rise as I call their names: Hilary Short, Melody Cesar, Dr. Jessie Breton, Dr. Maria Martinez, Chentila Nagamuthu, Ashley Davey, and Lina Sovani. Can you please give them the warm traditional welcome.

The Speaker: The hon. Member for Stony Plain, followed by Lac La Biche-St. Paul-Two Hills.

Mr. Lemke: Thank you, Mr. Speaker. I would like to introduce to you and through you and to all members of the House two guests from my constituency. They are the parents of one of our hard-working pages, Matt Owens. Steve and Janice Owens have lived in Stony Plain for 13 years. Steve Owens is the director of construction for Capital Power. Janice Owens is an educational assistant at John Paul II Catholic school, located in Stony Plain. I ask that they now stand receive the traditional warm welcome of this Assembly.

The Speaker: The hon. Member for Lac La Biche-St. Paul-Two Hills, followed by Calgary-Mountain View.

Mr. Saskiw: Thank you, Mr. Speaker. It is a pleasure to rise and introduce to you and through you to all members of the Assembly five guests visiting today. All five of these guests are very aware of and interested in the proceedings of this House. I know firsthand how hard they work on issues related to politics, in particular for change after 44 long, long years of one-party rule. These individuals are Jonathon Westcott, Lindsay Lahey, Justin James, Leah Westbrook, and Matthew Smallacombe. I ask my guests to please rise and receive the traditional warm welcome of this Assembly.

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

Dr. Swann: Thank you very much, Mr. Speaker. It gives me great pleasure today to introduce to you and through you to the House five wonderful nurses from Edmonton: Tracy Cox, Lena Peters, Sheena Lukacs, Laurie Hansen, and Akinyi Awando. They're here because they have deep concerns about the declining quality of health care in Alberta, with nursing aides replacing RNs in some of the hospital wards. They're also concerned about the over-capacity protocol that continues to be used with people cramming into hallways and extra beds in wards, increasing, as I believe, infection rates in our hospitals. Thirdly, they're here to register concerns that new nursing graduates are leaving this province because of lack of support and employment.

Thank you, Mr. Speaker.

The Speaker: Hon. Member for Innisfail-Sylvan Lake, I understand that your guests have not yet arrived.

Members' Statements

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

Deaths of Children in Care

Mrs. Forsyth: Thank you, Mr. Speaker. The shocking revelations about the state of our children in care have Albertans heartbroken. They cannot comprehend how senseless tragedies like the deaths of vulnerable children could go unreported for so long.

Mr. Speaker, as the Premier rightly pointed out yesterday, I was the minister of children's services at one point in time. I know what comes across the desk. Some of these cases are absolutely stomach-churning. They can often involve the worst kind of neglect and abuse, and each and every one of them is full of heartbreak. They're haunting.

I also know that the department counts amongst its staff some of the most caring and compassionate souls that I've ever had the pleasure of working with. However, Mr. Speaker, as the recent media investigations have revealed, there is something seriously wrong with how it responds to the death of children in care. In many cases the children passed years ago, but their stories are only now being told for the very first time.

Mr. Speaker, there is an opportunity that comes from each of these stories. It's an opportunity that cannot be wasted. We must learn why these tragedies keep occurring. Until we do, how can we know what steps to take to prevent them in the future? As the former minister I can honestly say with absolute certainty that nothing short of a full public inquiry will fix this. I don't say that lightly. I know I will be called to testify, and I know I will do it without hesitation.

1:50

Mr. Speaker, this isn't about politics. I know that the current minister works hard in a difficult portfolio, and I know that the ministers before him did as well. But we need to set aside our personal hesitation and do what's right. If there were things that I should have done as minister, I want to know about them, Albertans deserve to know about them, and the families that lost children deserve to know about them. I'm asking this government: please, call a public inquiry. It's about doing the right thing.

Speaker's Ruling Brevity in Question Period

The Speaker: Hon. members, just before we start question period, I want to remind both the people who are asking questions and those providing answers that we do have a 35-second rule. I

typically give you a five-second warning. Yesterday I allowed far too many to go over the 35 seconds inadvertently but also partly because of the sensitivity of the topics. I'm afraid we all got caught up in our questions and answers. There were many questions that went beyond 35 seconds and several, several answers that went well over 35. So I'm going to try to clamp down on that so that we can get more members recognized.

That having been said, please, let's not exceed the 35-second rule today. I've asked *Hansard* operators and our sound system operators to please stop the clock right then.

All right. We can start question period now, please. Start the clock.

Oral Question Period

The Speaker: The hon. Member for Highwood. Your first main set of questions.

Deaths of Children in Care

Ms Smith: Mr. Speaker, yesterday the minister assured this Chamber that there were a number of mechanisms designed to ensure that the deaths of children in care are fully and properly investigated. However, as was made plain in media reports today, these different processes are deeply flawed. To quote the *Edmonton Journal*, "The child death review system is governed by two ministries, three different laws, an internal policy document, unwritten conventions and political whim" and "in the end, many deaths are never investigated at all." To the Premier . . .

The Speaker: Thank you.

Mr. Hancock: Well, thank you, Mr. Speaker. It may sound like a complex system, but it's a very thorough system. There are internal reviews; there's the medical examiner, who does a medical review; the quality assurance council looks at things from a systems perspective; and the Child and Youth Advocate is ultimately responsible as the eyes, ears, and voice of the public.

Ms Smith: Mr. Speaker, the media investigation into this sad situation calls the system for investigating these deaths "secretive, redundant and fails to ensure recommendations to prevent similar deaths are acted upon." The groups and agencies involved are described as secretive with limited public accountability. Given this indictment of the system, which the minister in question says has met his expectations, will the Premier agree to call a public inquiry on the issue of deaths of children in care?

Mr. Hancock: Mr. Speaker, far from the way it was just described, it's a fairly effective system in terms of a medical examiner that looks at the medical causes of death; the quality assurance council, which can look at the systemic approach; and the Child and Youth Advocate, who has access to all information. There are also internal reviews, of course, so that we can inform practice. What I have said is that we can get better, and we will look to get better. We will have a round-table bring all the experts together to look at what information should be public, who should make it public, and how death reviews should be conducted.

Ms Smith: In fact, Mr. Speaker, the investigation into the government's handling of child deaths for those in government care appears to be verging on chaos. One example of this is the fact that the death review system is governed by three different laws, each of which uses a different legal definition for what constitutes

a reviewable death. To the Premier. Albertans need to have confidence that child deaths are being appropriately investigated. Will she agree to call a full public inquiry on the issue of deaths of children in care?

Mr. Hancock: Mr. Speaker, the public can have confidence because they have an independent officer of the Legislature called the Child and Youth Advocate, who has access to all the information, has the ability to call a review, has the powers of a commissioner under the Public Inquiries Act, as well as a fatality review board, which has an obligation to review all deaths and in appropriate circumstances call for a fatality review.

The Speaker: The hon. leader. Second main set of questions.

Ms Smith: The government's failure to disclose an accurate number of child deaths for those in government care raises the suspicion that the government is trying to avoid public scrutiny on this issue. While the minister claims that the result of all reviews are made public, the fact remains that there are many deaths for which we have no specific information. Will the Premier call a full public review on the issue of deaths of children in care?

Mr. Hancock: Mr. Speaker, the death of any child, in care or not, is a tragic circumstance. Many of us are parents. We know how much we love our children and how much we care about them and how much it would hurt if we lost them in any circumstance. Every single member in this House, I think, cares about children in care and about children in Alberta. What we want to have is a system which honours the caregivers, honours the people in the system who care for those in the most vulnerable circumstances and an opportunity to review appropriately where tragic circumstances happen.

Ms Smith: Mr. Speaker, in addition to failing to disclose the accurate number of deaths of children in care, the government has also drastically reduced the number of special case reviews it has conducted over the past 10 years, stopping them altogether in 2009. The government's claim that it is fully investigating all child deaths, when it has halted special case reviews, is simply not credible. To the Premier: will she agree to call a full inquiry on the issue of deaths of children in care?

Mr. Hancock: Mr. Speaker, in the first year that I became Minister of Human Services I was mandated by the Premier to put children first and to make sure that we deal with children in this province in an appropriate way. We published the numbers, all of the numbers, of children who died in care. But previously the numbers that were not published were those of children who were determined to have died under natural circumstances or where there was not a questionable circumstance around their death. So that is the situation in Alberta. We're always looking to do things better. We'll have a round-table. We'll bring people together to talk about what information . . .

The Speaker: The hon. leader. Second supplemental.

Ms Smith: Mr. Speaker, when asked by the media about the lack of special case reviews, the assistant deputy minister responsible for human services said, "There might be some conversations between the statutory director and their staff . . . but we don't necessarily create reports . . . Some of it might be meetings; there may not be minutes." Unwritten recommendations, no minutes, and informal processes: shocking. Will the Premier agree to call a full public inquiry on the issue of deaths of children in care?

Mr. Hancock: Mr. Speaker, one thing I can assure this House and one thing I can assure the Alberta public is that the people who work in the Department of Human Services and the people who work in the system in agencies who help children care about their children. Every serious incident and death is investigated and learned from. The learnings are shared in an appropriate way within the department. You can call it a special review, or you can call it something else. The work is done and it's shared and it's implemented. Every time an incident like that happens, we learn from it, and we improve.

The Speaker: The hon. leader. Third main set of questions.

Ms Smith: Mr. Speaker, following the tragic death of each child in government care, we have to endeavour to learn what we can from these sad occurrences. While hard and painful, the lessons we take from each death can help to prevent future deaths from occurring. To date internal and historical recommendations from past reviews are not publicly available. To ensure that all appropriate information is brought to light, will the Premier agree to call a full public inquiry on the issue of deaths of children in care?

Mr. Hancock: Mr. Speaker, public fatality review reports are, in fact, public, and responses to them are often made public. They certainly have been since I've been minister. We respond publicly to the Child and Youth Advocate's public recommendations. We will have a round-table. We will bring together all appropriate voices to discuss how we can do a better job because all of us want to do a better job for children in Alberta all the time.

Ms Smith: The problem is, Mr. Speaker, that of the 258 recommendations put forward by experts, we have no idea how many have actually been implemented. Despite the minister's assurances that, quote, a more formal tracking process, unquote, has been put in place, they have released no specific details on how this process works. It leads Albertans to believe that the government is not doing all it can to ensure that all of the recommendations are implemented. To the Premier: will she agree to call a full public inquiry on the issue of deaths . . .

The Speaker: The hon. minister.

Mr. Hancock: Mr. Speaker, I can assure this House and Albertans that we do know the recommendations from every report that's been put forward, and we do track that internally. We do understand, and we do know what we're doing with it. What we've committed to do is to respond to the quality assurance council's recommendation that a more formal public tracking process be put in place. We will be doing that, and we will be doing that right away.

2:00

Ms Smith: Pressed by the media to explain how his tracking system would ensure that no recommendation falls through the cracks, the minister responsible said: I'm confident that we actually do a pretty good job, I think an excellent job, of learning from circumstances. However, this government's refusal to make public the information surrounding these deaths calls into question the minister's claim of excellence. Will the Premier agree to call a full public inquiry into the issue of deaths of children in care?

Mr. Hancock: Mr. Speaker, that hon. member may think it calls into question the excellence that's happening in the system, but I can tell you that I have had nothing but letters and phone calls from people who work in the system, from agencies, from individuals, from foster parents who are concerned that much of

the good work that's happening, the thousands and thousands and thousands of children who are helped annually in this province by those caring people – they do believe that the system is good, the best in Canada, as one person described it, and getting better and that we're moving the yardsticks. We're doing better every day. We can do better. We will learn.

The Speaker: The hon. leader of the Liberal opposition.

Dr. Sherman: Thank you, Mr. Speaker. We know that the Premier has clearly rejected a call from a united opposition and other groups such as AUPE for a public inquiry into the deaths of Albertan children in this government's care. Interestingly, at a Council of the Federation meeting on July 24 the Premier joined every other Premier in the country in backing the Native Women's Association of Canada's request for a national public inquiry into the case of missing or murdered aboriginal women, a very good thing. To the Premier: why do you feel that the families of the 145 children who died in care, most of them First Nations, are less . . .

The Speaker: The hon. Premier or someone on behalf of.

Mr. Hancock: Thank you, Mr. Speaker. The difference would be that nobody is looking into the deaths of those women. There may be criminal investigations happening, but there's no concerted effort. In Alberta with respect to the child welfare system there is not only a concerted effort to look into the death of each child and learn from it, but as the opposition and the newspaper has said, there are three or four different groups that have a challenge to do it, looking from different perspectives to make sure, in my view, that what we're looking at is done very thoroughly.

Dr. Sherman: Mr. Speaker, my grandpa told me that there are three things in the world you can't hide: the sun, the moon, and the truth. And the truth has come out. The fact is that 145 children died in this government's care, and 78 per cent of them are of First Nations heritage. The truth is that the death rate is three times that of the regular population. These children deserve nothing but the best, and the truth is that they're still dying today. They're on the website. They're still dying in care. It's on the website. To the Premier: will you please put your political self-interest aside and do the right thing? Let's just call an independent inquiry. Let's all fix this.

Mr. Hancock: Mr. Speaker, the most disgusting thing that would happen would be if this was to be made a political interest. This is about children. This is about making sure that we do the best we can for children. All of us are parents. All of us care about children whether we're parents or not. Some of us are grandparents. We care about the children. We want to do what's in the best interests of the children, and that is what we will do. We'll do it with all of those in this province who want to work with us to make the system better. We will take critique; we will use that critique to improve the process. But let's not turn this into a political windmill.

Dr. Sherman: Mr. Speaker, I'll tell you what cheeses me off more than anything: when children are getting hurt. This government knows they're getting hurt. Minister, you've been a minister for many years in this government, and now you're the minister who loves round-tables. Well, your round-table is a PR exercise to make the problem go away. The problem ain't going away, Minister. Time to decide: is your Premier, is your government more interested in making bad headlines go away or bad problems go away? Minister, stand up and do the right thing. Call an inquiry.

Mr. Hancock: Mr. Speaker, I don't have to answer to that hon. member for my care and compassion for children in this province. Every single person that I work with and every single person in this Legislature knows that I have put time and effort and passion into putting children first. I will continue to do that. I will take advice from the opposite member, even that member. I will take advice about improving the system. But I don't need him to yell at me; I need him to come and work collaboratively to make the system better.

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

Mr. Mason: Thank you very much, Mr. Speaker. Well, care for children is more than rhetoric and more than a lapel pin, Mr. Minister. The Minister of Human Services took advantage of his news conference today to berate the news media for their coverage of the plight of children in the care of his government. Clearly, the minister is attempting to intimidate news media into looking the other way while his government continues to reduce investigations into the deaths of children in care and fails to ensure that recommendations to protect those children are implemented. To the minister: how does muzzling the media . . .

The Speaker: The hon. minister, who may pick up on that, please.

Mr. Hancock: Mr. Speaker, I think the hon. member must have missed the news conference, because I didn't berate the media. What we did was that we brought together a number of people who were concerned that their voices were not being heard, people who called us and said that they wanted to be heard on this issue. We called a news conference so that they could be heard. One of the members there took a very strong swipe at the media for the rather disgusting cartoon that was in the *Journal* the other day, but other than that there was actually respect put forward from a number of members, including myself, about the fact that this issue is in the public for discussion, where it should be.

The Speaker: The hon. member, first sup.

Mr. Mason: Thank you very much, Mr. Speaker. Earlier today the Minister of Human Services said the following, quote: people know that children die, and they die in care. It seems that this minister considers the deaths of children in his government's care to be routine and something that should be ignored by the media and the public. To the Minister of Human Services: how does this callous attitude to the deaths of children help those children currently in government care?

Mr. Hancock: Mr. Speaker, I don't think there's anyone who knows me who would consider me to be callous about the death of a child or children in care. What I basically said – and it wasn't just my words; it was others who were there – was that we're dealing in the child welfare system with children who have challenges and families who have challenges. We're dealing with the most difficult of circumstances. The caregivers and the social workers and the foster parents are dealing sometimes with children that they take into care and that they know are going to die, and children do die. We need to learn from every death and every circumstance, but I'm not callous about it.

Mr. Mason: How will we learn, Mr. Speaker, if all deaths of children are not investigated?

The minister also told media that he's not going to interfere with the system based on something he read in the newspaper.

Given that it took the media to do the research that this minister should have done himself years ago, will the minister tell the House why he is ignoring the plight of children who are suffering and dying in government care?

Mr. Hancock: Mr. Speaker, every day this minister, the people who work in the Human Services department, the people who work in the Department of Health and other departments in government, Education and others, work to help create better opportunities for children in this province. Some of those children are in dire situations. Some of those children come from places where they don't get the supports that they need, where they don't get the love they need, where they don't have the stable home that they need. There are challenges, and there are people, there are Albertans, who step up to that every day. This minister does, this government does, and Albertans do.

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

Distracted Driving Education

Mr. Sandhu: Thank you, Mr. Speaker. The Alberta government is working hard to make people safe on the roads by bringing in distracted driving legislation. Unfortunately, some Albertans are not taking this seriously. More and more tragic accidents are happening on Alberta roads due to drivers talking and texting on cellphones. My first question is to the Minister of Transportation, but I can see he's not here, so to whoever wants to answer for him: will you include distracted driving education for each driver in Alberta's to be taken at licence renewal?

The Speaker: Someone from the front bench, please.

Mr. Lukaszuk: I'll take that, Mr. Speaker. As laws under the Highway Traffic Act and other relevant legislation change and are updated and new restrictions or new clauses are introduced, that is included in our educational materials for new drivers and for those who have to take driver's licence tests to be granted a driver's licence in the province of Alberta. So, yes, any new regulations, any new restrictions will be included in the teaching materials.

Mr. Sandhu: To the Deputy Premier again: will you also include distracted driver education for all the new licensees with a compulsory 100 per cent pass mark on the written questions associated with this education?

2:10

Mr. J. Johnson: Mr. Speaker, it's a good question from the member. What I can say is that there is already a distracted driving component within the driver's handbook for when drivers are taking their test and learning how to drive and getting those assessments. It's already built in there. Of course, they don't have to get 100 per cent. If we had to get 100 per cent for that, maybe a few of us might not be driving, too. It's a good question from the member, and I'm happy to inform him that it's already in the driver's handbook.

Mr. Sandhu: It's my final question to the Minister of Education. Will you include distracted driving education for all high school students?

Mr. J. Johnson: Mr. Speaker, we care about the safety of our students, and that's why in the new Education Act there's a provision that talks about the safety of students, but driver education is not exclusively or particularly included in part of our K to 12 curriculum. It's a service that many parents do choose to enrol

their students in, and Alberta Transportation has run a couple of campaigns here recently trying to increase awareness and provide education on this exact topic.

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

Deaths of Children in Care (continued)

Mr. Wilson: Thank you, Mr. Speaker. This morning I attended a press conference, and I was astounded that the Minister of Human Services would attempt to change the channel on serious flaws in our children's services system by laying the blame on the media and the opposition. To slam the media for exposing failures in the system is simply ludicrous. Further, to say that parents should not have the right to discuss the death of their own children publicly is shameful, hurtful, and prevents those families from finding closure. Minister, why do you want to muzzle the parents of children who die in care?

Mr. Hancock: I do not want to muzzle anyone. I do not want to muzzle the media, and I certainly do not want to muzzle the children in care. I might want to muzzle the hon. Member for Calgary-Shaw, but that would be a different issue. Mr. Speaker, what we need to have is a very serious discussion about the balance between the right for the public to know and the right for parents to have that discussion that they want to have and the privacy issues surrounding it. That's a very important question. We'll address it in January at the round-table. I hope that hon. member is there to make a constructive contribution.

The Speaker: The hon. member.

Mr. Wilson: Thank you, Mr. Speaker. Minister, you suggested that parents may not understand the context of how their children die and that is why they are prevented from speaking to the media, yet you also prevent the parents from learning the context of their deaths by denying them any of the details or relevant information. Do you not understand how hurtful and insulting this is?

Mr. Hancock: What the hon. member refuses to understand is that there are many people involved any time there is a tragedy of this nature. There may be siblings involved. There may be other family members involved. There are caregivers involved. There are foster parents involved. There are privacy issues involved, and it's not quite so simple as being able to blurt out all the information on the front page of the newspaper. We do need to have a very adult discussion about what information needs to be in the public and how people can properly access that information. We will have that in January, and I hope that hon. member is there and being constructive about the discussion.

Mr. Wilson: Thank you, Mr. Speaker. I've already replied and accepted the minister's offer to attend his round-table.

Given that PIPA, the Personal Information Protection Act, was recently struck down by the Supreme Court, will the minister commit to ensuring that parents are no longer muzzled once this legislation has been rewritten?

Mr. Hancock: I'm not sure that's the act that applies, Mr. Speaker, but what I can say is this. We will have an intelligent discussion with all the necessary voices at the table to talk about what information should be in the public domain, what information should be kept private in the interests of those individuals, and

who should make the decision if there's a judgment call to be made. We will have that discussion. We will have it in January. We will bring this to a resolution, because this is an extremely important and extremely difficult question for everybody involved.

The Speaker: The hon. Member for Calgary-East, followed by Chestermere-Rocky View.

Calgary Southwest Ring Road

Mr. Amery: Well, thank you, Mr. Speaker. On this historic day, November 27, 2013, the government of Alberta signed a deal with the Tsuu T'ina First Nation that has been decades in the making. This deal allows for the exchange of money and land so that the last portion of Calgary's ring road can be built. To the hon. Minister of Transportation: since the deal has now been signed, sealed, and delivered, can you reveal the total cost of this portion of the ring road?

Mr. J. Johnson: Mr. Speaker, it is a great day, and big commendations to the Premier and others who have been working on this. I know that the minister will be happy to go through the details of the costs, and maybe estimates would be a great time to do that. What I can tell you is how proud I am of the Premier and the Minister of Transportation and of Chief Whitney for the momentous signatures that they put on paper here today. You know, it's not even been two years since the election, and our Premier has already negotiated a deal with the teachers, with the doctors, a framework with B.C., and now this deal that's been decades in the making, Mr. Speaker. We've got a great Premier, who is building Alberta.

The Speaker: The hon. member.

Mr. Amery: Thank you, Mr. Speaker. Given that this deal includes the transfer of around \$340 million and 2,030 hectares of land to the Tsuu T'ina, why does the government think that this is a good deal?

Mr. J. Johnson: Mr. Speaker, we think it's a good deal because great members like this, respected members of the Calgary caucus, have been telling us that it's a great deal. This member has been a great advocate of this. You know, there are all kinds of long-term benefits from this for the Tsuu T'ina Nation and Albertans and all Albertans. It's going to provide the land that's needed to complete the ring road while providing the nation with compensation for the lands, which will enable them to enhance the quality of life for their people. I just think that for future generations of Albertans this is a great announcement.

The Speaker: The hon. member.

Mr. Amery: Thank you, Mr. Speaker. To the same minister: can we expect this portion of the ring road to be completed on time, or will we end up with the same situation as the southeast portion of the ring road?

Mr. J. Johnson: Mr. Speaker, once the land transfer is complete, Alberta will have seven years to complete construction of the ring road through the former nation lands. We're hopeful that the construction will go well and the ring road will be completed before that time. This is just another example of Premier Redford's commitment to building Alberta. [interjections]

The Speaker: Hon. members are reminded not to use first or second names of elected officials.

Let's go on to Chestermere-Rocky View, followed by Calgary-Buffalo.

University of Calgary Office Upgrades

Mr. McAllister: Mr. Speaker, taxpayers continue to be baffled by this government. The most recent slap in the face, one of them, is the outrageous \$8 million plus, plush new offices for executives at the U of C. Now, the minister of advanced education said that he's okay with all of this, and that's no surprise considering his government is spending \$375 million on fancy new offices for themselves. To the minister: do you not see that this is excessive and that the money would be better spent in the classroom?

Mr. Lukaszuk: Mr. Speaker, it's rather ironic for that particular member to rise in the House and ask this question in view of the fact that just a few weeks ago – and when you have free time to read the *Hansard*, read it – he was chastising me for micro-managing universities and for engaging in forcing universities to do certain things and for amalgamating and centralizing universities. Now when he doesn't like a decision, he actually wants me to override the board's decision.

Mr. McAllister: Mr. Speaker, I'd never chastise the minister for standing up for taxpayers. It's his job.

Given that these new offices all exceed the maximum 215 square feet permitted by the university's own guidelines and given that the president's office includes a 175-square-foot bathroom, surely the minister can see why students and all taxpayers find this excessive. Why won't he do something about it and send the right message?

Mr. Lukaszuk: Well, Mr. Speaker, again, this is a party, in particular a member, who believes in locally made decisions as long as he likes them. The moment he doesn't like them, he wants the minister to walk into either that municipality or university and override their decisions.

There is a board. They have made decisions. I said that I will have a conversation with the chair when an opportunity arises, but at the end of the day, they make their priorities as a board of the university, and if that member has issues with it, write them a letter.

Mr. McAllister: Mr. Speaker, I'm pretty sure it's public money, and it's his job to represent Albertans. Why can't the minister do what every person on this planet would like him to do: stand up for the students at the University of Calgary, call out these executives for their flagrant misuse of taxpayer dollars, and end this culture of entitlement?

Mr. Lukaszuk: Well, that tells you how little the universe of that member's life is, 17 single-minded members of a caucus.

Mr. Speaker, no. What Albertans want us to do – and I don't think the rest of the universe is interested – is to support our universities and to support the boards that have been appointed to manage the universities. They make local decisions; they're the closest to the university. They have student representation on the board, they have staff representation on the board, and they have academic representation on the board and public members from Calgary, in this case, on the board.

The Speaker: Hon. Member for Calgary-Buffalo, you're next, followed by Edmonton-Calder.

2:20 Public-service Salaries and Pensions

Mr. Hehr: Mr. Speaker, during the last provincial election the Premier made promises about predictable, sustainable funding and supports for front-line staff. Now that her leadership review is done, she has declared all-out war on public servants, their pensions, and their salaries and contracts. If that was her intention, why didn't she campaign on this instead of running around saying she was Peter Lougheed? To the Minister of Finance: why are you shaking down front-line staff and middle-income Albertans with no debate and no discussion?

Mr. Horner: Well, Mr. Speaker, in actual fact, on the pensions we've been in discussions for over a year around changes that need to be made for sustainability so that those front-line staff will have a defined-benefit pension plan into the future. As for the legislation that we've put on notice to table in the House, what we are after is a fair deal for the employees and a fair deal for the taxpayers. That's it in a nutshell.

Mr. Hehr: Given that the ministers of Finance and Human Services both know that several public-service contracts are currently being negotiated and some are even in arbitration, how can this government's callous attack on public servants' pensions and salaries be seen as anything else but bad-faith bargaining?

Mr. Horner: Mr. Speaker, if we're trying to make the pensions sustainable so that they have defined-benefit pension plans now and into the future, then it's not an attack. We're saving it.

On the other piece to this question that the hon. member talked about in terms of the salaries, we negotiated and worked in good faith with the teachers, Mr. Speaker. We arrived at an equitable solution that's fair for them and fair for the taxpayer. We worked with the doctors; we arrived at a fair agreement for them and for the taxpayer. This legislation will allow us to do the same thing with the hard-working employees.

Mr. Hehr: My final question is to the Associate Minister of Accountability, Transparency and Transformation. Given that your government is ramming through the Assembly in the dying days of this sitting bills that will affect middle-income Albertans and front-line staff without consultation and imposing a six-hour limit on debate, does this really sound transparent?

Mr. Hancock: Mr. Speaker, debate in this House is open and transparent. The hon. member should know because he's been here long enough that sometimes you put on notice various motions in order to encourage and enable the debate to happen in a reasonable way. We will see whether any of those tools are needed or whether the opposition members will come to the debate in a meaningful way to make good legislation for Albertans.

The Speaker: The hon. Member for Edmonton-Calder, followed by Lacombe-Ponoka.

Mr. Eggen: Thank you, Mr. Speaker. Yesterday this PC government announced a direct attack on the women and men who provide public services in this province. Once again this government is proving that they will take every opportunity to drive down wages and trample over the middle class. To the Minister of Human Services: why are you attacking workers, including your own workers and staff, and throwing collective bargaining out the window?

Mr. Horner: Well, Mr. Speaker, prior to suggesting that we're going to drive down wages, the hon. member should wait and see what the legislation is all about. I think that Alberta taxpayers and employees will recognize that what we are doing is asking to come back to the table to negotiate a fair and equitable solution for both the taxpayers and the employees.

Mr. Eggen: Well, Mr. Speaker, given that last year this same Premier went to the AUPE convention and said that she would seek, quote, a good relationship and constructive solutions for the future and given that ever since this Premier has delivered nothing but disgusting attacks on workers and public services, does this minister really think that vindictive and arrogant legislation on those who deliver our public services will do anything but fan the flames of chaos and confusion?

Mr. Lukaszuk: Mr. Speaker, this Premier has a very good record that in very good faith she has negotiated a deal for teachers, and again we have a labour piece that benefits only the children, and that was for the children. The same deal was reached with our doctors so that our parents and our family members can have continuous medical care. Right now, without pre-empting the bill – why should they start reading bills now? They obviously imagine what's in it without reading it. The intention, as the member will see, is to make sure that we reach a good deal between the AUPE and this government.

Mr. Eggen: Well, Mr. Speaker, given that this government is not just attacking public-sector workers but also undermining the essential public services that we all rely upon and given that this government has consistently slashed public spending in the pursuit of an arrogant, right-wing agenda while pretending to be progressive, are these now your true stripes that you are showing? I sure smell a big, fat skunk.

Mr. Hancock: Mr. Speaker, I guess he was calling on me. What we are proceeding with is legislation which will say to our workers: we think you are a very, very valuable part of the Alberta scenario, and we want you to be at work and on work; it's important to Albertans that you are because you're taking care of vulnerable Albertans. We do need to discourage and deter illegal action because vulnerable Albertans are at stake, and we do need to make sure that there are fair workers because our workers in Alberta . . .

The Speaker: The hon. Member for Lacombe-Ponoka, followed by Calgary-Hawkwood.

Land Titles Registry

Mr. Fox: Thank you, Mr. Speaker. Yesterday I asked the Minister of Service Alberta why he was considering changes to Alberta's gold-standard land titles system when numbers show that it generates more than \$80 million per year for this government. The minister wasn't very open or honest in his answer, but he's clearly flirting with the idea of privatization. While that's sometimes a good option, on this side we believe in common sense, Minister, and not fixing something that isn't broken. I want to give the minister another chance to be open and honest with Albertans. Minister, do you plan on privatizing the Alberta land titles system? Yes or no?

The Speaker: The hon. minister.

Mr. Bhullar: Thank you, Mr. Speaker. What we have said is that we're looking at ways to make the system better. We're looking at different options, whether they be the options of what B.C. is doing or Saskatchewan is doing or maybe what's happening in Australia. There's more to this question than just status quo and privatization. There's a multitude of different options, and we're exploring them.

The Speaker: The hon. member.

Mr. Fox: Thank you, Mr. Speaker. I guess my question wasn't very clear.

Given that Albertans, stakeholders, and even the minister's own deputy agree that the current system is darn near perfect and given that a move like this would have massive implications for property owners and stakeholders, maybe the minister of transparency is capable of answering the question. To the minister of transparency: is this PC government planning on privatizing Alberta's land titles registry?

The Speaker: The hon. minister.

Mr. Bhullar: Thank you, Mr. Speaker. As we've said before, we're looking at how we can make the system better. We're looking at options to see how we can move to what Australia does, where everything is done electronically, where you don't need to run around to lawyers and have photocopies and documents couriered from one place to the next. We want to eliminate fraud. We want to have a system that is the best in the world. Australia is the founder of our system, and that's where we're going.

The Speaker: The hon. member.

Mr. Fox: Thank you, Mr. Speaker. Given that the Minister of Service Alberta is refusing to tell Albertans about his quest to sell off Albertans' property rights to the highest bidder, I'll give him an easier question. Minister, have you had any conversations or dealings with Teranet, the company that took over Ontario's electronic land titles system? Yes or no?

Mr. Bhullar: Mr. Speaker, I've talked to people from Ontario, from B.C., from Saskatchewan. We're looking at solutions all over the world. If these members think that the system today is great, good. But do they feel that we should move forward with a \$25 million cost and just increase fees for Albertans? Is that what they're suggesting?

The Speaker: The hon. Member for Calgary-Hawkwood, followed by Livingstone-Macleod.

Engineering Profession

Mr. Luan: Thank you, Mr. Speaker. It came to my attention lately that there are a growing number of Alberta companies who outsource as much as 70 per cent of their engineering and design work overseas for low cost. This concerns me and many of my constituents who are engineers. It leaves our own engineers in Alberta short of work or unemployed. My question is to the hon. Minister of Enterprise and Advanced Education. Does the government of Alberta have any guidelines or legislation to deal with such practices?

The Speaker: The hon. minister.

Mr. Lukaszuk: Well, thank you, Mr. Speaker. Our priority has always been to educate the workforce, a workforce made up of

Albertans first and the rest of Canadians shortly thereafter, to satisfy the labour needs in this province. When it comes to engineers, just very recently, a few weeks ago, our government made a very significant investment in the Schulich school of business in Calgary. However, we're not in a position to dictate to Alberta businesses how they do their work and what they do domestically and what they do outside.

2:30

The Speaker: The hon. member.

Mr. Luan: Thank you, Mr. Speaker. To the same minister: given that other industries, like welders and construction workers, are more tightly controlled and regulated in Alberta than engineers, why doesn't the government level the playing field for engineers?

Mr. Lukaszuk: Well, as the member knows, this province plays on a global market. As we're looking for new markets for all of our products, not only oil and gas but agricultural products and fibre and others, we engage in business world-wide, and in doing so, we cannot be protectionist about our businesses. So we don't tell our businesses how to run their shops, but we want to be competitive, Mr. Speaker. Yes, engineers are governed by APEGA, which is a self-governing body made up of engineers. Our government does not deal with licensure and doesn't tell them how to conduct their profession.

The Speaker: The hon. member.

Mr. Luan: Thank you, Mr. Speaker. Given the actions by these companies, leaving skilled Albertans without employment, my question is to the same minister: is the government of Alberta doing anything to help those Albertans find alternative, meaningful employment?

Mr. Lukaszuk: Well, Mr. Speaker, the opposite would be the case. As a matter of fact, in this province we have a chronic shortage of professional engineers, to the point where many come from abroad and from other provinces to do work in this province. We all know that this province leads Canada when it comes to construction, residential, commercial, and industrial. Some firms do outsource some parts of their work – that's simply their business practice – but we are focused on educating Albertans to become engineers to meet that market need.

The Speaker: The hon. Member for Livingstone-Macleod, followed by Sherwood Park.

Ground Ambulance Services

Mr. Stier: Thank you, Mr. Speaker. After weeks of opposition pressure the Minister of Health said in a press release on Tuesday that his government will finally begin looking at ways to end the failed practice of using ground ambulance resources for non-emergency interfacility transfers in rural Alberta. Unfortunately, the minister had to be harassed and coerced into finally admitting that there was a problem, but he did get there. Now, we know this minister sometimes says one thing but does another. To the minister: what are the exact details of this new plan to move interfacility transfers outside of emergency services?

Mr. Horne: Well, Mr. Speaker, I don't know if it's the hon. member's intention to question my character or to ask a policy question about emergency health services in this province. His colleagues certainly seem to have no compunction in doing so with respect to other members.

What I will say, Mr. Speaker, is that we have recognized for some time that there are a growing number of interfacility transfers throughout the province. Alberta Health Services does a very good job of dedicating basic life-support resources to as many of those transfers as possible to ensure that our most specialized equipment and personnel are not used for that, but we're looking at ways to . . .

The Speaker: Hon. member, first supplemental.

Mr. Stier: Thank you, Mr. Speaker. I don't think I got a clear answer to that.

Given that the minister has now admitted that there's a problem and committed to finding new ways to solve the problem, will the minister now give us at least a timeline for when we can expect a fully functional but separate ambulance interfacility system?

Mr. Horne: Well, Mr. Speaker, the hon. member is getting a little better. The best way to get a clear answer is to ask a clear question.

Mr. Speaker, I'll say what I said to mayors and reeves and others across the province in our discussions around this issue, that we'll continue to look at other options to move interfacility transfers out of the EMS system to ensure that that very specialized equipment and personnel are available for emergencies as much as possible.

The Speaker: The hon. member.

Mr. Stier: Thank you. Considering the minister has finally admitted that the interfacility transfer system was problematic as claimed by the Wildrose all along and acknowledging the fact that municipalities are still deeply troubled over his forced, centralized ambulance dispatch plans, will the minister now commit to making sure our current EMS system is working seamlessly before he imposes centralized ambulance dispatch throughout rural Alberta?

Mr. Horne: Well, Mr. Speaker, it's very obvious but not surprising that the hon. member would not have taken the time to look at the Health Quality Council of Alberta report on ground ambulances. If he looked at either the terms of reference or an entire chapter, he would see that interfacility transfer was actually part of the recommendations that we're acting on now. He would also see that I added, in addition to the government response to the recommendations, a request that Alberta Health Services look at those options, look at how we might expand moving interfacility transfers out of the EMS system, and that's exactly what we're doing today.

The Speaker: The hon. Member for Sherwood Park, followed by Innisfail-Sylvan Lake.

Trade with Asia

Ms Olesen: Thank you, Mr. Speaker. I understand that the Asia Advisory Council helps facilitate discussion with industry and other stakeholders. My question is to the Associate Minister of International and Intergovernmental Relations. In your role as the chair what challenges have been identified by Alberta's small and medium-sized enterprises that are seeking to enter Asian markets?

Ms Woo-Paw: I would like to thank the member, who is a great advocate for SMEs in her riding, for raising this point. Accessing the Asian market, whose middle class is set to triple to almost 2 billion people by 2020, is a key part of our building Alberta plan. Key challenges to our SMEs include the challenge of operating in

new markets. Also, an Asia Pacific Foundation survey found that 60 per cent of Asia-related businesses had problems hiring Canadians with relevant qualifications and only 34 per cent felt that the Canadians working in the professions had sufficient knowledge about . . .

The Speaker: Hon. member, first supplemental.

Ms Olesen: Thank you. To the same associate minister: what is being done to address these challenges and help our small and medium enterprises enter Asian markets?

Ms Woo-Paw: Well, the Asia Advisory Council holds regular in-person consultations with stakeholders and industries. The council also sponsored the National Conversation on Asia event, where the Asia Pacific Foundation launched the Canada's Asia Challenge report. Our Premier and I supported over 25 SMEs this fall in investing in Alberta seminars in China, which led to agreements being signed and incoming business. Also, an SME export council will be developed to identify opportunities and provide feedback and input. Finally, our international offices helped facilitate over 1,500 meetings for SMEs.

The Speaker: Hon. member, second supplemental.

Ms Olesen: Thank you. To the same associate minister: what is the most important area where further progress is needed, and what broad benefits would addressing it have for Albertans?

Ms Woo-Paw: Studies such as the Asia Pacific Foundation's Creating Competence for the Next Generation of Canadians and input from SMEs have identified the need for policies and support to address the development of cultural competency such as increasing public awareness of the importance of expanding access to an increasingly Asia-driven global economy and enhancing our education in Asian economies, differences in business practice and culture, and Asian languages across the province.

Mr. Speaker, opening new markets is about building Alberta and ensuring that we can fund programs and services that Albertans have told us matter.

The Speaker: The hon. Member for Innisfail-Sylvan Lake, followed by Lethbridge-East.

Out-of-country Health Services

Mrs. Towle: Thank you, Mr. Speaker. Five-year-old Brooke Aubuchon qualified for a clinical trial in New York to treat her rare genetic disease. This is the same disease that killed her brother Alex in 2011. Most of the medical costs are covered, but the travel expenses are not. Her family has brought their case to the Health minister, written letters, and gone through every level of bureaucracy available. This family is running out of time. Minister, this government seems to be able to find money for outrageous expenses, bonuses to AHS, a million dollars to the Olympics. Can someone in your government find some money to help save this five-year-old's life?

Mr. Horne: Mr. Speaker, first of all, I have complete sympathy for the little girl that the hon. member is mentioning or anyone who is suffering from a rare disease or an orphan disease. But, as the hon. member knows, we have a process that is independent of government called the Out-of-country Health Services Committee, that includes an appeal process to determine eligibility for costs of health care services that are provided outside of Alberta. I haven't reviewed the particulars on this case. I am not the decision-maker

in this case. I'd encourage the hon. member to advise her constituent of the appropriate process.

The Speaker: First supplemental, please, hon. member.

Mrs. Towle: Thank you, Mr. Speaker. Given that Brooke's treatment is not covered by Alberta health insurance, that she cannot be considered by the committee for exceptional drug treatment, and that the out-of-country medical expense committee has already refused assistance and given that this family has followed every single step you have laid out in every single letter – she has written letters to the Minister of Health, the deputy minister, Alberta Health Services – what else can this family possibly do to get your personal intervention in this situation? It needs your help, Minister.

Mr. Horne: Mr. Speaker, I believe I have a briefing on the decisions of the Out-of-country Health Services Committee, and if they have been through the appeal process, the appeal panel, information is available. These decisions are independent of government. We do have a variety of programs within government to assist people of low income and families of low income. I don't know if that is a consideration or not in this case. But the process of determining eligibility for any health service, whether it's in our health insurance plan or not, is independent of the minister.

2:40

The Speaker: Second supplemental, please.

Mrs. Towle: Thank you, Mr. Speaker. This government is telling children and their families that have rare diseases and can't get any coverage that they're just out of luck. That's unacceptable. Minister, I understand there's a process. This family understands the process. They've followed the process. We've done the low income. We've done every single committee you've outlined. We've written to your ministry. I understand that this not a political decision, but you're the Minister of Health. You have the ability to be kind and compassionate. You've done it before: baby Aleena. You have taken cases on personally. Brooke needs your help. She's five, and she's going to die. The treatment . . .

The Speaker: The hon. minister.

Mr. Horne: Mr. Speaker, this is hardly a place for an appeal to a minister or any other member of this government to go outside established processes, that are evidence-based and independent of government, to make what are very difficult decisions.

It is, further, quite misleading and unfortunate that the hon. member on behalf of her caucus would claim credit for a political decision with respect to a very serious case that I had to review over the summer. That decision, Mr. Speaker, was made on the basis of clinical evidence that was available to us. I think Albertans expect . . .

The Speaker: The hon. Member for Lethbridge-East, followed by Calgary-Mountain View.

Oldman River Watershed Management

Ms Pastoor: Mr. Speaker, I attended the Oldman Watershed Council meeting recently in Lethbridge, one of many held in the region. There was a robust discussion with the council and 15 interest groups regarding the protection of the eastern slope headwaters. I came from that meeting with some very important questions. To the Minister of Environment and Sustainable

Resource Development. There are comprehensive regulations protecting riparian zones and streams. However, could . . .

The Speaker: The hon. Minister of Environment and Sustainable Resource Development. I hope you got a question in there somewhere.

Mrs. McQueen: Well, thank you, Mr. Speaker, and I want to thank this hon. member for the work that she did and is doing, especially by attending the Oldman Watershed Council meetings and bringing their concerns back. Currently, members, we are seeking feedback, as you know, from Albertans with regard to the draft South Saskatchewan regional plan. Under the draft plan we have proposed various locations to create recreation access management plans. Collaboration certainly is key, and we're working with the stakeholders to hear what their concerns are so we can move those forward.

The Speaker: The hon. member.

Ms Pastoor: Thank you, Mr. Speaker. To the same minister: given that in their opinion and the opinion of other groups that recreate in that area enforcement is neither consistent nor forceful, are there plans for increased monitoring in that area?

The Speaker: The hon. minister.

Mrs. McQueen: Thank you, Mr. Speaker. This is certainly something that we are hearing throughout the consultation. Enforcement is key. It's key that we do that now, but it's certainly something that we need to look at as we move forward. It's also about good design, ensuring that we have trails developed in appropriate places. That's part of the work that we're doing with regard to the South Saskatchewan regional plan. We're certainly also committed to ongoing education and outreach to ensure that we all have the opportunity to enjoy our beautiful backyard in the South Saskatchewan regional area.

Ms Pastoor: Again to the same minister, Mr. Speaker: given that the information and data are missing for surface water quality, groundwater recharge areas, and sedimentation effects, has your ministry dedicated resources towards this research, and is there a time frame for reporting?

The Speaker: The hon. minister.

Mrs. McQueen: Well, thank you. Hon. member, the draft plan also includes a surface water quality framework, that will allow us to analyze and respond to data on environmental conditions in the region. The management framework sets clear monitoring, evaluation, and reporting requirements so that we can provide the information on the status of the ambient conditions in the region.

Statement by the Speaker

Oral Question Period Rules Rules and Practices of the Assembly

The Speaker: Thank you, hon. members. The time for question period has elapsed. I'm going to take two minutes to address all of you and comment on the 35-second rule.

As I indicated before question period started, I would strictly enforce it today. As a result of that, we had 102 questions and answers, which is mathematically obviously possible. If you take 35 seconds for a question and 35 seconds for an answer and you use the full time, you'll get to just over 14 members that can be

recognized. Again I ask the House leaders: if you want to address it, please do. Otherwise, I'll do my best to get up as many of you as possible. I was fairly strict in cutting people off today right at 35 seconds, and I will remain that way as best I can going forward. So that's the rule.

Number two, I let a number of interjections go on both sides of the House today to speed the clock along, just to illustrate the 35-second business, and that was accomplished. I won't be as generous, perhaps, tomorrow in terms of not interjecting should you persist in interjections yourselves.

A couple of comments about the process – I've received some notes – and how it works. Here's how it works. Please listen. Once you have been recognized, the clock starts. If you wish to stand there and wait for the applause to die down or you wish to finish off a conversation across the bow or whatever, that is up to you, but our rule at this table, until further notice, is that we start the clock as soon as you've been recognized.

The Clerk: When they start speaking.

The Speaker: I have here: immediately once a member has been recognized and actually starts speaking. There's a second part to that. Immediately once you've been recognized, the clock starts on your first word. Sorry. Thank you, Clerk, for helping me clarify that.

Please keep in mind to move ahead because the microphones don't pick up all of that conversation as such that's going on which is preventing you from saying your first few words. Thank you for that.

Secondly, I get a signal from someone at the table here. The five-seconds-left signal is what it's called. Five seconds left. And I do my best to give that. In the past I've been a little slow with the hand movement. I can stop doing that if you would find it helpful. It's never been done before; it's something that I've introduced to help all of you, frankly, and that might help us. I'll do my best to keep going. I'm sorry if I have to be a bit harsh in bringing it forward.

Finally, kudos also to people who didn't use a preamble today. The rule going back to '07-08 says that there will not be a preamble. The House leaders' understanding, as I understand it, is that there should not be one. That's another one for you to consider. Nonetheless, Edmonton-Manning, Calgary-East, and Sherwood Park did great work today by not consuming time with preambles, as did Calgary-Shaw and Livingstone-Macleod make a good attempt at it, and so did others. Thank you.

Also, please do not refer to members by first name or last name. You know better. Minister of Education, you certainly know that, so please keep that in mind. Secondly, do not refer to anyone's presence or absence in the Chamber. That is strictly forbidden. Frequently you might find yourself at a funeral and not be able to be here. You might find yourself with a family emergency. You might find yourself doing some urgent business or whatever it is. So please keep in mind that that knife slices both ways and that we should be respectful of the rules.

That having been said, in 20 seconds we'll commence with the continuation of private members' statements, starting with Edmonton-Strathcona.

Thank you for your kind attention.

The hon. Government House Leader before we continue?

Mr. Hancock: Thank you, Mr. Speaker. In order that we can continue with Members' Statements and the rest of Routine, I'd ask for unanimous consent to extend the clock past 3 o'clock.

[Unanimous consent granted]

Members' Statements

(continued)

The Speaker: The hon. Member for Edmonton-Strathcona for your member's statement.

Government Policies

Ms Notley: Thank you, Mr. Speaker. Attacking hard-working families has become the signature tactic of right-wing governments throughout North America. No matter what promises they make, Conservative governments from Ottawa to Wisconsin are determined to make life more costly for working families. They slash spending on public services, they operate in secret, they force the middle class to pay for their austerity budgets, and they put their corporate friends ahead of working families.

Mr. Speaker, this Premier promised to be different, but she's proven that she will never keep her promises to Albertans; she'll never side with the real people, who build this province; and she'll never stand up to right-wing, frankly, Wildrose policies. In fact, she'll implement them herself faster than they would.

We knew that the secrecy and cynicism of Harperism was already alive and well in the Premier's office, but now it appears that she's bringing the Tea Party to Alberta, too. In recent weeks the Premier has attacked working Albertans by undermining pensions, eliminating cost-of-living increases, and preventing CPP reform. Her government imposed a real wage cut on teachers for the next three years, and at the same time her budget eliminated more than 500 teachers and support workers from Alberta's schools.

2:50

Today, Mr. Speaker, they have raised their attacks on working people to unprecedented levels. Or we think they're about to. Today they will likely introduce legislation that we expect will attack the rights of workers to negotiate their working conditions, will give cover to the government for breaking internationally recognized human rights provisions, and will penalize Alberta workers for objecting. All of this will be done while using the oppressive Harper Conservative technique of shutting down democratic parliamentary debate, all this so they can levy a direct attack on the hard-working people of Alberta, an attack that is occurring the same week the government announced it had found an extra billion dollars in revenue.

Mr. Speaker, this Premier is showing her true colours. Her record is cynical, elitist, and regressive. It is designed to leave the majority of Albertans behind. However, ironically, I have no doubt that two years from now it is actually the Premier who will be left behind by the majority of Albertans.

The Speaker: The hon. Member for Edmonton-South West, followed by Calgary-Varsity.

Aboriginal Teacher Education Program

Mr. Jeneroux: Thank you, Mr. Speaker. Today I want to call attention to a very important fall convocation ceremony which took place earlier in November. With 48 undergraduates crossing the stage, the aboriginal teacher education program at the University of Alberta Faculty of Education graduated its largest class ever. To add to the historical significance, this is the 10th anniversary of the program.

The aboriginal teacher education program is unique as it allows students to complete their bachelor's degree in elementary education while maintaining community, family, and cultural

connections. The program's goal is to increase the number of First Nations, Métis, and Inuit teachers as well as teachers with an understanding of aboriginal issues and perspectives and histories in the classroom. Students who graduate from the program are prepared to teach responsively and meaningfully when they have aboriginal students in their classes and in aboriginal communities.

Students work in co-operation with Northern Lakes College and the Northland school division to study at 14 aboriginal and First Nation community sites. Another essential part of the program is the special relationship which exists with elders in the community. Elders are used as both mentors and also brought into the classroom as co-instructors.

Mr. Speaker, it's truly wonderful to see the success of a program that will benefit hundreds of youngsters in First Nations and aboriginal communities across Alberta. These graduates wanted to be able to share their knowledge and love of teaching with their own community, with their own children. In the coming months this goal will become a reality for these 48 educators.

Improving education and creating capacity within the aboriginal communities is important as our government continues building Alberta. The success of this program and these graduates will have a positive impact on aboriginal communities for generations to come.

On behalf of all members I want to applaud these graduates and the aboriginal teacher education program and wish them all the very best.

Thank you, Mr. Speaker.

Small and Mid-size Energy Companies

Ms Kennedy-Glans: Mr. Speaker, junior and mid-cap energy companies are the backbone of Alberta's energy sector. I've worked in this sector for nearly three decades, even active in the Independent Petroleum Association of Canada in the early 1990s, and I've seen first-hand the contribution of these players to our economy and to innovation. And I've seen their resiliency. Most of these companies employ people with strong personal ties to this province, and this, in fact, often fuels the resiliency of their response to challenges.

Over the years these companies have adapted through many changes in how we explore for, produce, and market oil, bitumen, gas, and liquids. Right now, though, several of these companies face some serious challenges, including accessing capital and liquidity. To understand these situations for junior and mid-cap players and their choices, I've met one by one with over 70 senior decision-makers within these companies.

These corporate leaders don't want to be rescued by government – that attitude doesn't align with their entrepreneurial spirit – and there is wide recognition that there is no simple fix for the broad macroeconomic situation. But they do have ideas about how to weather the present challenges by strengthening their voice by building the capacity of the Explorers and Producers Association of Canada led by Gary Leach, a constituent of mine; by asking the new Energy Regulator to make sure that its regulatory approach to junior and mid-cap companies is more in tune with their operational timelines and decision-making processes, that it's competitive; by asking the Finance minister to work with his federal counterparts to modernize tax and investment rules; by thinking about how new markets can be accessed not just by the majors but by the smaller players, too; and by recognizing the role these companies play in moving energy research and innovation to commercialization.

Mr. Speaker, these ideas merit our full attention. Thank you.

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

Highway 28

Mrs. Leskiw: Thank you, Mr. Speaker. Northeast Alberta is a fast-growing energy development area. Increase in industrial activity is a benefit and a challenge. One of the main challenges is the increased traffic and large loads travelling on highway 28.

In this House we have heard how highway 63 is critical to the development of Fort McMurray and, with its growth, the economic development of the province. Just as highway 63 is crucial to the development of the Fort McMurray oil sands area, highway 28 is critical to the development of the Cold Lake oil sands area. Future output in my area is expected to reach 1 million barrels of oil a day, and as Bonnyville-Cold Lake begins to grow and industry expands, highway traffic will only get worse. Large-equipment modules move along this highway, and with no passing lanes for the 200-kilometre stretch from Gibbons to Bonnyville, traffic is becoming more and more dangerous on this small two-lane highway.

Mr. Speaker, the leaders in my constituency and I have been asking the province to improve highway 28 for many years. These changes would start by adding passing lanes, and we hope the province will eventually twin the thoroughfare. I am happy to see my municipal leaders working together to establish a long-term framework for the future infrastructure needs of my constituency. Working together is crucial as oil sands production increases and the population of our area grows.

Mr. Speaker, on behalf of my constituents I will continue to voice their concerns and work to get this highway up to speed. Projects such as highway 28 are important improvements for this province to continue to be a great place to live, work, and raise a family.

Thank you.

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

Brooke Aubuchon

Mrs. Towle: Thank you, Mr. Speaker. For over a year now the family of little Brooke Aubuchon has been pleading with this government and this Health minister to help keep their five-year-old daughter alive. Right now little Brooke is slowly dying from Batten disease, an extremely rare inherited disorder of the nervous system, which took the life of her brother Alex in 2011.

Despite this bleak outlook, there is a lot of hope. Brooke qualified for a revolutionary new treatment at the Weill medical college in New York that may save her life. In February she received surgery, and though the medical costs were covered, her expenses were not. The people of Innisfail, touched by the story of little Brooke, have rallied their big hearts and made generous donations to cover the initial costs of this trip. But more trips and more medical necessities and expenses await. The treatment is not covered by Alberta health insurance and they cannot be considered by the committee for exceptional drug treatment. The out-of-country medical expense committee has refused assistance because they do not qualify.

We've written letters to the Health minister, to the deputy minister, and to Alberta Health Services, and what we've received back so far are letters directing us back to these same committees. The Aubuchons are a normal Alberta family living from paycheque to paycheque. Tragically, they're now facing heart-wrenching decisions about how to keep Brooke alive. Like any

parent, they will do whatever they can to try and save Brooke's life. They are joined by many Albertans in asking why a province as rich as ours is leaving little Brooke behind.

Mr. Speaker, I could go through a long list of areas where money is spent by this government recklessly. The Auditor General's report showed just this year AHS spending of over \$100 million in expenses in just 17 months. The wasteful trip to the London Olympics cost taxpayers an additional \$1 million. But most disturbing is the practice at AHS of paying for executives to get private treatments in the U.S., fully covered by the taxpayer. That's not right.

Mr. Speaker, there's no question that we live in a great province. Albertans are kind, caring, and compassionate. We can and we must do better for children like Brooke, who have rare diseases that really just don't fit inside the box. These children deserve a chance at life. That's what we're asking for.

The Speaker: Thank you.

Notices of Motions

The Speaker: The hon. leader of the ND opposition or someone on behalf of.

Ms Notley: Yes. Thank you, Mr. Speaker. I rise on behalf of the Member for Edmonton-Highlands-Norwood to give notice pursuant to section 15(2) of the Standing Orders that at the appropriate time I will be rising on a point of privilege regarding the obstruction of the work of this Assembly and also the independent Members' Services Committee by actions of the Premier, her office, and the Public Affairs Bureau.

Thank you.

The Speaker: Thank you. We have the notice being read.

3:00

Introduction of Bills

The Speaker: The hon. President of Treasury Board and Minister of Finance.

Bill 42

Securities Amendment Act, 2013

Mr. Horner: Thank you, Mr. Speaker. It is my pleasure today to rise to introduce Bill 42, the Securities Amendment Act, 2013.

Bill 42 will further modernize, harmonize, and streamline Alberta's securities laws as part of the ongoing collaborative reform of Canada's securities regulation. Bill 42 focuses on over-the-counter derivatives and the harmonization of derivatives regulation in Canada. As members of this House may recall, the lack of transparency within this type of investment was cited as a contributing factor in the global financial crisis in 2008.

Bill 42 creates a statutory framework for the regulation of over-the-counter derivatives, providing the Alberta Securities Commission with the authority to make rules such as mandating central clearing, trade reporting, electronic trading, and seldom-seen other conduct requirements for those trading in derivatives. Provincial and territorial regulators will be encouraged to agree on a harmonized approach to regulating derivatives capable of being adopted across Canada. Bill 42 is an important step in that direction.

Thank you, Mr. Speaker.

[Motion carried; Bill 42 read a first time]

The Speaker: The hon. Government House Leader.

Bill 45**Public Sector Services Continuation Act**

Mr. Hancock: Thank you, Mr. Speaker. I beg leave to introduce a bill being Bill 45, the Public Sector Services Continuation Act.

Mr. Speaker, the work of Alberta's public-sector employees supports healthy and safe communities, something that our employees and all Albertans value. They take care of vulnerable Albertans. They protect our communities. Illegal strikes put Albertans at risk. This bill will help to deter such strikes and hold unions and individuals who break the law accountable for their actions.

It will also ensure that taxpayers are protected from the costs of an illegal strike. The recent illegal AUPE strike by corrections officers meant that over 400 RCMP officers had to be pulled from communities to ensure our prisons remained secure, costing millions of dollars. We learned that the deterrents and the sanctions that were in place are out of date and ineffective. This bill will ensure the stability of vital public-sector services that keep our communities healthy and safe.

I would ask for support for Bill 45 from the House in first reading.

[Motion carried; Bill 45 read a first time]

The Speaker: The hon. President of Treasury Board and Minister of Finance.

Bill 46**Public Service Salary Restraint Act**

Mr. Horner: Thank you, Mr. Speaker. I rise today to introduce Bill 46, the Public Service Salary Restraint Act.

This legislation supports government's commitment to living within its means by ensuring sustainability in the compensation of the Alberta public service. The collective agreement between the Alberta government and the Alberta Union of Provincial Employees expired on March 31, 2013. As you know, the union represents more than 21,000 Alberta government employees.

Collective bargaining and mediation efforts have not been successful in reaching a new agreement that would have been in the interest of Albertans. Bill 46 will provide a framework within which the government of Alberta can negotiate with the AUPE towards a new four-year agreement that is reasonable for employees and reflects our accountability as government to taxpayers.

With this bill, Mr. Speaker, we are asking AUPE to come back to the table with us. We still want to attract the best and the brightest to our public service, and we will uphold Alberta's market edge through competitive pay and benefits for our workforce, but we are committed to doing it in a way that ensures our overall growth rate for salaries is sustainable. These are difficult decisions that need to be made.

With that, I move first reading of the Public Service Salary Restraint Act. Thank you.

[Motion carried; Bill 46 read a first time]

Mr. Saskiw: Point of clarification, Mr. Speaker. We can't really vote on stuff if we don't have a copy of it.

The Speaker: Hon. Member for Lac La Biche-St. Paul-Two Hills, I'm sorry. There's quite a bit of shouting going on outside, and I've not heard what you wanted clarification on.

Mr. Saskiw: Yeah. Mr. Speaker, it's been, I think, procedure in this House that as soon as a bill is introduced, we have a copy of

it. We still don't have a copy, and it's time sensitive because they're ramming this bill through potentially this evening.

The Speaker: I believe the bill is being circulated now, is it not? Hon. members, it should be now being circulated unless there is some holdup or some disruption.

In any event, first reading gives you all an opportunity to move forward and review it before second reading arises, and that will happen.

Tabling Returns and Reports

The Speaker: The hon. Minister of Health, followed by the Minister of Justice.

Mr. Horne: Thank you very much, Mr. Speaker. I'm pleased to rise this afternoon and table the appropriate number of copies of the Health Quality Council of Alberta 2012-2013 annual report.

Thank you, Mr. Speaker.

The Speaker: The hon. Minister of Justice and Solicitor General.

Mr. Denis: Thank you very much, Mr. Speaker. I am pleased today to rise to table five copies of the Alberta Human Rights Commission annual report from April 1, 2012, to March 31, 2013. One of the really encouraging signs we see in this report is a three-year consecutive decline in the number of human rights complaints. I'm hoping, as we from all parties in this Chamber are, that this means a more inclusive and accepting province.

Thank you.

The Speaker: The hon. Member for Edmonton-Highlands-Norwood or someone on behalf of.

Mr. Bilous: Thank you, Mr. Speaker. I rise on behalf of, actually, the Member for Edmonton-Calder, who has two tablings.

The first tabling is copies of the report entitled Filling the Gaps: Why Providing Health Care to Refugees Makes Sense for Alberta. This report was released in October by the Alberta Refugee Care Coalition. The report clearly lays out why it would be in the best interests of all Albertans for the provincial government to fill the gap created by the Harper government's cuts to refugee health care. The coalition is hopeful that this PC government will follow the lead of other provinces such as Manitoba and Quebec by stepping up to cover the medical needs of refugees and refugee claimants.

My second tabling, Mr. Speaker. On behalf of the Member for Edmonton-Calder I'm tabling the appropriate number of copies of The Building Alberta Plan: 2013 Edition. This document, particularly page 6, is in relation to the point of privilege that will be raised by the Member for Edmonton-Strathcona.

Thank you, Mr. Speaker.

Tablings to the Clerk

The Clerk: I wish to advise the House that the following document was deposited with the office of the Clerk: on behalf of the hon. Mr. Horne, Minister of Health, pursuant to the Health Professions Act the Alberta College and Association of Chiropractors 2012-13 annual report.

The Speaker: Hon. members, I don't have any points of order that were raised.

There was one point of clarification here a few moments ago, and we're dealing with that, hon. Member for Lac La Biche-St. Paul-Two Hills. Thank you.

Let's move on, then. There is a point of privilege to be raised here. The hon. Member for Edmonton-Strathcona

Privilege

Obstructing a Member in Performance of Duty

Ms Notley: Thank you very much, Mr. Speaker. Pursuant to Standing Order 15 I rise to raise a point of privilege based primarily on the grounds that the independence and the ability to function of both the Members' Services Committee and also this Assembly have been obstructed by actions taken by the Premier and most recently by the, I'm going to say – well, I don't know. I guess I'm going to have to go with the Minister of Human Services because I'm not exactly sure who specifically took the action.

Please allow me to go over the facts of this case. I will begin briefly by talking about timeliness, then I'll go over the facts, and then I will talk about my arguments with respect to where the breach has occurred. I do believe that we have met the conditions of timeliness in that the matter in question relates to a brochure which was mailed out, presumably by the Public Affairs Bureau, and began arriving in the mailboxes of a number of Albertans yesterday. The Member for Edmonton-Highlands-Norwood first received his copy of this government-funded PC orange and blue leaflet in his mailbox yesterday. This is, therefore, the first opportunity to raise this matter in the Assembly.

3:10

The other action which occurred, frankly, just occurred, Mr. Speaker, in that it is now as far as I can tell 3:10, and I have not yet received a copy of either Bill 45 or Bill 46, yet I am advised that the media have received a briefing on this bill as of 2:45, which also amounts to a breach of the privilege of the members of this Assembly.

Let me carry on with my facts. On Monday, November 25, the government, through the Attorney General on behalf of the government, told media outlets that they would seek an MLA wage freeze at the Members' Services Committee, as is their right, at a meeting on Friday, November 29. On Tuesday, November 26, the government gave oral notice to introduce Bill 46, the Public Service Salary Restraint Act, presumably a bill that freezes public service pay or will orchestrate that outcome.

However, yesterday Albertans began receiving a mail-out from the government of Alberta, presumably mailed last week, which reads at page 6:

Public sector employees, including teachers, doctors and government managers – as well as MLAs – are leading by example with multi-year wage freezes because it's the responsible thing to do for our province.

I would suggest, Mr. Speaker, that in making this statement to the public as a fait accompli, the Premier is breaching the privilege of this Assembly in two ways. The statement about the public wage freeze appears to anticipate the passing of Bill 46, a bill that, as I have just noted, we have not even seen. It also anticipates a decision of the Members' Services Committee, which has not yet considered the matter.

Erskine May describes privilege as “the sum of the peculiar rights enjoyed by each House collectively . . . and by Members of each House individually, without which they could not discharge their functions.” You see that at page 75. As you are aware, Mr. Speaker, at the commencement of the First Session of each Legislature a number of committees are established, including the Members' Services Committee as per Standing Order 52(2). This committee is empowered under the Legislative Assembly Act to make on its own important decisions on issues such as the amount

MLAs are paid. I would refer you in particular to sections 33(1), 36, and 39 of the act.

Now, notwithstanding this particular member's personal incredulity with respect to the following issue, the precedent in this House has been to recognize a so-called tradition of this Legislature, which is to assume that committees are to be treated as though they are populated by private members who toil on these committees on behalf of the Legislature as a whole. Accordingly, the Members' Services Committee is often described as an “independent committee of the Legislative Assembly.” I would refer you to the Speaker's ruling on April 17, 2007. As such, it is understood that members are free to consult with anyone, including their fellow caucus members, but are also free from partisanship or influence from Executive Council. The principle and general understanding that these committees are independent has been established by numerous rulings made by the Speaker of the Alberta Legislature as well, quite frankly, as statements to this effect by various Premiers and cabinet ministers.

Now, the Member for Edmonton-Highlands-Norwood raised a point of privilege based on a similar sort of issue in February of this year after the Premier tweeted that MLAs were leading by example by freezing their wages before the decision had been made at the Members' Services Committee. At that time, I believe, the member raised his point of privilege in the Members' Services Committee. At that time, Mr. Speaker, you were chairing the committee, and you said:

The chair's role is to determine whether or not the issue that's been raised as a point of privilege touches on privilege. I have determined that it does. Now it's up to the committee to decide what it wants to do about that.

So we have a fairly clear precedent where the government anticipating a decision of the Members' Services Committee amounts to a question of privilege.

In terms of other precedents there are numerous examples whereby the Speaker has ruled that the proceedings of the committee cannot be directed or represented by the government. One example of this was May 14, 1992, when the Speaker ruled out of order a question posed by Member Ray Martin pertaining to whether or not the Premier would agree to direct the proceedings of the Members' Services Committee in a certain direction. In his ruling the Speaker at that time stated:

The government cannot answer on behalf of the whole committee . . . the government certainly cannot direct what happens to all the committee.

That's in *Hansard*, May 14, 1992.

Interestingly, Mr. Speaker, members of Executive Council in this House have also relied heavily on this principle. On October 23, 2012, the Premier described in detail how she understands that it is not her place to direct the proceedings of the Members' Services Committee. With reference to that issue she stated in *Hansard* on October 23, 2012:

My understanding is that the work of that committee was to review the recommendations of the Major report. I understand that that's what they did, and I don't understand that it's my role to direct the members of the committee to do anything.

She went on to say:

Mr. Speaker, as you have so rightly said . . . this is not a committee of the government. This is a committee of the Legislature that at some point will make a decision that we as MLAs will consider . . . That's why we have a Members' Services Committee. It is the job of MLAs, not the government.

Interestingly, on October 31, 2012, the Minister of Human Services, speaking on the issue of MLA pay, said:

There is not a government policy with respect to MLA pay. That's the purview of the members, and that's a debate that's held at the Members' Services Committee.

The Speaker: Hon. member, I wonder if you could just focus in a little bit more on the matter of urgency rather than all of these examples. I know you're providing the best you can.

Ms Notley: It's a point of privilege here, Mr. Speaker. I don't believe there's a matter of urgency to be discussed. There's an issue of timing.

The Speaker: Yes. I thought you were talking about urgency a little earlier.

Ms Notley: No, I wasn't.

The Speaker: I may have misheard you.

Ms Notley: Timeliness is one of the issues in terms of when I raise it.

The Speaker: Understood. Please carry on.

Ms Notley: So that's why I spoke to timeliness, but urgency is not the issue. The issue is: what are the privileges of this House and have the actions of the Premier breached those privileges? Thank you, Mr. Speaker.

Moving on to the additional issue, just to briefly review the issue of what else constitutes privilege and contempt, *Erskine May* says at page 128:

Generally speaking, any act or omission which obstructs or impedes either House of Parliament in the performance of its functions, or which obstructs or impedes any Member or officer of such House in the discharge of his duty, or which has a tendency, directly or indirectly, to produce such results, may be treated as a contempt even though there is no precedent of the offence.

Then in *Maingot*, second edition, at page 225, the author says:

3. Contempt is more aptly described as an offence against the authority or dignity of the House.
4. While privilege may be codified, contempt may not, because new forms of [contempt] are constantly being devised and Parliament must be able to invoke its . . . jurisdiction to protect itself against these new forms.

Mr. Speaker, there are two separate issues, as I stated. The first – well, no. Now there are actually three separate issues, and I chose to raise it because the first possible opportunity was about 30 seconds after it arose. The first issue is the brochure sent out by the Premier, a brochure which anticipates, clearly, a decision of the Members' Services Committee which has not yet been made. That's the bottom line.

Just to be clear, the brochure refers to a multiyear wage freeze for MLAs. I am fully aware that the Members' Services Committee has already agreed to a one-year wage freeze, and quite honestly it may well be the case that our caucus would support a wage freeze although certainly not as a means of justifying the outrageous conduct of this government towards its employees. However, the fact of the matter is that the committee has so far only deliberated upon a one-year wage freeze. So by talking about a multiyear wage freeze, it is clear that this brochure is anticipating a decision of the Members' Services Committee which has not yet been made, and that, Mr. Speaker, is a clear breach of privilege.

The second point, Mr. Speaker, is that the brochure also refers to a wage freeze for public-sector employees. Now, it goes on to say: including teachers and managers. Yes, no question, those

things have happened already. But by saying "public sector employees," I would suggest that it is also anticipating the passing of Bill 46, and in so doing, it too is breaching the privilege of this Legislature.

3:20

You, Mr. Speaker, turned your attention to this issue on the basis of a point of privilege raised by the Member for Lac La Biche-St. Paul-Two Hills when the government engaged in promotional activities around the passing of the bill relating to transportation. I can't remember the bill number offhand, but I'm sure that you will recall it. At that time you found that they had narrowly missed a breach of privileges of the members of this Assembly by including on the billboards the phrase "if passed." I would suggest that that is not the situation in this case because, needless to say, the brochure, which has quite irresponsibly and in an entirely inappropriate and overly political way – but nonetheless that's not in your purview – been sent out to Albertans' households, says simply that public-sector employees will take a wage freeze, and the only way that can happen is through the passing of Bill 46.

The final point, Mr. Speaker, is this. And there has been a precedent on this issue, which I do not have at my fingertips because I wasn't aware it was going to happen until it happened. My understanding is that the media were invited to a technical, detailed briefing on the bill, which would have given them . . .

Mr. Mason: It's on now.

Ms Notley: It's on now, but it commenced at 2:45.

I made note of when I as a member of this Assembly received these bills, Mr. Speaker, and it was at 3:15. That is a profound breach of my privilege as a member of this Assembly. We should not be receiving bills and legislation after any member of the public but certainly not after the media has been provided access to it. There is precedent on that.

Based on all three of those points I would ask you to find that there has been a prima facie case made of breach of privilege against both the Premier and the Minister of Human Services.

Thank you, Mr. Speaker.

The Speaker: Are there others?

Mr. Anderson: Mr. Speaker, my colleague from Edmonton-Strathcona has laid out the precedents and the case for this, I think, very well, so I will be brief. You know, sometimes when we're in this Legislature, one has to ask, certainly in the last little while: why do we even bother sometimes going through the facade of having a Legislative Assembly? I hope that the purpose of the Legislative Assembly is that the elected members of this Assembly, elected by the people of Alberta, can come together, have bills introduced, debate those bills, vote on those bills. The bills are passed, decisions are made, we move forward, whether the minority is not happy with it, the majority is happy with it, whatever.

We have these processes, and you have talked a lot – and rightfully so – about the traditions of this House and the importance of this House and the standing of this House and how it's important to respect those traditions and those rules and practices and so forth. I don't understand how it is anything but a point of privilege and really just contempt of the House and the proceedings here to announce in a government promotional piece a wage freeze for members of the Members' Services Committee, which you chair, Mr. Speaker. And I'm definitely not putting words in your mouth, but I highly doubt that you were informed of this

before the literature piece went out, as chair of the committee. Yet that gets announced as a *fait accompli* without even informing the members on the committee, certainly not the opposition members, likely not the Speaker, who is the chair of the committee. I mean, it is so clumsy and ridiculous and disrespectful of this House that it just makes you wonder.

The second point with regard to the wage freeze. Again, we just had this bill introduced in the House today. I first heard about it – I didn't know the details – last night when oral notice was given by the Government House Leader. And here it is in a document which was prepared and mailed out and sent to homes long before any of us even got oral notice on this. I've talked with several colleagues on the PC side. They didn't even know this was coming. But the Public Affairs Bureau knew it was coming, and they used hundreds of thousands of dollars to put this piece out in advance of the bill even being brought here or anyone even knowing anything about it.

Again, it is so utterly disrespectful of the entire process that we have here as a Legislature and of the rule of law. The rule of law states that before we declare something as law and fact, we pass a bill. We pass a law or at least introduce it in the House so that people can look at it. We don't circumvent the process and send to 39 bureaucrats at the Public Affairs Bureau the way it's going to be, while no one else knows what's going on, so that they can put their little pamphlet out. We won't even get into how much of a waste of taxpayer money that is – separate issue – but it's so disrespectful.

Then the third point, which my colleague from Edmonton-Strathcona makes very clear – and it is accurate – is that there was a media briefing today starting at roughly 2:45. I know I was getting e-mails and texts about it. So the media gets briefed on this bill before we as members even get to look at it at 3:15. I have heard you, Mr. Speaker, and your predecessor warn the government kindly but, I would say, earnestly about this type of behaviour in the past. I have heard it at least three or four times since being in this Chamber, once from you, several times from Speaker Kowalski when he was Speaker. And if there are no consequences, this type of thing will continue to occur. They will continue to flout this process. They will continue to make announcements without going through the proper procedure.

It's sloppy, and it's wrong, and it's disrespectful of what we do in this House. I would ask you to find a point of privilege and find a remedy for it. I don't know what that remedy is, Mr. Speaker. Certainly, an apology is probably not good enough, but there's got to be some remedy here that you can come up with to stop this sort of stuff from happening because it's happening all the time, and frankly it's getting a little out of hand.

Thank you.

The Speaker: Anyone else? The hon. Member for Edmonton-Centre.

Ms Blakeman: Thank you very much, Mr. Speaker. I am rising in support of the Member for Edmonton-Strathcona, who has brought forward the point of privilege on behalf of the Member for Edmonton-Highlands-Norwood, the leader of the ND opposition. I'm going to take a different tack on this because I'm going to call it like I see it. I believe that, for members on committees, whatever kind of legislative committees they are, it should not be so – or it must not be so – that they act as partisan groups. I understand that. I've read all the citations that have been given. I've read a number of background *Hansard* discussions on this. Everyone agrees or seems to agree that in fact these committees should not be influenced in a partisan way. It should not be so,

must not be so, but frankly current practices put the lie to that. It's happening. It's exactly what's going on. It's not supposed to, it shouldn't – I absolutely agree – but it is going on, and there is no question in my mind.

Was there any thought given? I can't speak for the Premier or her communications team or anybody else about what they were thinking when they wrote this. Did they care that they were including all MLAs, or were they just saying that it was government MLAs that made this decision? Hmm. Hard to tell.

I've looked at the brochure, Mr. Speaker, and one of the points that you had made in ruling on an earlier and very similar point of privilege, that was raised in the context of the Members' Services Committee – let me give you the starting one there. That's appearing at MS-208, February 27, 2013, and the conversation goes on on that particular thing to MS-216.

3:30

The point that the chair of the committee, who's also the Speaker, made at the time was that the tweet that had been made by the Premier in advance of the decision made by the Members' Services Committee was that she was directly speaking about what the PC members on the committee were going to do. That seemed to be the way the point of privilege was addressed, that she hadn't meant everyone, she hadn't meant she was influencing anyone, but she was proud of her PC MLAs for voting that way because she knew this in advance. Of course, they did vote in that way.

When I look in this brochure, that has now gone out – boy, I wonder how much that was – the paragraph does say:

Public sector employees, including teachers, doctors, and government managers – as well as MLAs – are leading by example with multi-year wage freezes because it's the responsible thing to do for our province.

Now, interestingly, in reading all of the pronouns that are included in this document, I'm unclear about whether the "we" she uses is the collective "we" of the Assembly, whether it's the "we" of the government, whether it's the "we" of families and communities, which is also talked about here, or the "we" of resources or the "we" and "they" of apprenticeship or communities. So it's very difficult for me to be able to read this and go: nope; I know she's talking about the Tory MLAs that have voted for this particular thing to happen. I can't tell that, so I have to take it at face value, and it says "MLAs."

So we've got a document that is circulating in the public prior to this Assembly making a decision, prior to our committee of the Assembly making a decision, in which the Premier is saying that a decision has been made a certain way. I think it's pretty obvious that the influence is there. It's meant to be there. It is certainly happening on a regular basis in other committees I'm sitting on or in the votes that I have perused. I think it is commonplace for the government members to be voting as a bloc, very common, and by that, I mean almost every time. Yes, indeed, you can find examples where one or two members of a government caucus have voted differently and not with their colleagues on some of these committees, but for the most part in policy field committees, in legislative special select committees, and in standing committees we are watching government MLAs vote as a bloc.

Do I have any question about whether the Premier was assuming that her majority of members on a committee were going to be successful in putting through both the legislation and the motion regarding freezing MLA pay as part of that committee? No question in my mind. I think it's pretty clear. Although we're supposed to be nonpartisan, that has not been the case in my experience in these committees, in this Assembly for many, many,

many years, Mr. Speaker. Although it would be nice and it should be and it could be and it must be, it's not. I think what we've got here is bloc voting that is undermining the importance of this Assembly. It is undermining the importance of the concept of a Legislative Assembly in Alberta. It's certainly undermining the work of all the MLAs.

Do I support this privilege and think it's based on something reasonable? Yes, I do. Thank you very much, Mr. Speaker.

The Speaker: The hon. Deputy Premier.

Mr. Lukaszuk: Well, thank you, Mr. Speaker. I hope that you will allow me the time to address the issues of the three members as I don't anticipate there will be any from this side of the House.

There are a number of facts that need to be addressed relevant to this point of privilege. There are really two allegations that the Member for Edmonton-Strathcona is making, one being that this brochure, *The Building Alberta Plan*, which is or will be arriving soon in all Albertans' mailboxes – and I highly encourage them, by the way, to read it – in any way pre-empts the decision either of this House or the decision of the Members' Services Committee. The other allegation the member makes is relevant to the two bills that have been introduced earlier today by both the Minister of Finance and the Minister of Human Services, that somehow media was privileged to have either copies of the bill or facts prior to their being introduced in this House. So let me to speak to them in that order.

First, Mr. Speaker, when one takes this brochure – and Albertans will soon be able to verify it for themselves – if you turn to page 6, I believe that is the part that the member is referring to. I can't help it, Mr. Speaker, but I have to read this into the record because that's exactly what she talks about. It says:

Public sector employees, including teachers, doctors, and government managers – as well as MLAs – are leading by example with multi-year wage freezes because it's the responsible thing to do for our province.

Well, Mr. Speaker, you know as well as all of us in this House that teachers have accepted a multiyear deal with three zeros up front. You know that doctors have accepted a multiyear deal with zeros up front, and you know that our salaries as MLAs have been frozen – you chair the Members' Services Committee – for some time already. I'm not sure how many years it is, but it's multiple years. So it's very factual, relevant to what has already transpired, not anticipatory of what will happen in the future.

It also says:

Teachers supported a four-year agreement that provides labour stability and includes three years of zero wage increases.

That's the past.

It also says:

Alberta signed a seven-year contract with doctors, including three years of pay freezes, while ensuring physicians remain the highest-paid in Canada.

That has already happened, Mr. Speaker.

Then it goes on:

Government managers' wages were frozen for three years and over that same time we will reduce the number of public sector managers by 10 per cent.

Mr. Speaker, that has already happened, and the reductions are currently happening.

Lastly,

MLAs froze their pay after taking an eight per cent pay cut in 2012.

Mr. Speaker, that has already happened.

So this brochure is a report card of what has already occurred. It doesn't anticipate anything that shall be happening in the future. It

reports to Albertans what has already happened. Everything in this brochure, Mr. Speaker, is reporting back to Albertans on what has occurred relevant to salaries and wages and collective bargaining with those who chose to lead by example in our province to meet our financial targets as a province and allow us to deliver the benefits that we have undertaken. That takes care of this brochure. It is not anticipatory in any way. It simply reports facts of the past.

Second, Mr. Speaker, yes, I anticipate that there will be a Members' Services Committee meeting – I don't sit on the committee – I believe towards the end of this week. A number of our members of the Legislature have raised the issue that the current freeze on MLAs' pay I believe is ending at the end of this fiscal year, and if no decision is made in the future, that freeze will thaw and MLAs automatically would become eligible for some kind of an indexed increase. Is it CPI? I'm not sure what indices that are being used would apply.

Now, because of the fact, as outlined in this brochure, that we have teachers that took the courageous step and decided to do what's right for the province, for the kids, and because we have doctors and others who chose to do that, MLAs from our caucus, the PC caucus, have been very vocal to me, to the Premier, and among each other saying that what's right for the goose has to be right for the gander, and they have chosen to put forward a motion in the Members' Services Committee imploring upon the opposition and asking the opposition to co-operate, that in line with those collective bargaining agreements MLAs' salaries should also be frozen for the next years.

Now, I believe that a motion has been tabled with you, Mr. Speaker, by one of the members of the Members' Services Committee to that effect. Whenever your meeting is, you will be debating that issue. It's like any other motion. As a matter of fact, this will not be the first motion that will be debated because there is a Wildrose motion asking for an \$8,000 pay increase for the Member for Lac La Biche-St. Paul-Two Hills. I believe you have to deal with that motion first and make sure that he doesn't get the increase of \$8,000, and then you will be able to address the motion of the PC member who will be introducing it.

Mr. Speaker, if they vote unanimously – I certainly hope they will vote unanimously because this is something that we believe in. We believe that if public-sector employees are going to take those steps, we as legislators in this province should lead by example. I hope that the opposition, all three parties of the opposition, will support our member. There's nothing anticipatory about it. Due process will take place, but I certainly hope that there will be a unanimous vote in that committee although the leader of the Liberal opposition has the tendency, I understand, of walking out of those votes. Maybe unanimous minus one.

That should rest that issue, Mr. Speaker. There's no point of privilege. A debate will take place. I anticipate that our members and even members of the opposition will support that motion. The brochure only speaks to what has already happened, what has transpired.

3:40

Now, the second question, Mr. Speaker, is the matter of the media, whether the media has been privy to the legislation and a review of the legislation prior to any member of this House and whether our privilege as members of this House to have the primacy was in any way jeopardized. Well, the answer, clearly, is that it was not. What has happened is that the members sponsoring the bills, the Minister of Finance and the Minister of Human Services, both called for a press conference at 2:45. It is very difficult to predict exactly at what time we will table the motion in

this House because of, as you know, question period, members' statements, filing of petitions. The time is very flexible.

What has actually transpired, Mr. Speaker – and before the member makes such a serious allegation, she should get her facts straight – is that even though the press conference was called for 2:45 and media, I imagine, was available, anticipating to be briefed on the bills at 2:45, no briefing took place until 3:10. That's 15:10. Why? Let me tell you why. Both of these ministers respect the privilege of the House, and they would never brief the media on a piece of legislation prior to the members of this House having the ability to receive the bill. So media were in the press gallery, I imagine, but they all anticipated and waited for the tabling of the bill in this Chamber for the press briefing to begin.

Again, Mr. Speaker, no privilege has been breached in this case either.

I rest my case. Thank you.

The Speaker: Is there anyone else? I've already recognized you once, Edmonton-Strathcona. I'm just asking if there's anyone else. No? Did you have a brief supplementary?

Ms Notley: I'm pretty sure I get an opportunity to close debate and respond to the minister.

The Speaker: Actually, this process doesn't work quite that way. You get one chance to state your case, but if you have something very brief to add in, I'm not opposed to hearing it. It should be extremely brief, please.

Ms Notley: I will be very brief, Mr. Speaker. On the points made by the hon. member from the government side, we currently have in place an MLA salary freeze, which is for one year. The brochure talks about a multiyear freeze. Clearly, it's not talking about the past. That is clear on the evidence.

Secondly, the minister said that the briefing occurred at 3:10. I received my bill at 3:15. So even if the minister's information about the timing of the briefing of the press is correct – I'm double-checking – he on the face of it has indicated that the media received that briefing in advance of my receiving a copy of that bill.

The Speaker: Thank you.

Hon. members, as you would know – and I won't take long at this time – points of privilege are reasonably rare, or at least they used to be, and it's because it's the most serious charge that one member can bring forward against another. The consequences can be devastating to someone. So I listened as attentively as I could, but I also will take the prerogative of the chair to review *Hansard*.

So many different points were raised here, and it seems that as some points got raised, new ones were brought in shortly after that, issues about whether the issue in question was a *fait accompli* or whether there was anticipation of a decision of the Members' Services Committee, including references to support arguments to that avail in rule books or books of precedents. Former Speakers' rulings were referenced, something to do with tweets, which I recall. In fact, the Member for Edmonton-Strathcona in her first set of comments actually raised three different issues. So I'm going to take some time to review those as well. The first I saw of the brochure was when you actually referred to it, hon. Member for Edmonton-Strathcona. Thank you for providing me with a copy of it. I will go through that as well.

The news conferences and the whole issue of bills being commented on before they're brought in and members having a chance to see them or not see them within a specified time frame: these are all very serious matters. Of course, Airdrie mentioned stuff to do with the wage freeze and questioned why we should

even have an Assembly on some of these matters and went on with previous warnings and so on. Edmonton-Centre also noted the brochure and commented on previous rulings by this Speaker as chair of the Members' Services Committee as well as previous Speakers who also had the job of chairing the committee.

I listened intently as the Deputy Premier pointed out some of his stats and facts contained in the brochure, what I think some would consider a householder, and indicated that there was no anticipation. I'm going to review that as well.

Finally, the issue of timing, the issue of 3:10 as being of critical importance and also introduction of those bills in this House. Now, what's somewhat unique here is that a number of other members, specifically cabinet members, are implicated as being those who introduced the bills or the one bill in question. Again, I'll review *Hansard* just to see exactly how that read.

That having been said, I'm going to take at least one full day here, if I can, to review all of that and have my usual discussions with Parliamentary Counsel and perhaps consult with others and come back with a ruling as soon as I am able. So that matter will come forward again, likely tomorrow.

Orders of the Day

Government Bills and Orders Second Reading

Bill 36 Appropriation (Supplementary Supply) Act, 2013 (No. 2)

The Speaker: The hon. associate minister on behalf of.

Mr. Fawcett: Thank you, Mr. Speaker. Time to move on to some important business for the day. I'm pleased to rise today on behalf of the President of Treasury Board and Minister of Finance to move second reading of Bill 36, the Appropriation (Supplementary Supply) Act, 2013 (No. 2).

The government is requesting approximately \$625 million for operational costs and \$139 million for capital projects. These amounts are necessary for the government to fulfill its commitments to the southern Alberta flood relief during the current fiscal year and are exclusively for that purpose.

The supplementary supply amounts mainly relate to the following items: advances to municipalities, First Nations communities, and individuals through the disaster recovery program to support flood recovery efforts; funding to purchase properties from homeowners who wish to relocate from a floodway; capital improvements to roads, bridges, and water management infrastructure that was damaged by the flooding; emergency financial assistance to Albertans displaced by the flood; relocating, renovating, and rebuilding flood-affected homes in First Nations communities; financial support to municipalities and school boards to stabilize revenues lost because of the flooding; and the Alberta flood recovery interest rebate and loan guarantee programs, to assist rebuilding businesses, agricultural producers, and not-for-profit organizations affected by the flooding.

Mr. Speaker, the June 2013 flooding in our province is the most expensive natural disaster in Canadian history. When the floods happened, our provincial government pledged funds immediately to help Albertans in their greatest time of need. Now it is time to formalize the first part of that financial commitment, and I respectfully urge all of my colleagues in the House to support that bill for this reason.

Thank you, Mr. Speaker.

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

Mr. Anglin: Thank you very much, Mr. Speaker. I'm not exactly sure what immediate is according to this minister. Immediately nothing was going on from this provincial government. It took them a while to act. I'm glad that they've decided to act, but the fact is . . . [interjection] No. I'm serious. How many search and rescue people sat on the sides?

3:50

The reality, Mr. Speaker, is that now we have a supplementary bill, and this supplementary bill, this appropriation bill, is supposed to take into consideration a number of particular issues. We discussed this under the estimates, but here's the bill in front of us, and there's absolutely no mention of the community of Sundre in dealing with these various supplements. We went through this with the hon. minister, but we still have not gotten an explanation. This is extremely serious stuff. With the amount of money that is being allocated, whether it's under Municipal Affairs or whether it's under Environment and Sustainable Resource Development, what we find is that what we've identified as a serious issue for mitigation is not even addressed.

Now, what's interesting is that the minister would say that it would be covered under some sort of obtuse sum that was given in here. But it's not consistent with the bill because when you looked at the estimates that came forward, depending on the ministry – and I think I used Education as an example. Under Education the minister laid out exactly where some of this money was going to address particular issues. I agree with that, and that's why I use Education as an example.

The community of Sundre is experiencing a significant threat, and what we have here is a bill that is going to authorize the spending of money based on the new legislation we pass, which is going to use these flood mitigation maps, yet we don't have a definition for what is a floodway or a flood plain. We're just going to guess at this. The hon. minister says that we're going to use some scientific definition, but it doesn't say that in the legislation. It doesn't say anything in the legislation. So if it's true, I don't understand why they didn't put it in the legislation. But the reality for the community of Sundre is simply this. The flood maps that this government is saying that it's going to go by don't correlate to where the river is today. The river has moved over a mile, and it threatens that community.

[Mrs. Jablonski in the chair]

One of the questions I had for the Associate Minister of Seniors was about the new investment that this government has taken in that community, authorizing millions of dollars for a new seniors' facility, and depending on whose definition we use, because we don't know whose definition we're using, that new seniors' facility could be in a floodway or it could be in a flood fringe. It just seems that if we're going to invest money in new infrastructure, that we invest it wisely and make sure that we protect it. The way it would be protected within this bill is to make sure that the money allocated for flood mitigation does what it's supposed to do, which is actually mitigate against the next possibility of a flood.

Now, the community I'm speaking about suffered a 200-year flood in 2005. Fast forward to 2010: it suffered another flood. Then it suffered another flood of a 100-year magnitude in 2012. I suspect that's somewhere pushing 300, 400 years in a five-year period. Clearly, I'm quite sick and tired of hearing of the hundred-year flood and the 200-year flood. They're happening too

regularly. What we need to do is to take proper steps and make sure that the money we spend does what it's supposed to do.

The hon. Minister of Municipal Affairs made a statement the other night that the community of Sundre has never applied for any funding, which is absolutely incorrect. They have applied for funding, and they have not yet heard. I went and double-checked that, and I ask the minister to double-check that.

What concerns me most is that we're missing an entire community in this mitigation process. It has been bypassed, and it is one of the most significantly at-risk communities in this province. It is on par with High River. It is on par with Canmore. It is on par with these other communities that are faced with the runoff from the mountains. It is backed right up into the foothills. Clearly, the history of this community alone warrants some attention. The risk for this government is simply this. This is about a huge economic loss should we lose this community, never mind the lives that would be affected and the possible tragedies that could be avoided if we do what we're supposed to do.

Clearly, you know, we want to pass this bill. Clearly, we want to mitigate – nobody's arguing that point – but what we want to make sure is that we do address these particular issues that are so important to getting the job done right. We've failed to do that, and if we don't do that, I fear we'll be wasting more money rather than getting results. This is one of these typical money-spending bills where, when you go from department to department, it gives the indication that money is allocated specifically for certain items, which makes sense. But to find an item such as the community of Sundre totally left off of anybody's consideration and have the minister kind of go through and say, "Well, it could be here or it could be there," that's not good enough. That's not good enough.

You know, clearly, High River is addressed, Calgary is addressed – hopefully, correctly; I don't know their particular circumstances – but the community of Sundre is not even mentioned. It hasn't been mentioned. What we know is that we've lost roads, we've lost homes, we've lost community buildings, and we've lost them numerous times. We've gotten lucky to date. As the mayor said, we dodged the bullet, and we did. But with the amount of water and how fast it rose in this last flood, to dodge that bullet, to know how precarious it was, clearly states that had we had one more millimetre, one more centimetre, that town could have gone under water. All those lives could have been affected. It could have been on the same tragic level as High River. We just got lucky, but that can change this next spring.

[The Speaker in the chair]

We have a significant investment in our community, in our economy, and in lives that we have to address. This bill failed to do that, and it's unfortunate, but we still have an opportunity for the ministries to stand up and say: this is how we're going to do this. The most important point is that saying it isn't the same as putting it in and seeing where the money is actually allocated.

As I stated the other night when we first did the supplementary estimates, there have been so many studies done on the Red Deer River, never mind the Little Red Deer River, that we probably could build a dam out of the number of studies that we've had. We don't need too many more studies. What we need is an engineering plan and a plan to implement that. We need to execute that. Everybody that's been involved – and I won't even go back 20 or 30 years; I'll just go back the five or seven – knows what we need. We need berms, we need spurs, and we need some sort of water retention. We have the ability to do that, because it all backs up onto Crown land and it all backs up eventually in the mountains onto federal parkland, which is Banff. That is the Red Deer

watershed. We don't have concrete data to say that logging has affected the runoff, but there's speculation and suspicion that it has.

It gives the ministry all these tools to work with to develop a flood mitigation protocol to deal with that flood plain, to deal with the river tributaries that come into the Red Deer watershed. In our case here we could actually store water, make recreational areas, and manage the system. Clearly, any time we get involved with nature, we do put ourselves into a position where nothing is singular or isolated by itself. We do one thing, and it affects a number of others. That's why we need a good engineering plan, and that's why we need to execute it. That's what should have been in this bill. It should have been stipulated, maybe not in totality but in some sense, that this is how we're going to get there. That's not there, and it is unfortunate that the community of Sundre has not been heard by these ministries. It could have happened under ESRD, it could have happened under the Ministry of Municipal Affairs, and it could have happened under Transportation.

4:00

One of the things is that compared to other communities, even though we didn't have loss of life – we were very fortunate – we had a tremendous amount of loss of roads in this last flood. Of course, these are gravel roads that are – I'm not going to say easily repairable – significantly less problematic to repair compared to paved roads, but it's infrastructure nonetheless, and it's costly nonetheless. It isn't just about the straight cost or the present value of the road. There's an economic cost that the community suffers. Our logging industry came to a halt until some of these roads were fixed. A number of other economic operations came to a halt until these roads were again passable.

In this appropriation supplementary act the ministry has had the opportunity to address a number of issues, and it failed to address what I think is one of the most important, that this is an entire community. One thing that's significant about Sundre compared to any other community is how the river has moved since the 2012 high water. That is what has threatened this community more than anything else. The river now has moved, and if we don't take the appropriate measures, the next flooding, possibly even the spring runoff or the spring rains, could put the entire community under water. It is that much under threat.

Now, that has been brought to the attention of this government by myself, by the county, and by the municipality. Again, it's unfortunate that it didn't make it into this supplementary act. It should have. It's about the efficiency of spending the money that we're going to spend, getting the biggest dollar value for every dollar spent. This is what is absolutely important when we bring out these supplementary bills.

Now, going way back to our original budget, this is also an issue that we've missed year upon year and year upon year, going back four or five years. We've not budgeted properly for a disaster. Now, this disaster is of a magnitude that we would suffer regardless. I mean, nobody can predict the magnitude of any disaster any more than they can predict the disaster, but we clearly know based on our own historical budgeting that disasters run in this province on a yearly basis at the \$200 million to \$300 million mark. This one, of course, jumped to \$5 billion, depending on the value that the government has given us, but that value nonetheless is hopefully going to be an aberration in our historic trends, and if we get the proper results of this supplemental bill, then the idea is that we wouldn't be suffering a magnitude of \$5 billion disaster due to flooding. We would have mitigated and protected the most important economic assets, which are our communities along

those foothills, along those river basins that are at risk. We back into this.

I hesitate to use the word, but it is somewhat callous when we don't take the time to make sure that we are putting the money to the right spots, to the right issues when we bring these bills forward and identify them even in bullet form so we know where and how we're going to implement these flood mitigation measures. It is somewhat disappointing, but it's also irresponsible that the community of Sundre is not mentioned anywhere, how we're going to mitigate the flood, how we're going to deal with the Red Deer River basin, how we're going to deal with the Little Red Deer River basin.

The economic loss that has occurred from just 2005, 2010, 2012, and now 2013 is adding up. It's more and more each time. It's interesting to note that even though the town of Sundre dodged a bullet in the 2013 flood, it suffered no less in economic damage than in 2012 or even 2010. You can see the dollar value going up. There's an incentive here for government to actually look at this, to spend money wisely to save a community from economic damage.

One thing I want to know. Of the homes that were lost in this community, none of this money is going to buy out any of those people who lost their homes or who suffered damage. They have all been denied in the community of Sundre. The ones that applied were denied. It's interesting because the community itself and the individuals are looking at what this government is doing provincially, and they're saying: "What about us? We're over here, and we suffered too." Maybe not to the extent that one little neighbourhood in Calgary or a community like High River did, but they suffered no less when they lost their homes. That's a tragedy. They have to build or rebuild, and to rebuild, they're working with confusion in many ways, not knowing whether they're in the floodway, the flood plain, or the flood fringe. They don't know how these caveats are going to work. There's a lot of confusion out there. They didn't have the opportunity to participate in any of this DRP funding. It is tragic, and it's sad that this happened to this community. We have the ability to correct that, but it's going to take action from this government to make the correction.

What's imperative about making the correction is that here we are in November, and come March, April, May the community will be threatened again at some point in time. It will see that, and we don't want to be standing here at that time saying "what we should have done" or "had we only taken that into consideration." We know historically that the Red Deer River tributaries, that watershed, has changed significantly. Flood waters are rising faster, and they're moving quicker historically. We know that. We know that from the data from the last flood. I think it's 200 million cubic metres per second or something like that. I might have to double-check my figures. The 200 number is stuck in my head. It is huge. I think it's 2 million cubic metres per second, not 200 million. I think the record flood of 2005 was only 1,600. Again, we dodged the bullet. It was the mountains that actually helped us dodge that bullet. It was the weather, and we got lucky in that regard.

The community's been lucky now two times in a row from tragedy. We got lucky on that pipe break in the Red Deer River, and the hon. Premier knows that. She came out to the Dickson dam and looked at it. The beauty behind our luck was that it was the wind that was helping us. It kept the oil spill to one end of the lake.

The Speaker: Thank you.

Are there others? The hon. Member for Calgary-*Buffalo*.

Mr. Hehr: Well, thank you, Mr. Speaker. It's an honour and a privilege to discuss the appropriations debate in second reading and go through a little bit of my learning from this exercise and, hopefully, share some of my concerns around various issues, ones that I've focused on for the last four years, primarily the fiscal health of this province going forward.

4:10

I think that if we look at the process that evolved over the summer, the devastating floods and the government muscle necessary to try and alleviate tragedy, rebuild communities, and restore a sense of public infrastructure, school systems, our First Nations reserves, and other areas which the government moved on to assist, it's something for us to consider. If we look at this process, at least from the numbers I gathered yesterday in supplementary supply as well as from the Treasury Board's briefing yesterday, this flood in total cost roughly \$6 billion. Now, it is true that our federal government will pick up roughly anywhere between \$2.8 billion and \$3.1 billion of this tab. Insurance companies may pick up some portion of the bill, possibly up to \$2 billion. Nevertheless, it looks pretty clear that this will cost at least an additional \$1.1 billion on the government books.

At this time, Mr. Speaker, if anyone has been paying attention, we all know that money is tight. I wonder – this, again, is highlighted to me – whether our fiscal structure is set up to be sustainable in the long term and to actually build a real sense of permanent wealth or public good in this province, or are we just spinning our tires? Now, I can go through a little bit of history here just to highlight this. It will also save me a trip to my psychiatrist as this really does bother me and, essentially, keeps me up at night. I think people in this House should be worried about it as well.

Since 1971 we have taken in some \$360 billion plus in non-renewable revenues. At the same time, we have only managed to save \$16 billion. One might ask: where has the rest of the money gone? I know full well that it's probably gone to many good things: building roads, schools, hospitals and the like, and some of the good public infrastructure that has been built around this province. But at the same time, from where I'm sitting, largely it has just alleviated the need for taxpayers to contribute to the public good and the society that we live in. I pointed out that it's pretty clear to me that that's where the money has gone, a refusal to ask Albertans to pay for the services they use. Essentially, instead of doing that, we have gone down a path of simply covering over their obligation to ensure the public good and spending all the royalty wealth in one generation. If we can't see that today, well, then I don't know when we're going to see it.

Right now we're essentially at a wash, where we're going to see our heritage savings trust fund, which is around \$16 billion, roughly match what our debt number is at the end of the next two years, by the time the next election comes. What that will mean to me sitting here is that despite this economic wealth that has been created, no permanent wealth has really been created. All the while in the last 40 years we've had fits and starts as to whether we've been able to fund the public good – to fund education, to fund health care, to build infrastructure projects at times when it is needed – and oftentimes this has led to a countercyclical spending of money that has been contrary to basic economics and an understanding of when government investment is needed.

Largely, the fact is that government should be trying to build infrastructure in times when the economy is slow and not necessarily prime the pump when things are running well. Because of the nature of the Alberta economy and the nature of our unstable fiscal structure, well, we just haven't been able to do

that. Might I point out, just to point out clearly this anomaly that exists here in Alberta, that if we look across this great nation, we are the lowest taxed jurisdiction by a country mile? If you just compare us to Saskatchewan, the second-lowest tax jurisdiction, if we adopted their tax code lock, stock, and barrel, we would bring in \$11 billion more. If we just look at that number, that's roughly the amount that we are going to spend in nonrenewable resource revenue in this calendar year, in and around there. It's no secret that we're using roughly the same amount of public services as Saskatchewan is, but how are we doing this? We're just paying it through nonrenewable resource wealth instead of asking taxpayers to contribute to the public good.

I come from a school of thought, Mr. Speaker, that more of our nonrenewable resource revenue must be saved for the future. If it's not saved for the future, it has to be put into some capacity-building enterprise that sets up Alberta for the future, a future that may not necessarily contain the oil and gas wealth that we are currently bringing in and not necessarily allow us to have the good fortune that we receive today. In my view, that is what a prudent government would do.

If we look further at how we have been so blessed here in this province in the last 40 years and go through what we have done here in our oil and gas economy, it's clear that this may be our last opportunity to do so. Let me paint a little clearer picture. In the '70s, at least the early '80s we had what is now considered a traditional oil and gas boom. Largely driven by tremendous commodity price increases in the '70s and '80s, Alberta coffers were relatively full and the like. Then we see, following about '85, '86, the world energy price dropped to around \$11, \$12, where we go into a famine period. We probably didn't save as much as we should have in that time period although we did do a lot better than we do now, and there was still, probably back then, a refusal by us to adopt a conservative philosophy of paying what we use through our taxes and some subsidizations there.

We go through a contraction period in between '93, '94, and '95, and then we get lucky again. We have a natural gas boom, a bonanza, where we have natural gas prices at \$16 – I don't even know what the terminology is called – a gigajoule or whatever the heck it's called, and again we think we are wealthy. Okay? We essentially moved to a flat-tax system, lowered our corporate tax rates beyond any other province at the time. Again, we don't have a PST here, that every other province and most other jurisdictions throughout the world have adopted as government policy and the like.

4:20

What happens to that wealth? Well, we get to 2008, and again we're not as wealthy as we think we are. Sure enough, over the course of the last five years we look around, and nothing is left again. Nothing at all. Have we built permanent wealth or lasting institutions that will stand the test of time to be here when our oil and gas industry may not be as prevalent in our lives? In my view, no, we haven't.

Now we have what I see as our last opportunity to get it right. I don't think our traditional oil and gas industries, despite the efforts of the Member for Calgary-Varsity, are going to be as abundant as they have been in the '70s and early '80s, okay? I don't sense that our natural gas pricing may go back to where it was or whether there's even as much of it as we once had to be able to continue this out indefinitely. We have bitumen right now that can carry the day, and there's a temptation by this government to look at 2017 and say: "Oh, my God, we're going to be rich again. We don't have to worry about this fiscal structure now. We'll just hopefully get lucky, you know, and all these royalties will be coming in, and

maybe a pipeline will get built,” all these good things. But, really, we’ll be kidding ourselves. We will not be building permanent wealth.

Even if that happens, 20 years could go along, and the world is going to change. Whether the world needs our bitumen or whether the world has moved on – I’m not certain which will happen – that day will come, and then the society will be in the same sputtering mode that we find ourselves in now, you know, where we have to have a thousand fewer teachers in our classrooms with 44,000 more kids, where we’re not able to build a school except under a P3 model, where we’re not allowed to go forward with revamping long-term care centres and building the infrastructure we need. We’re just delaying the inevitable and what that could look like.

This process that we’ve gone through with the floods, to bring it back to my initial point, should move everyone in this House to consider: what are we building here in Alberta? Are we prepared to deal with situations like the flood? Is our fiscal structure able to adapt to things we truly need in this society? Are we setting ourselves up to just simply play the role of the ostrich and bury our heads in the sand and say, “No, this issue doesn’t matter because we may be wealthy again sometime in 2016, 2017?” To me, I don’t think that’s good enough. I think this is the issue of our times, and I’d encourage all members of this House to really consider this. If we don’t fix it now, we may not have another opportunity to fix it when it eventually does happen again. We should get to the point where we’re building some permanent wealth in this province, some permanent capacity, and the only way to do that is through fiscal structure reform.

I’m agnostic as to how you guys want to do it, but really you’re kidding yourselves. You know, you guys advertised yourselves, in the last election anyway – you haven’t followed through on that – as . . . [Mr. Hehr’s speaking time expired]

The Speaker: Thank you, hon. member.

Just before we go to 29(2)(a), I have the hon. Minister of Aboriginal Relations next, then Lacombe-Ponoka, then Edmonton-Beverly-Clareview, followed by a government member, then Innisfail-Sylvan Lake, and the list goes on.

But in the meantime we have 29(2)(a). Under 29(2)(a), the hon. Member for Edmonton-Highlands-Norwood.

Mr. Mason: Thanks very much, Mr. Speaker. I’d like to ask the hon. Member for Calgary-Buffalo if he wishes to complete his thought.

Mr. Hehr: Well, I thank you very kindly. Then I can cancel my second appointment at the psychiatrist after this one because I get my extra time in here.

I guess, you know, what I’ve said here is that, really, it should be clear to every member of this House, and I don’t know how it is not. What we have done here has not built permanent wealth. We can see that the continued cycling of this will not allow us to go forward as a society.

I just look at what we’ve gone through these last two years here: the gutting of a postsecondary system; a thousand fewer teachers in classrooms with 44,000 kids; really, an inability of the government to do very much because we have no predictable, sustainable way to fund things, no predictable, sustainable revenue source. This is despite us having a largesse that other provinces would kill to have in terms of our nonrenewable resource revenue, okay? That is so clear to me and should be so clear to every member of this House that denying it is, to me, beyond the pale.

Again, to follow up on what I said earlier, it is the issue of our times, and if we don’t deal with it now, well, then I think we’re

destined to be in this position again, with possibly not another source of nonrenewable resource revenue to go to. We’ve gone through the oil. We’ve had a good run on natural gas. This could be the last kick at the cat to get it right, and this may be the only time we get a chance to get it right. Essentially, you have had every economist in the last 25 years saying that we need to move on fiscal structure reform. Might I point out that every former Tory Finance minister I’ve talked to about this issue – Jim Dinning, Shirley McClellan, Ron Liepert, and even Ted Morton, who, by the way, doesn’t see the size and role of government in the same fashion I do – has said that we have a revenue problem? Guys, you know, we’re kidding ourselves if we actually think we’re doing something to fix Alberta with what we’re doing.

Besides, you know, look at the election platform you ran on last time. You guys should have kept every one of those promises, built some capacity in our public services, built some capacity at universities, gone to full-day kindergarten and the like, and kept every one of those promises and broken the no-tax pledge. At least, we would have fixed the problem. Now we’re just skirting around and pretending to do something when we’re not addressing the fundamental problem. Look, your leader has passed the leadership review. Great. Now it’s time to actually do something to fight for a better Alberta instead of just treading water.

You know, I have every confidence that you’ll be just as – the electorate seems to enjoy your brand very much, and they have a lot of confidence in it. Why get into power if you’re just going to sort of hang out and not fix what’s broken? It, to me, makes no sense and, in fact, is probably a waste of time and of future generations of Albertans’ time as well.

Anyway, Mr. Speaker, I’m fine. That’s good. We can move on.

The Speaker: Forty seconds remain under 29(2)(a). The hon. Member for Drumheller-Stettler.

Mr. Strankman: I, too, would like to ask the Member for Calgary-Buffalo – and hopefully we can sustain his potential third psychiatric meeting here – about the definitive point of view that he has about energy creation in our province. In Drumheller-Stettler, Mr. Speaker, we have the potential for wind and solar and also petroleum. I’d just like to ask the member about his feelings on that.

Mr. Hehr: I could be wrong on this. I think our oil and gas sector might have 50 years left.

Mr. Campbell: Mr. Speaker, I move that we adjourn debate on Bill 36.

[Motion to adjourn debate carried]

4:30

Government Bills and Orders Third Reading

Bill 33

Tobacco Reduction Amendment Act, 2013

The Speaker: The hon. Minister of Health.

Mr. Horne: Thank you very much, Mr. Speaker. I rise to move third reading of Bill 33, Tobacco Reduction Amendment Act, 2013.

I would like to take this opportunity to thank members on all sides of the House for their support and the vigorous discussion about this bill that we have seen in the two preceding stages. The House, I think, has also taken an important stand in its support of Bill 206, that was brought forward by the Member for Calgary-

Currie, that will deal specifically with the issue of flavoured tobacco.

Both bills, Mr. Speaker, once passed, will contribute greatly to our ability to prevent the smoking of both tobacco and tobaccolike products among children and youth. These measures have the potential to prevent thousands of lifelong smokers from beginning to smoke and, in doing so, improve the quality of life for them, improve our ability to deliver health care across the province, and, of course, do great things to support future generations of Albertans in enjoying a better health status than the generations that preceded them.

Thank you, Mr. Speaker.

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

Mrs. Forsyth: Well, thank you very much, Mr. Speaker. I'm pleased to stand up and speak in third reading on Bill 33, the tobacco and smoking reduction act. I appreciate the comments that the Minister of Health has made in moving third reading of Bill 33. We had what I consider some, as he says, robust debate. I don't know if you'd call it robust, but we've had some good debate. The minister and I have had some good debate back and forth on Bill 33.

I just want to reiterate some of the things that I brought up in committee. I've said in this House that I'll be supporting Bill 33, as I did Bill 206, the flavoured tobacco act. I appreciate what the government is trying to do in regard to curbing smoking or at least trying to target our youth in regard to not smoking.

I want to reiterate all of the things that we're hearing from the shisha bars and the hookah establishments. We put an amendment forward in Committee of the Whole which was defeated. I can tell you that the owners and the ethnic communities that I have spoken to in regard to their concerns about having their businesses closed are watching this very, very closely. We've been in considerable conversation with them back and forth. I had asked, when the minister and I were discussing back and forth, if he would be willing to meet with them and have some discussions, and he pointed out, if I recall, I think it was section 19(f) on page 9 of the bill: "respecting the exemption of a person or a class of persons from the application." It goes on to an exemption. So we're going to wait. We're going to obviously watch this.

There are many things in this bill that need to be discussed. The minister had indicated in speaking that he thought it would be 12 to 18 months on some of the regulations. That goes to, as far as I know, the number of cigarettes or the number of cigars that could be in a package. I have mentioned how I felt about that, the times when I decided to kind of go off the wagon a little bit and, you know, buy that one cigar, and then all of a sudden now I'm getting eight, but I'm not going to do that anymore. I'm honestly not going to do that anymore because it's just bad. It's just those very weak moments in life that I think we all have, that some of us may not admit to. It's no different from chocolates, as far as I'm concerned, and I don't eat chocolate, so I guess you have to have some sorts of vices in life.

[Mrs. Jablonski in the chair]

If he could at least try and work in regard to the regulations. He talked about the stakeholders, and I mentioned some of the stakeholders in regard to addiction strategies in the city and in the province, that I've talked about, that had not been consulted. I think, you know, that when you're going to eliminate some tobacco products, you really have to talk to some addiction strategists in regard to how they can help the government help people deal with addictions. I know that they have the lines that

people can call and discuss that. I'm going to be watching the regulations very carefully with the minister, and maybe he can make a commitment in the House to kind of help us through the process.

I think the bill is on behalf of Albertans, and the government wants to try and do something to deal with the tobacco in this province. I had shared some concerns – I think it was in committee or maybe second reading – in regard to enforcement. I really, really would hate to see any of our enforcement agencies across this province being pulled off dealing with things that I think are far more important like organized crime and things like that. He mentioned that he'd be using some of the Alberta Gaming and Liquor Commission. I know that they're trying to deal with white-collar crime and money laundering, so I'm hoping that maybe they will look at adding more types of enforcement, whether it's bylaw officers or something. I'm not sure what can be done.

I appreciate the opportunity to speak in third reading and look forward to the rest of the debate.

The Acting Speaker: Thank you, hon. member.

Are there any other speakers who wish to speak on Bill 33 in third reading? The hon. Member for Lacombe-Ponoka.

Mr. Fox: Thank you, Madam Speaker. It's a pleasure to rise today on Bill 33, the Tobacco Reduction Amendment Act. I rise today in favour of this act, actually, because it does something that we used to try and do in the insurance industry, which I used to work in, which is risk mitigation. The sooner we address minors' smoking of tobacco, the better off society is as a whole. Society needs minors that are in Alberta now. By their not picking up the habit, we don't have to worry about them later on in the health system because there are not going to be as many problems with health forthcoming from those that failed to pick up the bad habit of smoking.

It's great to stand up here and talk about risk mitigation. It's one of my favourite subjects. I came from an industry where risk mitigation was very important. We always wanted to make sure that when we went out to look at policies, we were giving our clients the very best information on how to mitigate risk so that claims wouldn't come forward. I mean, this is the same sort of idea. When you reduce the amount of tobacco being smoked here in the province by minors, you're actually reducing the risk that they're going to end up having to use the health care system for issues that come forth from smoking like lung cancer.

That is something that is kind of near and dear to my heart. I lost a parent at a very young age due to cancer. I really would not like to have to see anybody else go through that same sort of trauma. It's hard to imagine what you feel as a young child, watching a parent suffering because of a disease like cancer. I can tell you that it was very hard on me. It was very hard on our family, albeit it wasn't the same form of cancer that can come from smoking tobacco. It wasn't lung cancer that my mother passed away from; it was another type of cancer. But, I mean, cancer is cancer. It's one of those really hard diseases to watch. It's one where you watch somebody battle with it, and it is a lifelong battle once diagnosed with it.

4:40

When we talk about the Tobacco Reduction Amendment Act, we're actually talking about reducing that potential for future generations to have to grow up without a parent, without somebody there in the household to give them a pat on the back, to let them know that they've done something good or to scold them when they need scolding. I mean, that's what our parents are there

for. They set some rules and some guidelines so that we know what society demands of us and how to act and how to behave. I'm very thankful for the few years that I did get with my mother. I had 12 and a half years with her, and they were a very good 12 and a half years, and I wish they were more. You know, these things do happen, and I want to make sure that more children in our future generations don't have to see a parent struggle and fight cancer. It's hard to watch.

There is one story that I would like to share with the Legislature on the hard work of front-line staff in hospitals, that deal with these sorts of patients. When I was 12 and my mother was in the hospital and we knew that she wasn't going to survive, we went and said our goodbyes. We did everything we could to hold out hope, but in the end it happened.

Well, when I graduated, when I was 18 – little known to me, my mother actually had talked to one of the staff members at the Whitecourt hospital; she'd asked them to pass along a message, a message for the future, for me – at the first dance, the dad-daughter dance at high school grad, I had this nurse. I can't remember who she is now, but I know that she had a son graduating in my class. It was so emotional. That's the reason why I can't remember who she was. She came and dragged me out onto the dance floor, and she had the dance with me – this was a front-line nurse at the Whitecourt hospital, these front-line staff – and whispered in my ear as we were dancing that she had a message for me, a message from my mother that she was proud of me for graduating from high school. Even in the tragedy of cancer parents still will be parents, and they will be parents even if they're not here with us today.

As touching as that is, I don't want to have to see one child go through that because their parent picked up, under age, the habit of smoking tobacco. I don't want to see lung cancer be prevalent in our society. I think this bill does a lot to address youths' smoking of tobacco here in the province of Alberta, so I support this bill. There are things that I wasn't happy with in the bill, things that have to do with tradition, but – you know what? – health trumps some of that. The fact that we might prevent a few families from being separated because of cancer – we still need to support this. We need to support it the way it is, even without the amendments that came through. This is important for the future of our province and for the children of this province that have yet to even be born. They will come under this act.

It is a fundamental responsibility of government to make sure that we've put forward legislation that helps society move forward, that helps society not fall into trappings that may hurt them. This is important. This is important, my colleagues, and I'm glad we're here having this discussion, this discussion on tobacco reduction and the mitigation of the risk of cancer, because that's really what this is. This is a mitigation of risk for children who might pick up smoking and might develop lung cancer because of it. I hear some coughing on the other side of the aisle, and we know that's one of the symptoms. I would hope that that's a cold and not because one of the members may have smoked at one point in time. It's good to be worried about lung cancer, and it's good to make sure that future generations aren't going to be able to have tobacco products sold to them.

Now, I would hope that this government does adopt some of the same methods for selling tobacco that they use for liquor merchants here in the province. There are some interesting rules around how liquor merchants sell their product here in the province of Alberta. They must have a licence to do so. It's a \$700-a-year retail licence to be able to sell alcohol. They must hire staff that are at least 18 years of age. There must be mandatory training for that staff, and it must be provided by the

AGLC. That's the Alberta Gaming and Liquor Commission for those that are listening and don't know the acronym. Clerks must refuse to sell to anyone under the age of 18. Stores must post signs, and posters must be supplied by the AGLC. Clerks must request photo ID from anyone who appears to be under the age of 25. I think this is another great measure.

Stores that fail to comply can have their licence to sell suspended or revoked. I think this is great. This is a way to stop the sale of liquor to those under 18, and I really think this is something that needs to be thought of with tobacco. I mean, there are adults here in this province that are able to make the choice for themselves on whether or not they want to smoke, but that's because they've reached the legal age of consent, the age of 18. Under 18: you can't make that decision for yourself. You don't know, always, what the repercussions of those decisions are going to be. We want to make sure that anybody who is able to make the choice to purchase tobacco is over the age of 18, and the regulations for the liquor merchants really do address the same fundamental issue. It's to stop providing liquor to those who are under 18, and we need to do the same with tobacco sales. We need to make sure that tobacco is not sold to minors here in the province.

The AGLC enforces the liquor sales laws here in the province, but they also enforce the Tobacco Tax Act. So, you know, you do have the opportunity there to expand this out so that they do some training with these retail outlets that sell tobacco so that there is some continuity here in the province. I think that is key to the issue here, continuity in the retail outlets when it comes to tobacco sales to minors. I mean, we want to make sure that no matter where you are in the province, they have the same rules, the same regulations, that the retailers understand this and that their staff understand this. That is something that the AGLC does very well when it comes to liquor merchants. I would think that we might need to expand that to tobacco merchants.

Now, Bill 33 does require that tobacco retailers ID someone that appears to be under the age of 25, and now in this act it's going to require that signage be posted that it's illegal to sell tobacco to minors. Again, these are some of the good things that are here in the bill.

I think the members of the opposition over here did a very good job, though, of speaking about some of the cons in the act and brought forth some amendments to try to address them. I would have liked to have seen a couple of those amendments go through. Unfortunately, they did not, but it was nice to see that there was a lot of thought put into those amendments from my colleagues. They did work very hard to bring them forth in the Legislature and argued passionately to have them passed, so I would like to commend them on the very hard work that they have done on this bill as well.

4:50

We see lots of kudos over to the government, but you know, there is the other side of the Legislature here, and we work very hard on these things as well, so I think there should be some kudos all around for the hard work and the hours that are put into debating these bills. And it's nice to see that the hours are being put into debating these bills. I know there was a motion earlier today to limit debate on a couple of forthcoming bills. One was raised for first reading here in the Legislature just a couple of hours ago. I think that motion reads – I don't have it in front of me – that it's about two hours per stage, so two hours for second reading, two hours for Committee of the Whole, and two hours for third reading. You know, that's a bit of a shame. It's a shame that we're not actually going to get the time to debate that bill the way that we have this one.

The Member for Calgary-Klein said it earlier today, that we've now gotten to the "important business for the day." He's right. This is important business. This is the debating. On Bill 33 we've had a lot of time – a lot of time – to debate, but on these next two bills, that the government has introduced today, we're only going to have six hours per bill. Six hours. That's not a heck of a lot of time to address the issues in those two pieces of legislation. I just can't understand why we don't afford a little bit more time to those bills and a little bit more time to the debate here in the Legislature. I mean, clearly, this is what we're here to do. We're here to debate these bills, to make sure that these bills are in the best interests of Albertans and that all the holes have been plugged in them.

I mean, we talked about the whistle-blower legislation last fall. There were a number of holes identified in that piece of legislation, but it got rammed through. Then we had the Justice Vertes inquiry this summer, that actually addressed one of the issues that we saw in that bill.

The Acting Speaker: Thank you, hon. member.

Standing Order 29(2)(a) will apply; however, there has been a request from the Member for Edmonton-Beverly-Clareview that we revert to introductions. Is there anyone in the House who objects to reverting to introductions?

[Unanimous consent granted]

Introduction of Guests

(reversion)

The Acting Speaker: Hon. member, please go ahead.

Mr. Bilous: Thank you very much, Madam Speaker. It's my pleasure to introduce to you and through you and to all members of the Assembly a group here today from the AUPE, working in the land titles office, who are very concerned about the possibility of this government privatizing their valued work. They're here to lend their voices and show their support to their sisters and brothers and, in addition in light of the bills that were tabled today. I'll ask them to rise as I call them by name: Jenna Budney, Susan Budney, Donna Anderson, Michelle Kapach, Miranda Mach, Joyce Hutcheson, Theresa Johnson, and Lisa Gyselink. I'll invite all members to join me in giving them the traditional warm welcome of the Assembly.

The Acting Speaker: Thank you, hon. member.

Government Bills and Orders

Third Reading

Bill 33

Tobacco Reduction Amendment Act, 2013

(continued)

The Acting Speaker: We will go back to 29(2)(a) for the Member for Lacombe-Ponoka. Is there anyone here who would like to comment or question on his presentation?

Seeing none, we'll go to the next speaker, the hon. Member for Edmonton-Beverly-Clareview, on Bill 33, third reading.

Mr. Bilous: Yes. Thank you, Madam Speaker. I'm just looking for the member who asked to speak ahead of me. I think he was in a rush, but that's okay.

It's my pleasure to rise and speak to third reading of Bill 33, the Tobacco Reduction Amendment Act, 2013. At the onset I would like to point out that I had the privilege of speaking on numerous

occasions to Bill 206, which I recognize is a private member's bill, the bill from the Member for Calgary-Currie. I was very supportive of that bill and the intention and what it will do as I am in rising to speak in support of Bill 33.

I do want to point out a few things that need to be noted, though, Madam Speaker, some frustrations in that we're happy that this bill is here; I'm not sure if it'll go far enough. Again, I recognize hindsight is 20/20; however, I do wish that the government would have brought in legislation like this sooner. I'll point out that other jurisdictions in Canada have legislation similar to this and even tougher in some ways.

One of the things to recognize is that Alberta has still not met its targets for reducing youth smoking. The target in 2010 was 10 per cent, but the actual rate among youth 12 to 19 was 13 per cent. That was three years ago. Subsequently we've fallen further behind, Madam Speaker. We are aware, in light of this, that Alberta missed the mark on youth smoking. Again, the Alberta NDP caucus and I are pleased to see this legislation come forward in a way that works toward keeping our youth away from lifelong unhealthy addictions. I'm using that word intentionally, and I'll come back to it. As one of the other members had brought up, we're not just talking about habits, but we're talking about addictions here.

Again, we're sitting at around 13 per cent, if my numbers are fairly correct, for a teen smoking rate in the province currently. It is crucial that we work toward attacking this rate, dropping this rate. It's disappointing – I don't know if that's the right word – that the average youth who starts smoking in Alberta does so at the age of 14. In 2009 a Canada health survey testing retailers selling tobacco found that Alberta had the second-worst record among provinces in their willingness to sell tobacco products to youth. Again, I'll come back to that as far as my hope and questions that I have for the government as far as what kind of resources are going to be available to enforce the legislation that we're debating right now. Again, legislation is the first part of the equation, but the second part is how the government is going to ensure that retailers are not selling tobacco products to minors, and if they are, if the law are being enforced and the fines are being enforced, which is an important second half to the equation.

We do have some work to do in this province. Again, this is a good step in the right direction. What's interesting is that up until now, or once this bill passes through third reading and Royal Assent, Alberta is the only province without provincial legislation to curb youth access to tobacco and tobacco products. Without legislation, that really does drive to the people that are responsible for selling these products to our kids and youth.

Obviously, we know that youth can't possess tobacco under our current laws, but at the moment there's nothing to stop the people who are selling or providing them with tobacco and tobacco products. What's interesting, Madam Speaker, is that the stance this bill takes at the moment is that it shifts from addressing the problem that youth have with tobacco to the people that are selling it to them, which makes sense, again, not to try to punish the youth, who might be addicted to smoking, but to go after their access to that. I do note that there is still a fine for youth, but it's obviously much lower than the fine for a retailer or merchant or someone selling tobacco products to youth, so we're happy to see that that is the focus within this bill.

As I mentioned before, I was going to briefly touch on a couple of other jurisdictions in Canada. It's only ourselves and Quebec, by the way, that have yet to pass legislation regarding smoking in vehicles where kids and youth are present.

There are municipalities as well that I'd like to highlight, Madam Speaker, that have bylaws within their own municipal districts or

boundaries that protect youth from second-hand smoke; namely, Athabasca, Leduc, and Okotoks. They've all passed bylaws, for which I applaud them, which makes us ask the question of if this government is finally catching up to other jurisdictions and other provinces. Again, that is a signal that this government is well behind the times in terms of preventing youth smoking.

5:00

As I've outlined, the concern that I have with the bill is more about what's going to be passed through in regulation as far as enforcement, as far as dollars that are going to be allocated toward not only enforcing this law but working toward having a full youth and child smoking reduction plan. Something for the members to think about as well: I'm curious to know what the commitment is on the government's behalf to, first of all, get the word out about this piece of legislation not only to retailers but also to youth. It'd be an interesting question to ask the Education minister, if this will be addressed in schools and the information passed. Again, we're looking for voluntary behavioural changes, obviously positive behavioural changes, as opposed to coming at it, especially to our youth and young people, with a heavy hand.

Now, I know that one of the other members did talk about dealing with the issue of addictions and the fact that, obviously, smoking and tobacco-related products are addictive and that for many people suddenly making smoking illegal or with tougher fines – I realize it is legal. But, let's say that for young people – coming down hard on discouraging young people from starting smoking, I think, is great, but they need to be educated and informed about laws and then changes to legislation that we make here in the House. So I hope that the government has a strategy and will commit to getting the word out and also, like I said, resourcing the enforcement of this new legislation.

I do have a question. I'm not sure, again, what consultations were done province-wide in relation to this bill. I'm also curious to know if the government explored the idea of licensing for tobacco retailers. If they did, how did that data and information stack up with this approach? How did they come to the conclusion that this is a better approach than going through licensing tobacco retailers?

In summary, Madam Speaker, again, we're happy to see legislation come forward in this direction to work toward protecting our children and our youth. There are innumerable benefits of this legislation to cutting down on the number of young people smoking in our province, and, as I said, I'll be supporting this bill. Thank you.

The Acting Speaker: Thank you, hon. member.

We now have 29(2)(a). The hon. member on 29(2)(a).

Mr. Strankman: Yes, Madam Speaker, I'd like to ask the hon. Member for Edmonton-Beverly-Clareview. I know he has an education background and we have some different political views, but I was wondering if he could expound upon the logic of using regulation rather than education to make sure that the potential recipients of these drugs, tobacco – the legislation might not even be required.

Mr. Bilous: I thank the hon. member for the question. I definitely am a strong advocate that education should be the first path toward, I think, resolving many different issues, and smoking and addictions are some of them. I know that the issue of smoking is quite heavily addressed in the K to 6 curriculum, and obviously in junior high and high school within the health studies this is dealt with as well. I think the question is very appropriate. When we're talking about addictions, whether it's smoking, whether it's coffee,

whether it's illegal drugs or alcohol, we do need – and we being not just educators but Albertans – to do a better job explaining the realities of addictive substances as far as the consequences on health, et cetera.

I think the regulations of this bill – and when I say regulations, I guess I'm using that as far as enforcing this because I think the fact that in this bill the government is targeting the retailer is a step in the right direction. I mean, at the moment it is illegal for them to sell to minors and to youth, but I think increasing the penalty is a much stronger deterrent for them to participate in those acts.

But I think the best approach for our youth and young people still is education, absolutely. You know, I can mentally see some challenges arising from this current legislation. For example, some of the youth that I've worked with in the inner city who do and did smoke while underage: slapping them with more fines actually just works out to being a much larger problem. Fines aren't paid because they're not working, they can't afford it, and they don't have parents to bail them out. The fines become warrants, the warrants become arrests, and arrests become incarceration. Now you start a cycle – right? – where then they have a record, et cetera.

Again, I do appreciate that there needs to be within this a deterrent as well, not just your health and the logic behind not wanting to start smoking but to have a financial deterrent for young people as well.

I thank the hon. member for his question and will say that, absolutely, I think education is our number one tool for changing or adapting behaviour and encouraging positive behaviour.

The Acting Speaker: Thank you, hon. member. There's still a minute and 20 seconds left under 29(2)(a). Other members wishing to speak? Hon. Member for Calgary-Buffalo, 29(a)?

Mr. Hehr: No.

The Acting Speaker: Okay. We'll get you on the list, then.

This is third reading of Bill 33. The hon. Member for Calgary-Shaw, and then we'll have the hon. Member for Calgary-Buffalo.

Mr. Wilson: Thank you, Madam Speaker. Apologies, hon. member. I will be brief.

It is a pleasure to rise and speak to Bill 33, the Tobacco Reduction Amendment Act, 2013. [interjection] Oh, but I have so much to say.

I will be supporting this bill, Madam Speaker, and I think that there are some definite positives in here. I think there are some legitimate concerns around – I guess, my only thing is the hookah bars. I think the Member for Calgary-Fish Creek brought forward an amendment that would have grandfathered those businesses. I think that's an important step. I hope that the minister in charge of this bill looks at that during the regulation phase.

When I spoke to Bill 206, I confided in this House that as a teenager I started chewing tobacco at the age of 14. I'd switched to cigarettes by the time I was 16 and proceeded to smoke for another 15 years after that. So I do appreciate the attention that is being given to tobacco reduction. As I had said earlier, I wasn't in support of Bill 206, the flavoured tobacco amendment act. This one I would be happy to support.

There are some interesting things in this bill, and the one thing that stood out to me, Madam Speaker, was the discussion about tobaccolike products. I'm still not quite sure I fully understand the reason why we're targeting tobaccolike products if they're not of the same general harm as some of the other nicotine- and tar-based products that are out there.

5:10

I do like section 11(a)(1.1): "A minor who contravenes [the] section . . . is guilty of an offence and liable to a fine of not more than \$100." I think that at the time that I was a teenager, that may have put a little bit of the fear of God into me as to walking around with a pack of cigarettes or a tin of chewing tobacco, that it was illegal in the same way that alcohol or other such products were and that as a minor you would be liable for a fine. So I think that that is a positive step forward. I think it's a mistake to just simply fine the establishment who sells tobacco products. I think it's a good idea to enforce that, to regulate it, to make sure that the point-of-sale for tobacco products is more closely mandated and moderated and enforced. I think enforcement is the key word here. We've had laws in place that, you know, retailers could be fined, but they're very rarely enforced.

I think that overall this is a good piece of legislation. I'm happy to stand in support of it today, and I will be voting in favour of it upon the vote.

Thank you, Madam Speaker.

The Acting Speaker: Standing Order 29(2)(a). The hon. Member for Calgary-Mackay-Nose Hill.

Dr. Brown: Thank you, Madam Speaker. The other day the hon. member was speaking on Bill 206, and he had indicated that he had taken a survey of his constituents. I wonder if he did the same thing for this bill and whether or not he's had any change of heart with respect to the personal freedoms that he was speaking about so eloquently the other day.

Mr. Wilson: Well, I thank the hon. member for Calgary-Mackay-Nose Hill for the question. I did not poll my constituents for this bill. For Bill 206 being the flavoured tobacco amendment act, Madam Chair, I did, because that one was taking a product that is currently legal, that is currently being sold to Albertans and restricting just a very narrow element of it. Quite honestly, member, the reason why I did the poll is because it was a contentious issue, one in which I didn't feel that my role here was to use my own judgment in that scenario to place my vote. So I reached out to the constituents and got their opinion on it. As elected members we're all in here because constituents trust us to exercise our judgment and to do so when we feel it necessary. They trust us with that. The reason I used a telephone poll to gauge my constituents on Bill 206 is because it wasn't quite so cut and dried as this one. I think that this is a good, positive step forward whereas I think the other one was infringing a little bit too far into personal liberties, which is what prompted me to make the calls in the first place.

Thank you for the question, though, member.

The Acting Speaker: Are there any other members for 29(2)(a)?

Seeing none, the hon. Member for Calgary-Buffalo and then Vermilion-Lloydminster.

Mr. Hehr: Well, thank you, Madam Speaker. It's always an honour and a privilege to get to rise and discuss any bill in this House, and it is the same when I talk about this act.

In the main I'm supportive of this act although I do have to sort of chide the government on how long it takes for Alberta to get with the program on many of our what I find are obvious bills that are aimed at promoting public health and public good to make it down the legislative track. If you look at more progressive areas in Canada or around the world, they've had this type of legislation

on the books now for a number of years. I'm always surprised at the relatively slow pace we go at it here when public health, especially youth health and keeping them away from nicotine-based products, should be part of the government's mantra.

I will point out that for a long time here in Alberta there was actually an attitude emanating from the provincial government that I found slow to move. The case in point was always the smoking in bars rule, where neighbourhoods and communities in every city and town and village and hamlet in this province had to move on making their own regulations in this respect before the provincial government took any action on this issue. It's been an ongoing problem that I think has led to not sending a strong enough message from our government that smoking has detrimental effects and that it is a cost to the public purse and that waiting to do legislation like this is not in the best interests of our society at large.

I was also surprised that to this date we took so long to get a law on smoking in cars with kids in the vehicle to just be proclaimed. In fact, we and Quebec were the last two jurisdictions to hold out on this issue. If we take seriously the government's statement that the protection of children is job one, well, this should have happened years ago. I think I asked a question on this in 2008, and I know that previous members of the Alberta Liberals had asked it, going back even further. Oftentimes I find that digging in on personal liberty issues when it affects minors is just utter stupidity. I've found that the case in a lot of issues surrounding tobacco sales and tobacco use in this province in Alberta's history.

Hopefully, this signifies that we're going to take a lot more scientific approach to legislation to see how it affects children and youth and the development of our communities going forward and we won't be so timid in how we use government legislation to protect society and children from some products out there that are not in their interest.

I do also want to point out, as hon. members before, that Alberta in a national study was found to have some of the laxest retail sales in terms of selling to youth. I believe we were the second-easiest province for minors to obtain cigarettes in this nation. Clearly, that can be eradicated through regular and rigorous enforcement, keeping an ear to the ground, finding out the establishments that are breaking the law, and ensuring that adequate fines are put in place to quell this behaviour and/or, if necessary, put those businesses out of promoting the public harm that they do.

The same instance occurs to me around our drinking and driving laws. It's great to have laws in the book that limit people's alcohol use when they're driving a car, but at the same time if you don't have enforcement, well, that really doesn't cut the mustard. I'll point out just for reference that Alberta has the fewest checkpoints per capita of any other provincial jurisdictions, and that's just a case in point as to how government legislation needs to be followed up with enforcement or else it's not very practical, proactive, or doing what is necessary to protect not only safe streets but to protect children and families.

In any event, despite the slow-moving nature of things in Alberta, I, too, will be supporting this bill. It's a step in the right direction and an idea whose time has come. Thank you very much, Madam Speaker.

The Acting Speaker: Thank you, hon. member.

Under Standing Order 29(2)(a), are there any members interested in commenting or questioning?

Seeing none, we'll go to the Member for Vermilion-Lloydminster.

5:20

Dr. Starke: Well, thank you, Madam Speaker. It's my pleasure to rise today to speak to Bill 33 and to indicate my support for this measure and, indeed, to indicate my support for measures that are intended to curb tobacco usage and the like.

A little bit of background, Madam Speaker. I think I've made folks aware in this House during my maiden speech that by training I'm a veterinarian, and I spent close to 30 years in private practice and over that period of time saw literally thousands and thousands of animals. One of the things that we had during training as a veterinarian was comparative medicine. Indeed, comparative medicine was interesting in terms of using a comparison, basically, between the various species that veterinarians are called upon to care for and, in fact, human medicine. I found comparative medicine really fascinating if for no other reason than that my sister is a medical doctor, and it just put me on a better footing to argue with her because she knew less about animals than I knew about human medicine. That was always kind of fun. One of the things that becomes very interesting when you're doing comparative medicine is doing direct comparisons between disease incidences between animals and humans. In fact, the study of disease patterns is known as epidemiology, and I really enjoyed epidemiology back in vet school.

One of the things that I find very interesting when I look at this bill and when I look at public health care costs – during the election campaign I talked a lot about spending more time and effort and resources on doing preventive health care. Basically, I told people that my basis for this is that as a veterinarian I knew the importance of preventive health care because that was probably what I spent 70 to 80 per cent of my time doing. I know that preventive health care in the long run pays off although sometimes it is difficult to allocate the resources to preventive health care simply because the payoff is something you might see five or 10 or 20 years in the future.

Those are investments that, especially in a tight fiscal climate, can be difficult to make, but I would suggest, Madam Speaker, that they're exactly the kind of investments that we need to make and that, in fact, Bill 33 does that. In fact, Bill 33, I would suggest, goes after some of the low-hanging fruit, if you want to call it that. One of the most positive things that we could do to reduce health care costs, reduce the incidence of disease, and reduce the incidence of premature death in our society is to reduce the use of tobacco. There is no question about that. Those statistics are well established.

Let me give you some other statistics from the perspective of a veterinary practitioner. I'll just deal with one disease. I'll just deal with lung cancer. I will tell you that lung cancer in animals is exceedingly rare. Exceedingly rare. In fact, lung cancer constitutes less than 1 per cent of all the cancers diagnosed in animals, and in 30 years of veterinary practice, Madam Speaker, I diagnosed one case of primary pulmonary adenocarcinoma in a beautiful four-year-old golden retriever named Cupido. Now, why do I remember Cupido? Well, it's because it was such a rare thing. You know, if you asked me how many ear infections in poodles I remember – I don't remember very many of them. My most recent one was on behalf of the hon. Member for Calgary-Fish Creek; nonetheless, you know, it's interesting. Those rare ones you remember.

In contrast to that in human medicine, using statistics for Alberta for 2012, there were some 16,200 new cases of cancer in Alberta in 2012 and over 6,300 cancer deaths in our province. Of that number there were 1,050 men and 1,000 women diagnosed with lung cancer, making lung cancer the number three diagnosed cancer in men and the number two diagnosed cancer in women. In

terms of the deadliness of lung cancer, well, there it is unexcelled. Lung cancer was the number one cause of death by cancer for both men and women in 2012, some 810 deaths amongst men and some 730 deaths amongst women. Whereas in animals the prevalence of lung cancer in terms of all cancers is less than 1 per cent, the prevalence of cancer in humans is some 12.65 per cent. So it's well over 15 times the prevalence.

What else is interesting is that we are seeing some cancers of the respiratory tract in veterinary medicine, and in most cases those are in dogs and cats that share their home with a smoker. So, in fact, it's second-hand smoke. We make that connection. It's difficult to make a guarantee, but you certainly have to wonder when the prevalence of cancers is even related to the length of the dog's nose. Short-nosed breeds, brachiocephalic breeds – so your Boston terriers, your pugs, you know, the dogs that look like they've been chasing parked cars – tend to get the cancers of the lower respiratory tract because they don't have the same length of nasal turbinate to filter out some of the potentially carcinogenic compounds.

Long-nosed breeds like collies and German shepherds and Labrador retrievers: if they develop respiratory tract cancers, they tend to get those cancers in the nasal passage where, in fact, the nasal turbinates are doing their job in filtering and warming the air that is inhaled into the body.

So from a medical practitioner's standpoint, Madam Speaker, from someone who's interested in public health care, someone who is interested in trying to minimize the scourge of disease that we face in society today, I am very interested in doing what we can on the prevention side because as a veterinarian I know that preventative medicine is more effective than curative, acute care medicine. I know that prevention works, quite frankly, better. It's cheaper in the long run and provides better outcomes. I've seen that in practice. While some would argue that veterinary medicine is perhaps not as sophisticated as human medicine, I would argue that in some ways it's quite the opposite. In some ways veterinarians get it. Veterinarians understand the need for preventative medicine, and in fact that is what we practice, and that's whether our patients are dogs or cats or feathered or furred or two-legged or have wings or if they are, in fact, farm animals like cattle or sheep or pigs.

Madam Speaker, I'm in favour of this bill. I'm very much in favour of anything that is intended to decrease the incidence of some of the diseases that we face in our society. I think cancers and other illnesses and deaths that are due to smoking are entirely preventable, and if we can take steps to decrease the use of tobacco and to in fact increase the overall healthfulness of our society, I think that those are steps that we should as a responsible government take.

Thank you very much, Madam Speaker.

The Acting Speaker: Thank you, hon. member.

Standing Order 29(2)(a)?

Mr. Strankman: Yes. Madam Speaker, I'd like to address the member opposite. As he well knows, I, too, have a background in agriculture, and we've had discussions to that extent. I took great interest in his analogy of comparative medicine. In the House the other day we had a member speaking to the flavoured tobacco reduction act, and she made mention of the fact that comparative analysis would be comparing it to flavoured condoms. I was wondering if the minister would speak to that in that regard, how we might make comparative reductions in alcohol based on flavouring or something to that effect.

Dr. Starke: Madam Speaker, let me just say that I'm having a really hard time determining exactly the point of the question. I used to think of myself as being a rather skilled diagnostician, but at times some things are so convoluted that – but let me say this in terms of comparative medicine, which is, I think, what my hon. colleague is driving at. In terms of comparative medicine there is only one species of animal that can be caused to drink, and that is pigs. Pigs will happily drink, and in fact pigs are used for most chronic alcohol studies by laboratories because pigs will drink alcohol.

An Hon. Member: Flavoured?

5:30

Dr. Starke: You know what? It doesn't seem to matter if it's flavoured. Pigs will drink beer.

Madam Speaker, with specific reference to this particular bill I think that animals have choices in some areas, and they don't have choices in other areas. Thankfully, one of the choices they make is that unless they live in a home with a smoker, they don't smoke. I think making that choice, whether it's voluntary or by whatever means, results in significantly lower levels of disease and respiratory disease and other problems. I mean, we won't even get into things like emphysema, other forms of respiratory disease, or heart disease, which are almost unheard of in animals in any relationship to cigarette smoke unless they share a home with a smoker.

As far as my hon. colleague's comments with regard to some other flavoured products, I think we'd best, perhaps, in the interests of time leave that question alone.

The Acting Speaker: Thank you.

There are two minutes left in 29(2)(a). Are there any other members interested in making comments or questions?

Seeing none, I'll go to the next speaker. The hon. Member for Little Bow, and then Innisfail-Sylvan Lake will follow.

Mr. Donovan: Thank you, Madam Speaker. That's quite an act to follow. It was quite interesting to hear the member actually talk about his background. I was quite impressed by how he could relate a lot of the studies back to that. Again, it's a tribute to his background and all the work he's done on things.

Earlier my colleague from Lacombe-Ponoka was talking about it, and I think it touches base quite a bit to me on why we need to make sure that the Tobacco Reduction Amendment Act should be passed and brought in. Due to having kids, five children at our house with a blended family, we worry about their health and what they get into. Like quite a few people in here probably, in my youth I remember sneaking out to go have a smoke because it was the cool thing to do. I know it seems like I could be just as pure as the white, driven snow, yet in my younger years I might have done the odd thing that was . . .

Mr. Anderson: Like white, driven snow.

Mr. Donovan: White, driven snow.

I think one of the things in here is, you know, that minors can't be smoking in a public place. I think putting the fine in there will definitely keep the kids maybe a little more on their toes with that if they're liable for a fine not more than a hundred dollars. I think that's pretty well to the point. If nothing else, if kids don't have the hundred dollars, they're going to have to go tell mom and dad what they got caught doing, and that would probably be fairly key decision-making about what they're doing.

You know, all the speakers have talked quite a bit about what it costs the system to have, when you go to the schools and stuff like that, younger kids, worrying about them going to high school and seeing kids smoking outside and everything else. I think if there's a way to be able to do that – one of the members had talked about Okotoks having it. I believe it was Calgary-Buffalo, or maybe it was Edmonton-Calder.

Mr. Bilous: Beverly-Clareview.

Mr. Donovan: Beverly-Clareview – sorry – was talking about some of the towns doing some of their bylaws. Interesting. It's just whether it's enforceable, and that's one of the challenges they have there.

So I think this is a good bill. I'm in support of it just due to the health costs of what cancer has done and causes to everybody and on the preventative maintenance side. With that, I'll leave that as my support for this bill.

Thank you.

The Acting Speaker: Thank you, hon. member.

Standing Order 29(2)(a)?

Seeing no members interested at this time, the hon. Member for Innisfail-Sylvan Lake.

Mrs. Towle: Thank you, Madam Speaker. It's once again my pleasure to rise and speak to Bill 33. I supported Bill 33 in second reading, and I support this bill as it goes forward. I also supported Bill 206, the flavoured tobacco act. There were a lot of reasons why I did that. Mostly, my constituents sent me a clear message through calls to my office and e-mails to me asking for me to support it, but also as a person who's been touched by cancer.

My father was diagnosed with throat cancer approximately 21 years ago, and I was 18 years old at the time. It resulted in a throat operation that took away essentially all of his taste buds, most of his throat, and he has breathed through a hole in his throat for the last 20 years. It also ended his career. He worked in the oil field, could no longer wear a safety mask, and at 52 years old could no longer work independently, unfortunately. Watching that process as an 18-year-old certainly made it so that I didn't want to smoke.

I also grew up in that famous household where both of my parents smoked. I love them dearly, but I lived in the blue haze, and when we got into the car, it was another blue haze. Luckily for me, I never took that avenue. I tried it once, didn't inhale. Other than that, I was fine. I'm just kidding. I never did try it. I'm all good.

My brother, though, did smoke as well. While that did not contribute to his death at all or his Huntington's disease, it was a hard habit for him to even attempt to break. You know, he got on it young as well. He started smoking when he was 16.

My mom started smoking when she was 11, as I said earlier. Back in the day I guess it might have been cool or something. I'm not really sure why it would start at 11. That's a pretty young age.

I also previously talked about, though, the fact that my 21-year-old daughter started smoking at 16, against my advice and against her grandfather's advice. It was really quite easy for her to have access to cigarettes. One of the things I am happy about is the fines in this bill here, Bill 33. I see that the fines are higher, and I also see that there's a fine for the person who is actually obtaining the cigarettes. I think there is a direct correlation to making people responsible for their actions. When you start to actually tell them that there are a cause and an effect for the things that they do, I think that's a good thing.

I'm always conscious, though, of taking away people's rights. As a Wildrosier I believe firmly that people have the right to choice,

especially when it's a legal product and a legal avenue. It does always occur to me that we're doing our best to stop smoking, but we're certainly taking a lot of money from taxes on cigarettes. It's unfortunate that those tax revenues don't get assigned to some sort of cessation program. They just go into general revenue, and then the money is allotted through general revenue to the ministries to deal with it as they see fit.

The reality of it is that this government has taken a lot of money from taxes, especially on a legal product that they've put out there, that for many, many, many years they supported and endorsed. That does always cause me a bit of concern. You're telling people that they can't do something that's completely legal, and then you roll in the money that comes in and you don't really assign any of those dollars to truly helping our society stop smoking.

We do know that the rates among young teens smoking are up, and that causes great concern. If the rates among young teens are up, then they're getting the cigarettes from somewhere. They have access. If we want to talk about Bill 33, I think we could have gone a lot further in the enforcement portion of this bill. It's a good start, and I think that this government has turned a corner, but they have a long way to go still. If you're not going to enforce the rules that are currently in place, it does little to actually prevent more people starting to smoke if you're not going to enforce what we have already on the books. So there's that.

I also have to take a moment to applaud the associate minister from Vermilion-Lloydminster. I think any time anybody can weave in pets and his professional practice from . . .

An Hon. Member: He's a minister.

Mrs. Towle: Sorry. Minister of tourism. I apologize for that.

Any time that he can weave his professional practice into the discussion here and actually hit it home for us pet owners, I think that's fantastic. You know, I actually did appreciate your comments. I did not know that there was a correlation between those who chose to smoke in the home and what would happen to their pets, but I think it's an interesting dialogue to have. Many of us love our pets. Some love their pets even more than they love their children. To know that the actions you're taking in your home and in your car while you're having little Daisy or Dixie riding beside you as you're driving down the highway are actually putting them at risk – many of us are avid pet lovers.

Recently this week, unfortunately, we lost our family pet of 15 years. The minister of tourism was incredibly helpful and incredibly compassionate with some questions that I had about that process. I think it's great when he can bring that passion to the House and give everybody a starting point so that even if you're not thinking about yourself and even if you don't have kids and even if you have a different realm of what you want to relate this to, there's a direct impact on other living things that might be in your house. So I thought that was fantastic, and I appreciate him doing that.

5:40

The other thing that I want to go to is obviously the discussion about the tobaccolike products. It's always interesting to me that, you know, it's not far enough to talk about tobacco, but now we have to go to tobaccolike products. There's no clear definition of what tobaccolike really is. The hon. Member for Calgary-Fish Creek said that it was very, very interesting that the government seemed to forget about the cultural impact that tobaccolike products and the clampdown on them might have for some of our cultural communities. It's also interesting that the Member for

Calgary-Fish Creek had mentioned that this government chose not to consult with those groups of people.

It would seem to me that when you're going to have an impact on people's businesses and when you're going to have an impact on maybe what they do or they don't do in their cultural situations, we probably should be opening up and having those conversations, especially when this government talks about being open and transparent and how they're going to do government differently. They had every opportunity with this bill to ensure that they did that. Why that was left out, I'm not really sure.

Also, going one step further, in second reading I asked the question of whether or not children under the age of 18 were actually allowed to sell tobacco products in the grocery store. After that I went to my own local grocers, including some urban because I thought maybe rural was different than urban, and it was interesting. Last night I was out in Edmonton, and I asked a grocer, and he said: "Yeah. There's no law. There's absolutely no law that prevents children under the age of 18. If they're working in a grocery store, there's nothing preventing them, other than the good moral conduct of our business owners, from selling cigarettes." So we're going to fine them for buying them, but they can actually sell them, and that's okay.

I would urge this government – and they're not going to, so that's just the way it is. I urged them in second reading to re-evaluate that. I don't know if there's the opportunity, if it's covered in this bill or if it's covered in a different bill, where they can make that rule stronger. It seems a bit off from what we're doing.

I agree with this government. I think that this is a good bill, and I think that everybody is trying to do the right thing. I think that none of us want young people or people who want to quit smoking to have any barriers. But if we're telling young people that they shouldn't start smoking at 18, we sure as heck shouldn't be telling them it's okay to sell the cigarettes to the people that you're asking to quit smoking. It seems a bit off from the message. It didn't get changed, and that's unfortunate. It would seem like this government has a great opportunity to amend any legislation and amend anything it needs to to make sure that that loophole is changed. So I would encourage them to do that, and I would support them if they did that.

It also seems odd that we would fine someone under the age of 18 a hundred dollars for buying cigarettes, but we don't fine them at all for selling them. The message just doesn't seem congruent to what we're trying to do here, so I would just ask them to look at that.

The other part of it is talking about prevention as a whole. I appreciated the minister of tourism's comments when he put it into the context that, you know, a pound of prevention is just an amazing thing. It actually prevents a lot of people from going to hospital. It prevents a lot of these illnesses that, as they go forward, cost our health care system a lot of money. I'm sure almost everybody in this room has been touched by somebody who's had cancer or has been touched by cancer and may or may not have smoked at some point in time in their life. That's not to say that all cancers are caused by smoking. I'm not saying that at all. What I am saying, though, is that we all know that there was a day when the majority of people smoked, and it was completely acceptable, and you could smoke wherever you wanted.

It would seem to me that the prevention portion of this Tobacco Reduction Amendment Act could have maybe been a little stronger or legislated even further to give some clear guidelines for what prevention and smoking cessation looks like. I may be wrong. Maybe it doesn't fall under this act, and that's fine. I hope the Associate Minister of Wellness will be able to bring forward

some really concrete plans on what that prevention looks like for keeping our young people and people of any age from starting to smoke but also the cessation programs that go along with that.

I'm fully aware that there are many programs available through our family doctors, which is fantastic. I'm aware that our front-line staff do a fantastic job of trying to encourage everybody they come into contact with to either reduce the amount they smoke or stop it completely and for other people the education factor of not starting to smoke in the first place.

I also wonder if there is any movement by the Associate Minister of Wellness to work with the Minister of Education to have a broader program in our schools on not smoking and the hazards of smoking. I remember – it was interesting – when I was in grade 10. We had this fantastic elderly lady who came to the school, and it was powerful. I think I was in grade 10, anyway, grade 9 or grade 10. She was powerful, and little did I know that that would be my life for the next 20 years with my dad. She came to the school. She had a hole in her throat, and she had a little buzzer. She came to the school and talked to us about smoking and talked to us about throat cancer.

In the end, the primary cancer place was in her throat. It had spread to her lungs, and she was dying. She came and gave a speech to the whole Assembly. It was totally off-the-cuff, but it was incredibly moving. You had to really listen because she spoke through this little buzzer. I remember at that age, 15 or 16 years old, thinking: "Oh, man, that is terrible. I hope I never have to go through that."

Then at 18 I went through it with my dad. My dad's throat cancer is directly related to smoking. Throat cancer is one of the most curable cancers if caught early. If it's not caught early, then it has the devastating effects that we already know cancer has. But watching my dad go through that process to have this hole put in his throat was incredible. Quite frankly, you know, with five days of ICU, it's very major surgery. They had to hack out almost everything, and he was literally cut from ear to ear, and then the hole was created, then the learning process after that. You lose all your taste buds. You lose everything that you're able to do. You can't smell anymore. You can't taste anything anymore. This process becomes what you would normally do through your mouth and nose.

If you're the young person that has to watch this changeover of your dad and see that he has a stoma and watch how he has to clean it every day and watch how it has to be reopened every five or 10 years to be cared for properly, that's pretty moving. That's pretty educational. I don't know if we do that anymore in our school system. I don't know if we're allowed to do that anymore, if it terrifies children too much, or if we've gotten that politically correct. But I can tell you that that has a direct impact on what children think smoking really is. It certainly deglamorizes it. I can assure you that watching my dad or anyone clean their stoma is not a pretty thing.

I would encourage the Associate Minister of Wellness to take this bill and certainly give it all of the ability it should have. I would encourage him to create a plan that is strong and is able to really, really have enforcement and prevention at a grassroots level. It starts when they're very, very young. I think that this is a good bill. I support this bill. I share the concerns of my colleagues. I share the concerns of the colleagues on the other side of the House. I applaud this government for bringing forward a bill that I think has real teeth. It appears to be really thought out, short of a few little minor tweaks and that.

Thank you.

The Acting Speaker: Thank you, hon. member.

Under 29(2)(a), the hon. Member for Lacombe-Ponoka.

Mr. Fox: Thank you, Madam Speaker. I'd like to ask my colleague from Innisfail-Sylvan Lake just a quick question. I'd like to know a little bit more about the teeth that are in this bill. If you could please enlighten the Legislature on some of the teeth that are in this bill, I'd be most appreciative.

Mrs. Towle: Thank you, hon. member. Well, I do think that there are some teeth in this bill. The one I'll go to: I think that when you start off and you fine them \$100, the minors who literally are buying the cigarettes, that's going to have impact. If there's one thing I've learned, even from my 11-year-old: she treasures every penny she makes. I think our young people would, too. I think there's a direct return from a monetary penalty for our young people when they're buying something underage. Do I think the fee could have been higher? I think \$100 is a good start. I think this government will have to look at that in short order and see if it should be \$250. I don't know what a hundred dollars does anymore. It doesn't appear to do very much, but for a 16-year-old it might do a lot.

The other part of it is that the fines for the stores that sell to underage, if enforced – if enforced – can be upwards of tens and hundreds of thousands of dollars, and I think that that is fantastic. We should not be allowing stores to continue to sell to people who are underage. That's a fact.

When you take a look at this, under section 8 it says:

(1.2) A person who contravenes section 7.5 is guilty of an offence and liable

(a) for a first offence, to a fine of not more than \$10 000, and . . .

That's a pretty hard hit, and I think it's a good one.

(b) for a 2nd or subsequent offence, to a fine of not more than \$100 000.

5:50

Now, the key is enforcement. If the government is not going to enforce it and they're going to fine them a hundred bucks, well, that really doesn't matter, but if they actually use this as a tool – the business owners who have chosen to break the rules and sell to minors should be penalized for that. I don't think that the majority of business owners do that. I think most of our business owners are fantastic people, and they're just trying to make a living. I think they follow the rules of the law, and they follow the rules of legislation. But the reality of it is, as with any good organization, there are a few bad apples. I think that this is good if it's enforced.

It goes on to say that for a person who contravenes section 7.21, the fines there are, again, \$10,000 and \$100,000. I think that there is a real ability. Section 7.21 reads:

No person shall sell or offer for sale a tobacco product designated in the regulations in a package containing less than the number of units prescribed by the regulations.

Now, I know the hon. Member for Calgary-Fish Creek had a problem with that because she enjoyed every once in a while a single cigar – and I can understand that – but if the regulation is the regulation, then I think we need to enforce it. It's up to this government to provide that enforcement, and if the government does that, then that enforcement would be very valuable. Ten thousand dollars is not a small number, and \$100,000 could break some businesses. That should be a deterrent. Now, it won't be a deterrent if the government doesn't actually use this tool and do what it needs to do.

I hope that answers the member's question. I could go on. Oh, I will go on – sorry – and note that what changed was that it used to

be fines of \$1,000 and \$5,000. So if you sold to a minor, you were only fined \$1,000. That is raised to \$10,000. I think that that is fantastic. More interesting, though, is that the \$5,000 fine for your second offence was raised to \$100,000. If that's not a deterrent, I don't know what is. I would not want to be the business owner who literally said, "Okay, I'm going to take this chance the second time around" and have the government be able to come in and enforce the rules they put in place and fine that business owner \$100,000. I wouldn't want to do that.

Mr. Bilous: It's got to be enforced.

Mrs. Towle: But the problem is – you're absolutely right – that it's not being enforced today. If it's not going to be enforced today, my worry is exactly that it won't be enforced tomorrow, when the numbers are just bigger but there's no enforcement.

Again, I'm not suggesting that any of our business owners do this on purpose, and I think that the majority of our business owners are fantastic and doing a great job. But the reality of it is that this government has to enforce. If you weren't enforcing \$1,000 or \$5,000 – it would be interesting if the Associate Minister of Wellness at some point in time brought forward a report on how many people are selling to minors and how often that \$1,000 or the \$5,000 was enforced. I don't know if that's something that is made public – I'm not sure – but even if you sent it to me personally. I'm just interested to know if that's something that currently happens.

The Acting Speaker: Thank you, hon. member.

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

Mr. Anglin: Thank you, Madam Speaker. Like my fellow colleagues, I'm going to rise to support this bill. I think that any time you can take steps to reduce tobacco use, particularly among our young, and just reduce tobacco use in general, it has to be taken in good faith and has to be considered a good thing for society as a whole. I kind of wish they had put in there, even though I know it's a criminal act, the reduction of smoking crack, considering some of the legislation that we're going to railroad through this weekend. That's not mentioned in there, but we will still support the whole idea of harm reduction.

What the bill does miss and what the bill fails to do is to deal with some very basic issues that are probably more effective in reducing tobacco use, which are education and rehabilitation. It is well established that nicotine is one of the most addictive substances. It's already been mentioned here more than once about the carcinogens, the cancer-causing agents, and the health risks that go with smoking tobacco and using tobacco, but there also are other concerns dealing with the cultural aspects. As the

hon. minister had pointed out, I think maybe later last week or earlier in this week, there is an exemption for aboriginal peoples, First Nation peoples dealing with tobacco use, particularly in their ceremonial and cultural uses.

But the exemption for the hooker . . .

Some Hon. Members: Hookah.

Mr. Anglin: Hookah. I'm glad they're listening to me. I'm glad they're listening to me. That's good. They say that they don't, but I know they do. [interjection] That's right. We don't have hookers here. Sorry.

The fact is, the reality is that it is a culturally sensitive issue, and it needs to be addressed. The minister talked about it, that it could be found in another section of the bill, but it is not specific in nature in the sense that it actually singles out how they would do this under regulation. Hopefully, the minister does address that in regulation. As the Member for Calgary-Fish Creek actually stated earlier, she'll be watching very closely how the minister does this. I hope the minister in his closing remarks gives assurances to the community that that will be under consideration, that that will be dealt with, and does not delay in writing those regulations that take into consideration the concerns of some minorities and how they use this in their cultural ceremonies.

On the positive side, to look at this act, the act in itself is extremely punitive, which is not in itself a negative, but we are missing some very positive parts, which is funding education to keep kids away from tobacco, dealing with the issue of rehabilitation even for children, even for young teenagers. This is something that is extremely helpful in many ways in dealing with the prevention side. If you can help young teenagers who have become addicted to tobacco or tobacco use and are able to assist them in breaking the habit, they are able to actually work within the young community to help educate and spread the message, so to speak. It is an invaluable tool. Clearly – and I don't have any statistics in front of me – we do know that this is a valuable tool in dealing with the issue of tobacco reduction and dealing with the issue of health concerns.

Now, it's interesting. The hon. member talked about it as a veterinarian and how it affects various species of animals. There's always something to learn in this Assembly, and it's good to know, you know, that we as humans suffer from certain aspects that . . .

The Acting Speaker: Hon. member, I hate to interrupt you, but it is now 6 o'clock. The House stands adjourned until 7:30.

[The Assembly adjourned at 6 p.m.]

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