



Province of Alberta

The 29th Legislature  
Third Session

# Alberta Hansard

Monday evening, November 27, 2017

Day 56

The Honourable Robert E. Wanner, Speaker

## Legislative Assembly of Alberta The 29th Legislature

Third Session

Wanner, Hon. Robert E., Medicine Hat (NDP), Speaker  
Jabbour, Deborah C., Peace River (NDP), Deputy Speaker and Chair of Committees  
Sweet, Heather, Edmonton-Manning (NDP), Deputy Chair of Committees

Aheer, Leela Sharon, Chestermere-Rocky View (UCP),  
Deputy Leader of the Official Opposition  
Anderson, Hon. Shaye, Leduc-Beaumont (NDP)  
Anderson, Wayne, Highwood (UCP)  
Babcock, Erin D., Stony Plain (NDP)  
Barnes, Drew, Cypress-Medicine Hat (UCP)  
Bilous, Hon. Deron, Edmonton-Beverly-Clareview (NDP)  
Carlier, Hon. Oneil, Whitecourt-St. Anne (NDP)  
Carson, Jonathon, Edmonton-Meadowlark (NDP)  
Ceci, Hon. Joe, Calgary-Fort (NDP)  
Clark, Greg, Calgary-Elbow (AP)  
Connolly, Michael R.D., Calgary-Hawkwood (NDP)  
Coolahan, Craig, Calgary-Klein (NDP)  
Cooper, Nathan, Olds-Didsbury-Three Hills (UCP)  
Cortes-Vargas, Estefania, Strathcona-Sherwood Park (NDP),  
Government Whip  
Cyr, Scott J., Bonnyville-Cold Lake (UCP)  
Dach, Lorne, Edmonton-McClung (NDP)  
Dang, Thomas, Edmonton-South West (NDP)  
Drever, Deborah, Calgary-Bow (NDP)  
Drysdale, Wayne, Grande Prairie-Wapiti (UCP)  
Eggen, Hon. David, Edmonton-Calder (NDP)  
Ellis, Mike, Calgary-West (UCP)  
Feehan, Hon. Richard, Edmonton-Rutherford (NDP),  
Deputy Government House Leader  
Fildebrandt, Derek Gerhard, Strathmore-Brooks (Ind)  
Fitzpatrick, Maria M., Lethbridge-East (NDP)  
Fraser, Rick, Calgary-South East (Ind)  
Ganley, Hon. Kathleen T., Calgary-Buffalo (NDP),  
Deputy Government House Leader  
Gill, Prab, Calgary-Greenway (UCP),  
Official Opposition Deputy Whip  
Goehring, Nicole, Edmonton-Castle Downs (NDP)  
Gotfried, Richard, Calgary-Fish Creek (UCP)  
Gray, Hon. Christina, Edmonton-Mill Woods (NDP)  
Hanson, David B., Lac La Biche-St. Paul-Two Hills (UCP)  
Hinkley, Bruce, Wetaskiwin-Camrose (NDP)  
Hoffman, Hon. Sarah, Edmonton-Glenora (NDP)  
Horne, Trevor A.R., Spruce Grove-St. Albert (NDP)  
Hunter, Grant R., Cardston-Taber-Warner (UCP)  
Jansen, Hon. Sandra, Calgary-North West (NDP)  
Jean, Brian Michael, QC, Fort McMurray-Conklin (UCP)  
Kazim, Anam, Calgary-Glenmore (NDP)  
Kleinstauber, Jamie, Calgary-Northern Hills (NDP)  
Larivee, Hon. Danielle, Lesser Slave Lake (NDP),  
Deputy Government House Leader  
Littlewood, Jessica, Fort Saskatchewan-Vegreville (NDP)  
Loewen, Todd, Grande Prairie-Smoky (UCP)  
Loyola, Rod, Edmonton-Ellerslie (NDP)  
Luff, Robyn, Calgary-East (NDP)  
MacIntyre, Donald, Innisfail-Sylvan Lake (UCP)  
Malkinson, Brian, Calgary-Currie (NDP)  
Mason, Hon. Brian, Edmonton-Highlands-Norwood (NDP),  
Government House Leader  
McCuaig-Boyd, Hon. Margaret,  
Dunvegan-Central Peace-Notley (NDP)  
McIver, Ric, Calgary-Hays (UCP),  
Official Opposition Whip  
McKitrick, Annie, Sherwood Park (NDP)  
McLean, Hon. Stephanie V., Calgary-Varsity (NDP)  
McPherson, Karen M., Calgary-Mackay-Nose Hill (AP)  
Miller, Barb, Red Deer-South (NDP)  
Miranda, Hon. Ricardo, Calgary-Cross (NDP)  
Nielsen, Christian E., Edmonton-Decore (NDP)  
Nixon, Jason, Rimbey-Rocky Mountain House-Sundre (UCP),  
Leader of the Official Opposition,  
Official Opposition House Leader  
Notley, Hon. Rachel, Edmonton-Strathcona (NDP),  
Premier  
Orr, Ronald, Lacombe-Ponoka (UCP)  
Panda, Prasad, Calgary-Foothills (UCP)  
Payne, Hon. Brandy, Calgary-Acadia (NDP)  
Phillips, Hon. Shannon, Lethbridge-West (NDP)  
Piquette, Colin, Athabasca-Sturgeon-Redwater (NDP)  
Pitt, Angela D., Airdrie (UCP),  
Official Opposition Deputy House Leader  
Renaud, Marie F., St. Albert (NDP)  
Rosendahl, Eric, West Yellowhead (NDP)  
Sabir, Hon. Irfan, Calgary-McCall (NDP)  
Schmidt, Hon. Marlin, Edmonton-Gold Bar (NDP)  
Schneider, David A., Little Bow (UCP)  
Schreiner, Kim, Red Deer-North (NDP)  
Shepherd, David, Edmonton-Centre (NDP)  
Sigurdson, Hon. Lori, Edmonton-Riverview (NDP)  
Smith, Mark W., Drayton Valley-Devon (UCP)  
Starke, Dr. Richard, Vermilion-Lloydminster (PC)  
Stier, Pat, Livingstone-Macleod (UCP)  
Strankman, Rick, Drumheller-Stettler (UCP)  
Sucha, Graham, Calgary-Shaw (NDP)  
Swann, Dr. David, Calgary-Mountain View (AL)  
Taylor, Wes, Battle River-Wainwright (UCP)  
Turner, Dr. A. Robert, Edmonton-Whitemud (NDP)  
van Dijken, Glenn, Barrhead-Morinville-Westlock (UCP)  
Westhead, Cameron, Banff-Cochrane (NDP),  
Deputy Government Whip  
Woollard, Denise, Edmonton-Mill Creek (NDP)  
Yao, Tany, Fort McMurray-Wood Buffalo (UCP)  
Vacant, Calgary-Lougheed

### Party standings:

New Democratic: 54 United Conservative: 26 Alberta Party: 2 Alberta Liberal: 1 Progressive Conservative: 1 Independent: 2 Vacant: 1

### Officers and Officials of the Legislative Assembly

Robert H. Reynolds, QC, Clerk	Philip Massolin, Manager of Research and Committee Services	Brian G. Hodgson, Sergeant-at-Arms
Shannon Dean, Law Clerk and Director of House Services	Nancy Robert, Research Officer	Chris Caughell, Deputy Sergeant-at-Arms
Trafton Koenig, Parliamentary Counsel	Janet Schwegel, Managing Editor of <i>Alberta Hansard</i>	Paul Link, Assistant Sergeant-at-Arms
Stephanie LeBlanc, Parliamentary Counsel		Gareth Scott, Assistant Sergeant-at-Arms

### **Executive Council**

Rachel Notley	Premier, President of Executive Council
Sarah Hoffman	Deputy Premier, Minister of Health
Shaye Anderson	Minister of Municipal Affairs
Deron Bilous	Minister of Economic Development and Trade
Oneil Carlier	Minister of Agriculture and Forestry
Joe Ceci	President of Treasury Board and Minister of Finance
David Eggen	Minister of Education
Richard Feehan	Minister of Indigenous Relations
Kathleen T. Ganley	Minister of Justice and Solicitor General
Christina Gray	Minister of Labour, Minister Responsible for Democratic Renewal
Sandra Jansen	Minister of Infrastructure
Danielle Larivee	Minister of Children's Services
Brian Mason	Minister of Transportation
Margaret McCuaig-Boyd	Minister of Energy
Stephanie V. McLean	Minister of Service Alberta, Minister of Status of Women
Ricardo Miranda	Minister of Culture and Tourism
Brandy Payne	Associate Minister of Health
Shannon Phillips	Minister of Environment and Parks, Minister Responsible for the Climate Change Office
Irfan Sabir	Minister of Community and Social Services
Marlin Schmidt	Minister of Advanced Education
Lori Sigurdson	Minister of Seniors and Housing

### **Parliamentary Secretaries**

Jessica Littlewood	Economic Development and Trade for Small Business
Annie McKittrick	Education

**STANDING AND SPECIAL COMMITTEES OF THE LEGISLATIVE ASSEMBLY OF ALBERTA**

**Standing Committee on the Alberta Heritage Savings Trust Fund**

Chair: Mr. Coolahan  
Deputy Chair: Mrs. Schreiner

Cyr	McKitrick
Dang	Taylor
Ellis	Turner
Horne	

**Standing Committee on Alberta's Economic Future**

Chair: Mr. Sucha  
Deputy Chair: Mr. van Dijken

Carson	McPherson
Connolly	Panda
Coolahan	Piquette
Dach	Schneider
Fitzpatrick	Schreiner
Gill	Taylor
Gotfried	

**Select Special Auditor General Search Committee**

Chair: Mr. Shepherd  
Deputy Chair: Mr. Malkinson

Cyr	Littlewood
Gill	van Dijken
Horne	Woollard
Kleinstauber	

**Standing Committee on Families and Communities**

Chair: Ms Goehring  
Deputy Chair: Mr. Smith

Aheer	Miller
Drever	Orr
Hinkley	Shepherd
Horne	Swann
Jansen	Vacant
Luff	Yao
McKitrick	

**Standing Committee on Legislative Offices**

Chair: Mr. Shepherd  
Deputy Chair: Mr. Malkinson

Drever	Nixon
Gill	Pitt
Horne	van Dijken
Kleinstauber	Woollard
Littlewood	

**Special Standing Committee on Members' Services**

Chair: Mr. Wanner  
Deputy Chair: Cortes-Vargas

Cooper	Nixon
Dang	Orr
Jabbour	Piquette
Luff	Schreiner
McIver	

**Standing Committee on Private Bills**

Chair: Ms McPherson  
Deputy Chair: Connolly

Anderson, W.	Kleinstauber
Babcock	McKitrick
Drever	Rosendahl
Drysdale	Stier
Fraser	Strankman
Hinkley	Sucha
Kazim	

**Standing Committee on Privileges and Elections, Standing Orders and Printing**

Chair: Ms Fitzpatrick  
Deputy Chair: Ms Babcock

Carson	Loyola
Coolahan	McPherson
Cooper	Nielsen
Ellis	Schneider
Goehring	Starke
Hanson	van Dijken
Kazim	

**Standing Committee on Public Accounts**

Chair: Mr. Cyr  
Deputy Chair: Mr. Dach

Barnes	Malkinson
Fildebrandt	Miller
Fraser	Panda
Goehring	Renaud
Gotfried	Turner
Littlewood	Westhead
Luff	

**Standing Committee on Resource Stewardship**

Chair: Loyola  
Deputy Chair: Mr. Hunter

Babcock	Loewen
Clark	MacIntyre
Dang	Malkinson
Drysdale	Nielsen
Hanson	Rosendahl
Kazim	Woollard
Kleinstauber	

## Legislative Assembly of Alberta

7:30 p.m.

Monday, November 27, 2017

[Ms Sweet in the chair]

**The Acting Speaker:** Good evening. Please be seated.

### Government Bills and Orders Second Reading

#### Bill 26

#### An Act to Control and Regulate Cannabis

**The Acting Speaker:** The hon. Minister of Advanced Education.

**Mr. Schmidt:** Thank you, Madam Speaker. Don't be fooled by the clock on the wall. Even though that clock says that it's a little past 7:30, I can guarantee you that somewhere it is 4:20, which means that it is high time to move second reading of Bill 26, An Act to Control and Regulate Cannabis, on behalf of the Minister of Justice and Solicitor General.

Now, Madam Speaker, this spring the federal government announced that cannabis would become legal across the country by July of 2018. That announcement gave Alberta and all provinces and territories just over a year to develop a system that would provide reasonable access to cannabis while protecting public health and safety. Our government immediately turned to Albertans to ask for their input. We needed their feedback to develop a system that would reflect the views and values of the people who live in this province.

In one of the most successful engagement processes in the Alberta government's history more than 60,000 Albertans responded. Their input guided the drafting of an Alberta cannabis framework, which will allow adults to legally and safely access cannabis while protecting Alberta's youth and public health, ensuring safety on our roads and in our workplaces, and limiting the illicit market. Albertans agreed that these are also their priorities. The framework and the legislation we are proposing to enable it are just part of a number of steps in establishing a system founded on these priorities.

Madam Speaker, our government is committed to taking an approach to legalize cannabis that works for Albertans. At the heart of Bill 26 is the intent to establish a system for legalized cannabis that Albertans can trust. That's why a number of the amendments it proposes are related to the role of the Alberta Gaming and Liquor Commission in the system. The AGLC has been a trusted regulator of Alberta's private retail model for alcohol for more than two decades.

We want to enable the AGLC to bring that wealth of experience to our system for cannabis. Bill 26 will empower that agency to oversee the distribution of cannabis, ensuring that all cannabis products that come to our province's retail market are legally produced and come from licensed producers. The bill will also grant authority to the AGLC to oversee the retail aspects of cannabis, ensuring that products are distributed to specialized retailers that only sell cannabis, not with tobacco, alcohol, or pharmaceuticals.

The cannabis retail market will be privately owned and operated, licensed, and strictly regulated by province-wide rules set by our government. The specifics of these rules will be outlined in regulations introduced in the new year, but they will cover such things as hours of operation, setback distances for stores, age of staff, staff training, and the requirement for all retailers to undergo background checks. The intent is to ensure that Alberta's system for legalized cannabis, its cannabis products, and the venues they are

purchased from are safe and, more importantly, that Albertans are safe.

Madam Speaker, Bill 26 also lays the foundation for the sale of cannabis online. If this bill is passed, Albertans will be able to buy cannabis online from the outset of legalization. We heard support from Albertans for online sales, but we also heard concerns about verifying the age of those purchasing cannabis online. We want Albertans to be confident that we can meet their expectations about safety and security, and that's why our government will directly manage all online sales. This will allow us to know who our customers are and ensure that they are of legal age. It also gives purchasers more confidence that they know who they are buying cannabis products from. Establishing government-operated online sales will ensure that Albertans have access to safe, secure cannabis products even if actual retail storefronts are not yet ready to go or would not be economically viable in their communities.

Finally, Madam Speaker, Bill 26 includes amendments that will protect the health and safety of Alberta's youth. Our legalization establishes provincial offences related to youth possession, smoking and vaping cannabis in prohibited areas, and consumption of cannabis in vehicles. We heard concerns from Albertans about the health impact of cannabis consumption around young people, and indeed keeping cannabis out of the hands of children and youth is one of the main policy priorities of Alberta's cannabis framework. To that end, Bill 26 proposes a zero-tolerance approach to youth possession.

We are also addressing concerns about exposure to second-hand smoke, especially by children. Bill 26 prohibits smoking and vaping of cannabis in any place where a person is prohibited from smoking tobacco under the Tobacco and Smoking Reduction Act. It also makes it an offence to smoke or vape in any outdoor spaces typically frequented by children such as playgrounds, spray parks, and on school and hospital properties. Madam Speaker, Albertans were clear that we don't want people high as balls around our kids.

Another major concern we heard from Albertans was related to drug-impaired driving. The Transportation minister has introduced important legislation to help address this serious issue. Bill 26 also includes amendments to reduce the risk of impaired driving, including prohibiting any consumption of cannabis in vehicles. This includes by the driver and by any passengers. In addition, any cannabis products must be stored away from the reach of drivers and passengers. Just to repeat, keep your roach out of reach while driving.

Quite frankly, Madam Speaker, the legalization of cannabis represents a huge change in our province and in our society. We are absolutely committed to getting this right. Make no mistake; we still have a lot of work ahead, and members of this House will hear more about this as it unfolds.

I'm proud to see the work that's been done to date and in such short timelines. It has resulted in the legislation I have shared with you today. Bill 26 puts in place the many pieces that will allow our government to create a system for legalized cannabis in our province that Albertans can trust and will ensure the safety and well-being of the people who live here. I hope that members on both sides of the House will support this legislation.

Thank you very much.

**The Acting Speaker:** Are there any other members wishing to speak to the bill? The hon. Member for Airdrie.

**Mrs. Pitt:** Thank you, Madam Speaker. I rise today to speak to Bill 26, An Act to Control and Regulate Cannabis. Now, I think it's very important to note while I speak to this bill that this discussion is not about whether or not cannabis should be decriminalized. Criminal

law falls under federal jurisdiction. Whether we agree with it or not, smoking or vaping cannabis will be legal this summer. Our Constitution does not allow provinces to define and establish crimes, so provincial governments, without a lot of time, have to regulate cannabis to prevent a legal vacuum. This is our duty as legislators, to be responsible and do the best job that we can in the implementation and regulation of this new law that the federal government has passed down to us.

Overall, I think that the government's response to this is actually quite reasonable. Now, we do have some concerns, as I'm sure that all members of this House do – I do; our caucus certainly does – and we do hope to receive some clarification on this because we are responsible to our constituents as well. This is information that we can be helpful in passing along and, of course, helpful as we debate this bill.

As legalization begins, it would be better to start off strict. That way we can gradually loosen restrictions as people in law enforcement adjust to new realities. It's important that we keep a lot of this in check. I imagine there will be quite a few bumps and bruises along the way, and we will need to come back and look at this and make changes and that type of thing. We're going to be smart about the regulation of this product that we had nothing to do with the legalization of, so we're going to ease into legalization carefully, monitor the implementation and the successes and failures of the regulation, and make adjustments.

Now, some people are already doing cannabis illegally, and we know the sorts of effects that cannabis has on them. They know the effects that it has on their bodies. With it being legalized, there will very likely be some people that will try it for the first time, and those who were doing it illegally might get a little bit bolder. As we know from discussions earlier today on the crime crisis in rural areas, our police are already stretched pretty thin. It's a big concern that we have on this side of the House. I'm sure everyone in this House has a concern about crime and the lack of resources that we have, which is a bit of a concern when we're decriminalizing something that has caused so much criminal behaviour in the past and when police have very few resources at their disposal.

7:40

In saying that, what is the plan to equip and train police officers? I've spoken with many police officers that just really aren't prepared. They're quite concerned, actually, with the implementation of this. I'm not saying that it's this government's fault, but this is something that we need to address. Do we have public education campaigns planned? What is that? I've heard some on the radio from MADD Canada. They're trying to get out ahead of this impaired driving, which is great, but there is way more to the education component than MADD Canada on the radio, and this government certainly has a responsibility when it comes to education.

Now, with regard to distribution we're extremely pleased to see that the government is allowing private retailers to sell cannabis. That's exactly what we heard from the industry that is to be. It's something that makes sense, and I'm really happy to see that moving forward. I think that's, like, bang on with what you guys were hearing as well, so kudos.

I'm pretty happy that it's not co-located with alcohol, tobacco, or pharmaceuticals. I think that's a great way to start the regulation here. We don't want to be encouraging people to consume or try cannabis, so we're not going to try and tempt people as they're picking up medications, gas at the gas station, that type of thing, or people who are buying cigarettes or alcohol and cross-using these products. So that's really, really great to see.

Now, as far as I can tell, this legislation allows cannabis accessories to be sold at these retail outlets, which seems reasonable, and that's also some of the feedback that we've heard from industry in this regard. There are going to be different tools and accessories that you need to be able to use the cannabis, and I think that having those trained staff members in these stores with all of these products is a good step towards education. So we think that's quite reasonable.

I'd be interested to see what the rules are around advertising and the promotion of cannabis. We know that this is somewhat similar to the implementation of tobacco in our province; however, it's not like tobacco. The distribution model is a bit more similar to our liquor distribution model. It's a bit of a hybrid of both, but we need to understand what advertising and promotion is allowed or planned or how that works.

Can you have a poster that children can see on the outside of the store with somebody smoking marijuana or whatever that might be, for example? We know that there were similar strict advertising rules around alcohol in the past. There are certainly stricter rules around tobacco in this day and age even from when I was growing up. I mean, tobacco companies used to sponsor tennis tournaments and other sporting events, which was kind of ironic. I think that that's important, and we need some clarification on that.

As for the government-run online stores, this is where we need a little bit more detail. I think that it's reasonable to see where you were going with the online portion of this in regard to government running this. Perhaps it's not a bad idea coming out of the gate to do it this way, just given the multitude and the magnitude of the regulations that are needed right now. There's so much.

I do expect, you know, that down the road that could very easily be pushed back into the private sector, where a lot of the experts are already operating and running their businesses. It makes a lot of sense, especially in terms of relationships with customers. There are a lot of users that will be going into these cannabis stores and buying their products and getting the information, the education, and the expertise from the people that work in these stores. They're going to have relationships with them, and I think that they would feel comfortable ordering online from that particular retailer as well because that's just the society that we live in.

We see a lot of retail stores closing down right now, malls closing down right across North America because people aren't going into the retail stores anymore. I know that's probably one of the reasons why the online purchasing component is so important in this implementation of regulation, because you do need to allow access. If we're going to try and combat some of the criminal element, we need to make sure that people have access. If they're not comfortable walking into a retail location, they can purchase it online. For now that's the government, but I foresee down the road that that would be something that would very much make sense to be in the hands of private retailers in, obviously, a very controlled and regulated way. I think that would be responsible.

Some of the questions. Because the government has chosen that the online purchasing portion be done through the government, the questions I have are: how is the age verification process when ordering online going to work? Do you put in a driver's licence number? Do you take a photo with your camera, and your picture proves who you are? Who's to say that minors aren't using mom and dad's ID or a brother's or sister's or any of that kind of stuff? I know you can't stop it all, but when somebody is on a computer, you don't know who's on the other end. When it's delivered to the house, how are those packages, how are those deliveries accepted? What is the process for that? I need some clarification there.

Speaking of minors, the bill prohibits smoking and vaping cannabis within a prescribed distance of areas frequented by minors

such as a playground, zoo, or outdoor pool. Awesome. Great. We've all smelled cannabis. If you don't smoke it right now, it certainly stinks, and our children shouldn't be subject to any of this. So that's really great. But less harm would be caused by someone smoking cannabis in the playground in the middle of the night than by somebody smoking beside a minor in an area perhaps not usually frequented by minors. I'm hoping we can have some clarification on that. That can very well simply be walking down the street. I just need some clarification on that. It's not an area frequented by minors, but there very well may be minors there.

Now, the research. As you know – I know that the government knows this certainly – the human brain hasn't finished developing till the age of 25. There are arguments, certainly, for ages higher than that as well. Allowing cannabis consumption that may expose a larger number of Albertans to negative health outcomes that could result from cannabis use is a bit of a concern. I do understand that it's consistent with the legal age for alcohol and tobacco in our province, and I certainly believe in personal responsibility. When you're 18, you're an adult, and you definitely have the right to access and use these products. But, again, we need to see that educational component in this, and I'd like to see a big stress on this. I imagine that's probably something in regulation, or the minister is certainly going to answer all of these questions and ease some fears and that type of thing moving forward.

Another note on the online store, that it reduces the chances of people falling prey to falsified or illegitimate websites: again, like I said, I do see the logic in initially implementing the government running the online portion of this distribution. That absolutely makes sense, but I think that when some of these kinks get worked out, we could see that maybe passed off or at least revisited and go from there. We're also going to have to be concerned about fraud and that type of thing.

Now, with regard to growing cannabis at home, I understand that illegal grow ops completely destroy a house. Is there a risk – an honest question – of four plants destroying a home? I don't know. I know four spider plants or four ficus plants in my house are not going to damage anything. I know that we're not talking about grow ops in a home, but these are legitimate concerns that landlords in our province do have, and these need to be addressed. The landlord right now has a right to say, "No pets" or "No smoking." They can no longer say, "No children." But will they have the right to say, "No cannabis plants grown in this house for whatever reason"? I understand it's a legal plant, but it is a controlled substance, and I think the landlords need to have that ability even just for now.

7:50

I mean, there's so much that's going to be changing with the implementation of this over the next years, and it's going to evolve and grow. Like I said and stress again, we'll be back here, certainly, fixing things, and it's not because it wasn't done right the first time. It's just that this is a big, big deal, right? We'll be back here one day. Landlords have a lot of questions around this and how this is going to go.

The other question that we would have in regard to cannabis plants growing in the home. Right now, when you buy or sell real estate, there is a declaration form that needs to be signed if you've ever grown marijuana in the home. With every home purchase you need this to be signed. How does that fit into this? Is that addressed somewhere in here?

I certainly look forward to discussion on this piece of legislation. I think there are a lot of Albertans watching what's going on. These are really interesting times. For now, you know, I'd just like to say that I really don't think you guys did a horrible job on the first piece of this legislation. I think it's very likely the best-case scenario. I

will probably never say this again. I look forward to working with you down the road as this will need to be adjusted, as I'm sure you can agree – I think the minister already said that – in a thoughtful, respectful manner so that our children are safe. This is hopefully going to have fewer problems than it will create down the road. I'm hoping that you can address some of my concerns, and I look forward to this discussion on Bill 26 as we move forward.

Thank you very much, Madam Speaker.

**The Acting Speaker:** Thank you, hon. member.

Are there any other members wishing to speak to the bill? The hon. Member for Lacombe-Ponoka.

**Mr. Orr:** Thank you, Madam Speaker. Yeah. Thank you for the opportunity to rise and speak to Bill 26, An Act to Control and Regulate Cannabis. We're all aware that this is legislation that has been drafted in response to the federal government's legalization of cannabis, Bill C-45. I won't read it because it's a long title. In short, it's the cannabis legislation. It was introduced April 13 of this year, and the sales and distribution of cannabis will start immediately following legalization in July of 2018.

It will make legal the distribution and various aspects of the marijuana trade, including the questions of at what age a person can legally consume and possess it. People will now be allowed to grow up to four plants, as has been said, in their homes. There will be an online way to purchase it. Sales should be ready to go this coming summer with private retailers, with the whole question of public possession limits being set at 30 grams and discussions about the questions of where cannabis can be consumed. We understand that the Alberta Gaming and Liquor Commission will be the authority to carry out the compliance function and the oversight issues. They'll also manage wholesale distribution of cannabis to licensed sellers, which I think is a very good thing.

I do want to say that we will be supporting this bill. There are lots of questions in everybody's minds, of course, but I do think that the general public recognizes the need for us to be in line with what the federal government is doing. Even though there are lots of questions out there about implementation and regulation and who does what and who's allowed to do what – and it will probably take a few years to sort it all out – we do need to have something in place before July of next year. There are questions, though.

I think one of the real issues that this bill is intended to resolve is to take the cannabis trade out of the hands of criminals. I think we really have to think that through, though. Will it, and how? Taxes will drive up the price a little bit, and the black market, quite frankly, can cut prices in order to gain market share. After all, it is a business to them, and they will respond accordingly.

I also think there is the question of the fact that there is a segment of our culture which is antiauthority, the "government can't tell me what to do" attitude, that is very much a part of the cannabis culture and that will continue to thrive in the minds of many people who are sort of antiauthoritarian and that sort of thing. Will this legislation actually make the enforcement of illegal cannabis even more difficult in some ways? There'll be illegal and legal stuff, and who knows which is which? There are no clear ways for the police to sort that out without doing a lot of work on it. I actually think it's not going to be as easy as everybody hopes it might be.

Another aspect of this, of course, is to try and keep cannabis out of the hands of minors, to keep it away from children, a very important question that I think has to be addressed. I'm not sure that we have the answers figured out there either. How do we guarantee that minors will not be making those online purchases? We already know that minors go on all kinds of Internet sites that they're not supposed to be able to have access to, and they do. They do get

identities, and they do share identities, and they do all kinds of things. I'm not sure that you can regulate that in a way that's safe. So I'd like to hear more about those kinds of security measures that might be put in place to safeguard our youth.

Well, in many ways, I guess, it's an arbitrary decision to say that 18 is the magic age. This is a decision that on the surface seems reasonable. It aligns with tobacco regulations, with alcohol regulations. But I think that with cannabis it's more complex than that. We've already heard that many doctors and AHS have expressed some serious concerns about the risk of legalizing cannabis for those who are under the age of 21 or 22, 23. There's pretty good science out there that demonstrates that the human brain really hasn't developed fully under the age of 24 or so. There is a risk of giving a social licence to young people. On the one hand, we say: you shouldn't do it because it's not good for your health. On the other hand, we create a social licence that says: well, in fact you can do it because it's legal.

I think that's going to be extremely confusing for young people who are trying to decide what the right thing is for them to do, particularly with the risk of early-onset schizophrenia. I think that's a concern that we really have not wrestled with here. And in the process of asking that question, have we wrestled at all with the spinoff medical effects that might happen? Have we wrestled with the realities of the social costs that will come with increasing psychotic issues, with young people that maybe get drawn into this and it not being the best thing for them, for their health? I think these are real concerns. I personally wrestle with that one because I have family members who started out with early use of marijuana. It has led to schizophrenic issues, and it has completely impacted their lives in very negative and harmful ways, so I think we really have to ask questions about these particular items.

How do we help families who are trying to keep their young people safe, keep them healthy? We say: "Oh, it's legal. It's okay. You can go ahead and do it even though it might harm you." I just find a contradiction in saying, "We want to protect young people" but, at the same time: "We're going to make it legal for you. You can do it if you want." There's a contradiction there. There's a cognitive dissonance there that just doesn't quite add up. I think we have to wrestle with that more deeply. Maybe as we gain more experience with this over the next few years, we'll see appropriate opportunities for amendments and corrections.

What about the issue of smoking and vaping? We have huge concerns about second-hand smoke in our society, about the health impacts of that. [interjection]

**The Acting Speaker:** Hon. member.

Please continue.

**Mr. Orr:** Thank you. What about second-hand smoke and even the possibility of second-hand intoxication for young people? We realize that there will be some prohibition against smoking or vaping in public places and, particularly, a restriction against doing it in proscribed places such as close to schools, other public areas. But, again, I just think that we haven't quite figured out yet how we do this in a way that's truly safe and truly does protect our young people. So we need to ask some of these questions.

8:00

What about the whole issue of being forced to roll this out? I think there is a need for education, for teaching, for explaining, for awareness to people so that they understand what's happening, so that they understand the dangers, the magnitude, the significance of this, what they can and cannot do. We really don't want people getting charged for something that's still illegal when they thought

it was legal or things of that nature. We definitely need to have something in place to help people know what really would be the right thing to do here.

The regulations around no sales at co-locations with alcohol or tobacco: I think that is a great decision, putting it out there in places that have to be specifically dedicated to that. While it may be a business challenge, I think it's a wise social health decision, and I think we need to actually continue to support that particular piece of it.

While there are lots of questions about the social aspects, there are also some questions about the legal side of it, the enforcement side of it: how are we going to enforce some of these regulations, and how are we going to train the police officers as they move forward? We have another bill to talk about, the issue of driving, and we'll get to that later. We have a lot of work to do in terms of preparing our police forces, in terms of preparing our municipalities, in terms of helping them discern what they can and cannot enact in terms of their own regulations. We've already seen at the recent AAMD and C and AUMA conventions that there are positions all over the map from different municipalities on how they should approach this. I think municipalities as well are going to need some real help in terms of coming up with something that actually works. Again, I guess that to a certain degree we'll learn by trial and error. We'll see what works and what doesn't, and that's just the reality that we're forced into.

I personally am not quite as concerned about the issue of people being able to grow four plants in their house. I really don't think it's going to destroy their houses. I don't personally think, in contradistinction to some others, that it's going to destroy the market value of your house. Four plants is four plants. I do think, though, that if that gets carried away and the police aren't able to keep it to that and you end up with a house that's got 400 instead of four, you're into a totally different situation, and, yes, there could be real estate issues, health issues, legal issues on the sale of properties. Again, I think that's something that has to be wrestled with because it's probably not going to be as straightforward and simple as it might look on a piece of paper.

What about landlords? What about those who rent, those who share properties? What about apartment buildings, where you've got multiple people in the building, yet it's their own personal residence where they live? We already know that there are issues in some seniors' complexes just between those who smoke and those who don't and about the tensions and the problems that that creates in the building. Will this impact rental properties, apartments, condo buildings where people are forced to live close together physically, geographically? How is that going to impact them in these kinds of places? Again, I think this is going to lead to a lot of conflict and tension amongst people in their different places. So lots of questions on that one as well.

I just think we need to really be careful where we go here. I think we need to not be in a hurry about this. I realize there's a deadline coming. But I definitely think that we need to put this up for review in a couple of years or so because I think that as we get into it, we'll see that there are things we didn't quite get right.

Hopefully, the government will be open to reviewing the legislation as we move forward, really, really consulting with people in our province and listening to what their concerns are and making sure that it is actually safe, that it does get it out of the hands of criminals, that children are protected from it, and that it's a positive experience.

We already know that it's probably not going to be a very financially positive experience for the government. The relationship with the federal government is not going to give us much cash. I hope the government is planning to have some budget



money available to manage this whole thing because it is going to be difficult to manage moving forward.

With that long list of concerns and questions, I will conclude. Thank you, Madam Speaker.

**The Acting Speaker:** Thank you, hon. member.

Are there any members wishing to speak under 29(2)(a)?

Seeing none, I will now recognize the Member for Edmonton-Centre.

**Mr. Shepherd:** Well, thank you, Madam Speaker. It's a pleasure to have the opportunity to rise tonight and speak to Bill 26, An Act to Control and Regulate Cannabis. I spent about 12 years working as a musician and studio engineer, so certainly I am well familiar with the scent of cannabis and with its use in many respects. I've been around many people who have used it for a variety of reasons. I think it's important to recognize that this is, in fact, a substance that has been in use in our society and by many for some time. What we are dealing with here is not something, I think, that is a radical shift for us as a society. I think it's a reasonable one to make. I think we've seen it happen in other jurisdictions around the world where it's been done safely and reasonably and led to good outcomes, and I believe that we as mature adults in a democratic society have the ability to manage this transition in a wise way.

Indeed, I would say that Minister Ganley, in putting together this bill after having done considerable consultation across the province, having spoken with stakeholders on many sides, has come forward with a very balanced piece of legislation. Indeed, we've heard the same from across the aisle, so it's my hope that we'll be able to move this forward with a minimum of acrimony and make improvements where necessary and be able to work well.

One thing I did want to note, Madam Speaker, is that there has been some comment about decriminalization. It's important to be clear that what we are dealing with here with the federal government is not decriminalization, which would be simply not charging people for something which would still technically remain illegal. This is, in fact, legalization, so with cannabis itself we are removing it from being illegal, and it is now a legal substance to possess as of July 1 of next year. So just to be clear on our terminology.

The principles that we've looked at, that the minister looked at, and that as a government we indeed wanted to ensure through this legislation were the four policy priorities: first of all, keeping cannabis out of the hands of children; secondly, protecting public health; thirdly, promoting safety on roads and workplaces and in public spaces; and lastly, limiting the illegal market. Again, Madam Speaker, I do feel that the provisions that have been put forward in this legislation after robust consultation across the province achieved those four goals very well.

Indeed, what we see in the legislation here is that the minister has chosen to propose setting the age limit at 18. Now, one of the members opposite did raise some concerns about that, did note that some doctors and others have suggested that we go with a higher age limit for access to cannabis. The important thing to recognize, Madam Speaker, is that Canada already has one of the highest youth usage rates for cannabis in the world, so we already have a large number of young people that are managing to access and make use of cannabis. For us to set a higher age limit, say at 21, would go against one of the principles that we are looking at here, that being limiting the illegal market.

Right now we know we have a robust illegal market. Anybody who is interested in purchasing and obtaining cannabis does not have difficulty in doing so, and that includes youth. So it's very important, Madam Speaker, that in the rules that we put forward

and in the steps that we take, we are eliminating that illegal market. Setting the limit at the age of 18, which is the same age at which young people can access alcohol, can access tobacco: that, to me, seems reasonable. That eliminates any need for a black market to continue whereas if we set it at 21, we have youth that are drinking, that are smoking, and that are looking for ways to access cannabis, which, as I said, we know they already do in large numbers.

I recognize what the member opposite was talking about in terms of concerns with health and safety, and indeed I agree with him one hundred per cent that we need to have good education and awareness as part of this, Madam Speaker, as we have good education around alcohol and recognizing the damage that that can do to young minds and young bodies and overindulgence and that sort of thing, the costs that can be associated with that. We work very hard to educate both before youth reach the age of 18 and afterwards. Indeed, in terms of tobacco we're quite clear about the health effects that that has and, again, work towards that education and continue to improve education around that area. I think we can do the same in terms of cannabis use. I think that setting the age at 18 is indeed a reasonable restriction.

**8:10**

There were some concerns raised by a member opposite around public consumption, and indeed I recognize, Madam Speaker, that in terms of public consumption cannabis is – how can I say it? – fragrant. It has a strong aroma. Indeed, it's something that we need to be considerate of in terms of how people are exposed to it, but I believe that we have come to a reasonable place in this legislation in limiting it in the same way that we limit tobacco. Recognizing that tobacco itself and second-hand smoke can have health hazards, we have reasonable restrictions around where tobacco can be consumed. We are regulating cannabis on the same level as tobacco in terms of recognizing that second-hand smoke from cannabis can indeed also have similar health effects.

Now, there was a comment made in regard to second-hand smoke and what's known as a contact high in terms of cannabis. It's important to note, Madam Speaker, that there was a recent study, conducted in 2015, by the Johns Hopkins University School of Medicine in which they had volunteers sit in an enclosed space and be exposed to heavy amounts of cannabis smoke, second-hand, for an extended period of time, over an hour, and those individuals showed a mild impairment, extremely mild. They reported feeling slightly pleasant and a little bit hungry. Now, individuals who were exposed to the same amount of cannabis smoke in a ventilated room showed no symptoms and no presence of THC or any other metabolites in their bloodstream.

So while there is some mythology around contact highs and that sort of thing from second-hand smoke, there is no credible scientific study that shows there would be any concern about that in a well-ventilated space. Indeed, in the public spaces where the consumption would be allowed similar to tobacco, I would dare say that there would be next to no chance that anybody could possibly become even mildly impaired by exposure to smoke in that space.

Now, that said, Madam Speaker, municipalities do retain the right to further enforce and create additional regulations or bylaws around where cannabis could be consumed. For example, here in Edmonton-Centre, just over by city hall, we have Churchill Square. Recently the city of Edmonton added additional bylaws restricting the use of tobacco in Churchill Square. Under this legislation, then, cannabis would also be regulated in that space, so it would not be allowed to be consumed.

While I recognize, again, Madam Speaker, that some have concerns about the odour, I can tell you that, for myself, I am a person who is scent sensitive, so the bane of my existence, for

example, is being caught in an elevator with someone wearing a large amount of perfume. However, the fact that I don't enjoy the scent of perfume doesn't mean that I need to regulate whether or not people wear it in a public space near me. I choose to avoid it, I may not like to be around it, but again I don't think it's something that we need to take further in that respect. I do think that this is a reasonable step in terms of how we regulate the consumption of cannabis and the spaces where it may be used.

Now, there's also been some discussion, I guess – and I have had this concern raised to me as well when I visited some seniors' residences, and I've heard it from some constituents – around the consumption of cannabis, indeed, in multi-unit, multiresident buildings. Certainly, I recognize that that can be a challenge in some respects. Having served as president of a condominium board in a condominium building where I used to live here in Edmonton-Centre, I recognize that that can be a challenge, but there are already rules in place which allow a condominium board or indeed a landlord or a property management company to address such issues within such buildings. All individuals living in suites, whether they own or rent, have the right to peaceful enjoyment of their suite, and if that's being interfered with by other residents within the building, there are means available by which that can be addressed.

Certainly, again, this is something that's going to take some time to adjust to. It's going to take some time for everyone to get used to new rules. Those mechanisms are available.

Similarly, Madam Speaker, with landlords. If I'm a landlord and I'm renting out my suite, I have the ability, with proper notice, to conduct an inspection of said suite or said property, and if I find that my tenants are indeed undertaking actions of any sort that may damage that property, I have rules and regulations that I can make use of to address that. So if they were, say, growing tomatoes indoors and they had a small greenhouse space and the moisture from that was damaging the walls, I would have the ability to take action to address that.

Similarly, while I recognize that, yes, we do need to have proper enforcement to ensure that people are not going beyond the four plants that are allowed under federal regulation, I believe we have much of the structure and mechanisms in place already to be able to address this. There may be some small adjustments and things that we have to tweak over time, but I think, again, that as a democratic society of mature adults we're able to engage this process, and we're able to move forward, I think, with a minimum of difficulty on this.

I was pleased to see, Madam Speaker, that the minister opted to move forward with private retail sales of cannabis. That was certainly something, again, that I heard from many constituents about. Indeed, we saw that from Albertans, I think, in the surveys and that that were conducted, that they prefer to see the sales of cannabis regulated in the same way as our sales of alcohol. We do allow that in private retail spaces, so indeed we are doing the same with cannabis. I think it's reasonable that we also make use of the mechanisms that are already available through the AGLC, the distribution, et cetera, that they have already perfected – well, perhaps not perfected; there's always room for improvement – that they have set up over time, that they've got to a place where they work fairly efficiently, make use of that infrastructure, make use of those regulatory powers that already exist, and use them then for the regulation of cannabis.

I appreciate the steps that this legislation takes in terms of saying: you know, yes, cannabis should be sold in a stand-alone store; it should not be sold alongside other products so that indeed for anybody that is going to purchase the product, it is an intentional

purchase. They are going there for that purpose. They know where it can be found, and they know why they are going there. Selling cannabis and cannabis-related accessories alone in these locations, Madam Speaker: that seems to me to be a reasonable step to take.

Of course, in the future we're going to have the opportunity to consider how we might then license or regulate this in terms of use in cannabis cafés or lounges or other such opportunities. I think it's reasonable that this legislation at this time chooses not to allow those as of yet but to give us the opportunity to take some of these initial steps and see how things might go from there.

Indeed, Madam Speaker, I think these are good first steps. I think this is a good first direction. We recognize that, you know, come July 1 this is the beginning of a process. We are not hurtling or rushing towards an imposed deadline. Instead, I think we're acting reasonably for what's going to be that initial legalization that's going to come forward and setting the framework in place that will allow us to begin the journey of seeing how we as a province are going to be able to regulate and allow the legal sale of cannabis, how we can do that safely in a way that's going to keep it out of the hands of youth, in a way that's going to protect Albertans. Indeed, we have another piece of legislation which we're considering which will ensure that we're kept safe on our roadways. This is going to allow us the opportunity to continue to have that conversation and continue to move forward as a province and a society.

I look forward to further debate and the thoughts of other members on this bill. Thank you.

**The Acting Speaker:** Thank you, hon. member.

Are there any members wishing to speak to 29(2)(a)?

Seeing none, are there any other members wishing to speak to the bill?

Seeing none, I will ask the hon. Member for Banff-Cochrane to close debate. Oh. The minister. My apologies. The hon. Minister of Advanced Education.

**Mr. Schmidt:** Well, thank you, Madam Speaker, for finally recognizing me after searching so hard.

Madam Speaker, I appreciated the discussion. You know, the province of Alberta is going on a trip to legalize cannabis. The members opposite, of course, have raised some concerns, and I want to thank the Member for Edmonton-Centre for allaying a number of those concerns that have been raised in his eloquent speech.

**8:20**

Madam Speaker, I think that at this point we have to recognize that both our police enforcement officials as well as our AGLC officials are new to this legalization of cannabis. You could say that they're green as grass, but I think we have to be patient as we try to get this right. That's why I would encourage all members to puff, puff, pass this bill into Committee of the Whole so we can really get down into the weeds around the issues that are of concern to members with respect to this legislation.

With that, I close debate on Bill 26 at second reading.

[Motion carried; Bill 26 read a second time]

**The Acting Speaker:** The hon. Member for Banff-Cochrane.

**Mr. Westhead:** Thank you, Madam Speaker. We've made some great progress tonight and had a great debate. I would move that we adjourn the House until 10 o'clock tomorrow morning.

[Motion carried; the House adjourned at 8:21 p.m.]

## Table of Contents

Government Bills and Orders

Second Reading

Bill 26 An Act to Control and Regulate Cannabis.....2021

*Alberta Hansard* is available online at [www.assembly.ab.ca](http://www.assembly.ab.ca)

For inquiries contact:

Managing Editor

*Alberta Hansard*

3rd Floor, 9820 – 107 St

EDMONTON, AB T5K 1E7

Telephone: 780.427.1875