



Province of Alberta

The 29th Legislature
Third Session

Alberta Hansard

Wednesday morning, November 29, 2017

Day 58

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-Ste. 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)

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Government Whip

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Dang, Thomas, Edmonton-South West (NDP)

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Ellis, Mike, Calgary-West (UCP)

Feehan, Hon. Richard, Edmonton-Rutherford (NDP),
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Fitzpatrick, Maria M., Lethbridge-East (NDP)

Fraser, Rick, Calgary-South East (Ind)

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Deputy Government House Leader

Gill, Prab, Calgary-Greenway (UCP),

Official Opposition Deputy Whip

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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)

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Miller, Barb, Red Deer-South (NDP)

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Nixon, Jason, Rimbev-Rocky Mountain House-Sundre (UCP),
Leader of the Official Opposition,
Official Opposition House Leader

Notley, Hon. Rachel, Edmonton-Strathcona (NDP),
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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)

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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

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Legislative Assembly of Alberta

9 a.m.

Wednesday, November 29, 2017

[The Deputy Speaker in the chair]

Prayers

The Deputy Speaker: Good morning.

Let us reflect. From our forests and parkland to our prairies and mountains comes the call of our land. From our farms, towns, and cities comes the call of our people. We as legislators must act with responsibility and sensitivity towards our province and its people. May we have the wisdom to meet such challenges.

Please be seated.

Orders of the Day

Government Bills and Orders Committee of the Whole

[Ms Jabbour in the chair]

The Chair: Hon. members, I'd like to call the committee to order.

Bill 26

An Act to Control and Regulate Cannabis

The Chair: Any questions, comments, or amendments with respect to this bill? The hon. Member for Airdrie.

Mrs. Pitt: Thank you, Madam Chair. I'd like to move an amendment. I have the requisite number of copies here. Would you like me to wait until you receive the amendments?

The Chair: This will be amendment A1.

Please proceed, hon. member.

Mrs. Pitt: Thank you, Madam Chair. The United Conservative caucus strongly believes that this amendment is important because it aligns the public use of cannabis with the same rules pertaining to alcohol along with some of the prohibitions in Bill 26. Let me read the amendment in.

Mrs. Pitt to move that Bill 26, An Act to Control and Regulate Cannabis, be amended as follows. A, section 7 is amended by striking out the proposed section 90.28 and substituting the following.

Use of cannabis

- 90.28(1) Except as provided in this Act, no person may use cannabis
 - (a) in a public place,
 - (b) in any area or place where that person is prohibited from smoking under the Tobacco and Smoking Reduction Act or any other Act or the bylaws of a municipality,
 - (c) on any child care facility property,
 - (d) any area or place other than a residence, temporary residence or a place or class of place prescribed in the regulations where cannabis may be used.
- (2) Despite subsection (1), a person may consume cannabis with food in a picnic area designated by the owner or operator of a public park during the hours designated by the owner or operator if a sign is posted that
 - (a) states that a person may consume cannabis with food in the designated picnic area,
 - (b) sets out the designated picnic area, and

- (c) sets out the hours when cannabis may be consumed with food.

(3) A person must stop consuming cannabis in a designated picnic area if a peace officer on reasonable and probable grounds believes that the person is intoxicated or is not consuming food while consuming cannabis in a designated picnic area and the peace officer requests that person to stop consuming cannabis.

B, section 27(i) is amended by striking out the proposed section 129(x.7) and substituting the following:

- (x.7) respecting the use of cannabis in any area or place;

Madam Chair, this bill mirrors liquor laws in section 90.28(1)(a) and (d) and subsections (ii) and (iii). The other clauses are already in Bill 29, specifically that marijuana falls under Alberta's smoking laws and municipal bylaws.

Marijuana is a controlled substance. Alcohol is a controlled substance. It makes sense to treat these intoxicating substances the same in the law. To do what the NDP is proposing and treat marijuana as if it's no different from smoking a cigarette would not be responsible. Tobacco is a restricted substance; it is not a controlled substance. It's not the same as marijuana. You do not get high from smoking tobacco, but you do with marijuana. In that way this amendment injects common sense into the NDP's proposed legislation.

The government will tell you that they are adding more restrictions for marijuana to ensure that children aren't affected by the fumes, but why would any adult who doesn't want to smoke marijuana have to breathe in second-hand smoke, especially if there is no evidence to show that they might not also feel its effects? This evidence does not exist. One of my colleagues across the way even likened smelling perfume in an elevator, which we don't control, to marijuana. It is not the same at all. When members of this Chamber make that kind of remark, it shows you how little they are concerned about the second-hand marijuana smoke. I can assure you that my colleagues on this side of the House are extremely concerned about second-hand smoke, especially with marijuana.

Bill 26 as written also allows someone to walk down the street smoking marijuana and partake in a myriad of other public places. You can't walk the street with a beer or a glass of whisky. Why would we allow it with marijuana?

This is the crux of the amendment that I am making here today. It will treat marijuana like the controlled substance that it is and provide more safeguards for the general public, and I think the public would agree. This is the kind of common-sense amendment that recognizes that while legalization is going ahead, which is no fault of this government – everyone understands that – we need to do everything that we can right from the start to provide Albertans with the protections that they have from alcohol and that they certainly deserve from marijuana, too.

I hope that all members in the House view this amendment as an important one to include in this bill. I look forward to your thoughts. Thank you.

The Chair: The hon. minister.

Mr. Schmidt: Thank you, Madam Chair. I want to thank the hon. Member for Airdrie for her suggestions. One of the things that's important to consider: you know, the member opposite suggested that cannabis has properties that are more similar to alcohol than tobacco. The effects of cannabis are certainly more intoxicating than tobacco. I will grant her that.

One of the significant differences, though, between alcohol and cannabis consumption is that there are no public buildings with bylaws that prohibit people from drinking in their own homes, Madam Chair. I can point to any number of apartment buildings or condominium buildings in this city, in the city of Calgary, probably

in the city of Airdrie where the bylaws of that building prohibit the tenants or the residents from smoking cigarettes, which is fine. There is nothing in the legislation that is before us this morning that alters the ability of the owners of buildings to prohibit people from smoking on the premises.

The issue, though, that that creates, Madam Chair, is that people who live in these buildings will have no place to consume cannabis outside of their homes if we pass this amendment. This amendment prohibits smoking of cannabis in any public place. So I ask the Member for Airdrie: where does she think that somebody who lives in a condominium or an apartment building or some other facility that prohibits smoking within the building, a person who will be able to consume a completely legal substance on July 1, 2018, where does she propose that those people go other than the parks, that may or may not be designated under subsection (ii)?

The Chair: The hon. Member for Airdrie.

Mrs. Pitt: Thank you, Madam Chair. I'd be happy to respond. I think perhaps the hon. minister is misunderstanding the text in this amendment. This is about walking down the street smoking a joint and having no laws around that. I think it's an extremely reasonable amendment. We know that this is an intoxicating substance. This is not like cigarettes. We already have a movement towards smokeless places in general, so it would be extremely reasonable to assume that the public would certainly want safeguards around public places where our children are, which is not addressed in this legislation. I think that it's a completely reasonable amendment and safeguard to put in so that we don't have (a) intoxicated persons wandering around, (b) the extremely unpleasant smell and smoke of the marijuana use.

I understand that members opposite – perhaps Calgary-North West enjoys smoking down the street or smoking a joint down the street, but the children who walk around you are not going to be okay with this. [interjections] Perhaps it's my turn to speak to this amendment. I'm trying to clarify a very reasonable amendment that protects children in this community. If this government is not interested ...

Mr. Feehan: Point of order.

9:10

The Chair: A point of order has been raised, hon. member.

On the point of order go ahead, Minister.

Point of Order

Allegations against a Member

Mr. Feehan: Thank you, Madam Chair. I just noted that the previous speaker made a comment about a member on this side of the House smoking a substance which is illegal at this time and indicated that the person on this side of the House is engaging in that behaviour. I think that is a violation of the code of conduct in this House.

The Chair: Do you have a citation, hon. minister?

Mr. Feehan: Sorry?

The Chair: A citation, please.

Mr. Feehan: Yeah. Sorry. Under section 23(i) and (j), "imputes false or unavowed motives to another Member" or "uses abusive or insulting language of a nature likely to create disorder," I would ask that the member rise and withdraw her comments.

The Chair: The hon. member.

Mrs. Pitt: Madam Chair, thank you very much. I can appreciate that there was an assumption made from myself to another member in this House, but the words that were used were: perhaps the member may enjoy smoking marijuana walking down the street.

Mr. Feehan: Madam Chair, I think we are walking a very dangerous slope here if I can simply say anything I want about the opposition members by introducing the word "may." I am more than happy to provide a variety of examples right here in the House right now if you'd like me to, but I imagine the House would be upset about the mays that I would suggest for the people on the other side of the House. I ask again that they simply stand up and withdraw what is clearly a violation and a comment which is intended to cause disruption in the House and is clearly a violation of Standing Order 23(i) and (j).

Mrs. Pitt: Madam Chair, this is simply hypothetical. There is no point of order here.

The Chair: Any others wishing to speak to the point of order?

Hon. member, I heard the comments that you made, and I listened to the minister speak to the point of order. I, too, was concerned with the implication, and I would rule that this is a point of order, that you be cautious with the language and the potential accusations that you may make. Did you wish to offer an apology to the House or withdraw the statement?

Mrs. Pitt: Madam Speaker, I will apologize if anybody was offended with the comments that I might make, but I would ask that members opposite use respectful language as they heckle across the way when I'm making a reasonable amendment to strengthen legislation to protect children in this province.

The Chair: Hon. members, the Member for Airdrie has apologized. We'll move on.

Debate Continued

The Chair: Continue. The next speaker is the hon. minister.

Mr. Schmidt: Thank you, Madam Chair. I just want to urge all members of the House. We've got a lot to get through. We have very little time. I know that these kinds of comments are frustrating and annoying, but let's focus on the work at hand here and get down to acting in the best interests of Albertans and acting like we care about the best interests of Albertans.

You know, I asked the hon. Member for Airdrie for an answer to the question. She didn't clearly provide one. She did, however, raise a concern that she wanted to protect children from exposure to cannabis in public places. Madam Chair, it's our belief, it's our government's strong belief that the provisions in the legislation that have already been brought before this House without amendments adequately provide for the protection of children in public places. Section 90.28(c) already says that no person may smoke or vape cannabis

in or within a prescribed distance from

- (i) a playground,
- (ii) a sports or playing field,
- (iii) a skateboard or bicycle park,
- (iv) a zoo,
- (v) an outdoor theatre,
- (vi) an outdoor pool or splash pad, or
- (vii) any other area or place that is prescribed or otherwise described in the regulations.

Mr. Cooper: What about a prescribed distance?

Mr. Schmidt: If the Member for Olds-Didsbury-Three Hills would limit his comments, perhaps he would be able to hear what I have to say about this issue.

Madam Chair, we consulted with Albertans on this particular issue twice. Albertans told us loudly and clearly that the provisions that we were proposing in this legislation adequately protect children from any potential exposure to cannabis, and we believe that these provisions in the legislation as presented to this Legislature strike that right balance between protecting children from a potentially harmful substance while allowing people to enjoy a substance that is completely legal if they don't have the ability to enjoy that in their home.

What the Member for Airdrie failed to answer and was the original question that I asked her: where does a person who lives in an apartment building or a condominium or some other facility that prevents smoking on the premises – where is that person supposed to enjoy a completely legal substance? The amendments as presented would prohibit them from enjoying it anywhere outside of their home. Now, perhaps they would have friends whom they could visit and they could enjoy this perfectly legal substance with friends in the privacy of their friends' homes, but that's a severe limitation on their freedoms, Madam Chair.

We think that our legislation as presented strikes the right balance between granting people the freedom to enjoy a perfectly legal substance under reasonable conditions while protecting children from the potentially harmful effects of being exposed to that substance, Madam Chair. We think that the amendment presented here by the Member for Airdrie is unreasonably curtailing the freedom of people to enjoy a perfectly legal substance, and for that reason our government will not be supporting this amendment.

The Chair: The hon. Member for Chestermere-Rocky View.

Mrs. Aheer: Thank you, Madam Chair. Good morning. I would like to just speak a little bit to what the member was just speaking about, a couple of different things. Just to clarify, this amendment is talking about public spaces, not private spaces, just to be clear. So if we're talking about condos or anything like that, those are homes. If there are bylaws already that stop people from smoking, then marijuana falls under smoking. If you're smoking and there are already bylaws in a private condo or any places like that, it's a significantly different thing from what we're talking about here.

On top of that, the interesting thing is that the comparison that was made by the member is that we're talking about a couple of different things here, a couple of balls up in the air. I really, like, can't imagine the difficulty there is to create legislation under this because we're talking about a lot of different balls in the air. We've got two controlled substances, right? We have cannabis and we have alcohol, both of which fall under legislation of consumption because of the substances that they are. Then we have smoking, which is legal; however, in places like condominiums, certain buildings, things like that, there is legislation and bylaws that disallow you from being able to smoke within a building. There is a balance there, I suppose, that needs to be struck, and that's potentially with a condo board or anything else like that that could be determined at that time.

I think that what we're trying to accomplish here is to understand that there are going to be people – and I think the member across the way actually said it. You were talking about limitation of freedoms. Well, when we're talking about limitation of freedoms, that's not only the person who's smoking but also the person who's smelling that and the person who is having to be in the same space

as the smoke, which is why legislation was changed in the first place about smoking in public. It's the same sort of thing. It is a fine balance because you do have a substance that's being legalized. I agree that if it's legalized, people should have the freedom to be able to enjoy that. However, to the point of the minister, the thing that we have to look at here as well is that along with enjoying that – cannabis also has many forms. Maybe it's a matter of a condo board making the decision that you can vape and not smoke or whatever that is, whatever the decisions are made.

9:20

Again, we're talking about completely different things here, and this amendment is specifically to make sure that we are having the ability to maintain distance from children and people who have allergies or whatever that is. There was another member who had spoken about perfume. In my studio when I was teaching music, one of our accompanists that was in our house was completely allergic to absolutely everything, any kind of perfume, lavender, candles, all that kind of stuff. I have lots of candles, so that was a major issue. But in order for her to be able to teach in my home, we had to make sure that the space that she was working in was conducive to her being able to do her job. I think we're talking about some common-sense aspects here.

I don't think the amendment goes as far as what the minister is entailing.

Mrs. Pitt: Condos are private.

Mrs. Aheer: Yeah. Condos are private.

I'm not quite sure what the minister was trying to put together here because I believe, if I'm understanding the amendment correctly, that one has nothing to do with the other. However, I think that the points that the minister brought up are very worthy of discussion. I think that even with all the stakeholder outreach that we have done, Madam Chair, the finer points of this are some of the things that we haven't really had a chance to hash out and talk about. I think that though it may be difficult to legislate, we have to make sure that legislation is there in order to help people out who may be exposed who are not wanting to be exposed with a legal substance that, as the minister said, should be enjoyed by those who would like to partake.

The Chair: Calgary-Shaw.

Mr. Sucha: Thank you, Madam Chair. I can't support this amendment, and I'll tell the House why. One of the things that the Wildrose, or now the UCP opposition, continued to talk about was local autonomy, and one of the things that we've really addressed and that we've committed to doing when we brought forth this legislation was to allow local municipalities to be empowered to have that local autonomy in decision-making. One of the things that we have allowed within this is that we have found nuances and caveats where the using of cannabis shouldn't be allowed. These were talked about to us by the public, and it was overwhelming feedback that we received that said that they don't want this being done on hospital grounds or in playgrounds or within vehicles, very similar to what we deal with in smoking.

The other thing I have to suggest here, too, is that there is an exception to this. This is still a pharmaceutical in some fashion. People are still using this to treat anxiety, cancer-related illnesses, or any challenges in relation to that. One of the things that we've done with our legislation and through regulations is that we are empowering municipalities to make these decisions, and an amendment like this would take away the spirit of that, so I cannot support that, to allow local autonomy in decision-making.

The Chair: Any other members wishing to speak? Chestermere-Rocky View.

Mrs. Aheer: Thank you, Madam Chair. Just to speak to the member again about local autonomy, we couldn't agree with you more. However, again, this amendment isn't in any way impeding on that. I'd like to speak about the nuances of medical versus recreational marijuana. We are going to be seeing quite a different piece of legislation. We are all going to be having to deal with this on July 1, and as much as I can appreciate the nuances of medical marijuana, I would assume based on local autonomy that in those places that are making those decisions based on smoking, consuming, however medical marijuana needs to be used, common sense will prevail in those situations. Otherwise, the legislation provided already allows for those things to happen, so to the member: I believe that the comments that you made with respect to this amendment are in no way in respect of what this amendment is trying to accomplish.

The Chair: Any other members wishing to speak?

Seeing none, are you ready for the question?

[The voice vote indicated that the motion on amendment A1 lost]

[Several members rose calling for a division. The division bell was rung at 9:24 a.m.]

[Fifteen minutes having elapsed, the committee divided]

[Ms Jabbour in the chair]

For the motion:

Aheer	Gill	Starke
Anderson, W.	Orr	Stier
Drysdale	Pitt	Strankman

9:40

Against the motion:

Anderson, S.	Hinkley	Miranda
Babcock	Horne	Nielsen
Carson	Jansen	Payne
Connolly	Kazim	Rosendahl
Coolahan	Littlewood	Sabir
Cortes-Vargas	Loyola	Schmidt
Dach	Luff	Schreiner
Drever	Malkinson	Sigurdson
Feehan	Mason	Sucha
Fitzpatrick	McCuaig-Boyd	Turner
Goehring	McKittrick	Westhead
Gray	Miller	Woppard
Totals:	For – 9	Against – 36

[Motion on amendment A1 lost]

The Chair: Back on the main bill. Any further questions, comments, or amendments with respect to this bill? The hon. Member for Olds-Didsbury-Three Hills.

Mr. Cooper: Thank you, Madam Chair. It's a pleasure to rise today in the House and speak to Bill 26, An Act to Control and Regulate Cannabis. Many of my colleagues have spoken at length already about this issue, and I thought that I would like to just provide some additional comments as well as I'm sure that we will be working on that this morning. I just hope to be able to provide a little bit of insight, particularly from the people of Olds-Didsbury-Three Hills on some of the things that are important to them during this period of time.

I know that there is a wide range of opinions on exactly how this legislation should be implemented. As we all know, the federal government has made their decision and has said what they have said and are going to do what they're going to do, so we need to make sure that we take the appropriate steps to try to implement this particular direction provided from the federal government with respect to cannabis.

I know that in the constituency of Olds-Didsbury-Three Hills we have already seen some significant expansion inside the economy with respect to medical marijuana. We have a couple of facilities there that I'm sure are looking forward to their ability to produce additional revenue that will come along with the legalization of cannabis. While there are certainly a lot of concerns in the constituency of Olds-Didsbury-Three Hills and while some folks are quite apprehensive about the decision that the federal government made, we are moving forward.

I think that there are certainly some pros and cons around this particular issue. You know, as we look around the province, Madam Chair, we see an economy that has really taken a lot of blows over the past number of years, both from the fall of oil prices as well as from the economic policies that have been implemented by this government. I recognize that those are two separate things with respect to the fall of oil prices, but certainly the government . . .

Mr. Schmidt: One of them is true, and one of them is false.

Mr. Cooper: Madam Chair, a point of order.

Point of Order Language Creating Disorder

Mr. Cooper: I hear the minister making an accusation that what I am saying is false. I don't know that that is adding to the decorum inside the House. The Acting Minister of Justice said that one of them is true and one of them is false. I think that this afternoon we'll be able to see in the Blues, now that we've identified exactly what he has said, whether or not he said that. In 23(h), (i), and (j) it talks specifically about language that's likely to create disorder here inside the Chamber, and making accusations that what one member is saying is false is very likely to create disorder. It's a pretty simple process. He can withdraw and apologize.

Mr. Schmidt: In the best interests of moving this process along, I withdraw my comment, Madam Chair.

Mr. Cooper: Thank you. I appreciate and fully accept your withdrawal of your comments.

As I was saying, there is a lot . . .

Mrs. Pitt: He didn't apologize.

Mr. Cooper: That is also true. He withdrew his comments. That's exactly what happened, but I have accepted him withdrawing the comments, and I think we can all move forward.

Debate Continued

Mr. Cooper: As I was saying, there are significant challenges that have been before the province, from the fall of the oil prices as well as through a number of very, very wrong-headed decisions that the government has made in the implementation of their economic policies. We've seen significant increases in our unemployment rate, and recently they've been the highest in the country. We've seen the highest spending that the province has done. We've seen significant challenges with respect to our economy in many areas

of the government. All of these things are a direct result of the NDP's ideology and the decisions that they have made, with the exception of the international price of oil. We have seen a lot of challenges that have been placed before the people of Alberta, many of which are a direct result of the NDP not making great decisions.

You know, I think the implementation of the minimum wage is another example where we've seen significant job loss across the economy, particularly in the food and beverage industry. I know that I had the opportunity this summer to meet with Restaurants Canada. I'm more than happy to table the information from Restaurants Canada that shows significant job loss. I personally met with the owner of Hudsons tap house. Their company laid off over 300 employees as a direct result of the minimum wage. They're now willing to speak out. My point is, Madam Chair, that there are lots and lots and lots of situations that the NDP has made worse.

The good news is that it appears at first blush that they're not going to make the implementation of cannabis significantly worse for our economy. I think that we have seen some signals and certainly inside the legislation some opportunities for industry, like some of the ones that are in Olds-Didsbury-Three Hills that have already seen some positive job creation and investment in the region. We have seen some real positives in that regard, and I would just like to say thank you to the NDP for not making a mess of this particular piece of legislation as well. Now, there's still a lot of time, and certainly we've heard the minister speak this morning about the regulations and how fantastic they're going to be, so there's still an opportunity for the NDP to make a mess of something that they've done a good job of so far with respect to the regulation.

But I think that we are certainly on the right path. You know, there was a lot of concern in the early days of their consultation around just exactly how cannabis would be sold in the province of Alberta. Certainly, we were, or I was at least, pleasantly surprised when they made what I'm sure was a very difficult decision for them, particularly with some of the pressures that they would have been receiving from a lot of their big union friends and colleagues around how cannabis should be sold. I think that I'd like to commend the government for making the right choice with respect to engaging private industry on selling cannabis.

9:50

Certainly, we have seen some successes around private industry and the sale of restricted substances, particularly in the privatization of liquor stores by the provincial government. Of course, we all know that that took place in 1993 and was really, in many respects, a real net positive for our province. In the last 24 years we've seen that the Alberta Liquor Store Association, that, of course, is governed by the AGLC, has grown to represent 1,400 liquor stores in the province. We are open for business, if you will.

I just hope that the government is finally getting the point that private industry, small and medium-sized business are the real driver of our economy here and that competition and strength in the marketplace are really what provide great service to Albertans. We see that people have the opportunity to purchase liquor where they'd like. We have some of the best selection all across the country. This is really a driver, if you will, these small and medium-sized businesses that literally employ thousands and thousands of Albertans. There's an opportunity that has fallen in the lap of the government because of the federal government, that they have addressed as a chance for small business to succeed within the cannabis industry as well.

As we know, the ALSA and the AGLC have been successful in creating safeguards for minors in communities through policy development in conjunction with the provincial and municipal

governments. I believe that it is very important that we do everything we can to keep our communities safe, that we do everything we can to make sure that we are moving forward in a positive direction but also working with retailers, with the regulatory bodies to make sure that we are in fact keeping minors safe and that communities are kept safe and that we aren't going beyond the scope of what is fully intended.

I think that's one of the reasons why we should be having conversations around: where is it going to be okay to consume cannabis and where is it not going to be okay to consume cannabis? I think that really was the heart of my colleague from Airdrie's amendment when she rose to talk about restricting the public use of cannabis. You know, we see that with the restriction of the public use of alcohol. Now, not everyone agrees that that is the best path forward, but certainly it is something that at present as a province we do have a value on. You can't just sit in a park and get hammered, perhaps, or you can't just walk down the street with beer and alcohol. I believe that the intent of the amendment from my colleague from Airdrie was to have restrictions on just exactly where you can and cannot consume cannabis.

As we all know, cannabis has a significant effect on the individual that's taking it. As well, there is some effect or at least impact on those who are close by when that individual is smoking cannabis, whether it is a direct result of the second-hand high or it is just the impact of the scent, as has been spoken about here in the House. I think that, you know, we've seen significant progress made around smoking legislation, but in many respects I'm just not sure that we've struck the right balance here in Bill 26 around the public use of cannabis.

Back to my primary point about making sure that we're doing what we can to ensure safety as well as engage with private industry. We need to make sure that we're providing the right checks and balances without overburdening the small and medium-sized business owner that's going to do that. I think that, generally speaking, people across Alberta are interested in this as an opportunity in a recessive economy.

But I will just add that I have had a number of comments and folks from the Olds-Didsbury-Three Hills region that have significant concern about, frankly, the federal government's decision to make cannabis legal in the province, so I think that it's fair that I acknowledge that there are a large number of constituents in Olds-Didsbury-Three Hills that would prefer us to take a much more aggressive stance and try to push back against the federal government. While I'm not entirely sure, personally, that that is the best path forward, I do want to take the time to acknowledge that individuals, quite a few individuals, have contacted my office to express their concern with what exactly this will mean, particularly in their communities and in rural Alberta.

I think that as we move forward, it is important that we do all that we can to navigate these very important viewpoints and that we do what we can to empower municipalities to ensure that they can provide the safeguards that they feel are important in their community with respect to cannabis use. I think that goes beyond just what's currently in the legislation. I think that one of the things that will be important – and I'm just speculating here, but I believe that my colleague from Drumheller-Stettler will be providing us an opportunity to build in some structure where we will be able to review this legislation to find out: just how is it working for communities and for Albertans as we move forward?

One of the other things that I did just want to briefly touch on is the government's decision to regulate online sales of cannabis. I know from some interactions that I've already had with private industry, particularly those in the medical marijuana business, that they are already providing a lot of secure online sales of cannabis.

So I get a little apprehensive or a little concerned any time the government says, "We can do this better than you," because there are so many examples of the government making a mess of that exact mindset where they say, "We can do it better than you." I mean, liquor sales, insurance sales, utility sales: you know, there are just so many examples where the government has actually made things worse. I don't just specifically mean this government although they have made a lot of things worse; I mean that government generally has a bad track record of being in business, and that's exactly what the online sales are going to be.

I know that there's a wide variety of opinions on all sides of the House about whether or not the government should be implementing the online sales, but I do have some significant reservations about that. Perhaps it's a fine way to get started, and then as we can provide some additional checks and balances or we move forward with being more comfortable with exactly how it's going to be rolled out, I think that it is a potential spot where we could review and then turn that over to the hands of those who do that the best as well.

Madam Chair, I think that as we move forward, we need to make sure that we're partnering with business, that we are applying appropriate regulation but not to overregulate all at the same time. We need to balance those two things and ensure that we're protecting our communities, making sure that they're safe, and respecting what the federal government has decided on this cannabis legislation.

10:00

You know, private industry has a keen interest in this opportunity, and I think that that is quite important. I think the setting up of bricks and mortar operations that the government has proposed, which is going to require no upfront costs to the government, certainly was the right choice. We've heard from some of my colleagues about keeping the sale of multiple products separate and a pretty widespread support for that particular decision. It will be interesting to see what else winds up taking place in locations where cannabis is sold in terms of the other products that they may wind up selling and things that will continue to drive their business as I know that private industry will do what it can to be competitive, and that means providing good service as well as the right products. I think that it's something that we need to keep an eye on as we move forward.

You know, one of the questions that I think that a lot of folks have with regard to this particular piece of legislation and, as such, the regulations is on just exactly what the licensing process and application is going to look like, and how is the government going to implement those regulations? I think that it is a really, really important piece of this very big and complex puzzle. These particular licences have the potential of being quite valuable, so I'm always apprehensive in the early days of this sort of change in industry with who winds up becoming the winners and who winds up becoming the losers and just making sure that that process is going to be as fair and as open and as transparent as possible.

I want to strongly encourage the government to make sure that that is exactly what happens with the licensing and application process as we move forward because what we definitely don't want to see is the government picking either people close to the government or not close to the government but just really making sure that this process is as open and as fair as possible so that Albertans have the best opportunity to win, not the government.

The Chair: Any other members wishing to speak to the bill? Chestermere-Rocky View.

Mrs. Aheer: Thank you, Madam Chair. I'm very, very honoured to be able to speak to this bill, An Act to Control and Regulate Cannabis. I really do, from the bottom of my heart, understand what a tough spot that this government has been put in, especially that this is a really, really unbelievable timeline that you've been saddled with to implement absolutely humongous changes to society through this regulation and legislation. So I would just like to commend the members opposite for the work that they have done so far. I can't imagine how humongous this is and the effort that has gone into creating this legislation.

I'm encouraged that there are priorities around the following goals during the outlining of this legislation. For obvious reasons I think it's worth speaking about keeping cannabis out of the hands of children and youth and protecting safety on the roads and in workplaces and in public spaces, protecting public health, and limiting the illegal market for cannabis.

Madam Chair, the legislation that has been passed at the federal level will make Canada the very first G-7 country to legalize cannabis and the second in the world after Uruguay. The ultimate goal of this initiative is to eliminate or at least reduce the black market for drugs in our country, and I understand this aspect. I mean, the damage that a drug dealer has on our streets and to our youth is staggering. Obviously, it's not as connected, but I still feel that this is an important point, that we see drugs like fentanyl being laced into other recreational substances, and they are killing our fellow Canadians at an unprecedented rate. So I truly believe that anything that we can do to limit the drug dealers' contact with Canadians is definitely a step in the right direction although it's a bit of a digression from what it is that we speak about.

There are so many opportunities to have philosophical discussions about this, the pros and the cons, philosophical, moral discussions, but the federal government has made the decision to go ahead with this initiative, and it falls on the shoulders of government and the opposition to ensure that we've covered all of the bases by putting in laws and regulations that keep Albertans safe during this transition. So again, thank you for all the work that's been done so far.

Of course, like usual, I'm sure you won't be surprised that I have questions around this. One of the things I wanted to talk about was the legal age of consumption at 18. Obviously, I understand that it correlates with alcohol consumption, but at some point if the minister could elaborate on what the factors were that went around considering that other than the obvious age of choice because of alcohol. The reason I'm asking is because there is no shortage of science to point out about the development of a brain at 18 years old, and I'm sure, I'm absolutely positive the government has looked into this. However, in the legislation or even in the discussions have we taken that into consideration at all? It would be nice to understand how that was put forward.

I think in order to have people buy into the legislation, to understand that, it's an important part of the discussion because we, of course, have the MADD groups, we have other people that have brought information forward that tells us, actually, that 25 is the better age for cannabis in terms of development of the brain. Having said that, I'm not sure that knowing that would change the way that people would consume or anything. But I think that it's necessary in order for the public to understand the differentiation so that as the legislation goes forward, as you're making decisions about what you're going to do with your precious brain, at least we have some understanding of what's going on with that.

I do appreciate how comprehensive this legislation is, Madam Chair. My primary concern with regard to regulations – again, this is a pattern that is concerning – is that those regulations will be implemented after the fact. Though I understand that it's difficult

to understand how to do it at this point, there are so many things that could happen within regulations that aren't going to be discussed and debated fully here in this House. I would like to highlight some of the questions and concerns that I have that I imagine will be taken within the regulations; however, I'd like to bring them forward here.

It's really encouraging to see that the Alberta Gaming and Liquor Commission will be granted the oversight and distribution authority, and of course, as we all know, they have a tried-and-true record of overseeing the compliance and distribution of liquor in Alberta and already have the facilities and logistical abilities to take on this task. Given that the AGLC will be tasked with overseeing directly how cannabis gets from the producers to the retailers, will they be expected, Madam Chair, to build the new distribution centres?

A couple of questions that at least have come across in my constituency, anyways, are: are they going to be housed in the same facilities as alcohol? I know that we've had these discussions around the table. Will cannabis be housed in the same facilities as alcohol before it is shipped out, or will additional separate facilities need to be built? What are the expected costs for the AGLC taking on these additional responsibilities? I would imagine that there is going to have to be a humongous change in staff in order to be able to handle this because there's a lot more that is within cannabis legislation than even with alcohol because it is also for medicinal use as well.

For example, does the government have an approximate idea of additional staff, transportation for distribution centres? How many are we going to bring on, and how are those costs going to be offset so that the taxpayers aren't subsidizing distribution of cannabis? The reason I'm asking this is because there's nothing in the legislation that actually explains how that's going to work. While we're grateful that there have been discussions about the private sector being involved in this, there's an entire other part of this equation with regard to distribution, transportation, all those kinds of things. It's not really clearly laid out in the legislation, and understandably some of that will come with regulations, but I think Albertans need to know how that's going to come forward.

10:10

We have delivery drivers of on-sale cannabis as well. Actually, the Member for Olds-Didsbury-Three Hills brought up online. This is actually a really big deal for me personally because if you're delivering to the door – I have a friend who has purchased the tinctures and has done the vaping. It just comes to his door. That's the thing. For the online sale of cannabis, how are we going to identify and verify the age at doors? Is that going to be left with the driver that comes to – the Purolator courier guy is going to come and have to ask you your age. I mean, if it's my son, who's got a real baby face, obviously, they're going to ask for his ID. But how do you prove that that ID is legit? I mean, all of a sudden you're giving a driver the same responsibilities as what? We don't even have a police force yet to deal with it. There are a lot of things that come to your door, obviously, that are age appropriate, but this is serious. This is a substance, right? [interjections]

I'm just asking these questions. I'm not trying to aggravate the government. I just think these are legitimate questions. These are things that people have asked me. I'm sorry if it upsets you, but I think it's legit. If you're upset, maybe you have a solution. I'd love to hear about it. That's why I'm asking. It's not to anger you in any way. This is what people are asking me. I'm sorry if you're frustrated, but I think it's a legitimate question. We're not talking about just a regular item here. We are talking about cannabis. On top of that, we don't even know, we're not even sure what products,

particularly, are going to be coming to the door either. On top of that, is there a liability, then, to the driver who maybe doesn't check? What happens then? What if your 14-year-old looks like an 18-year-old? The assumption is made. The product is given. What happens then? You can be as angry as you want about that, but that could happen, right? I'm just asking the question because I think it's something that we need to discuss here maybe previous to the regulations, and if you have a solution, great. That's why I'm asking. So identifying the age at the door: how will this be addressed?

What if the individual who orders this cannabis is not at home? Is another individual not ordering the cannabis able to sign for that like you can with other products at the door? My kids can sign for pretty much anything for me. That was before they were 18 years old. If no one is home, then, would the package be just left at the front door? [interjections] You can say no, and that's great. Again, it's not in the regulations. That's why I'm asking. Like, these are the questions that I'm asking. That's great if you know the answer, and again that's wonderful that it's in the regulations, but I think that it's worthy of a discussion in here. We can't assume; Albertans just can't assume that government is just going to have all these answers. These are actual questions that are coming across my desk.

Now, is it sent back to central distribution, then, if it doesn't end up at your door, and then how does one go about doing that? Is it just the same as a normal package? Like, you just go pick up your cannabis at the cannabis distribution centre, show your identification and whatever it is, and away you go? I just don't know. There are security risks with both these options. If people want to get away with it, these folks are savvy, right? They are going to know how to do this. I'm asking these questions not just for everyday Albertans but because there are going to be people that need and want these products that may not be able to afford them for whatever reason and may be looking to steal them from other people's homes. There are a lot of different things. I could go on and on because every household is different and every situation is going to be unique. There are a lot of things that are caught up in just those small little things. Again, I'm sorry if I have angered the government, but I really think these are legitimate questions.

For example – I just wanted to give a personal example – if I order a package from Amazon and they come to my house to deliver it and my husband or children are home, they can sign for it. Then that package is taken on my behalf. If no one was home, they've left a note, or do they plunk it right in front? It doesn't matter what it is. Or Canada Post or another mail provider will come and pick up the package, and you can go and pick it up by a nearby post office. Is Canada Post involved with cannabis distribution as well?

Again, these are really, really legitimate questions, and they're expensive questions, too, because distribution is going to be very costly, especially if it's not being done through the mainstream, for the obvious reasons of making sure that said package is ending up in the hands of the person that is actually requiring or needing or paying for it or of legal age.

Will local pickup centres be established? I'm asking this because of rural areas as well. There are not always local distribution centres in some of these areas. We were just talking about how large some of these ridings are going to be. For those people who are wanting to partake or for their medical marijuana, now are they going to have to drive to the city of Calgary from way out at the edges of some of our ridings or to the larger centres in order to be able to pick up their products? Are the drivers required to return to the same home and deliver that order? I mean, aside from the aspect of cannabis itself this could become a really, really expensive endeavour. All of a sudden, you know, your dead costs on a product and all of those other things have quadrupled as a result of

distribution and all these other kinds of things. Again, if this is being done through regulations and under the auspices of government and that's not part of the private sector, we could have some problems there.

We have heard from some organizations such as the Alberta Liquor Store Association that have for several decades sold liquor safely and already have the trained staff and protocols in place to ensure that minors do not have access to controlled substances. And while I understand that the federal government has recommended that cannabis not be sold in the same location as tobacco and alcohol, will owners who have the experience running those stores be considered and prioritized, I suppose, in the licensing phase should they wish to open up a separate or private retail facility?

The only reason I ask that is because it's not about prioritizing a particular group of people, but they do have the knowledge and the background and the wherewithal. I'm just curious if that outreach has been done with those folks simply because they do have the knowledge of how to distribute this appropriately. Maybe there's going to be training. I'm not sure. This is another thing. I don't think that people understand quite how this is going to be done.

Will there be measures put in place to track individuals buying large quantities of cannabis? Now, I'm asking this because, as I understand it, adults can only possess 30 grams – that's great – but how do you know that Cannabis R Us driving up to your house every day isn't delivering 30 grams every day to you? Is there a tracking mechanism to do that? What if you have four people in the house consuming or eight, for that matter, or eight people order it from that house and it's going to one person? Like, are we going to be able to track that?

We have four plants in the home. That's fine. But, again, are there going to be limits? We understand that there's a limit to how much you can possess, but are there limits as to how much you can purchase? That's the question.

Again, if your neighbour is growing it and has a licence to grow it, are you allowed to have more and purchase even though technically speaking you're only allowed to have 30 grams? Then are you allowed to distribute it after that – what about that? – especially, you know, if that truck is rolling up to your house every day and you have the account and away you go?

Just a couple of things to consider. These are all, I know, small details, but these are the things that are really going to matter as we transition, and these are life-altering changes to how we function here in Alberta.

The Member for Olds-Didsbury-Three Hills was talking about the online store. What's that going to look like? This is a substantial undertaking from a technology perspective. Is the government also going to take steps to protect personal information on those sites in the form of personal order information? I'm assuming that, again, some sort of personal identification will have to be submitted to the website in order to verify age. This isn't just your credit card now; this is your driver's licence or your passport or whatever piece of identification you need to prove that you're 18. How are we going to verify age online? What's that going to look like?

Given the fact that firewalls and other protective measures will have to be in place in the development of the websites, this is extremely, Madam Chair, sophisticated and complicated and again will be an extremely expensive process and will likely take regular maintenance and updating. The cost implications of the government taking on the oversight of online sales: will the cost be offset by the sales, or is there a risk that the taxpayers will be subsidizing this online store as well? Again, I really think that for the sake of the taxpayers we need to make sure that they understand what we're getting into here.

10:20

Madam Chair, one of the things that I heard about specifically was: do rental owners have any say over any damage that could be done through smoke of cannabis? I'm assuming that based on the type of smoke that it is, it's probably significantly different than tobacco smoke. What we'd heard of is that – are we understanding that the government will be taking steps to prevent renters or condo dwellers and residents of multifamily dwellings also from growing cannabis?

As the Member for Airdrie had mentioned, it might not be different than having four ficus or four whatever. However, as I understand it, there are hydroponics that may be involved with growing cannabis. I'm not sure. Again, I think that for those folks we have the smoking piece, which, of course, is up to that condo board, those people, the folks that are living there, but the damage that's actually done in the space: is that taken into consideration should there be damage done? Are there going to be regulations in order to make sure that those people are protected, too, as well as protecting the rights of the people that are wanting to partake in cannabis? You know, we already have the ability to prevent people from smoking cigarettes.

When an individual is selling a home in Alberta, will they be required to disclose that they grew cannabis in their homes or smoked cannabis in their homes previous to selling their home? When I was young, my mom smoked in our house, and so did my grandparents. I can tell you that when we painted the walls, there was an obvious, obvious colour change about four feet up to the top of the ceiling when I purchased my first house from my parents and painted that house. Bless my mom's heart – I love her to bits – but there was a really, really significant change in colour on the walls where she was.

I was curious. As parents, like, if your children are young and you're looking at buying a home, is there an impact to the environment of that space having had people smoke cannabis in there for a long time or growing it, for that matter? You know, we, obviously, when we're moving into homes, take adequate safeguards to protect our children. What if there are any leftover substances or residue? I think that could substantially change the price of a home.

The Chair: Any other members wishing to speak to the bill?

The hon. Member for Livingstone-Macleod.

Mr. Stier: Well, thank you, Madam Chair, and good morning, all. Interesting conversations so far this morning. I rise this morning to speak to Bill 26, which is An Act to Control and Regulate Cannabis, as we all know. I'd like to begin by saying that, frankly, I'm not in favour of legalizing marijuana myself, but I understand that it is a federal issue, and I'm not here to debate that particular point. But there are many times in your life when you don't get what you want, and ultimately you use what means you can and deal with an issue that you'd rather not deal with sometimes. But as the old saying goes, when you're given a lemon, you make lemonade. So that's exactly what I intend to do.

Unfortunately, for us here, though, the Prime Minister has legalized marijuana and, much as he has done with a lot of other things, in a somewhat rash manner, perhaps ill advised and perhaps, I dare to say, half baked. But because of his lack of a coherent approach, much of the responsibility to implement the safeguards has been delegated to the provinces and to us. So that has led to the bill that's before us today.

Unfortunately, the government here appears to have somewhat followed in some respects the Prime Minister's example, I think. While the government is quick to explain that it's doing everything

it can to protect Albertans, when we take a moment to dig into this legislation, what we find is that there is a whole lot left yet to be desired, in my opinion.

I speak on behalf of many members of my constituency in southern Alberta who contacted me regarding this. A lot of my constituency, as many people know, is made up of small towns, a lot of older citizens there, and they're just not acquainted with this particular situation. And I don't blame them. They didn't have it when they were young. So I'm trying to convey what they're telling me in my remarks today.

One aspect of their concerns and of my concern is the ability to use marijuana in public places similar to cigarettes. I will admit to being a bit out of my area of expertise here, folks. I really want you to know that. I don't have a lot of experience when it comes to these products. I never participated myself, nor do I wish to participate in the consumption of these products. I've never felt the effects of marijuana personally. I cannot personally attest to whether being intoxicated from this product is a similar experience to being intoxicated from alcohol.

But what I do understand, though, is that tobacco is a restricted product or substance and alcohol is a controlled substance. Restricted versus controlled is what I've just been speaking of. When marijuana is officially legalized, apparently it will be as a controlled substance if this bill goes forward. This leaves me to believe that it should probably be treated in a similar manner to alcohol because it's a controlled substance.

Likewise, I don't believe anyone in this House is making the claim that marijuana is not intoxicating. I think that most people are aware that it has effects on the human mind. It might not be the best use of the word, but the word "intoxication" immediately brings to mind someone drunk on alcohol. That's what we normally think of when we talk about intoxication.

Again, while I've never experienced the effects of marijuana, as I've said, according to Health Canada, though, the effects of marijuana or, more specifically, the chemical THC include confusion, drowsiness, anxiety, fear, or panic and/or impaired ability to remember, concentrate, and pay attention. I often wonder why someone would want to do all of that to themselves. According to Health Canada, again, THC also affects co-ordination, reaction time, decision-making abilities, and your ability to judge distances.

How does that compare to alcohol? Well, going back again to the Health Canada report, they list the effects of alcohol as drowsiness, dizziness, slurred speech, reduced inhibition, loss of co-ordination, inability to think clearly, inability to estimate distances, decreased reaction times, amongst others. Again, one wonders why someone gets involved with alcohol as well in many of those types of situations.

There appears to be similar circumstances or an overlap, which I believe further demonstrates why we should be treating marijuana, therefore, the same as we do alcohol. Why wouldn't you do that? Again, let me be clear. I don't believe that marijuana and alcohol intoxication manifest themselves in the same way. What I believe and what Health Canada clearly supports is that they are both intoxicating substances. And while it is not a perfect solution, I believe placing the same restrictions on marijuana as are placed on alcohol is therefore the best course of action that we could take.

Currently under Bill 26 – and I'm not an expert on this bill – it is my understanding only that it proposes to prohibit smoking or vaping marijuana in any area where a person is currently prohibited from smoking under the Tobacco and Smoking Reduction Act or any other act or bylaw that a local municipality may undertake. I'm actually happy to see that municipalities are going to be empowered to create bylaws governing the use of this substance in their communities because as we've seen in the past, different

communities have different needs and preferences. I think that is a good thing, and I'm sure the Minister of Municipal Affairs would agree with me.

10:30

However, where this bill currently falls short is that it doesn't appear to prohibit the public consumption of marijuana, and I know we've discussed that at length this morning. Again, it's my understanding that if this bill is left unamended, it would allow anyone legally allowed to consume marijuana, which is what we're intending to do, I understand, to do so in any public space where they are currently allowed to smoke tobacco.

Now, part of my background, by the way, includes working for over 25 years, roughly, in an environment known as the business world of downtown Calgary, in oil and gas. So many times I've seen where people in the public are required, if they're smoking, to stand aside from the outside of the building for several yards so that they don't hamper the enjoyment of the fresh air outdoors of the people going in and out of those businesses. I know, too, that what Health Canada seems to say is that marijuana smoke can, it sounds like, be even more impactful to people that may be out in the public air, where this is possibly going to take place.

Again, what it seems to me to mean here, from what I've read of the bill, is that on a sidewalk or at a park or any other public space in Alberta consumption of this product would be allowed, and that is what concerns me, if the public is going to be negatively impacted by this. And that is what concerns a lot of my constituents.

This isn't necessarily about the effects of second-hand smoke, therefore. I believe that some members from across the aisle have mentioned that there isn't any research that supports the claim that second-hand marijuana smoke results in bystanders getting intoxicated, but I do think that there would be some negative impacts. I think it's undeniable that when someone is vaping or smoking marijuana, they could have an adverse effect on those immediately around them, no matter where they are. However, if we limit the use of marijuana in a public place or any place other than a residence, temporary residence, or a place approved through regulations, which we've talked about, that would limit the negative impact of marijuana to only those who make the choice to be around someone consuming that product. That seems to make sense.

No one is claiming that being around someone who is drinking is going to result in a person nearby getting drunk. That is not why public consumption is limited. However, all Albertans have a reasonable expectation that when they go out in public, they won't be exposed to alcohol under our current rules. I believe Albertans should have, therefore, the same reasonable expectation when it comes to marijuana. It just makes simple sense. That is why I've been supporting amendments to limit its public use. The current laws in this province prohibit people from consuming alcohol in a public place or any place other than a residence, temporary residence, or place approved through regulations. Why can't we do that with this?

Therefore, Madam Chair, I believe an amendment should be passed that would extend that same provision for alcohol, a provision, I might add, that has, in the case of alcohol, withstood the test of time and enjoys the support of all Albertans and from many provinces across Canada. Should such an amendment be supported, I think it would be great because it would treat controlled substances – controlled substances – the same.

As I have already mentioned more than once, marijuana is an intoxicating substance like alcohol, so ensuring that users of this newly legalized controlled substance would comply with the same kinds of laws that are currently in place for alcohol would provide the greatest protection for Albertans and their children and families,

who have a reasonable and, I think, natural expectation that they are not going to be exposed to marijuana when they are in public places.

Madam Chair, to conclude, I think I've made my points with regard to the use of marijuana in public spaces very clear. I think that although the previous amendment, which was a little bit detailed, did not get passed, I believe that without such an amendment being made and passed, I will have great difficulty in supporting this bill.

Thank you very much.

Mr. Strankman: Madam Chair, could I have two minutes, please, to revert to Introduction of Guests?

The Chair: We've had a request for unanimous consent to revert. Is there anyone opposed to this request?

[Unanimous consent granted]

Introduction of Guests

The Chair: Go ahead, hon. member.

Mr. Strankman: Well, thank you, Madam Chair. It's with great pleasure that I would like to lighten the atmosphere in the Chamber here today to introduce various guests that are up in the Chamber. We have a young gentleman by the name of Porter, who is 10. We have Paxton, who is eight, and Peyton, who is four. I've got a secret message here that says that tomorrow Porter is getting a puppy. With the greatest of respect, ma'am, I want to introduce our caucus leader's dear wife. Her name is Tanya. If she'd please rise and receive the respectful, warm welcome of this Chamber, because I think she absolutely deserves it.

Bill 26

An Act to Control and Regulate Cannabis (continued)

Mr. Strankman: I'd like to revert to speaking to the bill, ma'am.

Madam Chair, I rise today to initiate an amendment to Bill 26. If any of the pages could present this, I'll speak to it briefly.

Bill 26 is an important piece of legislation, and we need to be as respectful as we can going forward here. It's important. With respect – and I talked about admonishing respect to our visitors here in the gallery today – legislation, which is what we do in this place, can be here for many days, hours, years, months, and that's part of the reason why we have the recording body here, known as *Hansard*, to record every word that we use.

You know, in the case of this substance, as my colleague from Livingstone-Macleod said, it hasn't been controlled. It's been outside the boundaries of legislation prior to this time. The federal government has sought to try and bring some sort of control to it, I guess, if you will, and we in the provincial jurisdictions have to try and manage the presentation that the federal government is bringing forward.

As the pages distribute this piece of legislation, I'd just like to read into the record, Madam Chair, if I could, the amendment. I move that Bill 26, An Act to Control and Regulate Cannabis, be amended by adding the following after section 27:

27.1 The following is added after section 130:

Review of the Act

131 Within 5 years of the coming into force of this Act, and every 5 years after that, a special committee established by the Legislative Assembly must begin a comprehensive review of this Act and must submit to the Legislative Assembly, within one year after beginning the review, a

report that includes any amendments recommended by that committee.

10:40

Now, Madam Chair, I spoke the other day to the significance of the potentiality of a review to legislation. This review would be a comprehensive process, and that's because this is the attempt to legalize a substance. Some would call it a drug; some in the past would call it an illegal drug. My colleague from Airdrie talked about locations. It's unfortunate that it created a condition in the Legislature where the Member for Calgary-North West took offence at the presentation of that, and they went through a whole harangue, I guess, if you will, in that case.

The idea of this amendment, Madam Chair, is not without precedent. As I said the other day when speaking to Bill 30, that we have in front of us in the Legislature, in the short period that I've been in this Chamber, since 2012, I believe this piece of legislation to be one of the most in-depth and, some would say, onerous. It's approaching 150 pages of legislation and changes thereto, but at the end of that act it specifically talks about the possibilities or the requirement for a review, and I think that's important.

There are many jurisdictions in the U.S. and many precedents set here in Canada and indeed in this Chamber about review. Some would use the slang term "sunset clause." It's not talking about the legislation actually going off the books at the end of five years; it's talking about the need for a clear, comprehensive review going forward. We have that, Madam Chair, in bills that have come forward from this Assembly: the disabilities advocate act, the Child and Youth Advocate Act, the Conflicts of Interest Act, and the Missing Persons Act.

Madam Chair, I'm asking for the indulgence of the Chamber to understand that this is not a new precedent. This is quite standard. I believe that this government or any government would try and keep, as many of us have, talking about red tape reduction and the potentiality of keeping the bills, legislation that are created in this Chamber fluid but current to the people that we represent, whether it be in the diverse constituency of Drumheller-Stettler or I think it's the fabulous constituency of Olds-Didsbury-Three Hills.

Mr. Cooper: Outstanding, actually. Outstanding.

Mr. Strankman: Outstanding. My error, ma'am. We see that by some of our fabulous, outstanding guests that we have in the Legislature here today.

You know, to go back to seriousness, this isn't an approval or denial of the subject at hand. This is a legislative change that I would like to see brought forward when it comes to all legislation. This isn't approval or denial of the societal issue of cannabis. It's an admission that we cannot see every possibility or include, possibly, every liability and not force that onto the courts or the legal system to be the final judge of that so that it can come forward.

Madam Chair, it's a point of timing, I guess, to bring this forward. I spoke of it the other day as a form of cleansing of the legislative bureaucracy that we have here and a way to create or, if you will, incentivize modernization of the work that we do in this Legislature.

I'm open to hear discussion on this, Madam Chair.

The Chair: Any other members wishing to speak to amendment A2? Calgary-Shaw.

Mr. Sucha: Thank you, Madam Chair. I want to thank the Member for Drumheller-Stettler for bringing forward this amendment. I got taken aback because there's so much pot talk here, and I thought

this was out of order because we had this amendment yesterday, but I realize that that was Bill 29, so my apologies.

Mr. Strankman: Good morning.

Mr. Sucha: Yeah. Right. I have my coffee, so I'm good.

Nonetheless, you know, this is one thing where we're setting up a framework to really continue to evaluate. I'm very reluctant to be very prescriptive about specific reviews to the act.

One thing that I reflect on is that Alberta has been down this road in a different fashion before, in the '30s, which was Prohibition, on the legalization of alcohol, and since that time we have never stopped changing the way regulations are done. We have never stopped changing elements of the act. It's something that is continuously going on. Even today we just got a press release, that everyone probably got in their inbox, about the AGLC handling special-event licensing and the fact that that's already changed again.

Really, this is going to be something that is unprecedented, that's very new for our province and for our country. In some ways five years doesn't go far enough. In some ways we're going to be continuing to watch within some of the ministries, and we're going to continue to be questioned during question period. I think that there are many different ways that we'll be able to address members' concerns of being able to review this within this House on a regular basis, even within discussions between ministries and feedback that we receive and also even through the AGLC, that is empowered to help recommend, through Treasury Board, regulation changes about distribution and sales of marijuana.

With that being said, at the end of the day, even looking as we move forward, as our ministries are going to continue to re-evaluate this, both Justice and Treasury – with it being part of AGLC, it will fall under their purview – I think we will already be making sure that we can regularly monitor this, that we will be responsive to the House, and that their annual audits will be issued publicly for people to review.

So I don't think that this amendment, while well intentioned, is necessary. Thank you.

The Chair: Calgary-Elbow.

Mr. Clark: Thank you very much, Madam Chair. I'll just rise and speak briefly to this. You know, when I saw this amendment, my first thought was: well, that seems entirely reasonable. As I listen to the debate and think more about it, if anything, five years is perhaps too long, given the scale of the change that is before us here. While I am certain that the Member for Calgary-Shaw is not incorrect when he says that changes and tweaks and reviews and analysis will go on on an ongoing basis – I'm sure that will happen – I think it is important for us as a Legislature to put in some firm timelines to actually do formal reviews of something so substantively different.

If anything, frankly, I would suggest that a three-year timeline might be better than five, because what this really says is that within five years of coming into force, we'll appoint a special committee that then has a year. We're now two and a half years into this Legislature. On this timeline there's a reasonable possibility that this wouldn't even come up for review in the next Legislature. So, you know, if anything, perhaps we could be looking at three years or even one year in sitting down and tasking one of our committees with doing that work.

I think this is an entirely reasonable amendment. You know, while I'm certain and have no doubt that the government will do their part in reviewing this as it rolls out over time, it seems entirely

reasonable to me that we would support this amendment and hope the government will reconsider.

Thank you.

The Chair: Chestermere-Rocky View.

Mrs. Aheer: Thank you, Madam Chair. I want to thank the Member for Drumheller-Stettler for bringing this very, very important amendment forward. Just to clarify, there is a huge difference between a legislative piece like this and looking at evergreening our reviews, which is very, very different. Obviously, with legislation of this magnitude, evergreening is necessary. Within the AGLC and any of the other bodies that are required to participate, there are going to be tweaks along the way. We understand that. That, in essence, actually, is where your regulations would come into play, to actually help with those kinds of things.

10:50

However, when we're looking at a complete review, especially at a time when things are changing so much – we can talk about Prohibition. We can talk about alcohol. We still don't even have that right. We're talking about a situation where we don't even know how our police forces are going to deal with this on the roads. We don't even have a mechanism yet to test for this. There are so many unknowns, Madam Chair.

Personally, instead of being reactive and just going into question period and asking questions after something has already happened, I would prefer to err on the side of being prescriptive and preventative versus being reactionary. This isn't a game, right? This is a serious change in how lives are going to be impacted in this province. With all due respect to the member, I do believe that it's imperative – as a body in here we have the absolute responsibility of transparency – to be able to show to the people of Alberta how we're doing and how things are going, not just about little tweaks and changes but actually looking at the legislative piece of this to see if things need to be changed.

Again, I'd like to thank the Member for Drumheller-Stettler for bringing this amendment forward. I think it's very necessary. I'll be supporting it.

The Chair: Any other speakers to amendment A2?

Seeing none, are you ready for the question?

[The voice vote indicated that the motion on amendment A2 lost]

[Several members rose calling for a division. The division bell was rung at 10:51 a.m.]

[One minute having elapsed, the committee divided]

[Ms Jabbour in the chair]

For the motion:

Aheer	Drysdale	Pitt
Anderson, W.	Gill	Starke
Clark	Hunter	Strankman
Cooper	Orr	Swann

Against the motion:

Anderson, S.	Gray	Miller
Babcock	Hinkley	Nielsen
Carson	Horne	Payne
Connolly	Jansen	Rosendahl
Coolahan	Kazim	Schreiner
Cortes-Vargas	Larivee	Sigurdson
Dach	Littlewood	Sucha

Drever	Luff	Turner
Feehan	Malkinson	Westhead
Fitzpatrick	Mason	Woppard
Goehring	McKitrick	
Totals:	For – 12	Against – 32

[Motion on amendment A2 lost]

The Chair: Back on the main bill, the hon. Member for Calgary-Elbow.

Mr. Clark: Thank you very much, Madam Chair. One of the questions that we in the Alberta Party caucus have, between my colleague and I, is around the online sales component. As the government, I think wisely, has done, the retail sales aspect of Bill 26 is being allowed to happen within the private sector, and I give the government credit for taking that step. It's a wise one. Our analysis had showed that at least \$168 million would have needed to be spent to stand up a government retail system. So, again, I give them kudos for listening to that feedback and the feedback of many thousands of Albertans who shared that view.

However, when it relates to online sales, they have gone with the government monopoly model, and that creates, potentially, a number of challenges in a number of different areas: in online security, public safety, and, I think, most importantly perhaps – well, if not most importantly, at least the challenge here is maybe most acute – in government costs. We don't have cost estimates yet, to date, from this government on what it will cost to stand up the online system, and my colleague the Member for Calgary-Mackay-Nose Hill and I along with our diligent, thoughtful, and incredibly hard-working staff have thought about whether, in fact, it is justified to do a government model on the online sale component.

With that, Madam Chair, I will move an amendment. I have the requisite number of copies here and will hand those to you.

The Chair: This will be amendment A3.

Mr. Clark: Thank you, Madam Chair. I move that Bill 26, An Act to Control and Regulate Cannabis, be amended as follows. In part A section 7 is amended in the proposed section 90.08 by striking out subsection (2) and substituting the following:

- (2) Subject to the federal Act,
 - (a) no person may sell cannabis online other than a department, agency or cannabis licensee designated by the Minister, and
 - (b) no person may purchase cannabis online except from a department, agency or cannabis licensee designated by the Minister.

In part B section 27(c) is amended by adding the following after the proposed clause (i.1):

- (i.2) respecting qualifications and conditions for cannabis licensees that engage in online cannabis sales pursuant to section 90.08(2).

Madam Chair, this actually is an amendment conceived by my colleague the Member for Calgary-Mackay-Nose Hill, whose idea this was, who, unfortunately, is out . . . [interjections] Thank you very much. Despite her commitment to public health by having received the flu shot, one wonders perhaps if she's managed to get the flu anyway. She's out – she's not out. [interjections] I'm going to just move on. This is when you've hit rock bottom and you start to dig.

11:00

The amendment, Madam Chair. Our concerns revolve around the concerns about online sales. We recognize that online sales are

particularly important to help undercut the black market in rural and other communities that may not have a retail presence at least at the outset of legalization or perhaps may just not support a retail presence in those communities. That's a concern that was raised by municipal councillors in the AAMD and C in particular and, I believe, AUMA as well. The question is: will the government model, a monolithic one-size-fits-all government model, in fact satisfy that desire to undercut the black market by providing a quality product in a timely way cost-effectively to rural consumers as well as urban consumers anywhere in the province?

This amendment seeks to allow the minister to make certain regulations around the safety and security of online information as well as regulations around storage, transportation, purchase, and authentication for purchasers. It allows for the government to designate cannabis licensees as online vendors alongside government departments and agencies, which will, we believe, mitigate some of the risk regarding online information being stored in one location. We've had some quite serious hacking incidents of government computer systems in the postsecondary sector and in other areas. When we have all of this information in one place, I think Albertans are right to be concerned about their information security. It also mitigates the risk of overhead when it comes to government supplying and delivering online sales.

As I said in my introduction, our concerns are threefold: online security, public safety, and the government cost. When it comes to online security, there is going to be a large volume of information, including people's contact information, their address and location, payment options, age verification, and other identifying factors. This creates a particularly high risk if that information is the target of a security attack. We know that the government is a fairly obvious target, a large target, for hackers and online security threats – we've seen those breaches before – given that the information shared is of a particularly confidential nature. In addition to personally identifiable information, it relates to the consumption of a now legal but intoxicating product.

We feel that the time required for government to ensure that these regulations are in place and meeting certain safety thresholds is going to be challenging to meet if they're relying exclusively on a government model. Adding additional vendors as an option helps spread the risk both from all that information being in a single location online and from being a less desirable target because there are many of them. Also, it reduces other risks in terms of the timely rollout of online sales.

From a public safety perspective some of the concerns that we have have been expressed, I believe, previously by other members. Online sales will require storage and transportation. Neither Canada Post nor FedEx nor any of the others are security agencies. Age and identification verification, a signature required upon delivery: those could be challenging. Certainly, there are risks, then, of minors obtaining cannabis illegally.

In addition, there are concerns around storage. First, the government is likely going to have to stand up some sort of distribution warehouse. Perhaps the idea is for it to come out of the central warehouse. I don't know if the government would set up their own online retail location in the same way that the physical retailers would be set up and there would be that wholesale model or if the government would simply take it out of the central AGLC warehouse. That's, obviously, to be determined, but if there is to be an additional warehouse, again, there is a cost.

If there are locations outside of the warehouse, especially as we see in rural Alberta, we've heard much in this House, quite justifiably, about the increase in rural crime. Will a government online retail model risk an increase in being targeted, say, at post offices or PO boxes in rural Alberta? If you've got the local drug

store/post office, are we going to have boxes full of cannabis for delivery behind the counter at the local post office? If so, how are they going to handle the climate control or the quality control aspects of that? More importantly, how are they going to handle the security aspects of that? Is that even an option? All of those potentially in one place create a very attractive target for criminals, in particular in rural Alberta. That is mitigated if multiple stores or multiple organizations are making online orders in smaller communities, as opposed to all of that being in a single location.

Finally, a grave concern we have about the online component being run exclusively by government is both the start-up and ongoing costs. How will government determine the market for this and therefore the amount and types of cannabis? How are they going to measure demand? One of the things the private sector does incredibly well is understand and react very quickly to consumer demand. With tremendous respect to the wonderful people in Alberta's public service, if we look at other government-controlled liquor models in other provinces, they're not world renowned for being responsive to consumer demand. It tends to be one-size-fits-all. That will take time, it will take research, and, most importantly, it will take money, so if the government does want to do an online approach, they should not rush it and also consider spreading the risk, the workload, and the cost to other, private-sector vendors.

Again, we've talked about storage. Government storage for online sales would need to be regulated, temperature controlled, and monitored in order to maintain the quality of product and make sure products don't expire, et cetera. Again, we have a real opportunity here to leverage local vendors, who will already have those facilities, and those facilities will be spread throughout the province.

We're very concerned about the cost of government online sales. This is a cost that could easily be borne by the private sector. In the absence of any sort of details it's quite difficult to evaluate this bill, and it raises significant concerns for us. What we're seeking through this amendment is to expand the options that government has in terms of rolling out online sales to include the private sector if they choose. This does not preclude the government from setting up their own distribution system, but I do have concerns that both the cost of this as well as the quality and responsiveness of a government online system may not meet consumer demand, may not satisfy the government's desires to undercut the black market, may not be any more secure, in fact may risk being less secure because all of that information that Albertans will submit to the system will be in a single location and vulnerable to online attacks.

I would hope that the government would give some thought to passing this because it just simply expands the options. It does not restrict or tie their hands, as they have in the current legislation. Thank you, Madam Chair.

The Chair: Any other members wishing to speak to amendment A3? Calgary-Shaw.

Mr. Sucha: Thank you, Madam Chair, and I want to thank the Member for Calgary-Elbow for bringing forward this amendment. I know that he and myself have had copious amounts of debate online on Twitter about this and what the right models are, and it's been very wholesome.

I think it's important that as we move forward on this legislation that, to be frank, we're forced to enact because of federal legislation that's coming into force July 1, 2018, we have to be very cautious and concrete with how we're moving forward. That was why the first thing that we did was hear from 60,000 Albertans, who helped us develop our cannabis strategy.

As we moved forward with developing this, one of the key issues that we've heard and, to be frank, the Member for Chestermere-Rocky View even alluded to this in some of her questions, was age verification. Age verification is a huge concern of mine, specifically because I know that my son is growing like a weed, and he, within a matter of a few years, could potentially look like he's 18.

11:10

Mr. Coolahan: No pun intended.

Mr. Sucha: Oh, I didn't even realize that. Thank you, Member for Calgary-Klein, for that comment.

With that being said, there are two elements in which that has to be verified because there are two potential markets. There's point of sales, and then there's point of delivery. We have already seen from the liquor market that we have here in Alberta that we are going to be able to manage the point of sale. I feel wholeheartedly that while there may be some hiccups from here and there because we've dealt with that with the AGLC, I feel very confident that the point of sale is going to be well managed and well regulated, especially with oversight from the AGLC because they really hold a hard line when it comes to sales to minors and suspending licences whenever instances run the risk of occurring. Even if individuals are over 18, if they don't have proper identification, failure to provide that or failure to ask for that has some swift penalties to the salesperson.

The main concern that we've been hearing is the point of delivery for the online mailing system. You know, I've heard from some key stakeholders – and to be frank, some of them are within the private sector – that there is a lot of concern in relation to drug trafficking through online distribution sales, that it is harder for us to manage quality control, and that sometimes things can be masked through that fashion. That's why we looked at safety as the top concern and keeping this out of the hands of kids when we move to a public model.

Now, with that being said, I don't have the crystal ball. Down the line we might not have the public model. Down the line we might be able to address these concerns, and they might be able to be managed. But at this moment, right now, from all the evidence that we have received and from all the feedback that we received from the public, the public model seemed the best way to go to ensure that it stayed out of the hands of kids.

You know, Jeff Mooji from the 420 Clinic said in our news conference that we had that the online sales were just as effective as the private bricks and mortar sales for the age verification. Further to that, he said: there are some concerns in that the public model is the only way we feel that we can ensure age verification at point of sale and point of delivery. It's also a way for us to have a centralized system, where if we're running into issues, we can manage it accordingly. That's why we've committed to going for a public model.

Now, I want to remind members of when we went to the private model for liquor stores in Alberta. That was in 1993, and that was the Liquor Control Amendment Act, 1993. When we opted to change from doing a public model to a private model of liquor sales, it went through the House. I think that in the spirit of this, this amendment, while well intentioned, recognizing that down the line we may have to change the way we're doing things: I respect that. To be frank, we will. You know, I can't predict what that will be, but down the line there will have to be amendments to whatever legislation we create. To be frank, we'll be doing it with liquor, as I alluded to, 20, 30 years from now as well. With that being said, this empowers it to be through regulations, not legislation, and I think that if we were to shift from the publicly formed online

distribution model, if we were going to move that to a private model, it would need to go through the House. So I can't support this amendment because I think that if we do go down that path, it should be debated in the House.

Thank you very much.

The Chair: Any other members wishing to speak to amendment A3? Chestermere-Rocky View.

Mrs. Aheer: Thank you very much, and thank you to the Member for Calgary-Elbow for this amendment, which I will be supporting. I just want to clarify a few things. This isn't about changing the centralized nature of the way that cannabis will go into the centralized piece and then be distributed from there. Just to be clear, this is actually specifically about who can sell and how it gets in there.

Again, the safety piece of it: as the member pointed out very well, with the safety of this and all of the complexities that go into having an online rollout of this, there's no doubt that this is going to be extremely complex and is going to take a lot of tweaking to get right; hence, the reason evergreening will happen; hence, the reason that the Member for Drumheller-Stettler also put forward a piece of an amendment to look at this within the next five years to make sure we're actually on the right track with this.

This actually isn't about that centralized piece. We're actually talking about different vendors that have nothing to do with the centralized oversight. This is about making sure that everybody who wants to be involved in this particular venture is actually able to come forward. I don't know enough about cannabis to understand quality control or all of those kinds of things. I imagine that within the regulations those will be fairly standard.

However, when we're talking about regulations versus legislation, again here comes a new concern, hence the need for the amendment. If this is happening within regulations without any outreach to the public who are actually consuming this product, who actually might want to be able to sell this product to that centralized group of people under the same auspices as any public choice that may be made by the government – to the member's credit, I think that that's a very, very important piece of this.

To your point, Member for Calgary-Shaw, I completely agree with you. Things are going to change rapidly in this. But I think that to kibosh the ability of the private sector to have a say and, at the very least, participate so that it's all coming into this centralized model – nobody is talking about changing it to a private model. It's about having that centralized piece for safety and all those other kinds of things but making sure that vendors also have the opportunity to participate, because if things do change – let's say that five years from now it ends up going private sector, you know, in some capacity or other. Well, those folks aren't going to have had the ability to understand what the regulations were in the first place in order to be able to participate, and then we're going through this whole mechanism again of quality control, of understanding the appropriateness of how it's going to be distributed, all of those pieces.

I think it's very important to understand that the Member for Calgary-Elbow is actually helping with legislation to make sure that it's all-encompassing so that as we tweak, as we move forward, we've actually covered bases that are imperative to the go-forward with this particular substance.

I will be supporting. Thank you.

The Chair: The hon. Member for Calgary-Elbow.

Mr. Clark: Yeah. Thank you, Madam Chair. Just briefly, one piece I wanted to mention which I didn't mention in my first round of comments. I will be brief. There is also a question about the markup

that the government would apply to their online system. I'm very curious if the government will charge their own retail markup for the online delivery, which potentially, obviously – it's a markup – would increase costs. Would the government online retailer be a retailer and therefore charging a retail markup, which, again, would increase costs to the consumer and perhaps not achieve the black market reduction? Or, vice versa, would they not charge a retail markup, therefore undercutting the private retailers? That's a very important question that I don't have an answer to and, I think, that those who would seek to invest in the private retail model deserve an answer to.

The other point I'd like to make about the online delivery piece is that medical cannabis is already delivered through Canada Post. There are many people in this province who use that service quite safely. There are age verification processes that do work, and that is done through a private model. So we already have that. It concerns me that the government would be reinventing the wheel as it relates to their own government online model.

Those two brief comments: I just wanted to get them on the record as well. Thank you, Madam Chair.

The Chair: Any other members wishing to speak to amendment A3?

Seeing none, are you ready for the question?

[The voice vote indicated that the motion on amendment A3 lost]

[Several members rose calling for a division. The division bell was rung at 11:19 a.m.]

[One minute having elapsed, the committee divided]

[Ms Jabbour in the chair]

For the motion:

Aheer	Drysdale	Pitt
Anderson, W.	Gill	Starke
Clark	Hunter	Stier
Cooper	Orr	Swann

Against the motion:

Anderson, S.	Goehring	McKitrick
Babcock	Gray	Miller
Carson	Hinkley	Payne
Connolly	Horne	Rosendahl
Coolahan	Jansen	Schreiner
Cortes-Vargas	Kazim	Sigurdson
Dach	Larivee	Sucha
Drever	Littlewood	Turner
Feehan	Luff	Westhead
Fitzpatrick	Malkinson	Woppard

Totals:	For – 12	Against – 30
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[Motion on amendment A3 lost]

The Chair: We are back on the bill. Are there any further questions, comments, or amendments with respect to this bill? The hon. Member for Lacombe-Ponoka.

Mr. Orr: Thank you, Madam Chair. I rise to speak to the bill. I actually don't support the idea in principle even though the federal government has forced it upon the provinces. I think it's a social and economic experiment that is not likely to succeed as well as promoted. I'd like to speak to those two issues, the economic side of it, partly, and also the human cost of this.

Clearly, this is a tax grab by the Liberal government. They're taking 50 per cent of the revenue, have very few of the costs. It's

economic piracy. Ottawa wants more money, and the provinces, quite frankly, are the losers. I don't think that we as a province should be necessarily just submitting to that. While we do have to make regulations to govern it because we have no option, I do think that we should be speaking to the other Premiers. We should find out where they are at. I think we should be challenging Ottawa on the wisdom of this, on the benefits versus costs that this will cause to our society and to our culture.

This is supposed to be some kind of fantastic economic boon for governments. Really? I don't think it's going to be. Nobody has done a serious business plan on this thing yet. What actually are the revenue streams? Do we have any idea what the revenue streams are going to be? Have we looked at the competition? And I'll come back to that in a moment. Have we looked at what the costs are going to be? And I'll come back to that in a moment.

Let's talk about the competition for the moment, which is the black market, the illegal trade. You know, the black market does this for one good reason. It's a good business plan for them. Let's look at it from a business point of view. The black market doesn't have to pay taxes. They don't have to pay WCB. In most cases they don't have to pay for any capital expenditures on land or buildings. They don't have to buy business licences . . . [interjections]

The Chair: Hon. members, Lacombe-Ponoka has the floor.

Mr. Orr: In many cases they don't pay for power. Beat that with a business model.

Anybody who tries to do this legally is going to have to pay all of these expenses, and you think you can compete financially on that level with them? I don't actually think you will. Now they'll actually have the opportunity to blend into the legal market. The police are in many cases not even going to bother to investigate, and we'll actually see an increase in black market activity.

I'd like to refer to an article that comes from Washington state, written by Austin Jenkins, published on November 21 of this year by Northwest News Network in Olympia, Washington. He points out that while cannabis

may be legal in Washington and Oregon . . . police [there] continue to bust illegal marijuana operations that are not licensed by the state.

They have a business model that will outpower the legal model.

The latest numbers from the Washington State Patrol show that [in the last year there were] 89 illegal marijuana growing operations . . . shut down.

There were over 24,000 marijuana plants seized, over 100 weapons seized, over 100 arrests made. This actually represents a significant – well, I should quote it correctly.

This represents a big jump from 2016 . . . arrests and things,

. . . except in one category . . .

where it doesn't increase, and that's . . . the number of plants seized.

Why is that? Well, it's because

that [particular] number is down significantly this year. The State Patrol said that's because federal funding for marijuana eradication on public lands was cut.

They don't even bother to look for it anymore. It's not that there are fewer plants out there; it's just that they're not even spending the money to look for it. It's still there. Usually they identify it from airplane or helicopter. They quit spending money on it, so it went down.

In recent months, U.S. Attorney General Jeff Sessions has expressed concern about black market marijuana operations in states like Washington and Oregon.

There's a business model on the black market that will continue to prosper. In fact, it's increasing in Washington state, and anybody who tries to sell this or tell me that this is actually going to eliminate the black market is delusional. It's not going to happen. Look at Washington state. It is going to continue to increase. If you just look at it from a pure business plan, the black market has every advantage. They don't have to pay all of the costs that real businesses do, and they just continue to prosper from it. The black market and all of the effects of the criminal element have not decreased at all in Washington state. In fact, they have increased over the last year.

What about the business plan costs of this for the Alberta government, for the people of Alberta? We're now going to have administrative costs. We're going to have warehousing costs. We're going to have potentially difficult and increased enforcement costs, especially when you think about the traffic side of it and other aspects of it. There are going to be increased medical costs, psychiatric costs, increased costs for education and awareness of the public, and we're supposed to cover all of this with a supposed great revenue gain in taxation? I don't actually think that it's going to turn out that way.

I think that we should be very careful about just jumping on some kind of joyous bandwagon that says that all of a sudden this is the best thing that ever hit North America. How much has our government actually budgeted to pay for all of the associated costs to the province that go with this experiment in chilled-out delusion of intoxication? I don't think we know, and I think we're going to have some serious surprises. So, from a purely business point of view, I have serious questions about how well this is actually going to work out for Alberta.

11:30

But, then, I also have serious concerns about the human cost of how this is going to work out. The member just down to my right here spoke a few minutes ago about how Health Canada defines the effects of both alcohol and marijuana. I was actually going to take a slightly different angle on it. His was more detailed, but if you actually look up the dictionary definition of intoxication, there are two primary ones. First of all, it's an abnormal state that is essentially a poisoning. I'd like to know how developing a culture where we continually poison ourselves is going to make a better society, better families, better business environments, safer roads, and all the rest of it.

The second definition is that intoxication is the condition of having physical or mental control markedly diminished by alcohol or drugs. You know, you can't perform well when you are physically or mentally diminished. How are we going to make a society that prospers, a society that does well in sports, a society that's good for families, a society that does good in innovation and business and prosperity when we have both our physical and our mental control markedly diminished on a regular basis and we create a social licence that says that it's perfectly fine, that it's okay? I don't understand how that's going to benefit us as a society.

I do think the federal government is making a serious mistake for Canadian society. I recognize there are lots of people out there who want to support this – and they may; it's a free world; they can make that choice – but in the interests of others who look at it from a different point of view, I don't think that this is going to be a beneficial thing for Canada as we look at it over the next 100 years or so. I think we have yet to hear how our society will be diminished and the capacity of our people – our employees, our governments, our individuals – will do better when we have that diminished effect both mentally and physically.

Let's all just chill out. Let's all get high, sit on the sidewalk, and become unable to earn a living. [interjections] Don't mock me on that. I've worked in drug rehab centres. I've seen the fear. I've seen the delusional thoughts. I've seen the inability – I have it in my own family – to even go to work, where mothers and fathers can't even care for their own children. Why? Because their mental and physical capacities are so diminished that they're afraid to go outside of the house. There's an incredible isolating effect that happens with drug addiction, and people find themselves lonely, unemployed, dysfunctional, unable to survive. The human social cost of this is going to be astronomical, and nobody has taken a moment to think about it.

I'd like to draw a historical parallel. If you go back to another culture and another time – I'm going to refer to China and the opium trade that occurred in China – you know, when opium first began, it wasn't a whole lot different. There's actually a direct historical connection here. When opium first began in China in about the seventh century, it was brought forward and first discovered as a medical piece, and it was presented that way. I won't argue that there may be some medical benefits to very carefully understood and prescribed marijuana as well, but the problem is when it moves from a medical product into a social, entertainment kind of piece.

The direct historical connection is that towards the end of the opium era in China, most of the opium trade moved into Southeast Asia. In the 1960s and '70s 20 per cent of Vietnam-era soldiers that came back from Vietnam were addicted to opium. Many of them came back – and we were in the 1960s. I actually was part of it, the psychedelic age. Everybody was experimenting. A lot of that came with U.S. soldiers coming from Southeast Asia into the States, bringing with them their addictions, looking then for an opportunity to obtain something else, which became marijuana and, at the time, LSD. It's grown in our culture partially from that.

But here's the thing about the opium trade in China in the early days. It began as a medical thing. Then it started to become something that was a fashionable, refined pastime, especially among the young. We have today a fashionable, refined pastime amongst the young, which is smoking marijuana, and unfortunately now it leads to other things that are much more dangerous and much more destructive.

It got to the point where that 17th-century recreational turn to opium became a great economic opportunity for a bunch of people. We see many people today just lustng to profit off the drug trade. We see governments standing in line, supposedly, to get this great economic boon that probably won't happen. In 17th-century China the opium trade – by the way, when it first began, it was sort of like marijuana. It wasn't nearly as strong. It wasn't nearly as concentrated. It was just a flower. How can that hurt you? It was smoked like marijuana is smoked. But it became an addiction that was rampant across Chinese culture. It actually led to a number of serious wars over the trade and because of the trade. Governments became utterly dependent upon the taxes that fuelled the human crisis and the addictions. The Chinese culture was decimated by up to 10 million opium addicts. Ten million opium addicts.

It wasn't until the 1950s that China began to seriously eradicate the opium trade, the opium business, the opium tax revenue, and all of these wonderful things that are supposed to be generated from recreational use of drugs. They actually got so serious about it, their whole society was so broken down and debilitated by it, that it contributed to the Chinese Cultural Revolution under the Communists, with the execution of thousands of people. Dealers were executed. Fields were plowed under and planted with real food.

I, for one, am not really willing to go down this road. The human tragedy of what's going to happen with this has yet to be revealed.

Yes, opium smoking, like marijuana, was a fashionable, refined pastime, especially among the young. But I'll tell you something: it doesn't lead to the good life. It's an escape. When you sit in a drug rehab centre and you talk with the people and they're shaking and they're afraid and they can't hold a job and they can't go to work and they know they don't have the mental capacity or the physical capacity to even function in life and they can't look after their children, you tell me how that makes a good society.

Thank you.

The Chair: Any other members wishing to speak? The hon. Member for Calgary-Mountain View.

Dr. Swann: Thank you very much, Madam Chair. I would like to put forward an amendment relating to location of use and will speak to it when appropriate.

The Chair: This will be amendment A4.

It appears the amendment is in order, hon. member, so go ahead and speak to it.

11:40

Dr. Swann: Thank you very much, Madam Chair. I know there are some similarities to a previous amendment that was suggested, but this has some different dimensions to its public use and the protection of child health.

I move that Bill 26, An Act to Control and Regulate Cannabis, be amended in section 7 in the proposed section 90.28(c) by striking out "or" at the end of subclause (vi) and by adding the following after subclause (vi):

- (vi.1) a public park,
- (vi.2) an event that is open to the public, or

This follows both from some discussion earlier on concerns about making more consistent application on environmental tobacco smoke and the exposure of children and now cannabis smoking in public places where children would be expected to be present.

I have a letter from the Alberta Recreation and Parks Association that addresses specifically their concerns about children and access to parks and exposure to second-hand smoke, both tobacco and cannabis. I'm quoting from the letter.

The approach taken in Bill 26 is of concern for two reasons. Firstly there are a number of events that are not listed [in Bill 26], such as festivals, fairs, rodeos . . . and other public events where children could be exposed to second-hand cannabis smoke. The section also does not prohibit smoking cannabis in other public places such as trails and parks. Secondly, as demonstrated in the attached chart, there is an assorted range of restrictions that currently exist regarding smoking tobacco in a number of Alberta's municipalities. Such a patchwork approach through municipal restrictions may result in a gradual erosion of the protection of children as communities are compared and pitted against each other.

We encourage the Government of Alberta to consider alternatives such as:

- (1) Prohibit tobacco and cannabis smoking and vaping in all public places and events where children can reasonably be expected to be present;
- and
- (2) Allow municipalities to exempt by bylaw certain events where they are of the view that children will not [likely] be present.

That would be evening events, events where alcohol is being served, for example. They could individually exempt those where they don't believe there's a reasonable risk to children.

This approach will ensure consistency in the protection of children from . . . carcinogenic smoke across Alberta in all venues and events, and at the same time allow municipalities to

exempt certain events based on local circumstances. It would also be appropriate to require signage for events where... carcinogenic smoke has been permitted to allow other individuals... [including] pregnant women, to be informed in advance of the exemption. We find this approach to be consistent with the current medical evidence on the issue.

While I know you discussed earlier some of the exemptions, I think the particular concern here is: where children are expected to be present. The protection of, in this case, children and pregnant women from carcinogenic second-hand smoke, whether it's tobacco or cannabis, would be the goal of this particular amendment.

It's not a big issue. It should be relatively easy to ensure that people can consistently expect public places like parks and festivals would be free of tobacco smoke if children are likely going to be there. On the other hand, municipalities can exempt those activities where children are not likely. The onus would be on exempting rather than a blanket acceptance of second-hand smoke, whether it's tobacco or cannabis. That would also require, when the new tobacco amendments come in, that we ensure they're consistent and that children and the protection of children's health are kind of the overriding concern.

Thank you, Madam Chair.

The Chair: Any other members wishing to speak to amendment A4? The hon. Member for Calgary-Shaw.

Mr. Sucha: Thank you, Madam Chair. I know that my views in relation to this amendment – I want to thank the Member for Calgary-Mountain View for bringing this forward and his well intentions to this. He expressed many concerns in relation to second-hand smoking or vaping, from that area. I'd like to remind members of the House that right now some of the provisions that are currently in this bill that we have here include any place where a "person is prohibited from smoking under the Tobacco and Smoking Reduction Act or any other Act or the bylaws of a municipality," and then further it talks in relation to playgrounds, sports fields, skateboard and bicycle parks, zoos, outdoor theatres, outdoor pools, splash areas, and any other areas or places that are prescribed or otherwise described in the regulations. So it does allow us, down the line, as we continue to hear feedback from a lot of respondents, to further regulate this.

We've also spoken earlier about allowing our local decision-makers and our local municipalities to be empowered to make further regulations and restrictions should they deem fit, so I'm hesitant to support this amendment. I will be voting against it just so that we can continue to allow our local decision-makers to be making those calls.

Dr. Starke: Well, Madam Chair, you know, I certainly take the comments of the Member for Calgary-Shaw with some interest because he references the Tobacco and Smoking Reduction Act, large sections of which remain unimplemented by this government. That bill has been on the books for four years, and yes – agreed – the first couple of years of that was when our party was in government, but they've had two and a half years to implement it, and they have done precious little.

In fact, it's rather interesting that that act actually does have a five-year review clause in it, and we're four years into the act. Pretty soon we're going to be reviewing an act that hasn't even been fully implemented. So if you're relying, as the Member for Calgary-Shaw indicated, on the provisions of the Tobacco and Smoking Reduction Act to provide the same protections for the use of cannabis in public places, maybe you should get around to

implementing it. Maybe you should get around to proclaiming those unproclaimed sections and to closing some of the loopholes.

You know, it seems to me that what this government has done is that in a certain amount of rush and pressure to implement cannabis legislation, they've kind of forgotten that tobacco smoke is far more dangerous, that tobacco smoke kills far more Albertans than cannabis smoke does. Now they're rushing to go ahead with cannabis, and the tobacco legislation is languishing. That's problematic. I mean, if they are in fact interested in preventive health care, if they are in fact interested in bending the cost curve on health care, then one of the easiest ways to do it, one of the easiest and lowest hanging fruits on the branch, is to do more to discourage young people from smoking and to discourage young people from smoking all products, not just cannabis but tobacco as well.

There are a number of loopholes left open in the Tobacco and Smoking Reduction Act, that, again, curiously comes up for review in a year and hasn't even been fully implemented, that remains unimplemented. So I can't take any consolation, I can't take any confidence from the Tobacco and Smoking Reduction Act, that somehow that's going to provide the necessary protections.

The hon. Member for Calgary-Mountain View, with his considerable medical experience and experience in the field of public health, you know, certainly identified that there is a need to protect children from all forms of smoke, not just tobacco smoke but also from the smoking of cannabis.

One of the things that is interesting in Canada, curiously, is that of all the nations in the world cannabis users in Canada have a higher percentage of people using cannabis by smoking it than in just about any other nation in the world. There is no real explanation for that. Somebody said that it's to keep your hands warm when you're lighting your cigarette or your joint. But, quite frankly, whatever the reason is, the statistics show that Canadians who use cannabis predominantly consume cannabis by smoking. So not only do we have the potential health effects of the actual active ingredients; we also have the health effects of inhaling a combustible product into our lungs.

11:50

Now, we've had discussions before. I know the hon. Member for Edmonton-Whitemud has worked very hard in terms of reducing those negative effects and that he has worked, unfortunately, with patients who have suffered from the negative effects of tobacco usage throughout his career. I've had a little bit of experience with that myself in my career. Sadly, I've had to treat some of my patients that have lived their lives in homes where tobacco was used widely, and curiously, with the short lifespan of most of my patients, I did have to deal with instances where my patients suffered as a result of second-hand smoke. I also dealt with some patients who inadvertently consumed their owner's cannabis supply. It's an interesting, shall we say, client-patient-veterinarian confidentiality situation when you have to deal with that.

Nonetheless, I can tell you that there's nothing positive that comes out of being in an environment where tobacco is being smoked or where cannabis is being smoked. This province rightly took some steps to protect workers, to protect youth, and to protect people who didn't want to be exposed to second-hand smoke. I can remember, in fact, in youth parliament in the '70s arguing on behalf of legislation to restrict smoking in public places to reduce the second-hand smoke deleterious effects.

My hon. friend the Member for Calgary-Mountain View has put forward a very reasonable amendment that addresses some of these issues. You know, I find it curious that a government that

purports itself to be interested in the health of Albertans, that purports itself to be interested in the health of workers, in the health of youth would not at least consider supporting this very reasonable amendment to this bill.

The Chair: Any other members wishing to speak to amendment A4? The hon. Member for Airdrie.

Mrs. Pitt: Thank you, Madam Chair. I won't be long. I would just like to be on the record speaking in favour of the amendment from the Member for Calgary-Mountain View. As I stressed earlier today, it's our duty to ensure that public spaces are safe and free from cannabis exposure, especially in regard to children, and I think that whatever we can do here in this legislation is important. What I heard from my hon. government colleague that spoke to this was that there's actually no disagreement with an amendment like this. This, in fact, will be something that is put into regulation. This in no way, shape, or form takes away local autonomy and decision-making from the local municipalities.

I think it's a good step forward in the right direction, and I will encourage my colleagues in this Legislature to vote for this amendment.

The Chair: Any other speakers to amendment A4? Calgary-Elbow.

Mr. Clark: Thank you, Madam Chair. Just briefly, similar to my hon. friend from Airdrie, I want to be on the record as supporting this amendment. I think it's important that we do everything we can to keep any harmful effect of cannabis second-hand smoke away from children.

I just will take this opportunity to comment that it is fascinating that the approach this government has taken to public consumption of cannabis is intended to align broadly with the consumption of tobacco and not with the consumption of alcohol. I find that quite interesting. Where the second-hand effects of both tobacco and cannabis smoke can be felt by others around us, notwithstanding some of the more negative social consequences of the behaviour of those who may be consuming alcohol in public, the simple act of having a single drink somewhere outside of the four walls of an establishment, in and of itself, does not have a detrimental effect on

others around them. Again, I just note it's an interesting approach that the government has taken here to cannabis.

But, you know, specifically to this amendment, I think it does seek to protect any potential harmful effects on children and others in terms of second-hand smoke. I echo my colleague from Vermilion-Lloydminster's comments on the tobacco reduction act, if I have that correct, and would encourage this government to look very carefully at implementing the outstanding provisions of that act as well to reduce the harmful effects of tobacco on our society and potentially cannabis as well going forward.

Thank you.

The Chair: Thank you, hon. member.

Pursuant to Standing Order 4(3) the committee will now rise and report progress.

[The Deputy Speaker in the chair]

The Deputy Speaker: The hon. Member for Wetaskiwin-Camrose.

Mr. Hinkley: Thank you, Madam Speaker. The Committee of the Whole has had under consideration a certain bill, Bill 26. I wish to table copies of all amendments considered by the Committee of the Whole on this date for the official records of the Assembly.

The Deputy Speaker: I just want to confirm, hon. member, that you said: report progress.

Mr. Hinkley: Okay. There is another sentence I would like to add. The committee reports progress on the following bill: Bill 26.

The Deputy Speaker: Does the committee concur in the report?

Hon. Members: Aye.

The Deputy Speaker: Opposed? So ordered.

The hon. Member for Strathcona-Sherwood Park.

Cortes-Vargas: Thank you, Madam Speaker. Seeing the progress of the House, I would just move to adjourn until 1:30 p.m.

[Motion carried; the Assembly adjourned at 11:56 a.m.]

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