



Province of Alberta

The 28th Legislature  
Second Session

# Alberta Hansard

Tuesday evening, May 6, 2014

Issue 26e

The Honourable Gene Zwozdesky, Speaker

# Legislative Assembly of Alberta The 28th Legislature

Second Session

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Hehr	Rogers
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## Legislative Assembly of Alberta

7:30 p.m.

Tuesday, May 6, 2014

### Government Bills and Orders Committee of the Whole

[Mr. Rogers in the chair]

**The Chair:** Hon. members, please be seated. We'll call the Committee of the Whole back to order.

#### Bill 11 Child, Youth and Family Enhancement Amendment Act, 2014

**The Chair:** I don't believe we have an amendment on the floor. We're on the bill.

I'll recognize the Member for Innisfail-Sylvan Lake.

**Mrs. Towle:** Thank you, Mr. Chair. The other side of the House will be pleased to know that this is my last amendment, so I'll wait for it to be passed out.

**The Chair:** Hon. members, we'll call this amendment A6.  
Hon. member, you may proceed.

**Mrs. Towle:** Thank you, Mr. Chair. I'm pleased to rise tonight to speak to amendment A6. Amendment A6 is asking that an amendment be done to section 16 in the proposed section 126.3(3) by striking out "and" at the end of clause (a) and by adding "and" at the end of clause (b) and adding the following:

(c) the public interest in the administration of justice.

So what this actually means is that – right now under section 3, under the publication ban section,

(3) The Court may grant an order applied for under subsection

(2) if the Court is satisfied that the order would be appropriate, having regard to . . .

This goes back to when we were talking about the best interests of the child, the best known wishes of the child in that. Right now it says:

(a) the best interests of any child receiving intervention services who is a sibling of the deceased child, and

(b) the known wishes of the deceased child.

I'm asking that we amend it to include "the public interest in the administration of justice."

The reason for this amendment is that, yes, we need to know the best wishes of the family and any siblings. We also need to be aware of the known wishes of the deceased child, but there could be a public interest argument to be made, that the judge could consider, that might actually either be considered as much as or as a part of the discussion when they're considering the order.

This could happen for a multitude of reasons. Especially in an ex parte application, which we've already discussed here, there might be the opportunity for the judge to say, "No. That is not enough. We need to consider the public interest as a whole" and in doing that to order the ban or not grant the order for the ban on that. This would allow for other parties to attend the ex parte should they be notified of it or should they be given the opportunity, but it also broadens the scope under which the judge can make a decision to grant or ban the order. The judge has some discretion to look at the community, the culture, the province, and the whole factors that affect whether he or she is going to grant an order applied for under the subsection.

I would hope that the members in this House would be able to support this amendment, and I look forward to hearing the arguments.

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

**Mr. Bhullar:** Thank you very much, Mr. Chair. This is something that I feel that I can support. The public interest is something that the courts always consider. By having it in the legislation, I think it does us no harm, and it further solidifies the fact that each case needs to be looked at within the broader perspective of the public interest as well. So it's something that I do support.

**The Chair:** Other speakers to the amendment? The hon. Member for Edmonton-Calder.

**Mr. Eggen:** Yes. Thank you, Mr. Chair, and thanks so much for this amendment. I think this was something that was identified in the last 10 days or so by a number of different bodies, including the media, in regard to the disclosure of information. I'm very happy to see that there is some, again, co-operation across the aisle. This is becoming a trend, somewhat disturbing but in a good way. I appreciate the essence of this amendment. I think the Alberta New Democrats were actually working on something like this as well, so certainly I can support this amendment. Let's get it done.

**The Chair:** The hon. Member for Calgary-McCall.

**Mr. Kang:** Thank you, Mr. Chair. I also want to congratulate the minister, you know, for accepting the amendment. Whenever the minister talks anywhere, he talks about the public interest, the public good. In the interest of the public I think it's good to accept this amendment. This will only strengthen the bill. I congratulate the minister for accepting the amendment.

Thank you, Mr. Chair.

**The Chair:** Thank you.

Are there other speakers to the amendment?

Seeing none, I'll call the question on amendment A6.

[The voice vote indicated that the motion on amendment A6 lost]

[Several members rose calling for a division. The division bell was rung at 7:36 p.m.]

[Ten minutes having elapsed, the committee divided]

[Mr. Rogers in the chair]

For the motion:

Amery	Eggen	Kang
Anderson	Fawcett	Kubinec
Barnes	Fenske	Lemke
Bhardwaj	Fox	Leskiw
Bhullar	Fraser	Oberle
Bikman	Fritz	Redford
Brown	Goudreau	Rodney
Calahasen	Griffiths	Rowe
Campbell	Hale	Sandhu
Casey	Horne	Scott
Cusanelli	Hughes	Towle
Dallas	Jansen	Weadick
Dorward	Jeneroux	Woo-Paw
Drysdale	Johnson, L.	

Totals: For – 41 Against – 0

[Motion on amendment A6 carried unanimously]

**The Chair:** We're back to the bill, then, hon. members. Other speakers?

Seeing none, the hon. Government House Leader.

**Mr. Campbell:** Mr. Chair, I move that we adjourn debate and that when the committee rises, we report progress.

[Motion carried]

**Bill 12  
Statutes Amendment Act, 2014**

**The Chair:** The committee has under consideration Bill 12, the Statutes Amendment Act, 2014. Speaking to the bill? Question?

**Hon. Members:** Question.

[The clauses of Bill 12 agreed to]

[Title and preamble agreed to]

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

**Hon. Members:** Agreed.

**The Chair:** Opposed? That is carried.

**Private Bills  
Committee of the Whole**

**Bill Pr. 1  
Rosebud School of the Arts Amendment Act, 2014**

**The Chair:** The hon. member for Strathmore-Brooks.

**Mr. Hale:** Thank you, Mr. Chair. I'm proud to stand in Committee of the Whole on Bill Pr. 1, Rosebud School of the Arts Amendment Act, 2014. I'd just like to mention that it went through committee, and no amendments were suggested in committee. I believe we have no amendments. So I'd like to call the question.

7:50

**The Chair:** Are you ready for the question on Bill Pr. 1? Agreed?

**Hon. Members:** Agreed.

[The clauses of Bill Pr. 1 agreed to]

[Title and preamble agreed to]

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

**Hon. Members:** Agreed.

**The Chair:** Opposed? That is carried.

**Bill Pr. 2  
Maskwachees Cultural College Amendment Act, 2014**

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

**Ms Calahasen:** Thank you, Mr. Chairman. I do not believe there are any other comments to be made, so I move that the question be put.

**The Chair:** Thank you.

Are you ready for the question on Bill Pr. 2? Agreed?

**Hon. Members:** Agreed.

[The clauses of Bill Pr. 2 agreed to]

[Title and preamble agreed to]

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

**Hon. Members:** Agreed.

**The Chair:** Opposed? That is carried.

The hon. Government House Leader.

**Mr. Campbell:** Yes, Mr. Chair. I'd ask for unanimous consent that we do third reading of Pr. 1 and Pr. 2.

**The Chair:** We have to rise and report. So you move that the committee rise and report?

**Mr. Campbell:** Okay. Rise and report first.

[Motion carried]

[The Deputy Speaker in the chair]

**The Deputy Speaker:** The hon. Member for Edmonton-South West.

**Mr. Jeneroux:** Yes. Thank you, Mr. Speaker. The Committee of the Whole has had under consideration certain bills. The committee reports the following bills: Bill 12, Bill Pr. 1, Bill Pr. 2. The committee reports progress on the following bill: Bill 11. 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:** Thank you, hon. member.

Does the Assembly concur in this report?

**Hon. Members:** Concur.

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

The hon. Government House Leader.

**Mr. Campbell:** Yes. Mr. Speaker, I'd ask for the unanimous consent of the House that we deal with third reading of Pr. 1 and Pr. 2.

[Unanimous consent granted]

**Private Bills  
Third Reading**

**Bill Pr. 1  
Rosebud School of the Arts Amendment Act, 2014**

**Mr. Hale:** I would like to move third reading of Pr. 1.

[Motion carried unanimously; Bill Pr. 1 read a third time]

**Bill Pr. 2  
Maskwachees Cultural College Amendment Act, 2014**

**Ms Calahasen:** Mr. Speaker, I'd move Bill Pr. 2 for third reading.

[Motion carried unanimously; Bill Pr. 2 read a third time]

**Mr. Campbell:** Mr. Speaker, I'm a little confused, but that's not abnormal. We've reported Bill 11, the Child, Youth and Family Enhancement Amendment Act, 2014, right? Progress?

**The Deputy Speaker:** That's correct.

**Mr. Campbell:** On Bill 12 we've passed Committee of the Whole? Okay. I guess we'll go to third reading on Bill 12. I need unanimous consent. We won't finish. If there are some speakers tonight that want to speak to it, we'll run off some speakers, and then we'll

finish it tomorrow so that people who aren't here have a chance to speak to third reading.

**The Deputy Speaker:** Hon. members, Standing Order 77 requires unanimous consent for two readings of a bill on the same sitting day.

[Unanimous consent granted]

### Government Bills and Orders Third Reading

#### Bill 12 Statutes Amendment Act, 2014

**The Deputy Speaker:** The hon. Minister of Environment and Sustainable Resource Development.

**Mr. Campbell:** Well, thank you, Mr. Speaker. I'll be very brief. You know, I thank the Assembly for going through Committee of the Whole so quickly. I think that the amendments that we've brought forward are important amendments. I think that they meet the needs of everyday Albertans, and I would be quite anxious to hear other people's thoughts on third reading, and then I'll move third reading of Bill 12, Statutes Amendment Act, 2014.

**The Deputy Speaker:** Thank you.

Are there other speakers? The hon. Member for Edmonton-Calder.

**Mr. Eggen:** Well, thanks, Mr. Speaker, and I appreciate the opportunity to have a few words on Bill 12, Statutes Amendment Act, 2014. I guess that because this is such a collection of legislation, it required some attention here in the spring session. It moves everywhere from charitable fundraising to freehold minerals and the Societies Act and so forth. In sum, certainly, the Alberta New Democrats do support this bill.

I just have a couple of comments, though. First and foremost, always a word of caution in regard to building omnibus bills, okay? We've seen this as a trend in the States and now in the federal government, and I just really want to make sure we always have caution, that we don't build these giant bills that are just unwieldy, and it's difficult to sort out the good from the bad. Now, in this case these are statutes that are mostly innocuous, but, please, we're always on guard to ensure that we don't fall into that bad habit of building these giant omnibus bills that just clog up the legislative process and undermine it as well.

The two areas that I am most interested in in regard to this bill are, first, the section on the Health Information Act and then the section on regional health authorities as well. The information on the Health Information Act, I think, is very timely and important. We're getting this trend where more confidential information is being undermined or lost through electronic records. We had the case of that laptop being stolen from a medicentre. That's one of a long list of incidents like that, and we know that it will carry on until we make substantive changes to the way we handle electronic information.

8:00

This change to the Health Information Act is more of a response or a reaction after something has been stolen. I just want to once again reiterate the importance for us to unify our electronic health records and build a standard procedure that is followed by everyone regardless of whether it's a private or a nonprofit or a public entity dealing with health care. It's very important right now, and I think,

Mr. Speaker, it's a reflection and another caution that as we contract out more of our health system, our public health system, to private contractors, it exposes essential personal information to more and more hands that could potentially not treat it properly or even deal with it for nefarious purposes.

That's certainly an issue. Prevention is worth a pound of cure. But as we saw with the stolen laptop, you know, the lack of notification to the Health minister and other authorities in a timely manner frustrated all of us. I appreciated the Health minister's quick action and, actually, very firm action to precipitate some change in things. We just weren't being notified properly, he wasn't being notified properly, and I think we kind of shook that tree, and something better will happen in the future.

As I say, the prevention side is very important, the importance of a unified electronic health record protocol across the way to ensure that we have encryption at the very highest level all along the way. You know, once that happened, I checked with my own doctor at the Superstore, and he showed me his system. It was very good. It was entirely encrypted. But that was just on his own initiative. It wasn't because he was being told by AHS or by the government to do that. So the quicker we standardize encryption and protection, the better off we're all going to be.

Then the other area of this Bill 12 that I just wanted to make a quick comment on is in regard to changing the authority or increasing the authority of the Ministry and the Minister of Health on Alberta Health Services. Once again, I certainly do support this idea. I think it's time to call the long-standing experiment of Alberta Health Services what it was, which was a buffer by which government could impose health policy, and then if it didn't work out, they could blame a third party, which is Alberta Health Services. Clearly, it hasn't been working. It's been a very cumbersome and long and difficult journey since 2008.

I do not, Mr. Speaker, want to impose another upheaval in our health service. I think the workers have had enough of that kind of thing, of this continuous revolution of policy and so forth. Over time I think it's important for us to dissolve Alberta Health Services, to put more control back to the people on the ground who actually deliver public health care in this province, and to put the ultimate responsibility for both finance and global policy back in the ministry and in this Chamber, where it belongs. I can see that this might be a step in that direction. Over the fullness of time we need to make sure that we do that.

I think that the failed experiment of Alberta Health Services has served no practical purpose, really, except for a few things in regard to perhaps the centralization of certain services, the savings that were realized through the capacity to purchase on a provincial level, and so forth. In regard to the other levels of bureaucracy and the confusion that it's created, I think that it's time to call that.

With those comments, Mr. Speaker, thank you very much.

**The Deputy Speaker:** Are there others to speak to the bill?

**Mr. Anderson:** Mr. Speaker, I'd like to move that we adjourn debate on Bill 12.

[Motion to adjourn debate carried]

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

**Mr. Campbell:** Yes, Mr. Speaker. We'll adjourn the evening until 1:30 tomorrow afternoon.

[Motion carried; the Assembly adjourned at 8:05 p.m. to Wednesday at 1:30 p.m.]









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