

## Legislative Assembly of Alberta

Title: **Wednesday, December 1, 1999** 8:00 p.m.

Date: 99/12/01

head: Government Bills and Orders  
head: Committee of the Whole

[Mr. Tannas in the chair]

THE CHAIRMAN: I'd like to call the committee to order. For the benefit of the people in the galleries, we're in Committee of the Whole. This is a less formal part of the Assembly where we go through a bill step by step, through each little item, and we can have amendments, that kind of thing. People are more relaxed. They're allowed to take off their jackets and to bring coffee in the Chamber, and they also may sit in chairs other than what you may have in your listing. The only thing is that when they speak, they have to speak from their place, and we only have one person standing and speaking at a time.

I wonder if we could have the committee's agreement to briefly revert to Introduction of Guests.

HON. MEMBERS: Agreed.

THE CHAIRMAN: Opposed? Carried.

head: Introduction of Guests

THE CHAIRMAN: The hon. Minister of Environment.

MR. MAR: Thank you, Mr. Chairman. It gives me a great deal of pleasure to introduce a number of groups that are here this evening attending and watching the proceedings of this committee. They are in both the members' gallery as well as the public side. Mr. Chairman, we often hear stories about young people who perhaps go the wrong way in life, and young offenders sometimes come to mind, but frankly in my observation, we have many more fine young people than we do troubled youths. I'll introduce all of these groups at the same time. There are three Scout groups. The first one is the 130th Duggan Scouts, accompanied by Chris Baxter, Gerald Draganiuk, and Eamonn Kenihan. Also, the 151st Sherwood Park Scouts, with leaders Gordon Harke and Henry Martel. And the 169th Glen Allan Scouts troupe are accompanied by Rick Pearson, Larry Kuchmak, Nick Audiminetz, Daryl Kuchmak, Ryan Brow, Russ Prud'homme, Cory Matheson, and Ian Rowdeff.

Finally, Mr. Chairman, a fine young group of air cadets, that I've had the opportunity to chat with earlier this evening. I indicated to them – and this is true, I believe, of scouting as well – that people go into the cadet program and the scouting program sometimes as boys and girls and they emerge as fine young men and fine women. That's certainly been my experience with the cadet program. The 12th Royal Canadian Air Cadet Squadron is here, accompanied by Lieutenant Bill Lawrence, Second Lieutenant Rick Ricard, Second Lieutenant Andreas Much, Miss Janine Hamming, and Miss Dawn Byers.

I would ask all of those groups to please stand and receive the warm welcome of this Assembly.

### Bill 40 Health Information Act

THE CHAIRMAN: The Committee of the Whole is reminded that

we have amendment A1 on the go, so when we address this part, we'll be addressing amendment A1 to Bill 40.

The hon. Member for Calgary-Buffalo.

MR. DICKSON: Thank you very much, Mr. Chairman. I had an opportunity last night to deal with a subamendment and then to highlight those sections that the Liberal opposition took issue with and those sections that we did not take issue with. If you'll permit me, I'll just quickly review.

For those that don't have last evening's transcript immediately in front of them, I'd just point out that if you look at the A through F provisions, the B portion is an acceptable change. The C portion is good as far as it goes, but the big problem there is that it assumes the creation of an ethics committee, and I'd outlined our concerns that the ethics committee has no statutory underpinning. So we were assigning this role to an ethics committee that may be made up of a number of people in the health area and not perhaps somebody with any particular background or interest in privacy issues. Further provision in terms of the E portion is not as strong as what had been recommended in the sense that the Information and Privacy Commissioner's comments must be considered but they have no binding effect. We had no problem with amendment F.

So I'm going to be recommending to members, because the amendments have been presented en bloc and not broken out into separate amendments, that they vote against the entire package even though, as I was at pains to say last night, there are some positive elements in it.

THE CHAIRMAN: We have before us, then, amendment A1 to Bill 40 as moved by the hon. Member for Calgary-Lougheed. All those in support of this amendment, please say aye.

SOME HON. MEMBERS: Aye.

THE CHAIRMAN: Opposed, please say no.

SOME HON. MEMBERS: No.

THE CHAIRMAN: Carried.

[Several members rose calling for a division. The division bell was rung at 8:07 p.m.]

THE CHAIRMAN: The gallery is reminded that this is a call for a vote. When a number of members stand up at the end of a voice vote, they have called for a recorded vote. The bells ring through this building and through the Annex, and then members come in from all over, from wherever they might be, and take their places, and it's a recorded vote. So right now it's like recess time at school.

[Mr. Tannas in the chair]

For the motion:

Amery	Kryczka	Smith
Broda	Laing	Stelmach
Coutts	Lund	Stevens
Ducharme	Magnus	Strang
Fischer	Mar	Thurber
Graham	McFarland	Trynchy
Haley	Oberg	West
Herard	O'Neill	Yankowsky
Jonson	Paszkowski	Zwozdesky
Klapstein		

Against the motion:

Blakeman	Gibbons	Nicol
Carlson	MacDonald	Olsen
Dickson	Massey	Sloan

Totals:	For – 28	Against – 9
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[Motion on amendment A1 carried]

THE CHAIRMAN: Further comments, amendments on Bill 40?  
The hon. Member for Calgary-Buffalo.

MR. DICKSON: Thank you, Mr. Chairman. This is what I'd describe as a very dense bill, and there are a number of issues with respect to specific sections and provisions in the bill. What I wanted to do at this stage in committee, because it would not have been appropriate to do it at second reading, was to deal with – I don't call it minutia – the nuts and bolts of the bill by section and so on. If at any time it's not clear what sections I'm referencing, please feel free to signal me.

What I propose to do . . . [interjection] Well, in fact, I was suggesting that it wouldn't be accurate to brand these items as minutia, because what we find with this kind of legislation is that the devil is in the detail. We've heard statements from some very competent and capable members, from the minister of health, from the Member for Calgary-Lougheed. We've heard representations from Bonnyville-Cold Lake. We've heard representations from the Member for Calgary-Glenmore. I don't for a moment think that any of those speakers did not genuinely believe this was a good bill to put forward or a good compromise, but our job in opposition is to examine the detail and find out if the text of the bill, in fact, measures up to the statements and to the informational material put out.

The Member for Bonnyville-Cold Lake on November 29 took us on a bit of tour of the bill, identifying some of the sections and provisions and attempting to allay some of the concerns that had been raised at second reading. What I wanted to do with your leave, Mr. Chairman, is now, looping back to the specific sections in the bill, try and test the propositions that were put forward by our friend from Bonnyville-Cold Lake on November 29.

8:20

Now, in the first proposition put forward by Bonnyville-Cold Lake, he attempted to address the question: could any one of the 17 regional health authorities obtain health information to screen prospective employees? He asked this because that was one of the concerns that had been expressed at second reading. His declaration was a very clear and confident one: "No," they cannot. No question. With that member's usual forthrightness, he stated his concern and his position.

He referenced section 20, so if we take a look at section 20 – and I know that the Member for Calgary-Lougheed is going to be listening carefully. She made some disparaging observations about the quality of some of the debate that we heard at second reading. In fact, I think – and this is just a paraphrase, not a quote – there was some suggestion that some of the concerns that had been raised at second reading were not well founded. She was reinforced in that assertion by her colleagues for Calgary-Glenmore and Bonnyville-Cold Lake. If I do nothing else in the balance of my speaking time, I hope to test that assertion, and we'll find out whether this has merit or not, Mr. Chairman.

If we look at section 20, because that was the item identified by the Member for Bonnyville-Cold Lake as the way that would be

sure, and we look there at some provisions in terms of collecting individually identifying health information, you know something, Mr. Chairman? It does not say anywhere in section 20 that an employer is not able to screen prospective employees on the basis of using health information. So there's no prohibition. Some people listening to the observations of Bonnyville-Cold Lake may have thought that there was an express prohibition. There is not in the bill.

In fact, there is a provision that is particularly dangerous. You see, I think that what the Member for Bonnyville-Cold Lake was expressing was a policy intent, and it's fair to make that observation. But what we deal with in the committee stage is not what somebody thinks the department intends to happen; it's what is in the four corners of Bill 40. What does the statute actually say?

When we look at the policy intent, what we see is that it's not necessarily measured up in here. If we look at section 22 and go through the ability of the custodian to collect "individually identifying health information" – let's be clear; this is information that's not anonymized. This is information about you, Mr. Chairman, or me or Parliamentary Counsel or any of the other 3 million people in this province.

First, look at section 22(2)(c).

Where the custodian believes, on reasonable grounds, that collection from the individual who is the subject of the information would prejudice . . .

These are all disjunctive.

- (i) the interests of the individual,
- (ii) the purposes of collection, or
- (iii) the safety of any other individual,

or would result in the collection of inaccurate information . . .

You know, I've talked to lots of people who think that if you ask somebody directly for information, if their prospective employment is in the balance, they may not be absolutely candid with you. Now, that's a proposition some may disagree with, but some people believe that. Who is going to determine what the reasonable grounds are?

Now, I know that the Member for Calgary-Glenmore is poised to get to his feet when I finish and point out that we have the Information and Privacy Commissioner, who's going to have the power to deal with complaints and concerns that the act hasn't been followed, but, Mr. Chairman, with respect I'd say to the Member for Bonnyville-Cold Lake that instead of relying on an after-the-fact check, what we really have to do is ensure that you build in a sufficiently high threshold at the front end of the system, because there are lots of reasons why the check after the fact doesn't work.

You know, if we get 5,000 freedom of information requests in a given year, how many of those do you think go to the commissioner, Mr. Chairman? How many do you think ever get that far. It's a very small number. The commissioner typically issues only 22 orders a year, and you say that that's your safeguard. The point is that a lot of people will not find out about that remedy because everybody's not going to have a copy of the bill, and if they had a copy, they're not going to make their way through and read it all. It's going to depend on what kind of advertising is done by Alberta Health and the regional health authorities, the Alberta Cancer Board, the Provincial Mental Health Board. We don't know what they're going to do, but I think it's a safe bet that there will be people who will not hear about these things.

What's interesting is that the Member for Bonnyville-Cold Lake did not raise the provision in section 24 of the Saskatchewan act that was passed the other year, and you see restrictions on collection. I'm looking through here, and I don't see it in any of the sections or subsections in Bill 40. The Saskatchewan act provides a much

tighter sort of provision: a trustee may collect personal health information for any purpose with the consent of the subject individual. There are three earlier provisions, but as has been ordered by Mr. Bruce Phillips, the national Privacy Commissioner, it's a higher standard.

What I was going to suggest is that Mr. Clark, the Information and Privacy Commissioner, has drawn our attention to section 20. The Saskatchewan act requires the custodian to ensure that the primary purpose for collecting information is for something – now this is the key part – quote, that can reasonably be expected to benefit the subject individual, close quote. In fact, they may collect information for a secondary purpose as specified in the act, but the custodian has to ensure what the primary purpose is. As Mr. Clark, the Privacy Commissioner, has pointed out, there's no prohibition on collection of some other information that would be useful.

In fact, this takes us into the personal health number. The Member for Bonnyville-Cold Lake on November 29 acknowledged a concern with respect to collection and use of the personal health number but said not to worry because of the offence provision in the back of the act. But section 21(1) provides that

only the following have the right to require an individual to provide the individual's personal health number . . .

(b) persons authorized by the regulations to do so.

Well, who is going to be authorized by the regulations? As I've said in this Chamber and my colleagues have said *ad nauseam*, regulations are not tested by any kind of all-party process. The regulations are made by the people in the department of health. They consult with the people they choose and think are appropriate and then they pass a regulation. MLAs like this MLA and others sit in our constituency offices, and we see the notice coming across, and then we check to see what the regulation is. It's already law then. There's no chance to view these things before hand.

The point to make with respect to that is that the personal health number becomes the key that unlocks a whole lot of other information. The Member for Bonnyville-Cold Lake at page 2084 talked about the ethics committee and talked about that being an effective check, but as I tried to make the point the other night, the ethics committee has no statutory basis outside of reference to something that could be created by the minister.

In this respect, Mr. Chairman, it's interesting. I saw just the other day an ethics committee notice from the Caritas Research Steering Committee. This is a steering committee that met on September 23, 1999. Caritas is a health group that arranges services in the city of Edmonton. What's interesting is that I went through the minutes, and they talk about what kind of ethics committee they'd be looking at. You look anywhere in the four pages of the minutes from the meeting where they talk about what would be required of the ethics committee. You know, there's some vague reference to ethical approval, some reference to funding approval, but there's absolutely no reference, Mr. Chairman, to privacy concerns and privacy standards. That represents a significant concern as well.

8:30

The other point I was going to make, Mr. Chairman, is that if we look at section 108(2)(a), this is where it gets a bit confusing. Our friend from Bonnyville-Cold Lake had said the other day at page 2084:

This suggestion is a valid one, Mr. Speaker, and the intention is that a set of criteria and a process will be established to designate ethics committees under the act. As well, this regulation will list the designated committees.

If in fact that's the intention, it's not set out, because if you look at the regulations section, section 108, section (2)(a) says that "the Minister may make regulations . . . designating committees as ethics

committees." What's the authority to set out on some legal basis what the criteria are that would be used for who is going to be on that committee, and how we will ensure that there are some privacy advocates and so on?

There is nothing in the act to support the assertion of the Member for Bonnyville-Cold Lake that that's going to be covered. It's clearly not provided for in the regulations. All the regulations are going to do is designate a committee as an ethics committee. It doesn't say anywhere in this bill that there should be a privacy advocate or a consumer advocate or anybody like that. That's the problem I had with respect to that.

The Member for Bonnyville-Cold Lake talked about section 36(b) and the ability of a collection agency to be able to access some personal health information to be able to collect a fine or a debt. The Member for Bonnyville-Cold Lake was at pains to say: well, this is individually identifying registration information. He said: only "demographic-type information such as current name and address." Further, he said that "there is no aspect of sensitive health information." But, you know, if you look at the definition section, section 1, we see "registration information," and what it includes is the personal health number. It's not just location number and where you live and health service eligibility; it's your personal health number.

What's happening in two other provinces right now – firstly, the province of Quebec, and it's being discussed in another province as well – is that they are looking at making this basically a standard identifier provincewide. So this becomes a hugely important key to unlock a whole lot of personal information. Mr. Chairman, I'm particularly concerned about that, and I think an argument could be made that for purposes of collecting a fine or a debt, you may well be able to get some of the information under section 1(1)(u). But what do you want a personal health number for? If you're going to ABC collection agency to collect a debt somebody owes to the health care system, why would you require the personal health insurance number? It certainly isn't for the purposes of collection. Like all young lawyers many years ago, everybody had lots of experience for a couple of years in terms of enforcing judgments and collecting debts, and I don't ever remember a personal health number or a health identification number being a necessary thing and certainly not an appropriate thing.

Now, the Member for Bonnyville-Cold Lake at page 2085 set up something of a false dichotomy, Mr. Chairman. He talked about how the whole record used to be disclosed, that we had a paper-based system before, and his point was that it was no safer. But, you know, the problem with that is that we did not have years ago the technology that allows your health information or my health information to be moved around between regional health authorities and the Cancer Board and Alberta Health in the fashion that it can be now. The fact is that the current system has been full of holes, and I accept that. I think most Albertans would be shocked if they realized how widely their personal health information could be shared in the system now. But that's no defence to say that we can't do better, and my respectful submission is that that argument is not a persuasive one.

The other point I want to make has to do with a point I'd tried to make through the health information steering committee, and from the dissent I'd sent to the minister of health by a letter dated July 22, 1998, item 9, I'd just make one brief quote.

There appears to be considerable momentum in terms of codifying or restating in the new legislation existing information sharing practices permitted under the 20-plus health statutes. I think that is simply not good enough. Regardless of whether there has been widespread protest to those practices, the reality is that the vast majority of Albertans have precious little information or knowledge of what currently happens with their personally identifiable

information once they provide it to a professional in the context of a therapeutic relationship.

Now, I think I'm almost running out of time, Mr. Chairman, and I know there are others that want to continue. I'd just quickly say that when the Member for Bonnyville-Cold Lake said on page 2085 that "any exceptions to that position are specifically identified in the legislation," I strongly disagree. In fact, if I can find the other references here to some of the exceptions, you look at section 27 in particular, sections 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, and 45. All deal with the disclosure of individually identifying information, but what you'll find is that there is a whole raft of exceptions that don't require consent, and when I next get a chance, I want to go through those and talk about some of the problematic ones.

The point I was going to make is that there is a huge opportunity to disclose information. Section 34 requires disclosure; sections 35, 36, 37, 38, 39, 40 do not require consent. Thanks very much, Mr. Chairman.

THE CHAIRMAN: The hon. Member for Edmonton-Riverview.

MRS. SLOAN: Thank you, Mr. Chairman. I'm pleased to have the opportunity to rise again at committee to discuss Bill 40. I think that I quite aptly characterized my strong opposition to this bill in second reading, but I would like to just reinforce that opposition by pointing out several more points on the weaknesses of this bill.

One of the commitments that I recall the government made in the lead-up to introducing this legislation was that they were going to conduct public hearings, consultations of some sort. That didn't happen. I also noted that when the Privacy Commissioner last week released his response to the bill, one of the things he highlighted as a major issue with respect to the legislation was the fact that the Government of Alberta should explain to Albertans the implications of allowing their personal health information to be legislated in this manner.

Well, just this week at my home here in Edmonton we received through the mail this very pretty piece of advertising, and I was quite interested to have a look at this. It was circulated to Albertans by Alberta Health and Wellness, and this brochure goes through a variety of things, Mr. Chairman. It is titled Alberta's Health System: Where We Are Now. It talks about beds, health spending, more doctors, et cetera.

Now, the information is a bit selective. One of the things I noted was the fact that the government, in outlining health expenditures, quite craftily omitted including expenditures for '92-93, '93-94 and in fact started their graph at '95-96, attempting to demonstrate that health care spending is on the rise. Well, what we would see, Mr. Chairman, is that in fact the cuts that precipitated '95-96 actually caused a significant decline in spending, the result of which we are paying for daily in lengthy waiting lists and deterioration of morale and care in the system.

8:40

The most striking thing about this, Mr. Chairman – I'm sure that taxpayers coughed up thousands of dollars to distribute this brochure – is that there is not a stitch of information in this about Bill 40. Why is that? We have a bill on the table in this Legislature, and it is the most invasive piece of legislation certainly in this government's tenure. They spend money to put out an advertising marketing brochure, and there's not one mention of Bill 40 in that. Now, I did see tonight that we have some amendments that were brought forward as a result of the Information and Privacy Commissioner's recommendations, so the government has responded in part to that. But he said that you have to explain to Albertans the implications of sharing this information in this manner. They put out a brochure, and it's not even mentioned. How is that accountable?

Fortunately, in this province we do have an organization that is on the bit, and if we want to talk about standing and protecting the interests of individual citizens in our society, I think in this case, Mr. Chairman, the Alberta Medical Association has beat the government of Alberta to the punch. They have undertaken to explain to Albertans through a variety of mechanisms how serious this legislation is. They've utilized, I think, a very astute approach. Not only are they talking about their concerns about Bill 40, but they're actually educating the public about privacy, confidentiality, and utilizing the Canadian Medical Association's privacy code and the principles of that code for that purpose. Just for the record and for the education of members in this Assembly, the Canadian Medical Association's privacy code utilizes the following principles as their guide: the right of privacy, the special nature of health information, the constraints on purposes, knowledge and specification of purpose, accountability, consent, accurate recording, security, individual access, transparency and openness.

Now, I know that there is quite an extensive list of concerns and questions the Alberta Medical Association has put to the government on the bill, but let me summarize them in this way. They have asked why the health minister and health department should be able to demand patients' personal information from doctors and why the bill allows the health minister to share such information with cabinet colleagues. I recall asking that question in second reading, and I have not seen that there has been an answer. Health regions will have the same power to demand information on the same, sometimes vague purpose, including planning and internal management purposes. Again, that is not something that the government, the minister or associate minister of health have provided a rationale for or response to.

Mr. Clark's report also highlighted a concern, which the physicians share, that physicians and other record-keepers will have no power to refuse requests from the minister and will be able to refuse health regions' requests only when physical harm to someone might result. So invasive.

My main question tonight is: why has the government not undertaken to inform Albertans, to educate Albertans? Particularly when they clearly had a marketing plan in place and were planning to put a brochure out to households across this province, as I've outlined this evening. It's not there, and I think any government in good conscience would acknowledge the fact that they haven't done their homework in that respect and would respectfully pull the legislation until that kind of consultation and consent has been achieved.

I just wanted to talk for a moment about consent with respect to electronic means and the fact that Bill 40 does not require consent to record information electronically. I would refer the sponsoring member to section 59, the "duty to obtain consent before disclosing by electronic means." Now, Saskatchewan has in fact provided such a provision and allows for restrictions if the individual might not want information shared about a particular mental illness, medication use, HIV, et cetera. The question that I have about section 59 is: what if the individual is unconscious or in a position that they are not able to give consent? How is consent achieved, or is it achieved? Is it, then, that the physician is placed in a position of not only really having no power over that patient's information but is doubly compromised by having to determine through some process – and I'm not sure how that would be – that this person's information should be electronically available?

The section as it is currently written does not talk about what happens when the person is unable to give consent. As the hon. member probably knows, there are other processes that, should individuals need particular procedures or treatment, family members

can provide consent when care is required or is of a lifesaving nature. But if an individual had a brain injury, perhaps suffered from a stroke, had some type of complication and was thereby incapacitated, a person could be in that state for weeks.

This is the other thing that's not discussed: what the timing is for when the decision is made in the course of a patient's treatment that the information will be logged electronically. So if that particular patient's span of care does in fact go over the course of a number of weeks, when will that decision come into play, and who will make it?

With those thoughts, Mr. Chairman, I'm enjoying the discussion and debate and will look forward to it continuing. Thank you.

THE CHAIRMAN: The hon. Member for Calgary-Buffalo.

MR. DICKSON: Thanks very much, Mr. Chairman. I just want to finish responding to the comments by the member from Bonnyville. He then went and addressed the AMA advertising that we've seen, and I expect we'll see something again tomorrow. We may have an opinion poll or something that tells us what Albertans think about this issue. The focus was, particularly on page 2086, on the consent.

In fact, as my friend mentioned a moment ago, look at the consent section 59. Now, one of the disarming provisions in the bill is that it doesn't tell us exactly what's going to be in the consent. I suspect, and if you look at some of the supporting material, there will be single consent, and that single consent will cover use of the information for therapeutic purposes, for health management system purposes, for research purposes, and perhaps for other purposes. One of the difficulties is that we don't know exactly what it's going to look like. That's going to be dealt with in the way of regulation.

8:50

If you go back and look at the very long regulation provision, you see that section 108(1)(e) talks about what the electronic consent is going to look like. There's a very broad kind of power here. My suspicion is that under section 108(1)(e) what you may have is this kind of omnibus consent, and as the lawyers in the Assembly will know, the whole medical system in terms of surgical intervention is based on informed consent. One of the things that there is a whole body of jurisprudence built up about is that a very generic, general kind of authorization that doesn't in some fashion relate to the specific need is typically an ineffectual consent.

My concern is that at minimum – maybe the Member for Calgary-Lougheed can enlighten us on this – one would think there would be one consent for use for what we call therapeutic purposes in terms of obtaining medical treatment, because after all, that's what we give up information for. We don't typically give up information for research purposes or system management purposes. We give up information about us because we want a diagnosis and a treatment.

I would think what would make sense to me, and I just offer this as a suggestion, is that you have a consent for that and a very separate consent – maybe not five different consents – but you might have a very different, separate consent form that requires consent to have the information used for purposes of research, system management, whatever. The problem is that if you don't have separate consents, do you then run into a situation, Mr. Chairman, where somebody is effectively led to believe they don't get access to treatment unless you sign the consent? Unless you sign the full meal deal consent, will people apprehend that they won't get access to the services they require? Anyway, I do have that concern.

Now, let me move on to the Member for Calgary-Glenmore because he had a number of observations as well when he joined debate on November 29th. He started off, first of all, referencing

extensive consultations. Mr. Chairman, let me just quickly make the point there that there's been mention in this Assembly already that on March 17, 1998, the current Minister of Health and Wellness wrote this MLA and said:

Following the drafting of the health information protection legislation, we also plan to hold a limited number of public hearings throughout the province to discuss the next draft of the health information legislation prior to passing the legislation.

Now, I still haven't gotten an explanation in terms of what happened to that. We've had five focus groups. There's certainly been some stakeholder consultation, no question, and the Member for Calgary-Lougheed has had a number of meetings. I got invited to the last one a week before the House started, and I appreciated that, but the point is that there have not been those public hearings. So when the Member for Calgary-Glenmore makes that assertion, extensive consultations, to use his words, one might well ask: what happened to the consultation with the people who really count in this scheme, the 3 million Albertans who are going to be giving up health information for these myriad purposes?

Now, the Member for Calgary-Glenmore also addressed a pet issue of mine, and that is why we have a stand-alone statute instead of attempting to integrate it with freedom of information. Lest anybody thinks it's only one obnoxious opposition MLA who suggested that the FOIP act was the better vehicle – and indeed, that was part of the dissent I'd raised with the minister of health when I wrote him in my July 22, 1998, letter. In effect I suggested that perhaps the most major disagreement in the report is whether there should be separate, almost parallel statutes or whether health information could be, in some fashion, integrated into the . . . FOIP act.

The Member for Calgary-Glenmore took us through and offered some reasons why that couldn't be done, but you know, I find, with the greatest respect to our friend from Glenmore, he was no more persuasive in his comments at second reading than he was in the health information steering committee.

But I take some measure of comfort, Mr. Chairman, from the Calgary regional health authority. You know, when they looked at this, they made a submission on October 8, 1997. This was by the Calgary regional health authority, Elizabeth Denham, the very competent FOIP co-ordinator, longtime archivist, somebody with a great deal of expertise in information management areas. She made a presentation to Alberta Health, and I don't know whether the minister remembers or went back to look at it. This was one of the points they made:

The CRHA agrees with the need to achieve a balance between the individual's right to protect private health information and the need for access to such information by various groups . . . However, the CRHA seriously questions the need for separate legislation to protect health information since the existing Freedom of Information and Protection of Privacy Act also seeks to establish that balance. The FOIP act includes strong mechanisms, including penalties, to protect the privacy of individuals with respect to their personal information.

I could go on, but what the CRHA proposed in 1997 in response to Bill 30 was that you look at a regulatory scheme under FOIP to address the specific requirements of the health sector, look at some consequential amendments to some other statutes, and require each health authority to adopt a set of policies, administrative directives, and so on. It's useful reading, and I'm not sure whether the Member for Calgary-Lougheed has reviewed that, but the CRHA is the second-largest health organization in the province. They have some very competent people, so if members, Mr. Chairman, don't want to take my word for it – and I know many will not – one would think the Calgary regional health authority may have some persuasive value.

The other point is that the Member for Calgary-Glenmore

addressed why the private sector wasn't included, and I just remind him, because he didn't mention this, Mr. Chairman, and it may be that it just wasn't fresh in his mind at the time he addressed it. I'll just read him a recommendation on page 25 from the health information steering committee, chaired ably by the Member for Calgary-Glenmore, I might add.

Health information collection, use, access and disclosure rules should apply to both the public and private sectors. Private sector entities that hold health information should be fully covered by the legislation to create a level playing field and ensure the individual's privacy is protected regardless of whether the custodian is a public or a private sector entity.

That, Mr. Chairman, was a unanimous recommendation from the steering committee. There wasn't a single dissent to it, and it's fair. Members can change their mind, but let's recognize that the member who is now telling us, well, we'll see in three years, and maybe it'll be covered and maybe it won't, but we'll talk about it in three years' time, recognized that there was a very strong and compelling argument. That was from not only a couple or three MLAs. You had Dr. Paul Greenwood, a very competent cardiac surgeon. We had just some excellent, excellent people representing the research community and regional health authorities. Dr. Lloyd Sutherland was one of those people, so, you know, let's give that recommendation some weight and some attention.

Now, the other thing I wanted to say in response to Calgary-Glenmore was that he made an explanation where ambulance drivers were not included and he talked about the Ambulance Services Act. I just want to remind everybody that I looked at the Ambulance Services Act, and what's abundantly clear is that there is not a scintilla of mention of privacy issues, confidentiality issues. Now, it may be that there's something in the regulation, but you know something, Mr. Chairman, I don't focus very much on regulations because here today, gone tomorrow. They can be changed too quickly.

Just before I run out of time, I also wanted to offer some observations. The Member for Bonnyville-Cold Lake – I neglected this, I know – may be sending me a note saying that I missed one of his key messages the other day. He scoffed, effectively, at the suggestion that health information would be misused.

9:00

Let me remind him of two things very recent. The first one: we had a case where the Workers' Compensation Board was the subject of a ruling in July 1998 by the Privacy Commissioner. He issued a report outlining concerns about how the Workers' Compensation Board collected and used individually identifiable health information about claimant workers. Well, what happened was that if you were making a WCB claim, WCB would say, "We're going to check with your physician," and the doctor in some cases would send over the whole file. So you may have sprained your ankle, but you've got a file that details mental health issues, whether you'd had a hysterectomy, all kinds of things that have nothing to do with the sprained ankle. So you have that problem.

You also have the situation with Alberta Health. The minister of health is here, and he would have us believe that he's going to be anxious to protect our privacy in terms of our health information. It was that very same department that in fact had been misusing and abusing social insurance numbers. In fact, it was only when a complaint went to the Privacy Commissioner in December of 1998 – a hearing was going to happen in January of 1999. It was simply on the eve of that particular hearing that Alberta Health then decided that they would comply with the recommendation from the Privacy Commissioner and stop collecting social insurance numbers. So I encourage people to look at case 1492. December 18, 1998, was when the decision came from the Privacy Commissioner.

We have evidence in these two cases just in the last year that shows that when Alberta Health or the WCB had responsibility to protect patient information, they haven't really done a very good job. We're not talking about unauthorized use; we're talking about systemic use of information that's inappropriate. Whether or not there's legal authority, it was the conventional practice. It's not good enough, and that continues to be a real problem.

I know there are members who are anxious to move on to some other important things this evening, but I just did want to say that we have ample evidence of issues, concerns, and problems around that. I wanted to make those observations. I expect that the Government House Leader or acting House leader may want to make an application to you momentarily, so I was going to wind up my comments. On the other hand, I could go a little longer, Mr. Chairman.

The concerns, as we go through the elements of the bill, have not been satisfactorily allayed by the commentary by Calgary-Glenmore and Bonnyville-Cold Lake and Calgary-Lougheed. Those concerns continue. I think we're going to have to see some significant movement there.

There was another concern I might make about Calgary-Glenmore. The observation was made the other evening by Calgary-Glenmore:

Bill 40 ensures that the minister, department, regional health authorities, Alberta Cancer Board, and the Alberta Mental Health Board can compel individually identifying health information from custodians within the geographic areas for which they are responsible.

Mr. Chairman, it's my submission that there's nothing in the act that limits the appropriateness of custodians in any geographic sense at all. In fact, that may well be an intention. It may be a policy or a plan, but to be perfectly clear, I can't find it anywhere in the bill, so I'd ask the Member for Calgary-Lougheed to point that out if it's there. My aging eyes have not been able to spot that provision because there isn't that kind of geographic provision.

It does raise the question that if the Member for Calgary-Glenmore appreciates that it's not appropriate for somebody in Lakeland to be accessing a Calgarian's health information, why is that not restricted in the act? You've got 17 health regions. Why should somebody in Drumheller-Chinook be accessing health information about somebody in Lac La Biche-St. Paul or Edmonton-Manning? If there's some basis for that assertion by the Member for Calgary-Glenmore, I hope we'll hear that information before long.

I see we may be ready to move on to the next item, so I'll take my seat for a moment, Mr. Chairman. Thank you.

THE CHAIRMAN: The hon. Member for Calgary-Mountain View.

MR. HLADY: Thank you, Mr. Chairman. You know, part of me would actually like to adjourn session at this time, but in actuality I will just ask to adjourn debate on Bill 40.

Thank you.

THE CHAIRMAN: The hon. Member for Calgary-Mountain View has moved that we adjourn debate on Bill 40. All those in support of this motion please say aye.

HON. MEMBERS: Aye.

THE CHAIRMAN: Those opposed please say no. Carried.  
The hon. Deputy Government House Leader.

MR. ZWOZDESKY: Thank you, Mr. Chairman. I would move that the Committee of the Whole now rise and report progress.

[Motion carried]

[The Deputy Speaker in the chair]

THE DEPUTY SPEAKER: The hon. Member for Calgary-Egmont.

MR. HERARD: Thank you, Mr. Speaker. The Committee of the Whole has had under consideration a certain bill and reports progress on Bill 40. 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: Does the Assembly concur in this report?

HON. MEMBERS: Agreed.

THE DEPUTY SPEAKER: Opposed? So ordered.

head: Committee of Supply

[Mr. Tannas in the chair]

head: Supplementary Estimates 1999-2000  
General Revenue Fund

THE CHAIRMAN: It's the chair's understanding that an agreement has been reached between the House leaders of the two parties present. Just so that we all understand how we're going to do it, Calgary-Buffalo, if you'd elucidate.

AN HON. MEMBER: Is that hallucinate?

MR. DICKSON: We may be doing that too, Mr. Chairman.

What I'd do is just spend a moment and outline what I understand the arrangements have been between the House leaders. We have some seven departments tonight that have estimates that are going to be reviewed. I understand we're going to start with Learning, and we appreciate the courtesy of the Minister of Learning in adjusting his schedule. Once we've finished Learning, we will go to Environment, Gaming, Health and Wellness, Infrastructure, International and Intergovernmental Relations, and Municipal Affairs, in that order.

9:10

As I understand it, we've decided to not vote the estimates individually, but there is a cutoff tonight, and we will vote all the estimates at the end of the evening. Rather than blocking time, the opposition will manage its time to ensure that we have some time for each of the departments rather than setting arbitrary times. This allows us the flexibility to move with who's got questions and who doesn't. We're going to work our way through the departments, and hopefully by the cutoff time at 11:45 we will have given those members that were keen and interested – I expect that the ministers would have the usual opportunity to make observations at the outset and then respond to questions.

So that's my understanding of the arrangements between the House leaders.

THE CHAIRMAN: Hon. Deputy Government House Leader, do you concur in this?

MR. ZWOZDESKY: Yes, that is acceptable. That is as we've discussed, and we're prepared to go along those lines. Thank you.

THE CHAIRMAN: So we all know the rules then?

## Learning

THE CHAIRMAN: We'd call upon the hon. Minister of Learning to begin with any comments.

DR. OBERG: Thank you very much, Mr. Chairman. Today we are discussing the supplementary estimates for the Department of Learning. A total of \$172,640,000 is requested today. I'll very briefly go over what that money is for.

First of all, Mr. Chairman, there is \$38 million in that number for the infrastructure rehabilitation envelope. This is an envelope that goes to the postsecondary institutions for rehabilitation of their infrastructure. The \$38 million is divided among the postsecondary institutions on the basis of two things: first of all, on the basis of the age of their building, which is 50 percent of the formula; the other 50 percent of the formula is the square footage of the total campus. This resulted in the U of A getting roughly \$13 million, the U of C roughly \$6 million, and on down from there. The important thing I must say on this is that this was the formula that was agreed to by the postsecondary institutions for the last three years. So this \$38 million was in essence put into the same formula that had been in place for the infrastructure rehabilitation envelope for the last three years.

There are two other components to this. The first one is \$151 million, which was given to the school boards. The only request on this \$151 million is that the school boards must eliminate any deficit they have. The remaining dollars can be used as the school boards see fit. We have put in a request that there must not be any ongoing operational funding, because as you're fully aware, Mr. Chairman, this is onetime money, and we're not sure if it will be there next year.

So far what has happened with this money is that it has been used obviously for the deficit pay-down, but it has also been used for things such as band uniforms. Christ the Redeemer school district, for example, spent \$93,000, \$94,000 on band uniforms. It has also been used for infrastructure repairs and painting of buildings. It has been used for computer equipment. So, Mr. Chairman, it's a wide range of funding that is available to the school boards. To date I have approved, I believe, six or seven school boards' plans on how to spend this money.

Mr. Chairman, there's one other component to the supplementary estimates. That is \$16,360,000, which is a decrease. The reason for this decrease is that our initial budget plan was for an enrolment increase of 2 percent; in reality it ended up being 1.77 percent.

So, Mr. Chairman, that is what the money is to be used for, and that is what it is being used for. Again, I'd be more than happy to answer any questions. Any questions that I cannot answer tonight or do not have time to answer I will endeavour to get the answers to the hon. members in writing.

Thank you.

[Mr. Herard in the chair]

THE ACTING CHAIRMAN: The hon. Member for Edmonton-Mill Woods.

DR. MASSEY: Thank you, Mr. Chairman, and thank you to the minister for the explanation. I have some questions about the supplementary estimates. I guess my first question is: how was the \$151 million determined to be an appropriate sum? What were the figures that were put in to determining that that was the correct amount in terms of debt?

I think there is still some confusion about that money. I've been

around the province, and there are still boards that think it must be spent on debt. There are other boards that say: no, it doesn't have to be spent on debt. The minister tried to address it at the ASBA convention, but there's still that confusion. I'm not sure how it can be resolved, but it seems to me that something has to be done to make it clear, otherwise the school districts are going to be making some proposals that I assume won't be acceptable. So the \$151 million: how was it determined, and how can it be used by boards?

Behind the question is: does the department know how much debt is out there? I suspect, again from talking to some individual schools, that with site-based management there is a lot of debt that has been incurred by individual schools that has not been part of the department's calculations. The other side of that is that even with the debt reduction money, some of that debt is going to remain, and boards are going to be doing other things. I think, you know, that there's a real need for clarity, because I know some examples from the southern part of the province where that's what's happening. So a good handle on how much debt is out there.

How much money has the department approved in school board loans? A number of boards are making loans for a variety of purposes. How much debt has the department approved in terms of school boards and the things that they're doing? Coming out of that, I guess is: has there been a projection of how much debt boards will be carrying by the end of the next fiscal period?

Again, if I listen to school boards and to schools, there is still debt being accumulated, and at the end of the year some of the boards are still going to be in a deficit position even though there's been a \$151 million infusion of funds. Are there projections – and I assume there are – in terms of how many boards will be in debt? Is that information being factored in, for instance, for the grants for next year or the budgets for next year. Will the only money being included in the spring budget be the money that was announced last budget, the \$600 million over a three-year period, or will there be additional dollars?

A related question: what is the link now between Learning and the Department of Infrastructure in terms of school buildings and building repairs? I notice that the Infrastructure money remained in the Department of Learning for advanced education, yet school facilities now appear in the Infrastructure department. Is there going to be a move of the postsecondary institutions into the Department of Infrastructure in the future, or will they remain there? Given the links between programs and facilities, what is the link between Learning and the Infrastructure department? The worry out there, of course, is that now programs will be put in place, yet school facilities in the Infrastructure department will take second place to highways and bridges and will have a different set of priorities. So what is the link?

9:20

I guess related to that infrastructure – and I realize it has been moved, but it still, I think, is going to linger as a problem with Learning for some time until it gets all shopped out – is the whole business of the utilization formula. The utilization formula has probably caused many, many, many millions of hours of work on behalf of school boards and schools and parents. It's a formula that pits neighbourhood against neighbourhood, and it's a formula that pits community against community. Has any consideration been given to abandoning it, because it really is a mechanism for controlling costs, and just saying, "We're only going to spend \$140 million on infrastructure, and here it is, and when it's spent, that's the limit," rather than these constant machinations with utilization and the agony that it's causing communities, urban and rural, across the province as schools lose enrollment. I just wonder if there has

been any consideration to scrapping it all together and taking a fresh, new look at financing buildings and restoration and saying: look; let's try to not have a policy that results in the kind of misery that this one seems to incur in communities.

There's a growing building repairs and lack of new construction problem. It was addressed by the Member for Innisfail-Sylvan Lake in their committee, and at that time – and I'm just guessing at the figure – I think they used the figure of a \$700 million backlog. I know that since that time there has been another audit undertaken of building space, and they all seem to be going back to this utilization thing and the department trying to micromanage the space from Edmonton. Again, I wonder when we will get the results of the audit. What's going to be the policy that falls out of it? Will it be anything other than new pressure on utilization?

I don't think there's anything that can get parents angrier faster than a discussion of utilization rates in their building, especially if they're losing students and their neighbours want a new school. So I wonder what's happened with that audit. Will there be, as I think the Auditor General suggested, a long-term plan for school construction and rehabilitation put in place?

The Minister of Infrastructure has asked for a 10-year plan. I'm not sure that's possible given what happens to populations in the province, even within communities, but the assurance is needed that there is some plan that says: this is how we're going to take care of the backlog, and this is how we're going to address new construction when it's needed, and this is how we're going to keep our buildings repaired. It's not just for the K to 12 system. It's also for the postsecondary system.

I was reading in the Auditor General's report that in 1997 he identified a \$362 million backlog of deferred maintenance alone in postsecondary institutions and referred to even just the health and safety concerns that not addressing that backlog raised in those institutions. Again, I think what he was asking for and what institutions need is some sort of long-term plan that says: this is how we're going to fix up the past, and this is how we're going to try to address the problems in the future as best can be determined.

It leads me to the question about the \$38 million that was announced for postsecondary institutions. The minister indicated that they used the same formula they'd used in the past to distribute the \$38 million, but my question is: were the institutions involved in determining that \$38 million was enough? So I would like to know what reasoning went behind determining that.

I put that \$38 million against information out of the University of Calgary that there were some very severe infrastructure problems there that threatened the quality and even the ability of the university to offer programs in some areas. So I think it's imperative that we have some of the reasoning, some of the planning that the Department of Learning is going to be undertaking to address those kinds of problems.

The money, obviously, in the vote has our full support. Schools are underfunded. I know that's not a popular thing to say, but they are, and most of them are still playing catch-up from the cuts of '93-'94. They were locked in to a set of costs – teacher increments in terms of salaries, cost of living increases, inflation – and they've never been able to catch up. It's hit particularly hard those school districts that were poor in the first place. They've had a really very difficult time. So we welcome the money, are disappointed that it's not more, but we'll certainly support what the minister has proposed.

Thanks, Mr. Chairman.

THE ACTING CHAIRMAN: The minister wanted to reply?



DR. OBERG: I can answer his questions now.

THE ACTING CHAIRMAN: The hon. minister.

DR. OBERG: Thanks. Perhaps some of my answers will coincide with questions that the other hon. members will be asking. I'll try and go through these quite quickly, Mr. Chairman.

First of all, how was the \$151 million deemed appropriate? That's very similar to the last question the hon. member asked, which was: how do they know that \$38 million is enough? Mr. Chairman, what happened is that, obviously, we sat down with a closed pot of money and decided where the dollars should be allocated. The \$151 million was very roughly established by the Calgary public school board having roughly \$31 million, \$32 million in debt. What then occurred was that we realized we could not penalize the other school boards for good management, and that money was prorated into a per student grant and put across the province.

The second question was the confusion about the money, how it is to be used, and Mr. Chairman, there certainly is that confusion out there. The confusion, to the hon. member through the chair, is not about it being used for debt or deficit, because that is a given and that is what must occur. Where the confusion is is whether or not it would be used for infrastructure and infrastructure alone.

I have made it perfectly clear that this can be used for elements, for concerns, for priorities other than infrastructure. We would like it to be used for infrastructure, because there is an infrastructure shortage out there. However, that decision is up to the school boards and where they want it. I must stress, again, that the only condition on this is that, first and foremost, it must be used to eliminate their debt and deficit.

The third question was: does the department know the deficit and debt? The answer is yes. Mr. Chairman, what happens is that the schools – and probably Edmonton is a very good example. We have used the absolute deficit and debt of the school board region, of the actual region. Within that region, through site-based management, the school board has some schools that have a surplus and some schools that have a deficit. What they've chosen to do is allocate money on a per student basis to all the schools at the same rate. So the schools that have the surplus are rewarded for being good budgetary managers, and the schools that have the deficits also get those dollars.

9:30

What happens, Mr. Chairman, is that the money used to go out to the schools on the site-based management in some cases does not completely clear up the deficit or debt in that particular school, but what happens is, that is a paper deficit or debt. It is owed to the school board. The school board does not owe money. The school board's slate is wiped clean. The school's slate is not wiped clean, as it owes money to the school board. What is the important factor in the deficit and debt, obviously, is the interest payments these people are paying, and this money will wipe that part of the equation clean.

The debt remaining. In essence the debt will be eliminated. There may be a little debt. There's a problem in Calgary with a surplus, some of the surpluses that schools have versus the debt they have, but according to our figures it should all even out.

Mr. Chairman, the next question is: how much money is approved for loans? What happened is that under the legislation the school boards have the ability to take out a line of credit equivalent to their accounts receivable, so up until this last September they could take up to three months of their actual payments in a rotating line of credit. What some school boards did: at the end of the year they had

this rotating line of credit that carried over and they amortized that over three or five years, and that was subsequently where their debt came from, where their deficit came from.

In going to monthly payments, what we have done is eliminate the ability of the school boards to take out that rotating line of credit. So now instead of Calgary, for example, which could do it to the tune of about \$25 million, Calgary can now only do it to the tune of \$7 million or \$8 million, because it is only one month's accounts receivable under the legislation that they can take the rotating line of credit on.

The next question was whether or not there will be more money coming next year, or is it factored into the grants? The short answer to that one is we'll have to wait for the budget and see what happens.

Are there any additional dollars? Again, we'll wait for next year's budget and see what happens.

The link between Learning and Infrastructure. Mr. Chairman, in answering this question, I'll answer for probably the next three or four questions that the hon. member has asked. First of all, when it comes to building repairs, when it comes to the utilization formula, when it comes to building those schools, that is now under the Department of Infrastructure, so I do not have any ability to change that. That is not under my purview. It's not under my mandate. It's under the Department of Infrastructure. In saying that, though, there does have to be a very intimate link between the Department of Infrastructure and the Department of Learning. There's not a link when it comes to money. For example, the money is not in my department, but what my department will say is, "We need a new school here," in wherever, in northwest or northeast Calgary or Podunk Corners. What will then happen is that my department will talk to the Infrastructure department and say, "This is a priority the way we see populations, the way we see the learning needs." It is then up to the Infrastructure department to make that priority a reality.

The money for the infrastructure in advanced ed. I believe the question was about how much is needed and where was that money brought from. Mr. Chairman, \$38 million, again, as I said, was the amount of money we have talked to the institutions about and labeled as a minimum amount that we could use to get by for the rehabilitation projects that were out there. Again, this formula was established with the university, with the postsecondary institutions, three years ago, and yes, they did have input into that. It was one that we had the ability to change in the allocation this year, but we chose not to. We chose to keep it with exactly the same funding. There may be some changes next year in the formula. I personally think we have to bring in access, we have to bring in a number of new spaces, things like this.

The other question was: the infrastructure money for postsecondary education, does it remain in my department or does it go to Infrastructure? Mr. Chairman, that question is still up for debate. That is something the Government Reorganization Secretariat is taking a look at at this moment, and that has not been fully decided, where those dollars will end up.

I believe, Mr. Chairman, that those are the questions so far. Thank you.

THE ACTING CHAIRMAN: The hon. Member for Edmonton-Centre.

MS BLAKEMAN: Thanks very much. I'm pleased to have this opportunity to speak to supplementary supply under the Department of Learning. I'd like to make just a few brief comments. To start with, I'm very aware of the time pressures I am under this evening, being as we are trying to get through debate, I think, on seven

different departments. I have to say that given the changes that have been brought forward, additional expenditures under this supplementary supply that amount to almost 9 percent above and beyond the budget that was passed a mere six months ago, I really feel there should have been more than two evenings of debate spent on this. I'm very conscious of not being able to consult with my constituents around these expenditures as much as I am used to doing, and I feel that this is being rushed through and is a disservice to Albertans in that they have not had an opportunity to give feedback.

Having said that, let me move on. As the minister is aware, I have been meeting with the ACTISEC group particularly because I have Grant MacEwan Community College in my constituency. I also have a large number of students who live in my riding, those students attending the University of Alberta, Grant MacEwan, NAIT, and AVC. So advanced education is of great interest to me. I'm wondering, as I look at the supplementary supply, why the choices were made, why the priorities were set to obviously highlight what is in here. There doesn't seem to have been any consideration – but I can't tell what went on behind closed doors – in deciding that the money would be spent here rather than with any kind of consideration for the tuition fee crisis that's being experienced in the postsecondary institutions. There's \$38 million going to infrastructure, and that's obviously a priority that's been selected. I'm interested in what the discussion was that would make the decision that tuition was not going to be considered in this go-round.

Related to that, I understand the minister has agreed to work with a student group on a tuition study. I'm sorry, I don't have the information with me to remind me whether it was the U of A or the U of C, but I understand that . . . More. Bigger. Everybody. It's a joint study. Okay. Thank you very much. So it's actually a larger study involving more of the postsecondary institutions and colleges in Alberta. I'm wondering if this study is going to be looking at decisions made by high school students regarding postsecondary education. I'm getting a nod. That's good. Because one of the things I've been made aware of is how the high tuition costs scare off high school students, and they make a decision while still in high school, perhaps, even grade 10 or grade 11, never mind grade 12, that they can't afford to go there and choose another route, which may not be appropriate for the individual, and secondarily, the idea of a large loan can frighten them off.

My colleagues have spoken a lot in the Chamber about, you know, debt loads of \$20,000 and more graduating from university. I think it was the minister that was announcing that a student would end up with no more than \$20,000 for four years of education. I still find that a staggering amount of money, to be graduating with that kind of debt load. How does one even begin to contemplate starting a family or buying a house or participating as an entrepreneur in a small business venture? I mean, that's a staggering amount of money. So I would like the specifics on what the study is to include, and I'd also be interested in when it is expected to be released.

The other thing. As I've been poring over the restated Budget '99 government and ministry plans, I'm wondering whether in the restating the minister considered the Auditor General's recommendations, particularly as regards the consolidating of the school jurisdictions' audited financial statements in the consolidated financial statements for the government. That is a repeated recommendation from the Auditor General.

**9:40**

I'm also noting the recommendation that the Department of Learning conduct a comprehensive review of all significant legislative, business and financial risks to improve the effectiveness of its monitoring of school jurisdictions

and whether the minister was able to incorporate recommendation 23 to

ensure that each charter school's charter contain measurable outcomes so that there is a base from which to measure and evaluate the charter school's results against its mandate.

And finally, recommendation 24:

It is again recommended that the Department of Learning work with school jurisdictions to improve the accuracy of the financial reporting of special needs expenses by school jurisdictions.

I think the concern there is that it is more expensive than is being reflected. Certainly in my experience with my schools it's because they're subsidizing it out of whatever other money can be found, because they just can't deliver those services to children once they already have them. There's been a lot of debate here already about there not being funding for mild and moderate special-needs children, just the highly needy special-needs. That is an ongoing concern in the schools in Edmonton-Centre. On behalf of the principals and teachers there, I do bring that forward.

Finally, I note – I guess it's a comment – that I've recently heard government members speaking about more autonomy, local decision-making, along those kinds of lines. But I'm struggling to figure out how onetime funding is not the epitome of absolute control over decision-making at a local level. You know: you get it or you don't; you can only use it for this. I would say that was fairly heavy control on what the range of possibilities is for a school board or for an individual school to choose from. They can't choose. Take the money; don't take the money. This is it; take it or leave it. To me that is an absolute form of control. I'm just wondering how that is justified.

I can sense the agitation from my colleagues, given that we have still another six whole departments and millions and millions of dollars to attempt to scrutinize this evening, so I will cut my remarks short and take my seat. Oh, this is frustrating.

**THE ACTING CHAIRMAN:** The hon. minister.

**DR. OBERG:** Thank you very much. I'll very quickly go through some of the questions the hon. member has raised. First of all, the question: why didn't we put the \$38 million into tuition? The answer to that is: because it's onetime funding, we did not want to get into the operational side of things, as I stated before. For much the same reason as the \$151 million is onetime funding, the \$38 million is as well. We could not tie ourselves into something like tuition, which would be an ongoing cost, with the onetime dollars.

Just as a point of interest, Mr. Chairman, the hon. member spoke of Grant MacEwan. The average tuition at Grant MacEwan college is \$1,900 per year, and that's for university transfer. That's for the whole course load. So \$1,900 is the average at Grant MacEwan.

Mr. Chairman, the hon. member asked me about the tuition study. As I sort of parleyed back and forth, it is a larger study with all the universities and some of the colleges taking part. The role and the rationale behind this study is that I was hearing exactly the same thing the hon. member was hearing, that tuition fees were causing a problem with high school students. I wanted to make sure, as did the university students, whether or not this was a sort of urban myth or was actually a fact that was happening. If it was a fact that was happening, then it's something we've got to look at, whether it's through education, whether it's through telling them about the Students Finance Board, or whether it's through increasing their knowledge about remission. But quite frankly, Mr. Chairman, we're at ground zero when it comes to information. Both the university students and the college students, as well as us, need the information to be able to determine what the best way is to proceed.

Mr. Chairman, the consolidation of the postsecondary statements. We have problems with bringing that into the government books,

because at the moment we only fund between 45 and 50 percent of the postsecondary institutions' money. The rest of the money comes from things such as tuition. It comes from things such as other businesses, things like that. So that's the reason why it doesn't go in there.

Charter schools. Yes, there is accountability. The accountability is two ways. First of all, if the charter is drawn up under a school board, they are held to the same accountability factors as a school board. If it is drawn up under the minister – and presently there are eight charters under the minister – the accountability is directly to the minister through a series of accountability factors.

The other question was about more autonomy on the decision-making. Mr. Chairman, with the \$151 million the school boards have the ultimate autonomy on how that can be used. The only condition I have put on it is that it must be used for deficit and I must okay it, because quite frankly I have to make sure it isn't going into operational programs that will require ongoing funding. As I have already alluded to, I have approved things such as band uniforms, \$90,000 for band uniforms. I have approved things such as computers, upgrades on buildings, and everything in between. So the \$151 million is probably the most autonomy this department has given school boards in the last 10 or 15 years. It's been something that has been very successful.

Very briefly on the student loans, \$20,000 after a four-year program. Mr. Chairman, I guess we can get into a philosophical argument about that, but that \$20,000 is still roughly 10 or 11 percent of what it actually costs to go to school. The taxpayer is picking up the other 90 percent of those dollars.

Mr. Chairman, with that I believe I've answered the majority of them. I will certainly endeavour to look through the *Hansard*. If there are any questions I've missed, we'll get the answers back to you in writing, if that's all right.

THE ACTING CHAIRMAN: Hon. members, seeing no further questioners, we'll now move on.

## Environment

THE ACTING CHAIRMAN: The hon. Minister of Environment.

MR. MAR: Thank you, Mr. Chairman. I'm pleased to present the supplementary estimates for Alberta Environment. Having regard for the number of departments we are trying to get through this evening, I will review *Hansard* at the conclusion of my comments and prepare written replies to members who wish to have questions answered so that we might move things along as quickly as we can.

Every one of these expenditures, Mr. Chairman, speaks to how seriously my department takes its mission: "As proud stewards of Alberta's renewable natural resources, we will protect, enhance and sustain our environment through wise management." Renewable natural resources include our soil, water, and forests, and we see the range of that responsibility in items I bring before you today: preparing to reclaim waste plant sites, upgrading water projects, fighting insect infestations, and suppressing forest fires. Of course, wise management also includes fiscal prudence, and my department has been diligent in managing its resources carefully and accountably.

When this government sold the Swan Hills treatment centre to Bovar, we kept the responsibility as the plant developers to reclaim the site when it eventually shuts down. We kept responsibility for hazardous waste transfer facilities in Nisku. Those responsibilities were transferred to Alberta Environment. When Alberta built the Swan Hills facility, we also planned for the day that it would be shut

down. Our best estimate at the time was \$42 million. So far we've put aside just over \$10 million of that.

However, Mr. Chairman, new technologies led us to seek a new estimate which came back with a cost of \$21 million, just half the previous amount. We already have almost half of that. The remaining \$10.75 million will be amortized over 18 years at an annual cost of \$597,000. This amount is in my supplementary estimates for this year because we did not make the decision to accept the new payment plan until after the budget had originally been set. Next year and in subsequent years it will be part of my department's operating budget.

9:50

Another addition to my operating budget next year as part of my supplementary estimates today is \$303,000 for administration of monitoring specialized disposal cells for treated residue from the Swan Hills facility and preparing the Nisku storage site for sale. The Nisku facilities have been completely cleaned and reclaimed, and that means we can consider selling the site for industrial use.

My department is also responsible for \$4.3 billion worth of water infrastructure, including canals, dams, and pumping stations, flood and erosion control structures and habitat protection. My estimates call for just \$8 million, less than two-tenths of that total value, to rehabilitate, upgrade, or replace 15 small projects that will improve the safety or structure of critical water management components. For example, Mr. Chairman, those projects would add a berm to the North Ridge dam to improve safety, repair a canal that provides domestic water to Girouxville and Falher, replace water control instrumentation in dams and other water management structures, and develop a management program for Environment's infrastructure. I look for the funds from the \$600 million that this government has committed to infrastructure this fall.

After talking about water, I turn my attention to drought: 1998 was unusually dry, making it the worst fire year on record and setting the stage for another kind of forest menace, insects. Spruce budworms munched their way through almost 120,000 hectares, defoliating an area more than twice as big as in 1997. I have no option, Mr. Chairman. By law my department must manage and restrict infestations in Alberta's green area, which also inhibits their spread outside the protected area. To do that, we must spray, and because the spray area this year is determined by last year's outbreak, the cost is higher. On top of that, a mountain pine beetle infestation in British Columbia is threatening Alberta. I already have reports of possible beetle-killed trees in Waterton national park. Additional surveys will identify the extent of the problem. This increased spraying and pine beetle monitoring together are costing \$3.3 million more than budgeted.

The dry conditions of 1998 persisted in 1999, sparking over 1,300 fires and making this year the second worst fire season ever. The fire-fighting bill is estimated at \$184 million, which is less than the \$239 million spent in 1998 but still almost four times the amount of my \$50 million budget. That is why I'm here for \$134 million in supplementary funding for forest fires. I do not make an apology for these expenditures. This province has a policy of aggressive fire suppression and with good reason. Aggressive initial action kept 83 percent of our fires to four hectares or less, and almost half of these were kept to just one-tenth of a hectare. Given our dry conditions, it would have only taken a shift in the wind or fewer resources for any of these small fires to burn out of control and threaten lives and/or property.

My department continues to look for efficiencies, but the bottom line is that the cost depends on the fire conditions and, more importantly, the weather. The only way we can lower our fire-

fighting costs is to let the fires burn, and I do not believe anyone here wants to see our forest industry or our forests go up in smoke.

Mr. Chairman, that sums up my supplementary estimates. Thank you very much.

**THE ACTING CHAIRMAN:** The hon. Member for Edmonton-Ellerslie.

**MS CARLSON:** Thank you, Mr. Chairman. I'm happy to speak to the supplementary estimates this evening on Environment. Like some of my colleagues before me, my remarks are going to have to be quite short in nature because there are still . . . [interjections] I know; you're very disappointed. Unfortunately, there are another five departments to be discussed this evening after mine is discussed, and that doesn't give us very much time to talk about the money that's being spent here and in some cases the money that isn't being spent.

First of all, Mr. Chairman, I would like to ask why the Minister of Environment wouldn't have decided to be environmentally friendly when the government was putting forward these restated ministry and business plans. When I take a look through this big booklet, 350-plus pages, I see that there are very few changes in this revised booklet from the original document that we saw in the spring. I'm wondering why the Minister of Environment isn't teaching his government to better manage the resources at their disposal and why we just didn't have an errata sheet for the changes that came forward in this budget. I take Environment for an example. There are 13 additional pages in the revised government and ministry business plans and it looks to me that 12 of those 13 pages had absolutely no change to them from the original document in the spring. So it's a complete waste of paper, a complete waste of time and all the associated costs with reproducing all these documents.

It's a small step, Mr. Chairman, but it's a responsible step in terms of following the three Rs in this province which we teach schoolchildren and which schoolchildren do very well. Too bad this government isn't prepared to lead by example. I expect that when the minister provides his written answers – and I'm quite happy that is the manner in which he will be answering the questions this evening – he will address that issue and tell me how he expects to rectify this in the future.

In terms of his comments about "\$900,000 for site decommissioning and monitoring expenses relating to the Special Waste Treatment System," Mr. Chairman, I'm not going to say too much about that other than it was a really dumb deal in the first place, and it continues to be a foolish expenditure of government money. They made the commitment, they're honoring that commitment, but they certainly wasted taxpayers' money in the process of doing that. Certainly we feel that they had options other than the ones they took.

In terms of the dollars being spent for the small water infrastructure projects, we would like to know where they are, specifically what they are doing in terms of that replacement, and who is currently operating the projects that are going to be given additional funds.

In terms of the money to control the outbreak of spruce budworm and to provide for the monitoring of mountain pine beetle infestations, of course it's a part of his responsibilities to stop those infestations and do whatever he can to prevent them. We certainly see that, but I'm wondering why, when these kinds of infestations happen on a regular basis – certainly Dutch elm disease has been in this province as long as I have been elected – there's no sort of contingency fund built into the operating budgets for this kind of thing. That would seem to be a proactive way to handle this problem. I'm certain that if they took a look at the dollars that were

spent over the last 10 or 15 years, they could come up with a reasonable amount of money they could budget for in terms of ensuring that there's a contingency in place so they're not only prepared to act in a responsible and quick fashion to these sorts of problems but also showing leadership to the community at large when they're doing so.

Now, the fire-fighting costs. Of course we support dollars spent on fire fighting in this province, and of course we support additional dollars, particularly when that ensures the safety of people working in that field, which is a very dangerous field, and the communities that are put under pressure by the fires when they occur. But what I would like the minister to address in this context, Mr. Chairman, is why the fire-fighting costs in this province are increasing. Why are we having more fires? What's happening out there in the environment that is causing these fires to increase in occurrence, in intensity, and in the largest areas? We know that the water table in Alberta, the lowering water tables in many areas, is a contributing factor to that. I would like the minister to give us a full and detailed explanation in terms of what he sees as all the contributing factors here so that information is public and some ideas that he may have in terms of where he's going with that.

I think that would be very positive, and I think a lot of people would like to review that. It's a progressive step, and we're certainly happy to work in a co-operative fashion in that regard. This is an increasingly serious issue in this province. Not only does it put people and critters at risk, but it puts a lot of our economic development in this province, productivity and ultimately tax dollars, at risk if they continue to increase in the manner in which they are.

I'd like to spend a moment talking about what isn't in the supplementary estimates, where the dollars aren't being spent. A lot of that is in terms of operating expenses. I was in Calgary last night talking to a number of people who work in environmental communities. They are increasingly concerned about things like the lack of field workers and field inspections and the stresses put on current environmental staff in terms of the increased workload that they've been facing over the last few years. Their question was: who's out there looking after things?

**10:00**

They believe there's too much pressure on the people that are out there now. They don't believe that as citizens they can take the full responsibility for watching what's happening out there, monitoring what's happening, and reporting what's happening out there to the minister. They feel quite concerned that we are understaffed in Environment at this stage and are wondering if this is going to be a continuing trend or if you're going to put more people out in the field? Is the shrinkage that's happened in this department permanent, or are you now going to take a look at it and re-evaluate it in terms of where there is some need and address that? So that's on the people side of it.

On the landscape and animal side of it we all have some concerns. The wildlife corridors are still a concern; we think more attention needs to be put there. The increasing pressure with industrial development, that that isn't going to be occurring in this province. So if you could talk about that a little bit.

Finishing special places: we're still not there. We'd like to see where he's going. We'd like to see adequate benchmarks particularly in the forest industry. Adequate means not just random woodlots but adequate spaces to allow for natural occurrences like fires and floods and bug infestations so that we do have some benchmarks by which we can monitor progress and natural growth in the province. So if he could address that question for me, I would appreciate it.

I don't want to take too much more time here, Mr. Chairman, but I do want the minister in his comments to tell me the differences between the restated budget and the original one we saw in March in terms of the 1999-2000 forecast. I see that on the revenue side – that's page 113 in the revised budget and 143 in the one that we saw in the spring. If we take a look at the 1999-2000 forecast numbers, we see that most of the revenue figures are up: transfers from government of Canada; investment income; and premiums, fees, and licences. Could he explain why those figures have increased while the revenue has decreased? We'd like to know why.

[Mr. Tannas in the chair]

Specifically on the expenses side, I am interested in the recreation and protected areas management. It sees a bit of a decrease as well as with land and forest management. If you could talk about that.

There is something strange happening in the environmental protection and enhancement fund line. In the spring budget the '99-2000 estimate was \$16,116,000. When we take a look at this fall's, it's \$151,316,000. I don't know what went on there, but if he could explain that. Any other differences in these budget figures that exceed 10 percent we would like some information on.

I see that in the restatements for the 2001-02 there are also a couple of decreases, particularly investment income. If he could tell us what that's all about and why at this time they're restating those figures?

Those are most of my concerns at this time. I do wish that I had more time to talk about some of the issues here, but given the fact many of my other colleagues want to speak, Mr. Chairman, I will stop and look forward to the minister's comments in writing.

THE CHAIRMAN: Are you ready to move on?

### Gaming

THE CHAIRMAN: I'd call upon the hon. Minister of Gaming.

MR. SMITH: Thank you so much, Mr. Chairman. We're moving \$109,031,000 worth of funds in supplementary appropriation; \$1.5 million is for the Gaming Research Institute, a three-year agreement which was announced last Friday.

Secondly, we're moving \$54,531,000 for lottery-funded programs. These include the community facility enhancement program, \$25 million; major fairs and exhibitions, \$2.66 million; Calgary Exhibition and Stampede and Edmonton Northlands, \$7.1 million each; Calgary Trade and Convention Centre, \$9 million; and other initiatives totaling \$3.671 million.

Mr. Chairman, we are also moving \$53 million in – what is an interesting term – financial assistance to the Alberta Gaming and Liquor Commission. Anything that's set out that way does need some explanation. It provides for lottery- and gaming-related operations of the Alberta Gaming and Liquor Commission, which includes lottery services, enforcement inspection, revenue collection administration, and Alberta's share of Western Canada Lottery Corporation costs. The actual budget is \$70 million; however, \$17 million was moved in a previous order in council.

Mr. Chairman, we're doing this because all funds from the Alberta Gaming and Liquor Commission as well as those that come from the markup on alcohol and associated liquor products are delivered either to the Alberta lottery fund or to general revenue, so therefore there is a charge back for operating. That explains this small, four-line entry into the 1999-2000 supplementary estimates for the general revenue fund.

THE CHAIRMAN: The hon. Member for Edmonton-Centre.

MS BLAKEMAN: Thanks very much, Mr. Chairman. Once again, I express my frustration at being rushed through these seven departments this evening, and being aware of still – what? – five more to go, I will restrict my remarks as much as I can.

In this restatement included in the supplementary supplies for the general revenue fund around the Department of Gaming – certainly the minister has already explained that this is in fact just transferring money that's already been voted in approval because of the creation of the new Gaming department. He of course needs authority to disburse these funds under him instead of where they were before. But I do still note under the disbursement and control of the lottery fund, that being one of the mandates that is stated in the restated government and ministry business plans, to disburse provincial lottery revenues – once again I harken back to the gaming summit in which, having been a witness to this, people were very clear in stating two things: one, they did not believe that lottery money should be used to fund core services; and two, they wanted to see where the lottery money came from and where it went.

I think that the government, in accomplishing its version of one of those goals, negated the second goal. I note that of the programs that are funded out of the lottery fund, which used to be under economic development and is now under Gaming, a number of existing programs in a large number of departments – I think 14 different departments – were in fact transferred to be paid for out of lottery funds. Now, these were ongoing, existing programs that were transferred for payment out of this, core programs, I would say. If they are in fact core programs and require ongoing funding, then why are they being paid for out of lottery funds?

Secondly, the issue of using onetime funding as a control mechanism. When communities or organizations or sectors or departments are offered onetime funding for a specific purpose, they don't have any real choice in how it's spent. They have to spend it as it's given or not take it. Again, I view that as a control issue.

I note that AADAC, the Alberta Alcohol and Drug Abuse Commission, was transferred under the authority of the Department of Gaming. I struggle to find the right words to describe the irony, the conundrum of having this agency dependent on addiction-to-gambling funds in order to get funding for its programs. I think that the funding for AADAC needs to continue to be strengthened. I'm aware that a recreational therapist was cut from AADAC, and this was a program I was privileged to be able to see the inner workings of and believe it was a very helpful program that actually gave people who are trying to recover from alcohol and drug abuse the tools for how to get through every single day. What kind of activities can they engage in? What's out there for them? Can they get into another habit? How they live their lives: can they find other choices to make for that? That is another issue under that.

### 10:10

I note that the Auditor General in the most recent issue of the public accounts was recommending

that management controls over the issuance of gaming licences be strengthened . . . further recommended that the management of the Alberta Gaming and Liquor Commission provide the Board of the Commission with regular assessments of the operating effectiveness of controls over the issuance of gaming licences.

Now, I'm aware that there's been the release of a report, and I struggle to remember the name of it. It was by a judge. Lieberman.

AN HON. MEMBER: Bingo.

MS BLAKEMAN: Thank you.

They were examining possible policy changes in the issuance of licences, and I think that was timely and certainly responsive to the community. I think that the community had protested when policy changes had been suggested previously without consultation with the community. So I'm glad to see that this happened. I continue to look forward to what policy changes the minister will in fact make as a result of that. I also encourage the minister to continue to be flexible and creative in working with organizations that are ever more dependent upon the proceeds of gaming to support their services that they are offering to the community.

Given that there is an increasing expectation and workload expected from community groups to be providing services that in many cases used to be funded by the government, I think it's important that flexibility and creativity be used to assist them. In particular, I'm thinking of some umbrella groups who are applying for raffle licences on behalf of a multitude of smaller organizations who may not have the charitable numbers required to be able to run the licence on their own. I'm aware that some groups have already discussed this with the Alberta Gaming and Liquor Commission and with the minister, and I encourage him to continue to work with that group.

I notice as well the Auditor General encouraging clearer reporting back from any agency which does receive lottery funds. While I have made it clear in the past that I think an audited statement can be onerous to some smaller organizations, who are allowed by the Societies Act and by their own by-laws to provide a review of financial statements, an audited financial statement done by a recognized accounting firm can run these organizations 4,000-plus dollars, and in some cases that is a significant percentage of their budgets. So there needs to be, again, a recognition of the barriers that these smaller organizations work under. At the same time, the need for accountability in reporting is paramount in this, and I encourage the minister to continue with it, of course working under the recommendation and with the wisdom of the Auditor General's office.

I've talked as fast as I possibly could to get these points in in a minimum amount of time.

I think the last point I wish to raise is a continuing concern expressed to me – and I don't know what I've done with the telephone messages – by people concerned about the issue of gaming and health and the link between gaming and health in this province. It's one thing to have AADAC available, but it's been pointed out that this can be linked to a number of other factors in our society, indeed the very underpinnings of it, that need to be questioned and highlighted, and I support that.

I think there are issues to be raised there when we're looking at stability of family units, poverty, safe home environments. Certainly, I know that for some of the children in my inner-city schools the ability to study in a quiet environment is very difficult, and these are some of the other issues we need to be looking at in conjunction with looking at gaming. I continue to believe that this government is addicted to gaming revenues, and I oppose that.

So with those few comments I will take my seat. Hopefully the minister will respond, and if not, perhaps he can respond in writing.

Thank you.

THE CHAIRMAN: The hon. Minister of Gaming.

MR. SMITH: Thank you so much, Mr. Chairman. In fact, we'll respond instantly in printed format, and I would only direct the member to [www.aglc.gov.ab.ca](http://www.aglc.gov.ab.ca), which is the Department of Gaming's web site. It talks about the lottery fund. It completely answers the questions on where the money comes from and where

it goes, and it has a complete reference about the lottery fund, how to apply for grants, how to get involved with the programs, the policies and procedures, liquor, articles and publication. This will become a very important web site for members for research as well as for interested parties that interface with the Alberta Gaming and Liquor Commission and the Department of Gaming.

I do find, though, a bit of stretch on the supplementary estimates, the comment that this government is addicted to gaming. In fact, Mr. Chairman, if you were to go through the contribution from gaming funds in the overall revenue this year, you would find out that it's clear that the percentage of revenue derived from gaming as a percentage of overall revenue that is going into government coffers today has indeed dropped.

You know, there's been no change in the amount of VLTs out there. There is an increase in slot machines, and there is no change in the casino things. So it's not entirely true what the member has asserted by the comment on gaming addiction.

We look forward to ongoing debate, but knowing a full sense of transparency, openness, and electronic instant response, I can only refer the member again to [www.aglc.gov.ab.ca](http://www.aglc.gov.ab.ca).

Thank you.

THE CHAIRMAN: Are you ready to go on? Okay. The hon. Member for Edmonton-Meadowlark.

MS LEBOVICI: Is it health, and is the minister speaking? Is that the other one?

THE CHAIRMAN: No, no. I said, "Are you ready to go on?" and you stood up, so presumably you wanted to go with Gaming. I'm just trying to determine that you're finished asking questions so we can move to the next item.

MS LEBOVICI: Yes.

THE CHAIRMAN: Okay.

### Health and Wellness

THE CHAIRMAN: The next item is health, so we would call on the minister of health to make some opening comments, and then we'll call on Edmonton-Meadowlark.

MR. JONSON: Thank you, Mr. Chairman. We are seeking the approval of the Assembly for \$322,255,000 for the current fiscal year. There are a number of components here, but I think overall the appropriation that we are asking approval for is an indication, first of all, of the overall priority the government places on health care services and those other services associated with the Department of Health and Wellness but, also, as others have indicated in previous discussion, an indication of the sound financial management that has occurred in the province and our ability to be able make these types of allocations in terms of our recommendations and requests for approval.

10:20

Now, specifically, Mr. Chairman, I can provide considerable additional information, but I'd just like to feature the particular items that are involved here, and I will be, I think, fairly brief and to the point. First of all, with respect to our commitment to the Canadian Blood Services and the programs that follow therefrom, we are asking for an additional appropriation of \$6,200,000. We have additional costs under the new CBS board for fractionation services. This is part of our overall involvement in putting in place our

replacement for the Red Cross in terms of delivery of blood services in Alberta, and it's part of our commitment under a formula-based funding system for the population of Alberta.

Further to that, Mr. Chairman, we are very cognizant – and this relates to the Auditor General's report and observations in that report – that we need to continue to upgrade the equipment that is very important to our health care system, and particularly we need to continue our commitment to having very advanced medical equipment dealing with the access of Albertans to the most up-to-date treatment possible. So in that regard, because of our fortunate position in the province, where we do have the ability to do some special onetime funding, we are requesting that an additional \$10 million be approved for that particular purpose. This is added, if I recall correctly, to about \$8 million which is currently being expended for that particular purpose.

Further, Mr. Chairman, responding to, to the extent that we had the financial ability to, the Healthy Aging report, which was tabled and released recently, as far as these estimates are concerned, we are focusing and requesting \$10 million to provide for the funding and promotion of innovation in terms of funding models for caring for our aging population in areas of the province outside of Edmonton and Calgary.

Further, Mr. Chairman, as already, I think, is well known to members of the Assembly, we have made a commitment to provide additional funding in the amount of \$10 million to the provincial board and the regional boards as far as persons with disabilities are concerned. This was an immediate need that we responded to, and the hon. associate minister is conducting a further review to look at future management and needs of the PDD program in this province.

If I might just go back, then, on the list, I've tried to go through some of the important but perhaps somewhat smaller items in this particular list, but there are two other major expenditures or estimates involved here. First of all, I think that members of the Assembly, members of the House, are aware of the whole issue with respect to the need to pay sterilization claims. This goes back to I guess it would be pre-1971, -1972 legislation and conditions, but it is now the obligation of the government to pay out those claims as they are negotiated or arrived at through other procedures. So that amounts at this point in time to \$70,379,000.

Further to that, it was possible for the government to also address, yes, a very significant issue with respect to regional health authorities. We have regional health authorities which are experiencing very rapid growth in population. Costs are going up. There's, of course, the need to cover the costs of certain labour settlements. It's not by any means the majority of our regional health authorities. I'm happy to report that the majority of our regional health authorities have balanced budgets or modest surpluses, and I commend those authorities for the effort that they've made in that regard.

However, there were significant deficits facing particularly the Calgary regional health authority. We did have the ability to take a two-phase approach here. One is to emphasize with health authorities the need to manage effectively, and we do have some plans to do some much closer and more frequent auditing of regional health authorities. The message is very clear that they need to and will be expected to balance their books in the future. However, we did have an issue to deal with here.

We balanced the additional financial assistance to deal with debts and deficits, Mr. Chairman, with a per capita grant for those regional health authorities which had balanced their books and were managing successfully. I think the members are well aware of the way this has worked out across the province. To that we've committed and seek approval for some \$215 million in terms of expenditure.

And to the hon. minister of energy: always. Always, sir.

That is a summary, Mr. Chairman, of the request that is being made here. It is a very substantial amount of money, I recognize. But I think that we have communicated these particular matters quite fully, and therefore I would and do keep my remarks very brief.

THE CHAIRMAN: The hon. Member for Edmonton-Meadowlark.

MS LEIBOVICI: Thank you, Mr. Chairman, and thank you for that overview, Mr. Minister. A few questions with regards to the supplementary estimates specifically and then the revised business plans more generally I guess.

The \$10 million for additional advanced medical equipment purchases: if we can get a breakdown on that and whether any of those had to be purchased still as a result of Y2K, that would probably be informative.

The other issue – and the minister alluded to it himself – is that \$215 million was spent to improve the financial position of the regional health authorities, with the majority of those dollars going to pay off the debt that had been incurred by the Calgary regional health authority. In fact, what we saw happen was that in order to eliminate the huge debt that Calgary had as well as some smaller debts some of the other regions had, there was a need to build into all of the regions a reward, in a sense, for having been fiscally prudent. What ended up happening was that those authorities who had not managed their budgets for whatever reason or were unable to manage because of the underfunding and the formulas that provide those fundings, in fact, were rewarded doubly. They were rewarded by having their debt paid off, and they were rewarded by the per capita dollars that were allocated throughout all of the regions.

10:30

One lesson, perhaps, this government can learn or decide to investigate, if they did wish to learn a lesson, is that Calgary, which has the highest rate of privatization of health care services across this province, also has the highest rate of debt. The easy answer is to say that it's because of the increasing population. The reality is that the population has increased across the province, and that alone cannot account for the debt that the Calgary regional health authority has found itself in.

The other question is: what is to prevent it from occurring again? We see the northern regions, in particular the Mistahia region, which is underfunded, which has been unable to provide the kinds of services that their constituents need in that regional health authority at the Queen E II hospital and has come to the minister hat in hand asking that the funding formula be looked at. It is not only the Mistahia region that has done that, but the Peace region has as well as, I believe, the Keeweenok region, and I think Lakeland may have been part of that group as well.

There was the report presented to the minister two years ago indicating that the funding formula that was done by an accounting firm was not adequate to meet the needs of the northern regions. More recently Mistahia has gathered together a group of business leaders who have indicated that they are not happy with the state of their regional health authority and that they wish to present a case to the minister that the funding formula does not work.

There are concerns – and I pointed them out in the April estimates, and I point them out again given the discussions that we have around private health care that have been initiated by the Premier over the last couple of weeks – that there is no real commitment, when one looks at the business plans, to a publicly funded health care system. I find in the restated health care business plan that it says “publicly administered” on two occasions, but it doesn't say

publicly funded, and there is a difference, as the minister is well aware. Given the increasing out-of-pocket costs to Albertans, it becomes very clear that the direction perhaps is to publicly administer but not fund all the services.

If I can move to the sections within the business plan that indicate that that is the direction the minister is moving in, it becomes very clear, on page 143, for example, what Albertans can expect as a goal: "A clear direction to address the health needs of an aging population." It's interesting that when one listens to the Premier, the reason for privatization that he puts out is to solve the needs of the aging population. When you look at the strategies to deal with that, it's to "support the development of government's policy on the delivery of surgical services." Now, I'd be curious to know where in the Broda report – and perhaps I've missed it – that he indicates that as a result of the needs of the aging population, we need to contract out surgical services to private facilities. I don't believe that's in the Broda report, and it would be interesting to know the research the government has that indicates that that is the way to go and the most efficient way to go. Again, if I can contrast that to what we've seen in Calgary with regard to privatization and their debt increase, then perhaps it should give some second thought to the minister in that direction.

The other interesting thing I noticed was that on page 139 under Health Authorities the health authorities "will plan and deliver health services based on . . . directions from the Minister of Health and Wellness." Yes, of course, the minister is the overseer of what is occurring within the regional health authorities, but the directions that are coming from the minister seem to be directions that say to privatize.

For instance, I can think of the issue of laundry services and whether hospitals – and this is also an issue for Infrastructure – are given enough dollars in order to have laundry services on their facilities. In fact, what is happening with some of the new hospitals – and there are not many, granted, in the province that are being built – is that they are being told in some of the regions that they will not get dollars for laundry services and that they need to contract out, whether that makes sense or not given the area.

The Health Professions Act. I'd just like to touch on that briefly. It's my understanding that the department is backed up approving the regulations for the health professions. I think there were, at last count, 21 of the health professions who are ready or feel that they are ready to have the regulations approved. Part of the reasoning seems to be that the health advisory board can only accept those professions that are approved, and there's a backlog that is two to three years now in approving those regulations. So it would be helpful to know exactly what the minister plans to do with regards to that particular area as it seems to be a stumbling block.

Mental health is an issue that is a huge, huge issue. I had a call from Grande Prairie just last week where there was a certified mental health patient who was unable to be kept in the locked ward at the Queen E II because of the violence that individual was perpetuating upon the ward. He was let loose in the community because there was no facility available in Edmonton. Alberta Hospital Edmonton could not accept that particular individual.

We also hear – and I will go back to the Mistahia area – where last week there were instances where Edmonton was unable to accommodate patients who have need of intensive care and emergency services, tertiary level services. Those patients are expected to wait, which they are unable to do given their situation, and in at least one case they were flown to Calgary.

Mental health. We had an example just this week, I believe, where the business plan states that mental health services will be enhanced and will include "community-based mental health

services, in consultation with health authorities, health providers, government departments and others," yet the major stakeholders within mental health service delivery were not consulted with the dollars that were provided. It was hidden in a sense in the announcement on long-term care that was provided to Ponoka hospital, and, yes, Alberta Hospital Edmonton did get a small amount of dollars. The analysis and the reasoning for going ahead with the capital expenditure when those expenditures could be used to good benefit in the community and what kind of a balancing process is done by the minister and his department in making those decisions should, I believe, be public so that we are all aware of how those decisions are made.

The Cancer Board. There are concerns – and this is not only the Cancer Board – with some of the decisions that the out-of-province committee has made, the transparency of those decisions, the availability of information to individuals who have tried to access their own information or wish to know how those decisions were made.

In particular, we have two very poignant examples. One is Baby Hannah, who is still going through the process of trying to access out-of-country care, and Dr. Kostov, who is now out of pocket by approximately \$250,000 and has not been able to receive real answers to his questions, and they are very credible questions.

#### 10:40

The situation with Dr. Kostov is, I believe, compounded by the reply from the minister that the reason the request was denied was because the procedure in the States was experimental, yet the minister in his own letter goes on to state that the procedure at the Tom Baker has only been in this province, it seems, for four years. He does not go further to say, though, that the Tom Baker survival rate is 1 out of 17. That means that only one individual out of 17 treated there for this particular cancer has survived, and when you look at the survival rate for individuals who go to the so-called experimental treatment, their survival rate is much higher. So my question to the minister, then, is: what is considered experimental, and how are the decisions made if not on some kind of criteria of survival rate as part of whether that process works or doesn't work?

The issue around the children's initiative, which, I believe, has some positive glimmers. For that particular initiative the questions that I have had, as have I'm sure my other colleagues who are involved as critics in the particular ministries around the children's initiative, are: what happens after the project is successful? Where will the funding come from to sustain the programs?

Long-term care is an issue almost for a whole night, what the province has and has not done in that particular area. One of the key factors that I would like to touch on is the role of the caregiver, because increasingly this government expects family members, neighbours, friends to be the caregiver, yet there is no real recognition in the Broda report as to the role and recognition of the caregiver. If the Broda report were to look at the royal commission that was recently done on aging and long-term care in Britain, it would note that there is a significant area within that report that deals with the caregiver and what reinforcements the caregiver can have.

The health workforce. The minister sent out a news release a few months ago, maybe two months ago, indicating that he had reached the targets for the health workforce. My question is: how real are the numbers that the minister put into that news release? I have heard from a number of locations, from frontline staff that in fact they do not see the individuals, the real bodies there to fill the positions, and I wonder how much of it is a bit of a shell game.

If there is attrition, which occurs all the time, and you have a new individual that's hired, is that, then, the new hire, and in fact there is no real increase in the number of staff within the particular system?



We know that we have a huge recruiting problem in registered nurses, in LPNs in some regions. Some of that is due also to the fact that health regions are still advertising for part-time positions. We know that there is a shortage of physiotherapists and, I believe, occupational therapists and sonographers. Yet when I look through the business plan, it seems that we are still investigating, researching. We're still not quite sure what we're going to do to ensure that we have the professional staff that is required to deliver the services in health care.

I noticed under Ensure Delivery of Quality Health Services, page 145, that there's going to be "improved co-ordination and enhancement of cervical and breast cancer screening." I applaud that, but I would have liked to have seen screening for prostate cancer as well included within that particular section. There is literature that indicates that it might be advisable to start screening for prostate cancer as well and that that would provide savings to the health care system further down the road.

Lodge residents are noted as part of the services: "Enhance services for lodge residents in collaboration with health authorities." That is an admission that the acuity in lodges has increased because of the blockage that we see in long-term care and the lack of access in many regions to long-term care. The guidelines then, I imagine, would have to change for the lodges as well, because right now they are for individuals who are able to live independently.

It would be helpful for the lodge providers to know: are those guidelines going to be reviewed? Are they going to be consulted on any changes to those guidelines? Will they then become subject to a similar kind of situation like we see in the long-term centres where they have the case mix index, which in fact does not seem to address the needs? It is my understanding – and if I'm not correct, I look forward to the response from the minister in writing on this – that depending on what day that case mix index might be, the dollars that are allocated may be less than what is required if that case mix index had been taken on another day where the acuity of the individuals, the residents in the long-term care centre, is higher.

The health innovation fund. We see on page 146 that the department encourages innovation occurring in the health system. The wording is interesting. It says: "Encourage innovation, evaluation and adoption of demonstrated improvements in service delivery." I'm wondering if that, again, is the opening of the door for private health care. I had a phone call just the other day that picked up on something that, quite frankly, I had missed. It indicated that when the announcement came out from the minister with regard to the health innovation fund, the public meetings that were going to be held started on the same day in Calgary as that particular news release came out. The question was: is it just coincidental that perhaps only certain people knew about that, and why was that the case?

There are a number of other issues that I'd love to address. The Colonel Belcher is one of them, and perhaps we can address that under Infrastructure as well as to where the money is coming from for Colonel Belcher. I don't think there's a lot of loose cash floating around Calgary to build that hospital, and they're still waiting.

Thank you.

**THE CHAIRMAN:** The hon. Member for Edmonton-Riverview.

**MRS. SLOAN:** Thank you, Mr. Chairman. There are some specific areas of the supplemental estimates relative to health tonight that I'd like to speak to, starting with those that relate to the services to persons with developmental disabilities and the Persons with Developmental Disabilities Provincial Board.

Now, just to recap some of the history, Mr. Chairman, most of

these boards have existed with deficits in fact since their inception. We know that the provincial board itself, in fact, had quite a healthy surplus during the period in which some of the regional boards were struggling to make ends meet. Now, I notice with some interest that the allocation proposed this evening of \$10 million goes to the provincial board. It's interesting that it's allocated "to recognize the increased volume and cost of services," but in fact when it goes to services that are being directly delivered to clients, those services are the responsibility of the regional boards.

**10:50**

I find it very, very interesting that we are being asked to approve an allocation to the provincial board. Right now we know that in the regional boards across this province on the front line they are cutting corners, cutting services, and cutting staff because they have been insufficiently funded by this government. So what would the point be – and I did not hear the hon. minister speak to this – of giving \$10 million to a largely administrative board that is politically appointed to, in a nutshell, act as the government's handmaiden? Is it a bonus? Is it a salary bonus? What exactly is that intended to accomplish?

I always find these supplemental estimates fascinating and what in fact gets approved for additional expenditures, because in fact we know that these are really the allocations that probably should have been made. We know that the government has had a chronic and continual approach to underfunding health authorities in the last five years, so it's always fascinating to me to see what makes the grade and gets allocations in the supplemental estimates.

Now, I just want to briefly speak about the Premier's Council on the Status of Persons with Disabilities. The first time in my recent recollection that we've seen this group in fact take on some type of public role is in holding open houses in the last couple of weeks. When you look in the business plan under the Premier's Council on the Status of Persons with Disabilities, you see that this council, in fact, has significant responsibilities relative to

developing strategic . . . policies regarding the status of persons with disabilities, contributing to the development of public sector legislation, policies, outcomes and targets.

They are to perform advocacy including:

- Informing and influencing key decision makers on issues of interest . . .
- Pro-active public education and social marketing to increase awareness and understanding of disability issues,
- Addressing and reducing systemic barriers that impede rights and opportunities of Albertans with disabilities.

We've seen in the last year significant reforms proposed by this government to the AISH program, as one example. We didn't hear a squeak out of this particular group. Now, they've undertaken to hold some open houses; that's a good step. But when you look at the scope of their responsibilities, Mr. Chairman, I have not seen a lot of evidence that would lead me to believe that this group is fulfilling the responsibilities that under law they are required to.

We're being asked to propose additional funding. It's interesting that the performance measure is the percentage

of stakeholders who rate their familiarity with the Council and its work as 'high' or 'very high.' Target: establish in 1999/2000 and improve by 10%.

Well, I'd be fascinated to see how that performance measure is surveyed and the conclusion reached on their performance.

I find it interesting, just in terms of some general comments, firstly on children's health services. We have seen a substantive report commissioned by the Alberta Mental Health Board, the Capital health authority, and the Calgary regional health authority: Review of the Organization and Delivery of Children's Mental Health Services in Edmonton and Calgary, an extensive listing of

programs and areas needing new spending. They include restoring money cut from community-based agencies, funding of new beds, the establishment of a co-ordinated intake system and clearinghouse, funding of long-term case management for exceptionally high-risk children, expanding the availability of day treatment, funding programs centred on administrative and educational mental health consultations, funding outreach, funding evaluations, and a number of suggested settings which need funding for additional staff. Additional funding is required for respite services, transitional youth, and crisis services, and not one area of all of those, Mr. Chairman, makes the grade for addressing by this province either in the main budget or in the supplemental estimates.

Now, just to conclude, I'd like to also speak on the report of the department, *Current and Emerging Health Workforce Issues in Alberta*, published in March of 1999. Summarized, the key issues relative to the workforce were that the majority of health authorities were not undertaking to implement or expand strategies to address recruitment and retention. Quality of work life had been acknowledged as an important issue, and the need to examine quotas and curriculum to address the lack of quality and adequately trained new health professionals was ranked as the third most significant issue, all on page 40 of the department's own report.

Again, we do not see any allocation. While I'm sure the healthy aging partnership initiative is a worthwhile issue, certainly in my opinion, Mr. Chairman, these two reports, that of the children's mental health services and the workforce issues in Alberta, are critical, vital, priority areas that the government should be examining. But they didn't make the grade. They didn't make it into supplementary estimates this year. I will look forward in the new year to looking at the proposed budget and business plan to see whether or not those two areas in fact have been addressed.

The only other brief statement I would like to make is again with respect to the marketing pamphlet that Albertans, Edmontonians, have received this week. I'm not sure if this was planned all along, but I didn't see any mention of this in the original plan. I'd like to ask: where in fact is the funding? Where is the work, the marketing, the human resources to advance the private health care system in this province? Where is that coming from in the department of health? Was this paid for by Public Affairs? It says: Alberta Health and Wellness. I'd like to know, and I'd like a breakdown of that, Mr. Chairman.

With those comments, I am prepared to conclude my debate this evening, with a minute of time remaining. Thank you.

## Infrastructure

THE CHAIRMAN: We'll call on the Minister of Infrastructure for his comments.

MR. STELMACH: Well, thank you. This evening we're requesting a supplementary estimate of \$540,500,000. The breakdown of the \$540,500,000 is as follows: \$70 million will go to upgrading for health facilities and funding for long-term care facilities in Calgary, Edmonton, and Medicine Hat, so it should answer some of the questions raised previously; \$10 million to be spent on three reservoir and dam spillway projects, Pine Coulee, the Stavely-South Heart River project, and Carsland-Bow River headworks rehab project; \$16 million designated for the Alberta municipal water/wastewater partnership to assist additional municipalities with needed water treatment and wastewater treatment projects; \$7 million is being directed towards the construction and upgrading of government facilities in approximately 19 communities across the province; 3 million additional dollars will be injected into the

multiyear seniors' lodges upgrading program to defray some of the costs with price escalations, market conditions. Of course, this program focuses on safety, building code, and operating efficiency issues.

The last is \$425 million for transportation infrastructure across the province. The breakdown for the \$425 million is: north/south trade corridor, \$60 million; grants to rural municipalities, \$20 million; secondary highways, an additional \$15 million; Alberta cities transportation partnership, \$315 million; and then grants to towns and villages of \$15 million. The remaining \$9.5 million is requested to reflect a change in accounting policy for our sand, gravel, and salt inventories. So the bottom line is that it's a reinvestment in the critical infrastructure that's needed across the province.

We're open to any questions.

11:00

THE CHAIRMAN: The hon. Member for Edmonton-Manning.

MR. GIBBONS: Thank you, Mr. Chairman. I'm standing tonight to speak on the supplementary estimates of Infrastructure. Five hundred and forty million dollars is being appropriated by the Ministry of Infrastructure for such areas as upgrading health and long-term care facilities, upgrading seniors' lodges, construction and upgrading of government facilities, construction and upgrading of water infrastructure, municipal waste water grants, and \$425 million for municipal transportation infrastructure.

My number one question to the minister is: how did these figures come up? How was the breakdown actually achieved to reach the \$540.5 million? I have trouble supporting the latest installation of the supplementary estimates without some explanation of how the new spending will contribute to meeting defined outcomes and performance criteria.

Although we recognize that funding is desperate and required in the areas of public health care, public education, and municipal transportation infrastructure from the government's seven-year strategy of structural underfunding, we have serious concerns about the lack of planning within the government's budgeting process. Continuing to resort to supplementary supply is symptomatic of a lack of good planning.

I want to be positive, and it's not that I haven't been pressuring the government through questions and working with municipalities on looking for money, especially for municipalities, while at the same time for school boards, health boards, et cetera.

There was a very interesting caption in the paper the other day: but isn't this doing your budgeting on the fly? Mr. Chairman, this is something that really has to be looked at. The Provincial Treasurer has now become the king of supplementary estimates. The \$1.416 billion is the largest set of supplementary estimates brought before this Legislature since 1986. The Treasurer likes to say that his unbudgeted spending is due to population growth over the past years, but between July '97 and 1999 the population of Alberta has grown by 130,786, or 5,450 per month. The Treasurer will have brought in nearly \$2.894 billion in unbudgeted spending, or \$121 million per month. That equates to \$22,202 of unbudgeted spending on the new entries into Alberta each month.

One of the main problems with the government has been improper management in budgeting. They didn't manage to cut properly in health and education, they can't effectively manage or reinvest, and they refuse to even consider better management practices in light of good crude oil prices and natural gas prices. The Auditor General in his 1999 report said:

Our review of Budget '99 found that 82% of the performance measures had targets. However, two thirds of Ministries had at least one performance measure that lacked a target.

Let's look at the record of forecasting the calendar year of 1999. Isn't it interesting that the Treasurer decided to switch from a calendar year comparison of oil and gas forecasts in the '99-2000 first quarter update to a fiscal year estimate in the '99-2000 second quarter update?

With an additional \$1.416 billion in new spending being requested by this supplementary estimate, Alberta's government is spending \$5,569 per person, nearly the same amount spent in '93-94. Are we getting better public health care, Mr. Chairman, than we did in 1993? Are we getting better education than we did in 1993? Do we have better roads, bridges, and sewers in our municipalities? I as one Albertan don't think so, and I know many other Albertans don't think so.

We as the opposition suggest improving in a number of ways. The Auditor General should be required to review and audit an annual performance report. This would introduce a degree of independent accountability in the area of performance reporting. The purpose of the Auditor General's audit would be to verify the accuracy of performance data used by the ministry so that the information can be relied on by Albertans. Additionally, the Auditor General should verify that performance measures are part of the system and have adequate internal control to ensure that the reported data is accurate.

Mr. Chairman, this is a huge portfolio that the minister has taken over, and I really think they should adhere to some of the things that we think the Auditor General should be doing. It is expected that the Auditor would focus on key performance measures that are considered to be budget drivers representing activities, programs, or services that have appropriated the largest amount of funding, representing significant activities of the ministry, or associated with the programs that have documented deficiencies.

The steps that the Auditor General would follow in the audit process would include the following: the method used by the ministry to collect and calculate the performance data, whether the minister allows the measure definition, whether adequate control over performance measures data exists to ensure consistent reporting of accurate information and to test source documents of performance measures for accuracy, provide certification categories for measurements if report measures are accurate within plus or minus 5 percent.

Mr. Chairman, I had a question this past spring – and it was a surprise to the Premier when I asked the question – around the lack of capital assets management. This was a survey done by his own people.

For this government to finally say that it recognizes that infrastructure maintenance and replenishment are important to maintain our competitiveness is ludicrous. Where has this government been the last six years? The Premier still denies there is even a problem in our infrastructure.

Some of the items I'd like to ask questions on. What assurance can be given to Alberta seniors when the Capital Investment Planning Committee points out that there's a \$180 million shortfall in capital requirements including insufficient and run-down long-term care facilities? It is laughable to hear the Premier and the Treasurer talk about infrastructure as onetime spending. Only a fool believes that infrastructure investments are onetime. What else does the government propose to do? Build a long-term care facility or school and then let it fall down? Roads, bridges, schools have to be maintained and repaired.

The Auditor said this past year in his report that capital expenditures do not occur in isolation – they create a stream of subsequent operating costs that are often not fully recognized at the time of the original investment.

That is why we need long-term maintenance and repair plans for

infrastructure. The onetime infrastructure grants are nothing more than \$600 million worth of patches for the multibillion potholes that this government has created through downloading and offloading to municipalities, school boards, postsecondary institutions, and regional health authorities over the past six years.

This government has failed to develop a provincial strategy for infrastructure maintenance, upgrading, and expansion to meet the needs of a competitive economy. They seem to think that a change to the allocation formula for the economic cushion under the Fiscal Responsibility Act is a substitute for medium to long-term infrastructure strategy.

Between 1992 and '98 general and specific purpose grants from the Alberta government to municipalities declined by \$402 million, or 48 percent, the second highest decline of any province in Canada. On the other hand, the provincial education property tax burden on residential property in Alberta has increased by \$114 million, or 13.3 percent, between '95 and 2000. The Alberta government collected 46 percent of real and general property tax generated in the province during 1998, the third highest percentage among Canadian provinces.

#### 11:10

The infrastructure deficit is not something that occurred overnight in this province. It is the result of poor government planning. The government had been warned about the growing infrastructure deficit as far back as the Alberta growth summit in September '97.

Immediate cost reductions have sometimes been achievable only by delaying or reducing investment in longer-term prevention and maintenance.

Under the MASH sector in the Alberta growth summit of 1997 some of the quotes are:

The results are beginning to emerge in lack of sufficient resources for preventative care, increasing financial and social barriers to access, an 'infrastructure deficit' as maintenance and upgrading have been delayed and, in some cases, deteriorating service standards . . . We have no spare capacity to meet the increased demands expected over the next five to 10 years. If we cannot provide the 'building blocks' at a sufficient level, the effects will be felt over a long time – not only in the absence of some key elements identified as essential for economic growth, but also in declining 'quality of life' for Albertans.

Under MASH: we have no capacity to support growth in population economics. The Treasurer keeps coming up with different items, talking about population growth as one of his main enemies. Well, Alberta is growing. We have to grow with it. We have to plan with it.

We're creating a hidden deficit in the condition of infrastructure and equipment, in the reduction of services capacity, the lack of sufficient long-term preventative programs, and the inability of some Albertans to participate in the benefits of prosperity and our inability to attract and retain the best qualified staff in our public sector.

Mr. Chairman, in this report that was put forward by the Alberta growth summit, the committee pointed out that the aging infrastructure built in the expansion period of the 1970s is reaching a point of major renovation, rehabilitation, and replacement. Lengthy deferrals can result in higher costs as problems come out every day. The combination of aging infrastructure and deferral is creating a significant pressure for all spending on preservation activities. This ministry has to identify that significant pressures of additional spending must be there.

I also asked at the start: how was this \$540 million produced? The fact is that under a study, this same study produced this year on capital, it has been shown that spending will have to reach \$2.3 billion annually by '97-98 levels to reach the goal of getting our infrastructure back in place.

Mr. Chairman, we look at the insufficient health and long-term care facilities. Some are in poor condition. Major repairs or upgrading are required. Two mental health referral centres are in poor condition. I asked a question last week in session around dollars and cents that went to Alberta Hospital Ponoka, but I would also like it compared – and see if we can get an answer – between Alberta Hospital Ponoka and Alberta Hospital Edmonton, \$100 million going to Ponoka, \$15 million going to the facility in Edmonton. Why is that? Is it because you're hoping to shut down Edmonton in the next five years? This is a very big concern to myself because Alberta Hospital Edmonton is in my constituency.

Under Municipal Affairs the lack of affordable housing is at a high growth. The lack of long-term care units is putting significant pressures on lodges. Some public works facilities require replacement or rehabilitation to meet the clients' needs. Aging infrastructure will require repairs. Additional court facilities in Calgary are required.

In October 1999 the Auditor General identified the following issues as they relate to capital assets management in this province. The Auditor General's comment in the same report, '98-99, is that fiscal restraints can give rise to concern that deferring capital maintenance, replacement, and expansion will result in the deterioration of the capital asset base and can adversely affect the service delivery and result in higher costs in the long term.

The pressure on long-term care throughout the province is considerable. For example, assuming that the provincial average of 48 long-term care beds per thousand population over 65 is to be maintained, one estimate by public works, supply, and services is that additional space will be needed within 10 years to accommodate as many as 6,000 more beds. This came out of the Auditor General's report and, actually, is something that should be coming out of the Broda report also.

The Alberta Urban Municipalities Association, AUMA, infrastructure task force survey from October '99 estimated that the unfunded infrastructure deficit is \$1.77 billion over the next five years, including \$189 million in nontransportation infrastructure: storm drainage, waste and water supply treatment systems, parks and recreation facilities, protection and emergency services, solid waste management, and mobile equipment.

Given the March '99 memo from the department of transportation and utilities that the province's current method of fuel tax collection is not able to isolate the amount of fuel tax collected in each community, what collection system has been established to track fuel consumption in the cities of Calgary and Edmonton in order to provide the accurate provision of fuel tax rebate? My question around this also is: if the Treasurer does come out and reduce the fuel tax in this province, what will happen with the new arrangement they have between Edmonton and Calgary? Isn't \$570 million in revenue very important? Is it just another warm, fuzzy political stunt just before Christmas? On the basis of what consumption formula was it determined that Calgary would be eligible for \$85 million and Edmonton would be eligible for \$65 million from the 5 cents per litre rebate of the provincial fuel tax rebate? Mr. Minister, will you provide further details on the consumption formula that is being used to provide the fuel tax rebate in Calgary and Edmonton?

Why is the government not using full tax consumption numbers contained in the Kent Marketing survey to rebate a portion of the fuel tax to municipalities other than Calgary and Edmonton and all the other areas that are in the capital region? One minute we're talking about capital region governance; the next minute we're talking about only Edmonton getting the fuel tax? Given the government's commitment to three-year planning, what are the projections for fuel tax consumption in Edmonton and Calgary for

the 2000-2001 and 2001-2002 fiscal years, and what amount of rebate will Calgary and Edmonton receive in those two fiscal years? What are the estimates for fuel tax consumption for municipalities outside Edmonton and Calgary over the next three fiscal years? Can the minister provide a breakdown for each municipality, including Calgary and Edmonton, over the next three fiscal years? What are the cost estimates for tracking the collection system for the fuel tax rebate? Who is responsible for the administration costs?

What is the cost to the province of assuming full jurisdiction and responsibility for the Deerfoot Trail, the Stoney Trail, and the north/south trade corridor? Can you provide a breakdown by municipality of capital grants to the other cities over the next three fiscal years as a result of the expansion of the \$60 per capita grant per year?

What eligibility criteria has been established to allow other cities to access the \$50 million projected over the next three years on a project-by-project basis? Can the minister provide a breakdown by municipality of the \$20 million allocated as grants to rural municipalities? Can the minister provide a breakdown by municipality of the \$15 million allocated to secondary highways? What is the cost to the province of assuming jurisdiction and responsibility for highway 63 in Fort McMurray, highway 1 in Medicine Hat, the north/south trade corridor in Lethbridge, and highway 43 in Grande Prairie?

What is the cost to the province of assuming jurisdiction and responsibility for all secondary highway construction in towns, villages, and summer villages? What is the breakdown by municipality over the next three years for the \$30 per capita increase in the streets improvement program? What is the breakdown by municipality of the \$15 million in clause 7.5.2? What is the cost to the province for assuming jurisdiction and responsibility for all secondary highway maintenance and construction in rural areas?

Thank you, Mr. Chairman.

11:20

THE CHAIRMAN: Okay. Are you ready for the next department?

### **International and Intergovernmental Relations**

THE CHAIRMAN: The acting minister.

MR. STELMACH: Thank you, Mr. Chairman. As the Acting Minister of International and Intergovernmental Relations, I will just very briefly provide the reasons for the supplementary estimates.

There are two additional expenditures. The first is an item for \$3.75 million, and that's for Indian land claims. It includes costs relating to a negotiated settlement with the Smith's Landing First Nation at Fort Fitzgerald. Under this settlement Alberta will contribute not less than 19,000 acres of provincial Crown land and \$3 million. We'll also incur costs of approximately \$750,000 related to the satisfaction of third-party interests. This settlement is full and final, and it fulfills any of Alberta's obligations under the natural resources transfer agreement.

The second item is for \$700,000. It relates to the Peigan Nation/Alberta protocol agreement. It is to fund negotiations with the Peigan Nation in resolving outstanding issues over the construction of the Oldman River dam. On October 22, 1998, Premier Klein signed the Peigan Nation/Alberta protocol agreement, which established a process and committed the Alberta government and Peigan Nation to discuss and resolve outstanding issues of importance. The province agreed to provide \$450,000 to the Peigan Nation for their negotiation costs. This matches the federal contribution.

So those, Mr. Chairman, very briefly, are the reasons for the

supplementary estimates under the Ministry of International and Intergovernmental Relations.

THE CHAIRMAN: The hon. Member for Lethbridge-East.

DR. NICOL: Thank you, Mr. Chairman. Just a couple of questions on these. The sense that the adjustments were made in midyear, and just to say that these are coming out – we need to have a little bit of an explanation as to why the processes were changed and what resulted in the different dollar allocations, you know, the matching of the federal programs, say, when he was talking about the Peigan Nation. This kind of explains that little one, but the rest, where you've got the international \$4.45 million being spent in terms of a new allocation of dollars, the breakdown there needs to be put out in terms of the specifics of it so that we can look at why these changes were not anticipated at the time of the budget in the spring or whether we should be expecting them to be continuing into the next year. So a little more detail on those kinds of allocations would be quite appropriate.

I think the minister explained quite well the changes in the aboriginal relation component, so if we could just get a little more on the broad-based \$4.45 million on the intergovernmental relations, what that was used for and how it worked together, that would be satisfactory for this component of the supplementary estimates.

Thank you, Mr. Chairman.

THE CHAIRMAN: Okay. Are you ready for the next department?

### **Municipal Affairs**

THE CHAIRMAN: We'd invite the Minister of Municipal Affairs to begin this evening's deliberations on his supplementary estimates.

MR. PASZKOWSKI: Thank you, Mr. Chairman. I have one supplementary as well, and that's regarding the 1999 central Alberta disaster recovery program. This was approved pursuant to section 4 of the disaster recovery program on July 19, 1999. The program basically compensates residents, farmers, and small businesses for uninsurable damages that are incurred to essential property as a result of flooding that occurred this past summer. Eligibility was restricted to properties within the geographical boundaries of the municipal district of Brazeau No. 77, the municipal district of Clearwater No. 99, the town of Drumheller, Kneehill county, Lacombe county, Mountain View county, county of Paintearth No. 18, Ponoka county, Red Deer county, Starland county, the county of Stettler No. 6, the county of Wetaskiwin No. 10, Yellowhead county, and special areas No. 2.

Nearly 2,100 applications were received from residents in those areas who sustained uninsurable damages primarily to the basements of their homes. They have been paid about \$3.8 million to date, and we expect to pay out a further \$100,000 in the very near future. A further \$130,000 of an estimated \$169,000 has been to paid to small business.

Agriculture, Food and Rural Development, who administer the agricultural component of the program, have paid out about \$27,000 of a projected \$130,000 for damages to farming operations. Twenty-nine municipalities have received about \$1 million of an estimated \$3 million for infrastructure repair and for emergency operations that are directly related to the disaster.

Alberta Infrastructure and Alberta Environment will be reimbursed for repairs to provincial highways, bridges, campgrounds to the amount of \$1.2 million. Administrative costs for delivery of the entire program will be somewhere in the area of \$800,000. Of this we expect the federal government to cost share in this program.

Their share, subject to federal audit and to final numbers, will likely be somewhere in the area of \$3.85 million.

With that, if there are any questions, I'll try and answer them, or I can submit them in written form, whichever works best.

THE CHAIRMAN: The hon. Member for Edmonton-Manning.

MR. GIBBONS: Thank you, Mr. Chairman. I appreciate some of the questions that already have been answered by the minister in his delivery. The Ministry of Municipal Affairs supplementary estimate, by comparison to the one I just finished talking about in Infrastructure, is very small, but we do have a few questions on it.

Can the minister provide an update on how many people have made claims under the central Alberta recovery program? What was the average amount of the claims? When does the Alberta government expect to see the \$3.85 million from the federal government? That corresponds with your figures, but do you know when you're going to be getting that from them? What recommendations has the minister made in discussions with the federal government to revise the criteria of the federal disaster financial assistance arrangement to ensure the consistent application across Canada? As it pertains to the central Alberta recovery program, what is the percentage of the claims that were processed within 30 days; for example, the time period between when the damage assessors arrived on site and when the claims were processed.

Some questions around the performance measures in the business plan. Because Infrastructure and Municipal Affairs combine so much together, just a couple of other questions that maybe the minister can work with the Minister of Infrastructure on answering in the future. What formulas are being examined as it relates to the distribution of rural transportation grants? How much increased funding will be provided to primary highways over the next three years to relieve the pressure points? Can both ministers provide copies of all reports prepared by the Premier's Task Force on Infrastructure, including the working groups, relating to the September 7 announcement and any other long-term funding arrangements that are being considered under phase 2? What impact will the \$425 million investment in municipal transportation infrastructure have on the increase of quality primary highway systems? What international roughness index does Infrastructure hope to achieve in 1999-2000 as a result of the \$425 million reinvestment?

Because of the length of time I've spent on Infrastructure I am sitting down. Thank you, Mr. Chairman.

**11:30**

MR. PASZKOWSKI: Thank you for the questions. To date 2,100 applications have been received and . . .

MRS. SLOAN: Don't let them rush you.

MR. PASZKOWSKI: No. No one rushes me. I'm Polish; I'm not Russian.

Anyhow, 2,100 applications have been received from residents in the area who sustained damage. Quite frankly, we're very pleased with the turnaround time that has been done. The majority of the applications have already been dealt with, so we've received a lot of actual compliments from the people that were involved.

As you know, in order to qualify for a disaster of this nature, you have to have an event that's either 1 in 50 or 1 in 100, and this was really a terrible event for the residents in the area. The floods devastated the area for some time. There's a lot of infrastructure

work. The only work that's really left to be done at the present time is the infrastructure work for the roads, some of the corrective measures that couldn't be completed before freeze up, so some of that will have to be carried forward.

When do we get the federal money? As soon as the audits are completed, and the federal government has to do the audits. They do that on a consistent basis when there is a disaster program, and as soon as the federal government has done the audits, then they send the money forward. Actually, the federal government responds very well. There is a very good working relationship with the federal government on disaster programming. It's fair to indicate that we very much appreciate the good working relationship that we do have with the federal government.

Having said that, the question regarding the revised criteria is something that's very critical and very important to us all. We've met with the federal minister on this particular component. The federal government is reviewing their whole process and their whole involvement in this particular program, and at this stage they don't seem to have any firm idea of where they want to be or where they want to go.

We have been pushing the federal government in two primary areas, one to allow for greater farm acceptability to the programming, because as you know, if you're in agriculture, you really don't qualify. The other area, of course, is a partnership one which involved, two or three years ago, Peace River and Fort McMurray when they had the floods. If you were involved in a partnership, you automatically were excluded, and that just doesn't seem to make sense as far as practical business sense is concerned.

Those are the key areas that we're focusing on to try and have the program expanded. I appreciate your concern about having a consistent program across western Canada. I think that's important, and I share your views on that as well. We are continuing to dialogue with the federal government to see that we have a stronger disaster program in place, and we will continue to do that.

I didn't have time to write all the other questions, so if we've missed some, we'll respond to you through writing.

**THE CHAIRMAN:** The hon. Member for Edmonton-Riverview.

**MRS. SLOAN:** Thank you, Mr. Chairman. Just in the time remaining one of the areas that I was not able to touch on in health, given the nature of the process this evening, that I'd like to raise at this point is the lack of allocations, focus, or attention paid to the increasing concentration of poverty in this province, particularly child and family poverty. In fact, none of the departments this evening, whether it be Children's, Learning, Health, have identified poverty as an area of focus or an area for allocation.

Just within the last week, of course, a municipal commissioned report summarizing statistics on poverty in selected Alberta communities was tabled here in this Legislature. Some of the statistics as they relate to children and seniors I'd like to enter for the record and ask why that is not being identified by this government, similar to the initiatives that have been spoken about in the supplementary estimates, like healthy-aging partnerships.

Why is it that the increase, the escalation in poverty, particularly in single-parent families and families with young children, is not being targeted by this government despite the fact, Mr. Chairman, that this government within the business plan as restated identifies as their goal 2 that "our children will be well cared for, safe, successful at learning and healthy." Goal 1 in that section is that "Albertans will be healthy." It would seem to me that the record is clear and the research is clear that if you have an impoverished

component in your population, you are not going to achieve health in that segment of the population.

Just for the record some of the statistics that were released last week. Youth aged 15 to 24 was the group most likely to be poor in Alberta. Children under the age of 15 were the next most likely group to be poor, with 22 percent of children living below the poverty line according to the statistics used. In contrast, at the other end of the spectrum seniors over the age of 74 were the third most likely group to be poor with a poverty rate of 20 percent.

We have identified in the Legislature previously, in relation to this report, that some of the highest concentration levels for poverty were not urban settings but, in fact, towns like Wetaskiwin, Red Deer, Lloydminster, and Lethbridge. As we look at the health estimates and we see the distribution of deficits and the government's allocation to cover off those deficits, many of those areas do not have strategies in progress to address the complexity of the issues that arise from poverty.

I wanted to raise those areas in the context of the debate tonight, but really, Mr. Chairman, there's no way, given the process that we have before us, that we can do justice to the millions of dollars being allocated, secondary or apart or after the fact of the main budgeting process. The government spent the money. We're here tonight, in essence, to provide the legislative rubber stamp to that. I would much rather see the government be more honest in its budgeting process and make these allocations up front in the main budget. The costs are clear. When you are underfunding regional authorities to the extent that's occurring in this province, you most certainly have the ability to provide the calculations and that allocation within the main budget.

With those comments, Mr. Chairman, I'm prepared to conclude on this matter this evening. Thank you.

**11:40**

**THE CHAIRMAN:** The hon. Member for Edmonton-Meadowlark.

**MS LEIBOVICI:** Thank you, Mr. Chairman. I also have some additional questions on health, and I'm mindful of the time as well. I know there are some other colleagues who have some questions on other issues.

One of the areas that the government is basing their long-term care strategy upon is with regard to home care and community-based services. It's interesting to note that when one looks at the business plan on page 149, there has been a minimal increase in home care allocation of performance, the percent expenditure on community and home-based services, to be exact: in previous, '96-97, 5.2 percent; current, '97-98, 5.4 percent; and the best we can say for '99 is that there's an "increasing trend."

What is not talked about here and what is not pinpointed in government documents is the number of services that have been dropped in home care. So in actual fact, though there might have been a minimal percentage increase in the expenditure on home care because of the increasing population that requires it, the services that an individual can access are less now than they were two or three years ago. That has also meant an increased out-of-pocket cost to individuals who have to access home care. I'm sure all the members within the Assembly have received phone calls from their constituents who have indicated that to them.

The Alberta health care premiums and the whole issue there, the issue that was identified in the Auditor General's report, where some individuals seem to have 10 Alberta health care cards with different numbers: there obviously is a problem in terms of tracking the health care cards and in the allocation of those cards and the collection at times as well. At times the collection is overly avid, where

individuals are being harassed to provide back coverage of premiums when in fact they did not have to pay for their premiums.

The health summit responses were, to put it mildly, disappointing. One of the primary recommendations from the health summit was to support our publicly funded, publicly administered, in the government's words, health care system. When one looks at the recommendations that have come forth from the government in terms of response, those recommendations do not address that issue at all and do not address how they will enhance, maintain, and support our public health care system.

My colleague from Edmonton-Riverview has touched upon the issues of the broader determinants of health – environment, poverty – but when one looks at the actual health outcomes and the measuring performance . . .

### **Vote on Supplementary Estimates General Revenue Fund**

THE CHAIRMAN: I hesitate to interrupt the hon. Member for Edmonton-Meadowlark, but pursuant to Standing Order 59(3) and Government Motion 25, agreed to November 29, 1999, I must now put the following question.

Those members in favour of each of the resolutions not yet voted upon relating to the 1999-2000 supplementary supply estimates for the general revenue fund, please say aye.

SOME HON. MEMBERS: Aye.

THE CHAIRMAN: Those opposed, please say no.

SOME HON. MEMBERS: No.

THE CHAIRMAN: Carried.

MR. ZWOZDESKY: Mr. Chairman, I would move that the committee now rise and report.

[Motion carried]

[The Deputy Speaker in the chair]

THE DEPUTY SPEAKER: The hon. Member for Edmonton . . . Calgary-Egmont. Sorry.

MR. HERARD: Thank you, Mr. Speaker. At this time of night I don't blame you for that little slip.

A report from the Committee of Supply, Mr. Speaker. The Committee of Supply has had under consideration certain resolutions

and reports as follows. All resolutions relating to the 1999-2000 supplementary supply estimates for the general revenue fund have been approved.

I wish to table a list of those resolutions voted upon by the Committee of Supply pursuant to the Standing Orders.

THE DEPUTY SPEAKER: Does the Assembly concur in this report?

HON. MEMBERS: Agreed.

THE DEPUTY SPEAKER: Opposed? So ordered.

The hon. Deputy Government House Leader.

MR. ZWOZDESKY: Thank you, Mr. Speaker. I seek the unanimous consent of the Assembly to revert to Introduction of Bills in order to accommodate the introduction of Bill 45.

THE DEPUTY SPEAKER: Having heard the motion, does the Assembly agree?

HON. MEMBERS: Agreed.

THE DEPUTY SPEAKER: Opposed? Carried.

head: Introduction of Bills

### **Bill 45 Appropriation (Supplementary Supply) Act, 1999 (No. 2)**

MR. DAY: Mr. Speaker, I request leave to introduce Bill 45, the Appropriation (Supplementary Supply) Act, 1999 (No. 2). This being a money bill, His Honour the Honourable the Lieutenant Governor, having been informed of the contents of the bill, recommends the same to the Assembly.

[Motion carried; Bill 45 read a first time]

THE DEPUTY SPEAKER: The hon. Deputy Government House Leader.

MR. ZWOZDESKY: Thank you, Mr. Speaker. It's been a very productive day, and in view of the hour I would move that the Assembly do stand adjourned until tomorrow, Thursday, December 2, at 1:30 p.m.

[The Assembly adjourned at 11:48 p.m.]

