

Legislative Assembly of Alberta

Title: **Tuesday, May 14, 2002**

1:30 p.m.

Date: 02/05/14

[The Speaker in the chair]

head: **Prayers**

THE SPEAKER: Good afternoon.

Let us pray. O God, life and health are precious. When they are lost, all of us are impacted. Let us remember those who are no longer among us with the most positive of thoughts, and let us reach out with compassion, understanding, and prayer to those who suffer. May God bless them all and extend eternal salvation in the heaven of peace. Amen.

Please be seated.

head: **Introduction of Guests**

MR. LOUGHEED: Mr. Speaker, before I introduce the family of a fine young man, our head page, Brent Shewchuk, I'd like to mention that today is Brent's last day with us. He's been a page since November of 1999. Brent, we appreciate your service.

With us today in your gallery, Mr. Speaker, are Brent's father, Dr. Michael Shewchuk, a dentist in Edmonton; Mrs. Sharon Shewchuk; Jeff Shewchuk, Brent's older brother and a student at the U of A – he's just finished his third year in sciences – Ryan, Brent's younger brother, who attends Jean Vanier in Sherwood Park; and as well sister Vanessa, who's a student at Father Kenneth Kearns in Sherwood Park. I'd ask the Assembly to give them the traditional warm welcome.

MR. BRODA: Mr. Speaker, on your behalf I would like to introduce to you and through you Mr. Raymond Westbrook and Mrs. Karen Westbrook, who reside at Thunder Lake in your constituency. Mr. and Mrs. Westbrook have resided in the Swan Hills area for the last 15 years. They are seated in your gallery this afternoon, Mr. Speaker. I would ask them to please rise and receive the traditional warm welcome of this Assembly.

Thank you, Mr. Speaker.

THE SPEAKER: The hon. Member for Calgary-West.

MS KRYCZKA: Thank you, Mr. Speaker. I'm very pleased to introduce to you and through you to the Assembly this afternoon two very special and capable young adults who look after both my constituents and my government work in the Legislature: Lisa Hofmeister, who is the assistant in my Calgary-West office and formerly worked for a Liberal member in Fort St. John, B.C.; and Warren Chandler, who works in my Edmonton office as a leg. assistant and formerly worked for the hon. Member for Lethbridge-West. I would ask these two young people to please rise and receive the traditional warm welcome of the Legislature.

THE SPEAKER: The hon. Member for Airdrie-Rocky View.

MS HALEY: Thank you very much, Mr. Speaker. It's a real privilege for me today to be able to introduce to you and through you 10 incredible young people that we've had the privilege of getting to know and work with, particularly during the last year but essentially over session, when we really make them work hard writing speeches and greetings. They do all of the research on private members' bills and motions, and they've just done an outstanding job. I'd like them to rise as I name them and to receive

the warm welcome of this Assembly once I've introduced all 10 of them. I'd like to start with Carla White, our senior researcher who's just done an incredible job of herding this group of young people around; Matt Steppan, our number two, who just got married a week ago; Jason Ennis, who came from the Airdrie-Rocky View constituency, as did Jeff Haley; Frank Ostlinger, just a wonderful man that joined us; Gregory McFarlane; Kelly Nicholls, who's unfortunately going to leave us this summer but has been a tremendous asset to us; Mike Simpson; Bartek Kienc, our summer student but who also worked for us part-time during the winter; and Alan Ferrier, our latest recruit. So please rise and receive the warm welcome of this Assembly.

THE SPEAKER: The hon. Member for Edmonton-Ellerslie.

MS CARLSON: Thank you, Mr. Speaker. I have three introductions today. I'm pleased to introduce two new members of staff in the Liberal caucus office. Kirsten Odynski is a recent honours political science graduate of the University of Alberta and has joined our staff as a research analyst. Elaine Jewitt-Matthen, who is entering her senior year's studies at the U of A and is also a student of politics, is our STEP employee this year. They are joined today by Susanne Glenn, my researcher.

MR. BONNER: And mine.

MS CARLSON: And also this member's researcher. She keeps us on-line and on track and does just an outstanding job. I would ask that Kirsten, Elaine, and Susanne please rise and receive the traditional warm welcome of this Assembly.

THE SPEAKER: The hon. Member for Edmonton-Castle Downs.

MR. LUKASZUK: Thank you, Mr. Speaker. We have the honour of being visited today by five members of the 408 tactical helicopter squadron. Among us today in the public gallery are Captain Colin Coakwell, Captain Ryan Tyler, Captain Leslie Wenzel, Captain Jason Tuckett, and Honorary Colonel Bart West. I would ask them to rise and receive the warm traditional welcome of this Assembly.

Mr. Speaker, also among us are two constituents of mine, tireless volunteers in many societies and associations within Edmonton-Castle Downs and greater Edmonton. They are Ms Vicki Lindsay and Mrs. Winnie Bogosoff. I would also ask those fine ladies to rise and receive the traditional welcome of this Assembly.

Thank you.

THE SPEAKER: The hon. Minister of Energy.

MR. SMITH: Thank you, Mr. Speaker. As you know, there are meetings constantly held throughout the Legislature today. There was one with UtiliCorp Networks, EPCOR. Also, it's good to see ATCO represented in terms of Colonel West. It's nice to see him here as well. I'm asking Fauzia Lalani, seated in the public gallery, to please rise and receive the warm welcome and recognition of the Assembly. She is the chief executive officer for UtiliCorp Networks Canada and is an Albertan with a number of years of customer service experience.

THE SPEAKER: The hon. Minister of Revenue.

MR. MELCHIN: Thank you, Mr. Speaker. It's a pleasure to be able to stand this afternoon and introduce constituents of Calgary-North West. I'm delighted to welcome them here to the Assembly. Marilyn Marks is accompanied by two other members of the Alberta

grandparents' association, Jim Keating and Helen Zadorozny. We're delighted to be able to welcome them. They're here as concerned grandparents about access rights to their grandchildren. I'd like all members to give them the warm welcome of the Assembly.

THE SPEAKER: The hon. Minister of Justice and Attorney General.

MR. HANCOCK: Thank you, Mr. Speaker. It's my pleasure this afternoon to introduce to you and through you to members of this Assembly employees from Alberta Justice judicial libraries and from the Court of Appeal. These individuals are here on the public service orientation tour, getting to know us better in terms of the public side of government, the elected side of government, and what's happening with respect to the Leg. Assembly. These tours have been promoted by your good office and the Legislative Assembly Office. From judicial libraries Sylvia Martin, Beth Ernst, Mary Baxter, and Susan Frame; and from the Court of Appeal Sandy Timmer, Marge Smith, Verla Sharp, Sandra Bachand, Kim Nayyer, Julie Antunes, Lynne Krause, and Margaret Pawlikowski. I'd like them all to please rise and receive the traditional warm welcome and a strong thank you from this Assembly for the good work that they do for Albertans.

THE SPEAKER: The hon. Minister of Transportation.

MR. STELMACH: Thank you, Mr. Speaker. It is indeed a pleasure and an honour today to introduce to you and to every Member of the Legislative Assembly 63 very enthusiastic and keenly interested visitors from Tofield high school. They are seated in the members' gallery, and they are accompanied by Mr. Fred Yachimec, who is no stranger to this Assembly as he has been a wonderful volunteer with Mr. Speaker's Youth Parliament, as well as Mrs. Deedee Perrott and also a lady that has worked very closely with our department over the years, who is also the chief administrative officer for the town of Tofield, Mrs. Cindy Neufeld. I would ask these wonderful students to please rise and receive the traditional warm welcome of the Assembly.

1:40

THE SPEAKER: The hon. Member for Edmonton-Glengarry.

MR. BONNER: Thank you very much, Mr. Speaker. It gives me a great deal of pleasure this afternoon to introduce to you and through you to all Members of the Legislative Assembly my STEP student for the summer, Cheryl Pereira. Cheryl is attending the University of Alberta, and the many people who served here in the 24th Legislature will recognize Cheryl. She was a member of our page corps here and did a fine job at that time and is doing a fine job in Edmonton-Glengarry. So I'd now ask Cheryl to please rise and receive the traditional warm welcome of the Assembly.

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

DR. TAFT: Thank you, Mr. Speaker. It's my pleasure to introduce another STEP student, who will be working with the hon. Member for Edmonton-Gold Bar. Her name is Linda Wilcox. She's already proven to be a great addition to our team. I'd ask her to rise and receive the warm reception of the Assembly.

Thank you.

head: Oral Question Period

THE SPEAKER: First Official Opposition main question. The hon. Member for Edmonton-Ellerslie.

Provincial Water Strategy

MS CARLSON: Thank you, Mr. Speaker. Late this morning the government released the summary of their water-for-life consultation. This gave Albertans an opportunity to share their thoughts and ideas on the future of Alberta's water within the constraints that the government set for them. Of course, the government didn't tell the Official Opposition what they were up to. All my questions go to the Minister of Environment. In light of the opposition to limiting water policy to the four fundamental objectives identified, will the minister commit to expanding these objectives?

DR. TAYLOR: Well, Mr. Speaker, as I pointed out the other day, we heard from a lot of Albertans. We had 40,000 hits on our web site, and what we heard now goes to the minister's forum. We asked Albertans a number of questions in the workbooks. That information all goes to the minister's forum, which is going to be happening in Red Deer on June 6 and 7. There will be stakeholders at that minister's forum from industry, from environmental groups, from water users, from irrigators, from cities, from rural Alberta. It's a broad spectrum of Albertans which will then look and analyze this data and make recommendations to the government from there. Right now this is just information. We will be getting recommendations to the government from this minister's forum.

MS CARLSON: Mr. Speaker, will the minister answer the question that Albertans asked him? How does the minister define sustainable economy?

DR. TAYLOR: Well, Mr. Speaker, sustainable economy is one that balances both the economic development and the environment. You cannot move forward on economic development that destroys the environment. That is very clear. We heard that in our sessions, and that has been our policy consistently, but there is a myth, that this opposition likes to perpetuate, that you must separate a healthy environment from a healthy economy. There's a World Bank study and there's the World Economic Forum study that clearly point out that a healthy economy is equivalent to a healthy environment and a healthy environment is equivalent to a healthy economy.

MS CARLSON: Mr. Speaker, if that's the minister's position, then why does the Environment minister's business plan call for a move away from strong, enforceable regulations to weak, suggested codes of practice?

DR. TAYLOR: Well, that's absolutely ridiculous, Mr. Speaker. We are not moving away from enforcement and enforceable codes. What we are doing is providing education to people so that people clearly understand what our codes mean and what they say. We believe that once people clearly understand this, they will live up to their commitments. I can assure you that if they do not live up to their commitments, they will be enforced heavy and hard.

THE SPEAKER: Second Official Opposition main question. The hon. Member for Edmonton-Ellerslie.

MS CARLSON: Mr. Speaker, I do agree that it is ridiculous, but it's the minister's business plan, not ours.

The minister's business plan describes the current regulatory system for protecting our water resources as intrusive. To whom is he catering with his plans to move forward towards unenforceable codes of practice?

DR. TAYLOR: Mr. Speaker, we are not moving forward to unenforceable codes of practice. I have very clearly said that. We have a very strong enforcement division. We will continue to enforce. I just passed out a document about two weeks ago in this House that pointed out all the enforcement actions that we have taken, over a million dollars in fines that we have assessed last year, and we will continue to do that. Because we're trying to educate people and prevent a mess before it happens does not mean that we are not enforcing.

MS CARLSON: Good answer; not correct.

The government has already given a break to intensive livestock operations by having a code of practice rather than enforceable regulations for handling manure when other water-reliant industries are looking for the same treatment, and where is he going with this policy of lowering the current regulations?

DR. TAYLOR: Her initial statement is certainly not true, Mr. Speaker. In fact, it might be characterized as a puffball question. Once again I will repeat my answer: we are not lowering our standards. Does she not hear?

MS CARLSON: Mr. Speaker, given that a water policy based on conservation rather than diversion makes sense environmentally and economically, will the Environment minister make a commitment today, then, to strengthen conservation regulations rather than doing what his business plan says and moving to weaker codes of practice?

DR. TAYLOR: Well, Mr. Speaker, I would insist that we are not moving to weaker codes of practice. I have said that; I repeat that. But she does make an interesting point that conservation is very important, and as part of this water strategy that we are developing, certainly conservation must be a very large part of that strategy. I can give you a couple of examples. Urban Calgary has 50 percent of the city metered and 50 percent of the city not metered. In the 50 percent that's not metered, the water usage is twice, doubled. Conservation would make sense to put meters in all of Calgary. That's a very practical example. So conservation certainly has to be very much part of what we do, and it will be part of what we do. I will agree with the member on that, and we will continue to monitor these situations as we go forward.

THE SPEAKER: Third Official Opposition main question. The hon. Member for Edmonton-Mill Woods.

Children's Services

DR. MASSEY: Thank you, Mr. Speaker. In response to questions raised in the Assembly, the Minister of Children's Services has made a number of promises to Albertans. My questions are to the Minister of Children's Services. On March 7 the minister promised to provide more information about the tragic death of Aaron Grey, who died in care last December. Is that information now available?

MS EVANS: Mr. Speaker, about a week ago I read and reviewed a report and asked for some adjustments. It will be available very soon.

Mr. Speaker, if I can just take a moment. There are some special case reviews that are not complete because of various stages of their investigation, and there are some of the other processes that are taking a little time. I would just beg the hon. member's indulgence and would commit to providing what I'm able to provide, noting confidentiality requirements, as soon as possible. I have done in fact

the follow-up on the member's behalf about those issues that we committed to during this session, and it will still be forthcoming.

THE SPEAKER: The hon. member.

DR. MASSEY: Thank you. To the same minister. On March 18 the minister promised to implement the recommendations of the Korvette Crier fatality inquiry. Has that been done?

MS EVANS: Mr. Speaker, many of those recommendations have been done, in fact were worked on and commenced as early as 1999. I can be more specific and provide the status of all those recommendations, and I think a very good-news story is that we're working very much in a partnership to review the files and the administrative things on the Kasohkewew First Nations authority and receiving a lot of co-operation and finding in fact that many of the recommendations from that earlier report had been accomplished and are still looking forward to completing our work there.

1:50

DR. MASSEY: To the same minister, Mr. Speaker. On April 24 the minister promised to table the regulations that protect children in private day cares. Has that been done?

MS EVANS: Mr. Speaker, not only with day cares but with day homes we will be coming back. It's taking a little longer than we had hoped. We have a number of proposals that have been received again recently from some of the people that are operators. We want to very carefully look at those. They will be taken through the standing policy committee process. When in good time we are prepared to bring them forward, we will, but it's taking some time.

Mr. Speaker, I had hoped again that we would have those available by now, but we do not have them available, and when we have them available, we will release them. I also hope that we'll be able to satisfy the hon. member that our work has been something that has netted some very positive results.

We're still in the process, Mr. Speaker, of implementing some of the early child development programs that have been initiated, and taking that opportunity to have very positive outcomes for children as part of the overall plan has taken a little longer than we'd hoped.

THE SPEAKER: The hon. Member for Edmonton-Highlands, followed by the hon. Member for Edmonton-Manning.

Provincial Fiscal Policies

MR. MASON: Thanks very much, Mr. Speaker. Taxes, fees, and health premiums for average families went up. Schools were needlessly put into turmoil while corporations got tax breaks and horse racing got handouts. That pretty much sums up the spring session of this Legislature. If we were handing out gold stars for bad budgeting, the easy winner would be the Minister of Finance, who brought down what is probably the worst budget in the entire history of Ralph's world. My questions are to the Minister of Finance. How can the minister justify sticking Albertans with \$722 million in tax hikes, including a 30 percent tax hike on health care premiums, just so that the government can look like heroes by paying off the remaining debt before the Premier rides off into the sunset?

MRS. NELSON: Well, I thought, Mr. Speaker, that the hon. member may have paid attention during the lengthy debate of the budget process in this Legislature. There certainly was ample opportunity to have a review of every department that came forward in that

process. I must say that while he may be critical of the fiscal situation in this province, almost everyone who reviews financial situations of provinces and other governments has in fact given Alberta a gold star. In fact, once again a week ago we received the triple A rating for our foreign debt. So we are the only government in all of Canada and possibly North America who has had triple A ratings from three major bond-rating agencies. The investors groups have applauded us for our plan, as have the major banks: the Canadian Imperial Bank of Commerce, Scotiabank, et cetera.

This budget, Mr. Speaker, dealt with priorities. It dealt with the priorities in health care, and it dealt with the priorities in education through the Learning ministry. It also dealt with priority spending. The difficulty was that it didn't have everything for everyone in it. It was a budget that dealt with realities. It dealt with the economic times that we're facing in not only Alberta but the country.

So what's the position of the province? Well, quite frankly, we are a province that has the lowest overall tax regime in the country. That means that dollars stay in the pockets of Albertans, not in the government's hands, and they can make the decisions on how to spend their money. It's a province that has the best economic growth. It is the province that is well sought after by people migrating to this province on an annual basis, actually to the size of the city of Medicine Hat. All the positives are there, Mr. Speaker, and it's unfortunate that this hon. member has gone through this session without recognizing those positives that are here in this province.

THE SPEAKER: The hon. member.

MR. MASON: Thank you very much, Mr. Speaker. How is it that the Premier can provide financial information about our projected surplus to selected members of the news media, telling them that last year's budget surplus will be more than half a billion dollars, while the Minister of Finance refuses to disclose that financial information to this House when she is asked in question period and in budget debate? Why won't the minister tell the House the facts?

MRS. NELSON: Well, Mr. Speaker, I presume that the hon. member is referring to the fourth-quarter final results from last year's budget. I have said in this House a number of times that the actual final numbers will be ready around the 1st of June and that they will be presented as soon as they are in fact available. What the hon. member doesn't understand is that while there are lots of estimates that can be made as to what those numbers will look like, the final actual numbers will not be available until just about 60 days after the final production occurs in oil and gas, which was March 31, so I don't have those final numbers. I wish I did, but I don't have them, and as soon as I do have them, I will make them available to Albertans.

THE SPEAKER: The hon. member.

MR. MASON: Thank you very much, Mr. Speaker. If there is another huge accidental-on-purpose budget surplus this year, will the government commit to scaling back the 30 percent hike in health care premiums, or does the government think it's more important to further reduce corporate taxes?

MRS. NELSON: Mr. Speaker, striking the balance is always a difficult task when one has to look at having the best economic advantage in the country. That means having the lowest tax regime. It also means having priority spending taking precedence, and let's not forget paying off our debt, which is another important aspect of the triangle of striking the right balance in this province.

In this year's budget I believe that we have met the priorities in some very challenging times within this budget structure, and we're moving forward, Mr. Speaker. I think it puts us in good stead within the province, but let's remember always that the one advantage we have in the province of Alberta – and we're the only government in all of Canada – is that every quarter we fully update Albertans as to the fiscal situation within this province with the quarterly updates. We will continue on that path so that Albertans are always aware as to what the fiscal picture is for the province of Alberta.

THE SPEAKER: The hon. Member for Edmonton-Manning, followed by the hon. Member for Edmonton-Gold Bar.

North Edmonton Ring Road

MR. VANDERMEER: Thank you, Mr. Speaker. Anyone who drives the Yellowhead through Edmonton is immediately aware of the need for a ring road around the city. The northeast corner of our city is a significant contributor to the city's economic well-being and to the surrounding region as well. Traffic volumes and the city's economic well-being demand attention to be given to the northern segment of Edmonton. Building the northern extension is necessary for continued economic growth, jobs, and tax revenue to pay for health and education, and as an added benefit a ring road would relieve congestion on the Yellowhead. My question is to the Minister of Transportation. Could he please tell us if the province has any plans to accommodate a ring road around the north of Edmonton in the near future?

THE SPEAKER: The hon. minister.

MR. STELMACH: Thank you, Mr. Speaker. At the moment we are proceeding with the most southerly western portion of the north/south trade corridor. This will be connecting highway 16 west to the Calgary Trail, which will lead to highway 2. That project is currently under way. The balance of the ring roads will be built as budgets are determined in the future. Obviously, the member makes a number of very good points in terms of relieving all of the traffic pressure on the Yellowhead and also on the Whitemud. In fact, I believe that by 2005-2006 transportation officials in the city of Edmonton are indicating that the Quesnell Bridge will be at capacity.

MR. VANDERMEER: Mr. Speaker, my first supplemental question is to the same minister. Land costs are a major portion of highway construction, and the northern extension of the ring road is a significant project. Does the province anticipate buying any more needed land there?

MR. STELMACH: Mr. Speaker, this government in the '70s had invested a considerable amount of money into what's called the transportation utility corridor. This is about \$600 million invested by the taxpayer in land around the city of Edmonton and the city of Calgary. The land is in place. The Minister of Infrastructure is just completing some final details, maybe buying some additional parcels where the anticipated interchanges will be going in, but definitely the land is in place, and when the dollars are available, we can proceed with the ring roads in both cities.

2:00

MR. VANDERMEER: The final question to the same minister, Mr. Speaker: what can the minister do to accelerate construction of these necessary roadways?

MR. STELMACH: Well, Mr. Speaker, thanks to the input from

government members and input and direction given by the Minister of Finance in forming the financial management review committee, these are of course issues that the committee will be looking at: how we can fund some of this badly needed infrastructure in the future, possibly looking at different strategies but knowing quite well that this infrastructure has to be put in place as soon as possible because we do have a tremendous congestion in two of the largest centres here in the province of Alberta, where the population is simply increasing annually.

THE SPEAKER: The hon. Member for Edmonton-Gold Bar, followed by the hon. Member for Olds-Didsbury-Three Hills.

Electricity Deregulation

MR. MacDONALD: Thank you, Mr. Speaker. Last summer the Minister of Energy welcomed Enron's entry into the electricity industry in Alberta as vindication that the anticipated deregulation scheme is working more or less as promised and said at the time, quote, Enron's announcement is a signal that this power market is here to stay, end quote. Just as Enron was a spectacular failure, so too was this government's expensive electricity deregulation scheme. It doesn't help to have a minister who only provides false, glib assurances. My first question is to the Minister of Energy. Since this minister still hasn't been able to complete his industry restructuring review almost eight months after first anticipated, how long will he delay the findings of the new task given to him by the Premier, a task he was incapable of undertaking on his own?

MR. SMITH: Mr. Speaker, actually I think the fact is that this power market is here today, this power market is here to stay, Enron is gone, and certainly half of his members are gone from last year.

MR. MacDONALD: Mr. Speaker, given that what else is gone is the credibility of this government as far as the electricity deregulation scheme goes, can the minister, who has so far refused to do so, please explain to Albertans who are paying more for electricity each month why their bills have gone up?

MR. SMITH: The deferral accounts that cover the price of power bought in 2000 and in the year 2001 have, through the EUB and through a discussion with a consumers' advisory group at each utility, been placed on these bills. In fact, Mr. Speaker, the bills from the ATCO service network do not have a rate rider, and the price of electricity there today is 4.76 cents.

MR. MacDONALD: Again to the same minister, Mr. Speaker: why does the minister continue to offer false assurances to his colleagues that deregulation might one day – one day – lower bills when such tactics have already led to a revolt in his caucus and also with his cabinet colleagues?

MR. SMITH: Well, I think that defining a revolution might be an interesting piece, Mr. Speaker, but what we do know from this caucus and what we do know from these cabinet colleagues is that they ask clear, concise questions about government policy. They in fact have candid, direct meetings with the utility companies that are involved. In fact, UtiliCorp/EPCOR, an area where there have been the highest deferral accounts placed – there was an active 90-minute meeting today.

So in fact I would say to the hon. member that this government is on the case every day, on the case with every cabinet colleague, on the case with every private member, and is far, far ahead of the

opposition in looking at issues that are important to Albertans and important to this government.

THE SPEAKER: The hon. Member for Olds-Didsbury-Three Hills, followed by the hon. Member for Edmonton-Glengarry.

Education Review Commission

MR. MARZ: Thank you, Mr. Speaker. Earlier this year it was announced that the Minister of Learning was to put in an arbitration process to resolve the salary issues amongst teachers as well as establish a commission to investigate and make recommendations on teaching and learning conditions. Many of my constituents are getting quite anxious for this process to start. My question today is to the Minister of Learning. Could the minister tell me when this commission will be established finally so that they can begin their work and start on this review?

THE SPEAKER: The hon. minister.

DR. OBERG: Thank you very much, Mr. Speaker. At the end of April we signed an agreement with the Alberta Teachers' Association and the Alberta School Boards Association that essentially led to a decrease in the labour issues around the province. Part of that deal was the ability for the Alberta Teachers' Association and the Alberta School Boards Association to have input into the composition of their committee. That input came into my office yesterday. We plan on having the committee up and rolling I'm hoping by the 1st of June, but as I say, we were waiting for the input, and we hope to get it up and going as quickly as we can now.

THE SPEAKER: The hon. member.

MR. MARZ: Thank you, Mr. Speaker. Could the same minister comment or explain what type of public input opportunities the commission will be providing?

THE SPEAKER: The hon. minister.

DR. OBERG: Thank you, Mr. Speaker. One of the things that I will be doing is sitting down with the chairman of the commission and taking a look at how things will proceed, but we certainly anticipate that at a minimum there will be Internet access into the commission, that there will also be some type of questionnaire that will be sent out, as well as focus groups. I believe that these are probably some of the best ways to get input into this commission, and certainly we value the opinions of all Albertans and will ensure that each and every Albertan has the opportunity to put information into this commission.

THE SPEAKER: The hon. member.

MR. MARZ: Thanks again, Mr. Speaker. Could the minister tell me if he's still anticipating that this commission will be able to complete their work by August 30, 2003?

DR. OBERG: Yes. Certainly, Mr. Speaker, I can give the guarantee that they will be done by August 31 of 2003. As a matter of fact, I am hoping that it will be done significantly before then. One of the issues that we have to look at, as was certainly pointed out in the input from the ATA and the ASBA, is that we have to make sure that it is a very credible job, that it is a good job and not a rushed job. I would anticipate that hopefully we're looking at around January,

February of 2003, but again by far the most important element is that it's a credible, good job.

THE SPEAKER: The hon. Member for Edmonton-Glengarry, followed by the hon. Member for Little Bow.

Education Funding

MR. BONNER: Thank you very much, Mr. Speaker. The Minister of Learning has told this Assembly that parents should not have to fund-raise to buy basics such as textbooks. A couple of weeks ago he informed us that his department had audited 22 schools, some of which had been fund-raising for textbooks, and determined that the schools had sufficient funds and that fund-raising was unnecessary. My questions today are to the Minister of Learning. Are those 22 audits public?

DR. OBERG: Mr. Speaker, no, they're not, but we certainly intend on making them public.

MR. BONNER: As well to the same minister, Mr. Speaker: will any future audits of schools be made public, or will we have to take the minister at his word when he says that schools don't need to fund-raise?

DR. OBERG: Mr. Speaker, absolutely. As the hon. member is well aware, anything that we do in our department is public knowledge through the freedom of information and privacy.

THE SPEAKER: The hon. member.

MR. BONNER: Thank you, Mr. Speaker. To the same minister: if parents raise money not for textbooks directly but in order to free up school money to purchase textbooks, does the minister consider this as a sign that schools are underfunded?

DR. OBERG: Well, Mr. Speaker, that's one of the issues that we're currently looking at as this issue has been raised. As I mentioned, in the 22 schools that we looked at, this was not what was going on. However, it has been raised, so we are looking at ways to counteract that. I sincerely hope that is not happening, but we are taking a look at the whole fund-raising issue.

THE SPEAKER: The hon. Member for Little Bow, followed by the hon. Member for Edmonton-Centre.

Fusarium-infected Grain

MR. McFARLAND: Thank you, Mr. Speaker. My questions today are to the Deputy Premier and the Minister of Agriculture, Food and Rural Development. As you are aware, Alberta is a major producer of barley, but recent shortages of feed have increased the importation of barley from other areas. Particularly, those entering our province are coming with possible fusarium-infected supplies from Manitoba and southeast Saskatchewan. This increased importation increases the possibility of the spread of the disease throughout Alberta. My question is to the minister. Can you tell me what is being done currently to curtail the importation of fusarium to Alberta to protect our industry?

2:10

MRS. McCLELLAN: Mr. Speaker, undoubtedly fusarium is a very serious fungus that causes fusarium head blight in cereal crops and absolutely can devastate cereal crops. The losses in Manitoba and

Saskatchewan are staggering. We have been working on a policy on fusarium. It has become more of an issue because of the shortage of feed and the importation of corn from the U.S. which also is infected with this, and we've looked at a zero tolerance policy. Currently we're discussing this with the stakeholders. This includes the malting industry, it includes the feeding industry, it includes the seed industry, and it includes producers.

One of the concerns we have, Mr. Speaker, of putting in place a policy of zero tolerance is: can we police it? We do not want to give false assurances that we're managing the problem if indeed we can't police the importation of it. We have to also look at the impact on the feeding industry. Cattle have a fairly high tolerance for fusarium. It passes through them, and the fungus indeed is destroyed. However, chickens and hogs have a very low tolerance for this, and it can cause illness and death. So I think it's important that we have that full discussion with the industry and bring forward a policy that will reflect the importance of keeping this fungus out of our province yet recognizing the impact on the industry as a whole.

MR. McFARLAND: Thank you, Mr. Speaker, and thank you to the minister for your concern on the tolerances. As a supplementary, what are you doing to curtail the importation of the fusarium into Alberta?

MRS. McCLELLAN: Mr. Speaker, at present there is nothing that precludes grain coming in with fusarium. We are looking at a policy that might have zero tolerance for importation. That would indeed mean that every load of grain that came into that province that has this possibility of infection would have to be certified fusarium free. This is a fairly significant process. You want to make sure, one, that it's necessary and, two, that you can police it.

One of the things that we have done, Mr. Speaker, to assure ourselves that this is not a problem in our province is that we've entered into a research project, if you wish, where we cost-share with producers the cost of testing seed. The other thing we do is we strongly recommend to all producers that are seeding these grains that can be infected that they have their seed tested, that they ensure that it is fusarium free and in that way are not introducing it themselves into the province.

THE SPEAKER: The hon. member.

MR. McFARLAND: Thank you. A final supplemental to the minister: who will actually be responsible for certifying or inspecting the truckloads or railcar loads of the various grains that are coming in with potential fusarium in them?

MRS. McCLELLAN: Mr. Speaker, at the initial stages of our response to this, if we went to a zero tolerance, it would be the vendor's responsibility to ensure that there was a certification that accompanied it.

The other thing that I should just remind members is that fusarium is a registered pest under the pests act, so ag field men in our province have the ability and the authority to do random checks and can do that and in fact are doing that. Action that can be taken on any load of grain that is found to have fusarium infection could mean it would be turned back to its source, impounded, and dealt with.

Mr. Speaker, we should have a policy in place I would expect in the next three to four weeks, after we conclude our industry consultation.

THE SPEAKER: The hon. Member for Edmonton-Centre, followed by the hon. Member for Edmonton-Strathcona.

Commercial Fisheries

MS BLAKEMAN: Thank you, Mr. Speaker. On April 25 the Minister of Sustainable Resource Development said that Alberta's commercial fishing industry was too large for the amount of fish we have in our lakes and was not economically viable and, further, that it was difficult to manage. My questions are to the Minister of Sustainable Resource Development. Who is to blame for Alberta's fisheries no longer being economically viable? Did the government issue too many commercial licences, or are the operators overfishing?

MR. CARDINAL: Mr. Speaker, that's a very good question, because I don't believe there's been mismanagement of our lake fisheries at all. It's a very sensitive area. The commercial fisheries have been around for, you know, a long time. At one time it was very productive because the scale of commercial fisheries was very small and localized, and a lot of people made a good living at it. Since then the industry has grown. At one time there were over 2,200 commercial fishermen.

DR. TAYLOR: How many?

MR. CARDINAL: Over 2,200. Now that has dropped to 800, and they have about 34,000 100-yard nets right now. We want to reduce that of course down to about 200 licences and reduce the yardage by half so that it's better managed and makes the people who are in that business more economically viable, with the opportunity for them to plan also. At the same time, a number of them who might want to get out of the industry because it may not be viable for them will have the opportunity to sell their yardage to the government, with some compensation per 100-yard net and also some compensation per zone.

That is only one part of the overall plan of having sustainable fisheries, both recreation and sport fisheries, in Alberta. That is one part of the plan. The other part of course is ensuring that the sportfishing industry also is managed well. Again, that is a very sensitive area, because we only have about a thousand lakes in Alberta in total, while Saskatchewan and Manitoba, places like that, have close to 100,000 lakes. Of course, in addition to the commercial fishermen, we also have 300,000 sportfishermen out there going for the same source as the commercial fisheries.

MS BLAKEMAN: Okay. Well, it's either the fishing operators or the sportfishermen.

Given that the government is offering a buyout package, there must be additional reasons for the collapse. How did we get to the position where we had too many operators? How did the government allow that?

MR. CARDINAL: Well, Mr. Speaker, there are a lot of pressures of course. On one hand, we have a very positive economic atmosphere in Alberta, and the population has grown. The economy is booming in Alberta. There are a lot of people attracted from other jurisdictions. Besides what we have here in Alberta, there are people coming in from Saskatchewan, there are people coming in from B.C., and there are people coming in from other jurisdictions, moving to Alberta for jobs and business opportunities. That is the good news. The negative side of it is that it provides more challenges to manage our natural resources such as the fisheries. It's a challenge, but you can be assured that the plan we're moving forward with will work.

THE SPEAKER: The hon. member.

MS BLAKEMAN: Thank you. Mr. Speaker, the government licenses a wide range of businesses and offers no compensation when market conditions change and businesses close. So why are the fisheries different? Why do they get a buyout package? Why are they so special?

MR. CARDINAL: Mr. Speaker, I don't think we're treating the commercial fisheries as any more special than anyone else. It's something, in fact, that the Commercial Fishermen's Association of Alberta has been looking for since – I know I've been involved since 1991. The original plan was a recommendation to provide some compensation for them to get out of that business. When you look at the comparison between the commercial fisheries revenue for Alberta and the people that are in it, it's about \$5 million a year. On the other hand, with 300,000 people that do sportfishing, it's a \$350 million industry. So when you compare those two, it's only wise to take some of the dollars raised on the sportfishing side, move those dollars, and reduce the commercial fisheries to a manageable level. You can manage those fisheries a lot better than we can now, and we will continue monitoring the situation.

THE SPEAKER: The hon. Member for Edmonton-Strathcona, followed by the hon. Member for Red Deer-North.

2:20 First Nations Skills Development Programs

DR. PANNU: Thank you, Mr. Speaker. Earlier today I sent the Minister of Human Resources and Employment copies of two memoranda from senior officials in his ministry. These memos indicate that effective September 1 this year aboriginal people living on First Nations reserves will no longer be eligible for training allowances under the skills development program. Up to 1,000 aboriginal people involved in skills upgrading programs will be cut off by this shortsighted policy change. My questions are to the Minister of Human Resources and Employment. How can the minister justify the blatant double standard of providing living allowances under the skills development program to all eligible Albertans with the sole exception of aboriginal people living in First Nations communities?

MR. DUNFORD: Mr. Speaker, we're currently involved in one of these little jurisdictional matters that arise between the federal government and a provincial government periodically. I think most of the preamble to the question was substantially correct, but the hon. member was not pointing out to the Assembly this afternoon that under a skills development program normally we provide for tuition, books, and living allowances. Of course, we still do that for all Albertans that are involved in our upgrading programs, but when it comes to First Nations people that are still living on the reserve, what we have indicated to the chiefs through letters – the minister of aboriginal affairs and myself have been meeting with various groups – is to provide the understanding that the living allowance portion for a First Nations person on reserve is the responsibility of the federal government and that we in the provincial area will continue to fund tuition and books. So there really should be no apparent difficulty, no apparent change to the amount of support that any Albertan would receive no matter where in Alberta they live.

THE SPEAKER: The hon. member.

DR. PANNU: Thank you, Mr. Speaker. Given the high rate of

unemployment in most of these locations, isn't paying living allowances for skills upgrading an excellent investment to ensure that these citizens do get a hand up rather than a handout?

MR. DUNFORD: I absolutely agree with the tenor of the question. We want to be providing hand ups and not handouts, and this is a way for the federal government and the provincial government to work together in seeing that that happens. Now, as a matter of fact, Mr. Speaker, we've actually gone even further than that, because in previous years when we discovered that we were paying those living allowances, there was a certain part of our budget that was being utilized that way. With the agreement of the federal government, we no longer have to move budget dollars in that particular area, but we're going to keep those dollars within the aboriginal framework of training programs that we have. Currently, as we speak, we're actually out there looking for partnerships with industry, with First Nations people, with the federal government, with the provincial government, and of course also with the support of my colleague in aboriginal affairs, to keep that money involved in the training of First Nations people.

DR. PANNU: Should the federal government fail to step up to the plate, will the minister guarantee that every person who lives in a First Nations community will be treated equally with all other Albertans and that the province will continue to cover living expenses beyond September 1, 2002?

MR. DUNFORD: I don't know that I should have to guarantee that, Mr. Speaker. We're finding co-operation with the federal government in this area. I plan to travel to Ottawa later this month to meet with the minister on this very topic. I believe that they'll fulfill their commitments, so a guarantee won't be necessary.

I don't think that any of us should speculate at this particular time, hon. member. I think that the federal government is there where they're needed, the provincial government is there where needed, the First Nations people themselves are there where they're needed, and I see this program moving forward.

THE SPEAKER: The hon. Member for Red Deer-North, followed by the hon. Member for Edmonton-Riverview.

Persons with Developmental Disabilities Program

MRS. JABLONSKI: Thank you, Mr. Speaker. Red Deer-North is the home of Michener Centre, a community designed for the needs of persons with developmental disabilities. Just as society has evolved over the past 50 years, so has Michener Centre. The mandate of the persons with developmental disabilities program supports community inclusion. I understand that PDD has some very successful programs for persons with developmental disabilities that enable them to live, work, and participate in their own communities. My question is for the Minister of Community Development. If community inclusion is a choice, is there still a role for centres like Michener Services in Red Deer?

THE SPEAKER: The hon. minister.

MR. ZWOZDESKY: Well, thank you, Mr. Speaker. I think the key point in the question is the word "choice." As most members in the House might recall, when I authored the Building Better Bridges report, a significant review that was done provincially, I had specifically indicated that Michener Services, or Michener Centre as we colloquially refer to it, would be an important facility for PDD

residents there under the issue of choice. So the PDD residents and/or the future residents or the families who are helping make those difficult decisions would have a centre such as Michener open for that purpose.

There are a number of centres that are referred to as government-sponsored centres, such as Michener, which provide an outstanding service, Mr. Speaker. We have the Eric Cormack here in the city. We certainly have Youngstown Home in east-central Alberta. We have Bow Park Court and Scenic Bow, which have some facilities in Calgary.

I should point out, Mr. Speaker, that the centre that we're talking about in Red Deer, specifically Michener Services, has been the recipient of at least four Premier's awards over the last three or four years alone for the excellent service provided there by their staff and by the medical and other personnel on-site. So the short answer to your question, hon. member, is that yes, there will continue to be a role for a service such as Michener Services in Red Deer.

THE SPEAKER: The hon. member.

MRS. JABLONSKI: Thank you. My supplemental question is again for the Minister of Community Development. In what way does the government support community inclusion for persons with developmental disabilities?

MR. ZWOZDESKY: Well, Mr. Speaker, that's at the heart of the PDD system in our province. Community inclusion is provided for by basically the community-based agencies. However, they are helped significantly by the province and by the government of Alberta, primarily through funding, but there are other types of supports. Then it is up to the community agencies through our community governance model to provide, deliver, design, and support those programs that are customized for PDD recipients throughout the province. So there are a number of things that these community agencies will do with this funding that impact and directly affect the daily living, the residential supports in some cases, outreach programs, employment support programs, and so on with respect to our PDD recipients who are living in the community and enjoying and experiencing life as the rest of us are.

MRS. JABLONSKI: To the same minister: in what way does the government of Alberta support the programs and needs of PDD residents at Michener Centre?

MR. ZWOZDESKY: Well, briefly, Mr. Speaker, Michener Centre, or Michener Services, has the whole package there. They provide not only residential programs, support programs, day programs, but there's a full breadth of medical programs, nursing, physical therapy, dental, and pharmaceutical. There's access to spiritual programming and a wide, wide variety of recreational sports activities with very high visibility for those individuals in the community. So there's quite a bit that this government is doing in respect to Michener Services.

THE SPEAKER: The hon. Member for Edmonton-Riverview, followed by the hon. Member for Edmonton-Meadowlark.

2:30

CT Scans

DR. TAFT: Thank you, Mr. Speaker. My questions will be to the Minister of Government Services. In recent weeks the opposition has raised concerns about a business in Calgary now offering full-

body CT scans at a charge of \$1,200 not to diagnose symptoms but merely to screen healthy people. This is now being aggressively advertised in Calgary, and I'll table a copy of the ad in a moment. Full-body CT scans are actively discouraged for screening purposes by a wide range of medical authorities because they expose people to worrisome levels of radiation. Under question the minister of health advised that this was for the College of Physicians and Surgeons to regulate. However, it appears that it may be difficult for the college to act because of limits on its jurisdiction. To the Minister of Government Services: given that the minister of health has taken a hands-off approach and that the power of the College of Physicians and Surgeons may be very limited in this matter, does the Minister of Government Services have any jurisdiction to ensure public safety on this issue?

MR. COUTTS: Well, Mr. Speaker, this definitely sounds to me like it is something that should be under consideration by the department of health and the College of Physicians and Surgeons. In terms of Government Services getting involved in a consumer complaint here, I haven't received anything in my office that is even geared towards that at this point in time, but if the hon. member wants to give me the details, Government Services, like we do with all complaints that come into our shop, will definitely take a look at whose jurisdiction this should be under and get back to the hon. member.

DR. TAFT: I appreciate the response.

Given that the very nature of this service exposes healthy people to amounts of radiation considered undesirable by many medical authorities, is it possible under legislation that this sort of service could be closed down?

MR. COUTTS: Well, again, Mr. Speaker, it would seem to me that there would need to be some kind of research on that kind of an implication on an individual's health, and that is better served by the department of health and the College of Physicians and Surgeons to do that research. If our department is part of that research, by all means we'll certainly get back to the hon. member.

DR. TAFT: It feels now like pinball.

Anyways, does the Alberta government have any capacity, experience, or expertise in regulating public services that involve radiation exposure to the public?

MR. COUTTS: Well, Mr. Speaker, there's absolutely no ping-pong here whatsoever. We in government make sure that we go through the proper procedures. In this case it is with the department of health and certainly with the help of the people that do the regulation as well as consumer affairs. We work together on these types of things, so there's absolutely no ping-pong involved with this department.

THE SPEAKER: Hon. members, before recognizing several hon. members for participation today in Members' Statements, might we revert briefly to Introduction of Guests?

[Unanimous consent granted]

head: **Introduction of Guests**

(reversion)

THE SPEAKER: The hon. Member for Edmonton-Calder.

MR. RATHGEBER: Thank you, Mr. Speaker. It is indeed a

pleasure to rise here this afternoon and introduce to you and through you to the members of this Assembly 21 of Edmonton-Calder's finest senior citizens who are members of the Inglewood seniors group who meet at the Inglewood Christian Reformed Church. I had the pleasure of meeting these 21 individuals prior to question period. I understand they're very active and they do many outings, and I'm glad that they came to the Alberta Legislature to watch the proceedings here this afternoon. They're in the members' gallery, and I'd ask that they rise and receive the traditional warm welcome of this Assembly.

THE SPEAKER: The hon. Member for Bonnyville-Cold Lake.

MR. DUCHARME: Thank you, Mr. Speaker. It gives me great pleasure to introduce to you and through you to all members of the Assembly Mr. Harry Supernault, the chairman of the Metis Settlements Appeal Tribunal. He is also attended by Ms Sarah Daniels, who is the tribunal secretary and executive director of the Metis Settlements Appeal Tribunal. I'd ask that they rise and please receive the traditional warm welcome of the Assembly.

head: **Members' Statements**

THE SPEAKER: Hon. members, we're now into Members' Statements. I certainly do not intend to edit the hon. member's statement, but I'm going to call on the hon. Member for Red Deer-North, and I cannot fathom in my head how the hon. member could speak for two minutes about the glories of the Red Deer Rebels when they lost last night.

Jack and Joan Donald

MRS. JABLONSKI: Thank you, Mr. Speaker. Only I have chosen a far more suitable subject for today.

People everywhere search for the secret of success. Red Deer's 2001 citizen of the year, Mr. Jack Donald, has discovered this formula. Take one smart, ambitious, hardworking gas jockey; add one determined, tenacious, hardworking partner; mix in a great location like Red Deer; throw in a pinch of risk; include generous portions of volunteer work, public service, and family; add the Alberta advantage; bake for 38 years; and presto, you have success. Jack Donald was chosen by the members of Red Deer's three Rotary clubs to be Red Deer's citizen of the year not only because of his remarkable business success but more importantly because of his great contribution to his community.

Jack and his wife, Joan, who is the wind beneath Jack's wings, arrived in Red Deer in 1964, opening a bulk station on Gaetz Avenue. They now supply through Parkland Industries, purchased by Jack and Joan in 1976, about 450 retail and wholesale stations under the Fas Gas and Racetrack banners. They both have devoted numerous hours of organization and hard work to fund-raising for Red Deer College, the Red Deer regional hospital, STARS ambulance, the Westerner Exposition, and many other community projects. Jack and Joan have helped make their community of Red Deer and central Alberta one of the very best places in the world to live, work, and play. Jack also served as a Red Deer city councillor for two years, was chair of the province's Tax Reform Commission in '95, the co-chairman of the '98 Tax Review Committee and the 2000 Business Tax Committee as well. When his province needed him, Jack was there.

Mr. Speaker, two minutes is not long enough to tell you about all the work, public service, and volunteer hours that Jack and Joan have given to this great province. In the middle of all this extraordinary effort they also managed to raise and stay close to a beautiful family, who are walking in their footsteps.

Congratulations to Jack Donald for being the very worthy recipient of the Red Deer citizen of the year award and to his wife, Joan, who walked beside him every step of the way. You have both inspired your family and friends and all those around you. Alberta salutes you.

THE SPEAKER: Well, the hon. member is aware that should she have requested unanimous consent to continue, the Assembly might have provided it.

The hon. Member for Calgary-Fort.

Lifelong Learning

MR. CAO: Thank you, Mr. Speaker. The economy of Alberta depends on innovative, well-educated, skilled, and adaptable people who are able to respond to an ever changing . . . [A member passed between the chair and the member speaking]

THE SPEAKER: Sorry, hon. member. That is totally inappropriate decorum. Totally inappropriate.

I'm going to start again with the introduction of the hon. Member for Calgary-Fort. Please start again.

MR. CAO: Thank you, Mr. Speaker. The economy of Alberta depends on innovative, well-educated, skilled, and adaptable people who are able to respond to an ever changing world. To take advantage of the opportunities of this knowledge-based economy and society, Albertans recognize the value of identifying and pursuing lifelong learning opportunities. Lifelong learning is about acquiring and applying knowledge and skills throughout our lives. Lifelong learning is to help reach employment goals, to enjoy a high quality of life, and to be contributing and responsible citizens.

During the public consultations held at many places across the province, over 450 Albertans from many walks of life shared their ideas for improving opportunities to continue learning. It was recognized that Alberta already has a strong learning system that is accessible, affordable, flexible, and responsive to the learning opportunities. However, consultation participants noted that more effort is needed in some areas to encourage more adults to re-embark on learning.

The lifelong learning committee reaffirms the government's commitment to building a globally recognized lifelong learning culture and community in Alberta. Learners, parents, instructors, volunteers, learning service providers, business, industry, government, community and professional organizations all share in the important task of building this lifelong learning culture in Alberta.

As the chair of the lifelong learning committee I would like to thank our committee members the hon. MLAs from Dunvegan, Wainwright, Innisfail-Sylvan Lake, and the many community adult learning councils, educational institutions, professional societies, learners, and the capable staff of the Ministry of Learning. I'm looking forward to the implementation of the lifelong learning culture in Alberta.

Thank you.

THE SPEAKER: The hon. Member for Edmonton-Castle Downs.

2:40

Project S.O.S. Helicopter

MR. LUKASZUK: Thank you, Mr. Speaker. It was just a simple question from 630 CHED's Bob Layton in a November 2000 editorial, and it said: why doesn't Edmonton have a police helicopter of its own? While Ed Bean of Crystal Glass challenged Bob's

audience to match a hundred thousand dollar donation, Edmonton's businesses and citizens stepped forward, and the rest is history.

Mr. Speaker, working with the Edmonton Police Foundation, Project S.O.S. Helicopter has raised funds to lease Air-1 for one year. The foundation has now gone another step further to raise funds to buy the police helicopter. To raise these funds, they are selling lottery tickets at \$100 per ticket, and they have over 1,854 prizes to be drawn on July 25, 2002.

So far, Mr. Speaker, in eight months alone the Air-1 helicopter has responded to over 1,200 emergency calls, safely handled 22 pursuits with no injuries – all offenders were apprehended – and one major incident on January 2 with four consecutive pursuits had 11 individuals being arrested. As you can see, Project S.O.S. Helicopter is a very good cause, and anyone who can help with their fund-raising, just pass on the word and we will be able to assist the Edmonton Police Foundation in their quest for safety in our city.

Thank you, Mr. Speaker.

THE SPEAKER: The hon. Member for Edmonton-Strathcona.

Future of Health Care

DR. PANNU: Thank you, Mr. Speaker. This morning the New Democrat opposition presented its recommendations to the Commission on the Future of Health Care in Canada. We note that health reform is not a question of whether change is needed. It is. The question should be: how should Canada's health care system be changed?

New Democrats pioneered medicare and are committed to ensuring that it effectively serves the future needs of Canadians. We believe that reforms that advocate turning health care into a market commodity should be rejected. Health care is a public good, not a market commodity, and as such is best delivered by public institutions, nonprofit organizations, and health care professionals whose primary motivation is patient care, not shareholder profit.

The Alberta government by adopting the Mazankowski report is beginning from the premise that medicare is broken and cannot be financially sustained. Their disastrous agenda of privatization will mean that the sick, the injured, and those with chronic illness will pay more for the care they need. New Democrats want to strengthen and sustain medicare, not demolish it. The best way to contain health care costs is to expand medicare coverage, not shrink it. Reducing public funding of health care will not eliminate health care costs; it will only shift the cost to private insurers and out-of-pocket payments. There is no evidence that variable health care premiums, implementing medical savings accounts, or any other such cost-shifting plans either save money or improve efficiency. There is evidence, however, that when the opposite happens, costs in total do rise.

Some of our recommendations to the commission are that the federal funding share must be restored to a 50-50 funding partnership with the provinces, phased-in pharmacare, home care programs, and more 24-hour primary care centres with physicians, nurses, and other health care professionals working together as a team.

Medicare works. We need to take public health care to the next stage and make it a truly comprehensive service, one that guarantees equitable and timely access, high quality of care while remaining cost-effective and affordable.

Thank you, Mr. Speaker.

head: Introduction of Bills

THE SPEAKER: The hon. Minister of Justice and Attorney General.

Bill 31**Security Management Statutes Amendment Act, 2002**

MR. HANCOCK: Thank you, Mr. Speaker. I beg leave today to introduce Bill 31, the Security Management Statutes Amendment Act, 2002.

Following September 11, Mr. Speaker, our Premier asked the Minister of International and Intergovernmental Relations to head up a security committee to re-evaluate and update security measures to ensure that Albertans were ready and the Alberta government was ready to deal with and to help prevent any threat of terrorist activity in our province. The task force conducted a thorough review and asked Justice to review all the statutes in the province with respect to emergency measures and security measures to make sure that Alberta was ready. The review, I'm pleased to advise, revealed that Alberta's disaster legislation and other legislation is strong and effective to keep our province safe.

We did find, however, Mr. Speaker, that there were some areas where the laws could be updated and improved and specifically to allow for dealing with issues of prevention rather than waiting for something to happen, and the bill that I'm introducing this afternoon proposes a number of amendments to provincial laws to enhance the protection that we provide to Albertans and the province's infrastructure, industry, natural resources, and environment. The law does this while respecting the rights and freedoms of all Alberta. It's a proactive step which will help to ensure that Alberta has the legal and strategic mechanisms in place to address any threat, public health emergency, or crisis.

As I've previously advised the House, Mr. Speaker, it's our intention to let the bill sit on the Order Paper until the fall session so that Albertans have a chance to look at the bill to see how the measures provided for impact on their daily lives.

I would ask leave to introduce the bill for first reading.

[Motion carried; Bill 31 read a first time]

head: Tabling Returns and Reports

THE CLERK: Pursuant to Standing Order 37.1(2) I wish to advise the House that the following document was deposited today with the office of the Clerk by the hon. Minister of Gaming: responses to questions raised on May 2, 2002, Department of Gaming, 2002-2003 Committee of Supply debate.

THE SPEAKER: The hon. Minister of Finance.

MRS. NELSON: Thank you, Mr. Speaker. Today I have four tablings. My first one is the written answers to questions raised by the opposition during Committee of Supply for my department on May 1 of this year.

The second tabling is the details of the grants, supplies and services, capital assets, and other from the general revenue fund for the year ended March 31, 2001.

My third tabling is the Members of the Legislative Assembly pension plan annual report for the year ended March 31, 2000.

Finally, Mr. Speaker, my fourth tabling is the Report of Selected Payments to Members and Former Members of the Legislative Assembly and Persons Directly Associated with Members of the Legislative Assembly for the year ended March 31, 2001. Additionally, the Clerk's office has copies for each of the members, and I have also taken the liberty of sending each member of the Assembly a copy to their legislative office. Due to the physical size of this tabling I will provide one copy of each of the tablings, and my office delivered four copies of each tabling to the Clerk's office earlier today.

THE SPEAKER: The hon. Minister of Energy.

MR. SMITH: Thank you, Mr. Speaker. I wish to table today with the House questions and answers from April 17, 2002, Committee of Supply and questions that the Premier took under advisement for me May 6, May 7, and May 8.

THE SPEAKER: The hon. Minister of Human Resources and Employment.

MR. DUNFORD: Thank you, Mr. Speaker. I'm pleased to table with the Assembly today a publication by our Department of Human Resources and Employment entitled *Seekers and Storytellers: Aboriginal Role Models Share Their Career Journeys*.

THE SPEAKER: The hon. Minister of Aboriginal Affairs and Northern Development.

MS CALAHASEN: Thank you, Mr. Speaker. Today I'm pleased to table with the Assembly five copies of the annual report of the Metis Settlements Appeal Tribunal for the year 2001, and I'm very pleased to see that the chairman is seated in the gallery as well as Sarah Daniels. In fact, the tribunal has been very busy in the last while doing all sorts of things, and one of the exciting innovations actually has been the creation of case management panels. These panels hear preliminary issues, from the merit of appeals to whether to grant time waivers or interim decisions. I see that they're doing a really great job, so I'll file these today.

Thank you.

THE SPEAKER: The hon. Solicitor General.

MRS. FORSYTH: Thanks, Mr. Speaker. I have three tablings. It's my pleasure to table five copies of the victims programs status report for the year 2000-2001. The report details the \$1.3 million provided by my ministry to Alberta's 73 programs and 108 victims' services units, all run by volunteers that last year helped more than 38,000 victims of crime.

Mr. Speaker, I would also like to table five copies of the Law Enforcement Review Board annual report for 2001-2002.

Mr. Speaker, I'd also like to table the required number of copies of the response to Written Question 4 and Motion for a Return 1.

2:50

THE SPEAKER: The hon. Minister of Municipal Affairs.

MR. BOUTILIER: Thank you, Mr. Speaker. I wish to table today in a timely fashion five copies of the responses to the questions raised in Committee of Supply for the Ministry of Municipal Affairs.

THE SPEAKER: The hon. Minister of Economic Development.

MR. NORRIS: Thank you, Mr. Speaker. I rise today with the appropriate number of copies of the activity report of Alberta Economic Development Authority. As you know, this is a volunteer body made up of businesspeople, men and women from throughout the province who from time to time advise the government on economic development and policy. I have the appropriate number of copies today.

THE SPEAKER: The hon. Member for Drayton Valley-Calmar.

REV. ABBOTT: Thank you, Mr. Speaker. I rise today to table five

copies of a resolution of nonsupport for the Kyoto protocol by the village of Breton. It's signed by the mayor, Alan Barker. I know that our Minister of Energy and Minister of Environment are working on a made-in-Alberta plan, and that's exactly what these people are looking for.

THE SPEAKER: The hon. Member for St. Albert.

MRS. O'NEILL: Thank you, Mr. Speaker. I wish to table the appropriate number of copies of two letters that I received from constituents, both with respect to the community lottery boards. One is from Susan Riege, who is the chair of the play space enhancement project committee at Leo Nickerson elementary school, and the other one is from Mrs. Elizabeth Atkinson. Both of them have expressed their desire for the implementation of the moneys to be put to use in St. Albert.

THE SPEAKER: The hon. Member for Calgary-Shaw.

MRS. ADY: Thank you, Mr. Speaker. I rise today to table copies of letters from my constituents regarding the deferral of the south Calgary high school project. I'm tabling 157 letters and e-mails from my constituents asking us to restore funding for the south Calgary high school project.

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

DR. TAFT: Thank you, Mr. Speaker. I have the appropriate number of copies today of a large advertisement running in Calgary newspapers for full-body CT scans essentially for the purpose of screening. Thank you.

THE SPEAKER: The hon. Member for Edmonton-Glengarry.

MR. BONNER: Thank you, Mr. Speaker. With your permission I'd like to table the appropriate number of copies of an article which appeared in the *Calgary Sun* this morning, and in the article it outlines how an injured worker from Calgary has filed a \$3.5 million lawsuit against the WCB for the treatment he received there. Thank you.

THE SPEAKER: The hon. Member for Edmonton-Gold Bar.

MR. MacDONALD: Thank you very much, Mr. Speaker. It's with sadness that I rise to table today the appropriate number of copies of four amendments to Bill 26, the Workers' Compensation Amendment Act, 2002. Unfortunately, because of the use of closure, these amendments did not even have the opportunity to be discussed in this Assembly. The Legislative Assembly is the place to deal with amendments . . .

THE SPEAKER: The hon. Member for Edmonton-Strathcona.

DR. PANNU: Thank you, Mr. Speaker. I rise to table two documents. Both are in the number of required copies, five copies of each. The first one is a set of two memos from the Ministry of Human Resources and Employment, written by senior office holders. One memo is from December 4, 2001, and the second one is from April 25, 2002.

The second set, Mr. Speaker, is five copies of the New Democrat opposition's submission to the Romanow Commission on the Future of Health Care in Canada. Its title is Strengthening and Sustaining Medicare for Albertans, May 2002.

Thank you, Mr. Speaker.

head: **Orders of the Day**

head: **Royal Assent**

MRS. McCLELLAN: Mr. Speaker, Her Honour the Honourable the Lieutenant Governor will now attend upon the Assembly.

[The Deputy Premier and the Sergeant-At-Arms left the Chamber to attend the Lieutenant Governor]

[The Mace was draped]

THE SPEAKER: Hon. members, in a matter of seconds the hon. Deputy Premier will return with Her Honour, and I want to thank the hon. Member for Clover Bar-Fort Saskatchewan today for acknowledging the retirement of the head page. [applause] The head page is also an articulate young man, so I will read to you a letter that he has sent to all of you through me.

Mr. Speaker,

Sadly my time as a page has passed. It has been my pleasure serving the [Legislative Assembly of Alberta] for the past 3 years. I am very fortunate as a page. I am the only page to have the "hat trick" in a long time. First serving as a page, then second as Mr. Speaker's page, . . . and lastly serving as the Head Page. This has been the most rewarding experience of my life. Thank you!

Yours truly,

Brent Shewchuk

P.S. We should go and golf this summer!

The hon. members may also like to know that in the year 2001 in both the spring and the fall sessions – that is, in the calendar year 2001 – this Assembly spent 36 days at work with an accomplishment of 12,403 minutes. Thus far in the year 2002, this Assembly has sat for 37 days, and as that clock hits 3 o'clock, it will have arrived at 12,312 minutes.

[The Sergeant-at-Arms knocked on the main doors of the Chamber three times. The Assistant Sergeant-at-Arms opened the doors, and the Sergeant-at-Arms entered]

THE SERGEANT-AT-ARMS: All rise, please. Mr. Speaker, Her Honour the Lieutenant Governor awaits.

THE SPEAKER: Sergeant-at-Arms, admit Her Honour the Honourable the Lieutenant Governor.

[Preceded by the Sergeant-at-Arms, Her Honour the Lieutenant Governor of Alberta, Lois E. Hole, CM, and the Deputy Premier entered the Chamber. Her Honour took her place upon the throne]

HER HONOUR: Please be seated.

THE SPEAKER: May it please Your Honour, the Legislative Assembly has at its present sitting passed certain bills to which and in the name of the Legislative Assembly I respectfully request Your Honour's assent.

THE CLERK: Your Honour, the following are the titles of the bills to which Your Honour's assent is prayed.

- 2 Child and Family Services Authorities Amendment Act, 2002
- 4 Public Health Amendment Act, 2002
- 5 Interjurisdictional Support Orders Act
- 6 Student Financial Assistance Act
- 7 Agriculture Financial Services Amendment Act, 2002
- 9 Child Welfare Amendment Act, 2002

- 10 Public Works Amendment Act, 2002
 11 Energy Information Statutes Amendment Act, 2002
 3:00
 13 Administrative Penalties and Related Matters Statutes Amendment Act, 2002
 14 Gaming and Liquor Amendment Act, 2002
 15 Dairy Industry Omnibus Act, 2002
 16 Racing Corporation Amendment Act, 2002
 18 Social Care Facilities Review Committee Amendment Act, 2002
 19 Veterinary Profession Amendment Act, 2002
 20 Justice Statutes Amendment Act, 2002
 21 Alberta Personal Income Tax Amendment Act, 2002
 22 Tobacco Tax Amendment Act, 2002
 23 Municipal Government Amendment Act, 2002
 24 Child Welfare Amendment Act, 2002 (No. 2)
 27 Appropriation Act, 2002
 28 Miscellaneous Statutes Amendment Act, 2002
 29 Intestate Succession Amendment Act, 2002
 202 Environmental Protection and Enhancement (Clean-up Instructions) Amendment Act, 2002
 205 School Trustee Statutes Amendment Act, 2002
 206 Fisheries (Alberta) Amendment Act, 2002
 Pr. 1 Synod of the Diocese of Edmonton Amendment Act, 2002

[The Lieutenant Governor indicated her assent]

THE CLERK: In Her Majesty's name Her Honour the Honourable the Lieutenant Governor doth assent to these bills.

THE SERGEANT-AT-ARMS: All rise, please.

HER HONOUR: I wish you all a good, well-deserved holiday. [applause] I really would like to give you all a hug, but I can't.

THE SPEAKER: Your Honour, before leaving, please wave to everybody. There.

[Preceded by the Sergeant-at-Arms, the Lieutenant Governor and the Deputy Premier left the Chamber]

[The Mace was uncovered]

THE SPEAKER: Please be seated.

Hon. members, as we await the return of the hon. Deputy Premier, I'll just replay those numbers that I gave you a few minutes ago. In the calendar year 2001 in an accumulation of sitting in both the spring and fall sessions there was a total of 36 days, for 12,403 minutes. In the calendar year 2002 this is the 37th day of the sitting of this Assembly, an accumulation that at 3 o'clock today was 12,312 minutes. So if the hon. Government House Leader keeps you here for another 85 minutes, you will have surpassed the total amount of minutes spent last year.

head: **Government Bills and Orders**
Third Reading

Bill 26
Workers' Compensation Amendment Act, 2002

[Adjourned debate May 13: Mr. Stevens]

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

MS BLAKEMAN: Thanks very much, Mr. Speaker. I'm pleased to be able to join in the debate on Bill 26 in third reading. I'd like to make just a few comments about the anticipated effect of this bill.

In essence what we have here is really a private institution that is regulated as a consumer protection function I think by the government. When we look at the buildup of concerns that had happened over a number of years of operation of the WCB, the top three on the hit parade of concerns were the long-standing, contentious claims, the way the appeals process worked, and the conflicting medical opinions and how those were handled. Of course, the conflicting medical opinions and the appeals panel are fairly closely linked. So those were the three areas where people most looked for change.

[Mr. Shariff in the chair]

I think that when we look at the bill and what we anticipate the effect to be, we have, I would say, uneven results. A great deal of work was put into the long-standing, contentious claims section. This has been considered over a long period of time by two review committees, Justice Friedman's committee and the MLA review committee. This is a question of: is the glass half full or is the glass half empty? Without the agreement or the buy-in of who would be funding any rewards or payouts of a contentious claim appeal, it has the effect of being neutered in the legislation that's been put forward, and although the minister has appointed yet another MLA committee to meet with employers' representatives to try and encourage a buy-in both philosophically and monetarily, we will not know whether that's successful before we're expected to pass this bill in the next hour and 15 minutes. So it's inconclusive as to whether this bill is successful in addressing that concern.

There's again a good deal of work that is done in the bill around the appeals process and setting up the appeals process as being separate from the WCB board of directors. In fact, there is a very clear move to have the Appeals Commission report directly to the minister, which separates it from the influence and direction of the WCB, so the WCB cannot direct the Appeals Commission on how to behave or what to consider or what not to consider. That is a success. That is addressing one of the top three concerns on our hit parade here.

The final concern was the conflicting medical opinions. Now, this is the question that I was asking about during Committee of the Whole debate yesterday. I had referred to a backgrounder that came out with the media release from the department announcing the first reading of the bill, and I was pointing out that some of the information that I was hoping to find written into the act in fact only appeared in this backgrounder. My concern is that people are more likely to be able to find the act now and read it than they are to be able to find a media release backgrounder that was an attachment some years in the future.

In particular I'm looking for how that conflicting medical opinion medical panel is intended to operate, and I'm not getting a clear outline of that from what is in the legislation. The backgrounder is suggesting that

where there are conflicting medical opinions, it is intended that a medical panel can be initiated by the WCB, by the Appeals Commission, or by the physician of an injured worker to get an independent, expert, consensus-based medical opinion.

That's what's missing for me: independent, expert, consensus-based medical opinion.

3:10

Now, when I went further back than that, I looked at what is commonly referred to as the Friedman report. In fact, the proper name for that is The WCB Appeal Systems: Are They Working

Well? Final Report, Review Committee of the Workers' Compensation Board Appeal Systems, sessional paper 130/2000. Again, I was reading the section on the medical resolution committee, it's called in this report, dealing with the issues of "conflicting medical opinions, WCB Medical Adviser documentary reviews, and the cost of obtaining another medical opinion."

Now, this is where the issue arises for most of my constituents. They end up in a situation where their doctor says one thing, the paper review, file review in other words, done by the WCB review panel differs from the worker's physician, and that's where it all seems to come off the rails. So it was anticipated by the Friedman report that – and I'm quoting from page 17:

Some people believe that the Medical Adviser should be compelled to discuss the matter with the treating physician and interview the worker, especially when a Medical Adviser's advice differs from the diagnosis of the treating physician.

In other words, trying to get everybody together in the same room to talk about this rather than having someone review someone's file documents, and that in my experience has been a point of great frustration for the workers.

Then it goes on to talk about having to pay for medical opinions, and they didn't believe that that should be the case. Now, that one I'm not as familiar with.

I also looked at some of the documents that have been prepared or e-mails that I've received from injured workers' associations and what they were feeling, and certainly they agree that what's in the legislation on the medical panels does fall short of what the Friedman committee's intent was in looking for a transparent process for reviewing these medical issues.

There are no quality-control safeguards to the independence of the medical panels, and it is leaving the formulation of the panels again up to the WCB. I don't know that that's as much of a concern as some people would think it is. The appeal panels are no longer under the direct influence of the WCB, so I don't know that the medical panels are such an issue.

The other issue that's come up around this – and this one gets confusing, and I hope that there's going to be an answer. I have tried to review *Hansard* to see if this question has been raised previously and whether the minister had answered it, and I don't see it, but frankly I could have missed it. That is the question of the indication that the findings of the medical panels will be binding on everybody. Well, if that's the case, then what's the point of an appeal? If what the medical panel has said is binding, then how do you appeal that? You're taking the same information forward again, and it can't be changed or altered. So what changes in the appeal?

This is different from where you have a very narrow focus on something like with the Ombudsman. The area that the Ombudsman has to investigate is really about whether an employee has provided the service that they were supposed to provide, and that's a fairly narrow focus. We're not even talking about that narrow a focus here. We're just saying that this set of information can't be altered or changed in any way. Then are your appeal panels even going to have any effect on this? Again, I'm not a lawyer. I don't have a legal opinion on this, but it strikes me that there could be a hitch in the git-along of the legislation here.

I'm assuming that the minister would have examined this and dealt with his lawyers in the legislative review committee, so perhaps there's an explanation for it. Otherwise, I think we could get into – what's that term that you get when you're doing finances on the computer? – circular logic, which is the little error message that you get, where we just keep going around in a circle here. We've already determined in one part of the act that the medical panel information is binding, and then we go on to talk about what's

possible in the appeals act, but the two things now seem to be not in conflict with one another but not working together either. So those are the questions I have on the ultimate effect of that area.

There are a couple of other areas that I still think there is concern about, and they're linked. One is the special investigations unit, and the second is the increase in fines. One of the things that I find is a common error – lots of people make it, so I'm not faulting the government specifically – is that in trying to catch a few wrongdoers, they subject everyone to punitive measures or to an ordeal that is unnecessary. I call it the gate-crashers school of management, where in trying to stop a few people from gate-crashing a party, they subject everyone else to sort of long lineups to get tickets and show the tickets and get through the proper gate and everything else. None of that really addresses stopping the gate-crashers. Besides, were the gate-crashers that bad? Not that I'm saying that any kind of fraud being committed on workers' compensation should be allowable, but I have serious questions about the level of security and investigation that is encouraged through this act.

I think most people aren't aware of this. I suppose: why would they be? Unless you're covered by WCB or an employer that is paying into WCB, why would you know that there is this sort of special investigations unit set up? I think that based on the response of people and their reaction to having the video cameras mounted and videotaping public spaces in places across Canada, the reaction has been pretty consistent from Canadians saying: butt out of my life; I have an expectation and a reasonable expectation that I can go about my life without being videotaped and essentially checked or spied on.

There's a very fine line here that I have concerns about. I wonder if with this section or what's being allowed here with the special investigation unit and the fines that go along with it, we haven't set ourselves up for a Charter challenge on this one. I'm actually kind of surprised that we haven't had a Charter challenge already based on what seems to be a fairly frequent and freewheeling use of electronic means of recording people's activities, one presumes, in the hopes of finding them doing something that they're not supposed to do and therefore proving that there has been a fraudulent attempt to obtain WCB benefits. I suspect that that happens because the workers don't have enough money to mount a Charter challenge, but that day is coming. So I'm concerned about the effect of the sections that are enabling that and are encouraging it.

Also, around the fines – I tried to find out who had recommended that the fines be increased to such a substantial amount. It does strike me as being a bit punitive – no, very punitive; let's be frank there – and I don't know that that again is going to really scare anyone off from committing that fraud. It's just going to . . . [Ms Blakeman's speaking time expired]

THE ACTING SPEAKER: Any questions or comments for the hon. member?

The Minister of Innovation and Science.

3:20

MR. DOERKSEN: Thank you, Mr. Speaker. I wanted to address the Assembly this afternoon because in fact I chaired the MLA WCB service review report, and I just wanted to talk about some of the things we had in the report and some of the things that the bill is addressing and to further encourage the board to be vigilant in the exercise of their duties, particularly with respect to injured workers. I do want to go back in time a little bit just to refresh again the memory of the members and indeed of all Albertans as to the process we went through in establishing some of the recommendations that came out of the report that I chaired.

One of the things that we intended to do right from the start was to talk to injured workers. We did not want to try to replicate a satisfaction survey that the Workers' Compensation Board put out on a regular basis. We actually wanted to talk to the people who were not satisfied and to find out what recommendations we could bring forward that would help to improve the system.

At the same time, Mr. Speaker, I knew from the outset that even with the filing of our report, the implementation of the recommendations, there were still going to be workers or employers that would not be completely satisfied. So we really entered into this whole examination, the whole study, to try to make the system better for a lot more people, and at the end of the day, when the legislation is complete and some of the recommendations that we have made which are more on the policy side or service delivery side are implemented, if in fact we have made things better for injured workers or at least a certain number of them, then I will be content that in fact we have achieved the outcome that I particularly desired.

A number of the recommendations within the report are not contained in the legislation because some of them have to be dealt with on a service review basis, from a case manager point of view, interacting with injured workers and assessing the case. So there were quite a number of our recommendations that in fact have to be dealt with in another place other than just through legislation.

One of those of course had to do around the whole area of communication with injured workers. There seemed to be certainly a disconnect or an element of distrust between the case worker and an injured worker. They both had their reasons and their rationale for the decisions that were being made, but we said: whatever you can do to improve the communication at that level will make things better. There needs to be clarity as to why decisions were reached when they were reached and to make sure that there was a full and proper examination of all the circumstances in making a decision. So, clearly, while that's not contained within the legislation, Mr. Speaker, communication was we thought a critical element, and I'm not going to spend a whole lot more time on that particular area.

I've talked briefly already about case management. In the feedback that we got from injured workers, the relationship with the case manager came up continually, and that was a very critical area that from a service point of view the Workers' Compensation Board had to look at and needs to look at on a continuous basis. To just implement certain strategies or procedures one day and think that that's going to answer the question forever just isn't good enough. This has to be an ongoing evaluation of what we are doing well, what we can do better, and what needs to be changed. So, Mr. Speaker, I would encourage the board to pay particular attention to case management, to the service levels, and to continue what I referred to in another question in this House as a relentless pursuit of excellence.

That is a critical element when it comes to dealing with injured workers. When you're injured, Mr. Speaker, the last thing you want to have is a confrontation with a case manager from the Workers' Compensation Board, because that's the time when you're the most vulnerable, when you're looking for help, and that's the time when the case manager has to be most empathetic and try to find how that help can be delivered within the parameters under which they are dealing. So our recommendations talked a lot about case management, and again a lot of those have to happen from a management point of view, from a service delivery point of view.

Mr. Speaker, we also talked a lot about accountability. This is where the legislation begins to have a significant impact with respect to the recommendations that we put forward in our report. The first one which we recommended was actually outside the mandate of the committee, but we heard about it so often that we thought that we

could not leave this recommendation alone. That was to do with the independence of the Appeals Commission. There was an overriding sense from the injured workers that when they went to the Appeals Commission, they needed to know that this was an independent body, that it could not be influenced by the board and could not be influenced by outside parties, that they actually would get a fair and impartial hearing in determining a decision that was reached on their file. So even though it was outside of the mandate of our committee, we felt that we had to make that particular recommendation in our report, and in fact the legislation, Bill 26, provides for that independence. That's a significant step forward, and I am pleased to see that the minister has brought that forward and has in fact acted on that recommendation.

I would note also that for the most part during the deliberations of the two committees that were going on at the time, the one that I chaired and the one that Judge Friedman chaired, we did not talk to each other, although we had a common committee member. When we reached the end, I in fact sat down with Judge Friedman, and we just talked a little about what we had heard. There was a surprising consensus between the two of us that independently we had come up with many of the same overarching recommendations. I thought that that just gave more credibility to the recommendations we in fact put forward in our report.

[The Speaker in the chair]

One of the other significant recommendations had to do with an independent audit body. What we were striving at there is that it's one thing to do a financial audit whereby you just confirm the numbers or the cheques that were sent out, you confirm money that was received, and you make sure that the money got to the person intended. It's just making sure that the columns add up. That's what I consider a financial audit. Now, that's very important, but it needed to go beyond that. We were looking for an audit process that in fact looked behind those numbers and said: in view of the evidence before the case manager and the policies that they were under, did in fact the right decision get made? That's why we recommended this independent audit body that would go beyond the financial audit and actually look back and say: was the evidence there? Were the decisions, once they were reached by case managers or the Appeals Commission or whatever, then acted upon and followed through? In that respect under section 23 of Bill 26 it amends or puts in a new section where it in fact says that "the Auditor General is the auditor of the Board and the Accident Fund." So we've brought greater scrutiny, I believe, to the financial audit part of that. Then further it goes on to require the board to report "any other performance information that the Minister requires." It's on this point that I am encouraging the minister to make sure that that additional audit procedure in fact takes place under the authority that is given in the act. Clearly the authority is there to look behind the numbers to make sure that on a random basis you could check individual files to make sure that decisions are in fact acted upon and put into place.

3:30

Related to the accountability aspect that we emphasized in our report also came a recommendation from our committee. I do want to talk about this because this is a very important one. Our recommendation said that "the case manager must honour a decision made by the Claims Service Review Committee, Appeals Commission, or whichever new body might be established." What we found was that there were some cases where an Appeals Commission would in fact make a decision in favour of an injured worker and then the board

would not implement that decision. There was no requirement for the board to implement that decision, and we said that clearly the board needs to be bound by a decision of the Appeals Commission. I am pleased to see in this act that that in fact has been entered into the bill. That's under section 13.1 where it does state that the board is bound by a decision of the Appeals Commission and by any decision rendered on an appeal or review of a decision of the Appeals Commission. So once you've had the hearing before the impartial Appeals Commission, the board is now bound by the decision that is reached by the Appeals Commission. That is an important element, because the board should not be allowed to overturn or change any decision that the appeal body has made because that in fact would render the whole appeals process immaterial and irrelevant.

There are two other elements that I want to bring up. One has to do with conflicting medical opinion. I noticed that the previous speaker questioned the medical finding of the panel to be binding on the board. I recognize the concern that was raised, but I might look at it from another point of view which is similar to my last point. That is that one of the issues we faced with injured workers was that when they came with their medical situation and were then required to go to a practitioner that was assigned by the Workers' Compensation Board, the previous medical opinion that was given by their local practitioner or a specialist was seemingly sometimes overturned and sometimes without even having an examination. Those are some of the comments that we got back from talking to injured workers and also from some of the written responses that we received from them.

So what we are saying here is that once a medical decision has been reached through this medical panel, again that is binding upon the board. In fact, they now have to accept the fact that this medical decision has been reached, and they now have to follow through with whatever compensation. [Mr. Doerksen's speaking time expired] Mr. Speaker, could I have unanimous consent to continue for another two minutes?

THE SPEAKER: Hon. members, the hon. Minister of Innovation and Science requests unanimous consent to continue. Is any member opposed?

AN HON. MEMBER: No.

THE SPEAKER: I believe the next member is the hon. Member for Edmonton-Strathcona.

DR. OBERG: Can we have questions?

THE SPEAKER: Yes. Sorry.

DR. OBERG: Thank you very much, Mr. Speaker. I would really like to know what else the hon. minister had to say.

MR. DOERKSEN: In response to that question, I really wanted to talk about the long-standing claims, because that has been an important issue at our constituency offices and as we debated the legislation. All I wanted to point out is that through the recommendations of our report we remain committed to that. The process is taking longer than any of us would have hoped, but we're committed and have put in the legislation the fact that we will act upon those matters in conjunction with further consultation. So while the process has been delayed, we are committed to following through.

THE SPEAKER: The hon. Member for Drayton Valley-Calmar.

REV. ABBOTT: Thank you, Mr. Speaker. I was just very interested in what the hon. minister was saying and wondering if he could continue, please.

MR. DOERKSEN: Well, Mr. Speaker, actually I did manage to cover the point that I wanted to cover. I appreciate the opportunity to answer those questions. Thank you for that opportunity.

THE SPEAKER: The hon. Member for Edmonton-Strathcona.

DR. PANNU: Thank you, Mr. Speaker. I'm pleased to rise and speak for a few minutes on Bill 26, Workers' Compensation Amendment Act, 2002, in its third reading. When I look at this bill and what it accomplishes and what it contains and what it leaves out, it reminds me of the way in general the session that's just about to end has been characterized by flip-flops and broken promises. Flip-flops and broken promises, including money disappearing, reappearing in the Transportation budget. Before the election the government promised that there would be no increase in taxes, yet in this session we saw an increase in health taxes of 30 percent. Another flip-flop: the Learning minister told us that he would cap grade 10 credits, then reversed himself, and then reversed himself again.

Unfortunately this bill, Bill 26, also represents 18 months of promises, followed by six months of backtracking due to I guess pressure from some quarters, essentially the employers, over the review. There are some good amendments in this bill however, and I will touch on those later.

The most important recommendation coming out of the MLA review committee, the creation of a onetime review body to examine long-standing, contentious claims, has been watered down in this legislation. That is a disappointment, Mr. Speaker, because I, like many of my colleagues in this House, have had to deal with complaints coming from constituents whose lives have been ruined first by injury and then by denial of claims, with continuing problems in recovering from the very serious injuries they have had. They lost their income. They lost their jobs. Some of them lost their families and certainly lost their health. They have these claims that they need addressed effectively and quickly, and the watering down of that provision in this bill is therefore a great disappointment to them and to me, one who was privy to their concerns and has made representations on their behalf to various places and bodies.

3:40

More than this watering down, the very realization of this review body has been jeopardized by pressures from employers, I'm told. The review body I think was a very, very important step to take. I would like to make a few comments about why this review body is so important. I'm not simply rehearsing some clichés or platitudes here, because I'm well aware of the devastating impact that injury can have on workers. I'm sure many of my colleagues in this House are aware of the devastating effect that injuries and fatalities have either on workers or on their families or both.

Through my constituency office, Mr. Speaker, I've been involved in several extremely contentious claims, some of which are over a decade old, and that's a long time for anyone to wait. Meanwhile, many of these people have nothing to fall back on. They're simply pushed into poverty and despair and continued physical suffering. What we have found with such workers is that when the WCB system fails, its failures, its errors, its mistakes, its omissions become compounded and certainly impact negatively the lives of workers who are injured and who duly expect that they will have the protection that the Workers' Compensation Act is supposed to provide to them. What is worse is that workers whose claims have

been denied by the WCB often find themselves with no other recourse. Because of the very nature of the WCB legislation they have surrendered their right to go to another place to seek redress to their complaints through the courts.

I've seen examples where injuries have led to failed WCB claims which were then compounded by inadequate access to our health care system. I've spoken with workers who have been denied benefits by the WCB yet were unable to work because their injuries impaired their capacity to work. The WCB says that they should go back to work, yet their own physical condition is such that they're unable to go back to work. And if they try, because of their injuries or impairments they simply are not hired or there's a very low likelihood that they'd be hired by an employer because they look sick, they are sick, they limp, and they groan. They simply lose any opportunity to find a job, and they are denied benefits, so they are between a rock and a hard place. It's very difficult, and they find their lives complicated and made miserable because of this WCB framework failure. These people are forced to turn to supports for independence as a result and in the worst cases have been denied benefits there as well. It was sort of a place of last resort to go to, a last resort step, yet they're faced with refusals and negative decisions there as well.

Such injured workers, Mr. Speaker, should be focusing their attention and their energies on healing their bodies and preparing for their return to work, rather than having to be mired in a life of despair, loss of hope, and continuing physical pain and suffering. Instead, they are forced to jump through hoops and fight their way through the WCB bureaucracy and its unfathomable maze. So it's clear to anyone who is willing to see that there's a real need for justice for these workers, and it's my hope that a review body will be able to deliver such justice.

My colleague from Edmonton-Highlands introduced an amendment during the committee stage of this bill which we believe would have fostered a fair compromise between employer concerns regarding costs, the government's responsibility to ensure that the WCB is held accountable, and the real needs of injured workers for a fair review of their claims. Basically, this amendment would have introduced a small surcharge that would have been added to employer premiums. This surcharge would have been used to fund any onetime awards that came out of the review of long-standing claims. If the actual costs were bigger than projected, then the surcharge could be extended. If, on the other hand, the actual costs were less than projected, then the surcharge could be eliminated sooner than anticipated. Essentially the surcharge would have ensured that employers took responsibility for compensating workers that were injured on the job. There is nothing radical or revolutionary about it. This is always a fundamental component of the Meredith principle. Employers would be able to meet their obligations without having to find the financial resources all at one time.

Although the amendment was defeated, the Minister of Human Resources and Employment expressed considerable interest in the amendment and support for the ideas embodied in the amendment and promised to pursue the idea. I commend him for keeping an open mind on this. We the New Democrat opposition look forward to seeing this problem resolved and hope that a fair and trustworthy review process can be established in a timely manner, even though in this bill that is likely to become a legislation there is no statutory provision to pursue that exclusively.

I want to conclude, Mr. Speaker, by saying that I'd like to acknowledge at least a couple of positive steps that this legislation takes. I am pleased to see the increase in various penalties and fines, and one hopes that these increases in penalties will help promote safer working environments and safer workplaces. We are also

happy to see that the Auditor General will now be the auditor of the WCB and that the scope of the audit is also broader than it's normally assumed to be; that is, it will go beyond a financial audit, which is good. Hopefully this will help to increase the transparency and accountability of the board.

Ultimately, because of the fact that this bill fails to address up front the matter of dealing with those long-standing claims and is not willing to put the statutory weight behind that process, we'll be unable to support Bill 26, and that's regrettable. There are lots of good things in the bill, but it does fail in one crucial respect.

Thank you, Mr. Speaker.

THE SPEAKER: The hon. Minister of Finance.

MRS. NELSON: Thank you very much, Mr. Speaker. I'm not going to speak long on this bill, and I normally wouldn't be up talking at all. However, as the MLA for Calgary-Foothills I had the opportunity to go through a process with workers' compensation and with the board. I don't often have an awful lot of cases in my constituency, but this particular one I wanted to talk to and why I support this bill. I have to say in all honesty that I normally wouldn't be too much in favour of this type of legislation; however, after the experience that we have gone through in our constituency, I believe that this is the right direction and this is a solution that is absolutely necessary to deal with some very, very difficult circumstances that do arise.

3:50

I want to start off, Mr. Speaker, by complimenting the authors of the report of the Workers' Compensation Board Service Review Input Committee that filed their final report in October of the year 2000. I also want to thank one of our colleagues, the Member for Calgary-Montrose, who certainly has an awful lot more cases dealing with WCB than I do and was very helpful when I had to deal with a particularly difficult case. I am going to refer to the actual case without naming the constituent, of course, and the process we went through, and maybe people will understand why I support this piece of legislation.

About three and a half years ago I met a constituent who phoned me who was having some severe difficulties with the existing WC process. His name was James and he was 44 years old. In 1979 he had been a painter, an outside painter, and had fallen off a roof and broken his back. He was hospitalized for a year while they did corrective work on him and actually implanted a steel bar in his spine with clamps to hold the spine in place. There was an awful lot of rehabilitation that had to take place, and he worked very hard to literally get back on his feet. He went back to work, and this time he worked as an inside painter to take away the risk of the outside.

Well, that worked fine until he went to move a fridge when he was painting an apartment building and the back snapped again. What happened was that the back had not, I guess, healed and knitted together properly. Again he was back in hospital and off work, went through rehabilitation and went back to work again as a painter. This is what he was trained to do. He was back inside painting apartments, and in 1983, while he was trying to work albeit not as full-time as he might have because he was still injured, a heater fell over and caught his trousers on fire and burnt his leg. He was rushed to hospital and had to have extensive surgery to deal with the burn. So now we've had the back broken twice and a burnt leg. They had to do some skin grafting and try and heal up this extensive third-degree burn on his leg.

He tried to go back to work, but he wasn't recovering well. He would get part-time jobs here and there and in the meantime was

going through a process with WCB for the time that he had been off work to try and get some coverage for that time frame. All of his savings and moneys that he and his wife had had were gone because he'd been out of work through the recovery process.

There were three clear cases of where he'd been injured on the job. When he contacted my office and myself, I thought: "This can't be that difficult. The case is quite clear. Someone has been injured. There's a process in place, and this should be followed and a resolution reached rather quickly." It seemed like a fairly clear-cut case to me. Well, of course, then we got into the process, and while we had reports that showed the caseworkers had checked – he had filed medical evidence from various doctors, some being from specialists in skin surgery that had been involved and the people who had monitored him at the hospital in Calgary, that showed he had definite damage. In fact, when I actually physically met him, he was in a body cast from his neck to just below his thighs. The report from his caseworker said that he only had a 35 percent disability, yet he couldn't stand, he couldn't sit, and he couldn't walk. He could barely lay down. He was in a body cast. They said: oh, he doesn't have a disability. I thought: there must be an error; these files can't fit the person that I'm sitting here with. There was medical evidence from the hospitals, from his attending doctor, from his own doctor that said that he would never be able to work again. In reviewing it, though, the medical examiner from the other side said that there was nothing wrong with him and he would have limited disability and should be able to return to work. There was total contradiction. So I got involved in this particular case extensively, almost on a weekly basis, and I had not done that before.

Then we got into where he was injured in 1997, and he'd been reinjured again, not as extensively as before but basically it disabled him totally. I went through the process of phoning the WCB offices, acting on behalf of my constituent, which I thought I should do as the MLA for Calgary-Foothills. This was my job, to help my constituents. I basically got shuffled three to the left and four to the right. I wasn't very happy, to the point where I was actually going to camp out on the front steps with the people that I had seen doing that. I was not a very happy camper.

Things progressed, and then I got further in the file. There was a thing, Mr. Speaker, that came in 1999 from the Calgary regional health authority. It had sent him a letter saying: we regret to inform you that when you were in having your surgery for the burn on your leg in 1983, you were likely given a bad blood transfusion, and would you please proceed immediately to the lab for testing for hepatitis C. So my constituent then went over to the regional lab, and sure enough he tested positive for hepatitis C. So here's this poor gentleman in a body cast, broken back twice, burnt leg, and now hepatitis C.

I then further took it upon myself to phone the Ernst & Young people down in Montreal who were dealing with the tainted blood issue to see if I could get some help for this constituent from that angle. They said: well, we only deal from 1986 forward; everyone before 1986 has passed away. I said: well, not my constituent, and he's been identified as having hepatitis C. They basically told me to get lost, that this would be dealt with through his estate and that there was nothing that could be done.

Then I got mad. My Welsh blood came out, I have to admit, and I went and served as his representative at his appeal process, the first I went through, and I had oodles of paper and thought: we're ready for this appeal. I was advised that MLAs shouldn't really do that, that it should be a legal person. I'm not a lawyer, but I thought: no; I'm intimately into this case; I am going with my constituent. So I did, and we lost. I was shocked. I couldn't believe that with such a clear-cut case, all the evidence there medically and professionally, we lost. So I said: we're not going to stop.

They even played a game on me. In the middle of the last election, during the writ time, they called and said, "We're going to have a follow-up final appeal," of course naturally thinking that anybody running for election would not take the time out of the campaign to go. Wrong-o. I dropped the campaign, and I went to the appeal with my constituent, James, in his body cast, in a wheelchair. I took him in, and again they said: you're not a lawyer. I said: I can represent this constituent as well as anybody can because he is right and he has been wronged. We went through that appeal process, and we had the facts. We laid them out. It was the final type of appeal. We won the case, Mr. Speaker. We won the case finally and got a settlement for James retroactive to 1997. We got recognition that in fact he was disabled.

The point I'm trying to make is that the process was so difficult. The process was so cumbersome that here was my constituent in a body cast who'd spent years and years without help, with total frustration, in financial difficulty, and he had to rely upon his MLA to come and help him out when the system should have been there to respond. I remember when I was an employer in the oil patch, which paid high premiums, and we used to complain. We paid those premiums willingly so that if someone had the misfortune of being injured on the job, they would be cared for. No one wanted to see anybody go without or be injured and their families go without. That was what the purpose was.

Well, if the hon. minister had told me about this process a few years ago, I would have thought: I don't think there's an alternative. I've been through the process with my constituent, now more than one. I don't recommend it for anyone. It's very difficult. It's very heartrending. But this provides the alternative, because what we have right now is not working. It's just not working, so we need to move forward with this. We have to give assurances to our industries that we're not looking for skeletons. We're looking for fairness. We're looking at providing our injured workers with hope that there is an end to the dispute and that there's a resolution coming forward. This isn't about going and grabbing money. This is about dealing with this issue up front and providing dignity and hope back to our injured workers.

4:00

I would say to all hon. members that while it may not be perfect, it may not be exactly what we all want, sometimes life isn't like that. Sometimes we have to take a hard stand. I know James and his wife, Dana, have had almost 20 years of living hell, and I don't mean to say – that's not a nasty word in this form, Mr. Speaker. I've watched them deteriorate, and I can tell you that about a week after the last election, when we finally got the final word that James' case had been awarded, there wasn't a family that was happier, because they were able to actually pay their rent, buy their groceries, and have a little bit extra to pay for some of the things that they hadn't had. Now, it's many years late, but at least it's there.

So I would applaud the minister for bringing this forward. Again I applaud the committee that went out and looked at this square on, looked at the process and with some difficulty brought it forward. I don't think there can be an MLA in this Legislature that doesn't have tough cases come through their constituency door. I think that it's incumbent on us to move forward.

I thank the Assembly for this opportunity to talk about James, because in my view this bill is for James. Thank you.

THE SPEAKER: Questions or comments, hon. members?

The hon. Member for Edmonton-Glengarry.

MR. BONNER: Thank you very much, Mr. Speaker. It is a pleasure

to rise this afternoon and speak to Bill 26, the Workers' Compensation Amendment Act, 2002. I think that in speaking to it at third reading, there are some very critical things that have to be brought onto the floor when we address the final form of this particular bill.

The Minister of Finance talked about contradictions, and certainly any MLA that's ever dealt with WCB knows that there are contradictions, whether it be from the employer's side, whether it would be from the injured worker's side. I've said this before and I say it again. After five years in this Assembly we are on the floor and we are discussing Bill 26, and it only came about because we had a minister who was committed to making the system better, because we had people like Judge Friedman and the all-MLA committee chaired by the hon. Member for Red Deer-South. They did a marvelous job at what they'd set out to do. I think, Mr. Speaker, I can say in all honesty that they did too good a job, because what people had called for and what we ended up with here are different. They are different. It certainly is a great starting place.

I think that there's still a lot of work to be done on this bill. We have to realize that this bill was brought forward not for the 85 percent of people who have a strong approval of WCB, the people who get the injuries that heal in a relatively short period of time or whatever. This was brought up for those 15 percent of injured workers who have contentious claims. These are long-standing claims, and in many of these cases these people will never be allowed because of their physical condition to return to the type of employment they had.

The other thing we have to realize here too, Mr. Speaker, is that when this bill came forward, so many of these types of people that are injured in this way – these are people that are in very labour-intensive jobs. For them to look at retraining, to look at some other line of work, they certainly have a great deal of difficulty.

Anyway, there are so many things when we look at this bill that I think are improvements, and there are a number of things that I wish I would have seen in the bill. You know, we're dealing with contradictions. We have the Member for Red Deer-South, who did such a marvelous job chairing the committee, finishing his time speaking to the bill and asking for unanimous consent to continue speaking when closure was brought in to limit the amount of speaking time by members. I certainly think that the Minister of Learning was very sharp on his feet there and made the request of the hon. Member for Red Deer-South to get in those final points because I think they're critical to this whole process. But we still have the contradiction that here we're bringing in closure, yet we have a minister of the Crown asking for additional time. Something is not working there.

Now, then, what is one of the things that we wanted to bring into this bill which was lacking? It was certainly accountability. One of the major principles of Bill 26 was to bring accountability to a system and to a board which would represent not only the injured worker but the interests of the employer as well. There always is pull and push, and this system will always exist in this fashion. It will occur in this fashion, Mr. Speaker, because we do have an employer who is paying for the system, because we do have an injured worker who certainly wants benefits, benefits which will allow him to live with respect and dignity, benefits when he can't return to work or she can't return to work to at least have some quality in their life.

Unfortunately, this whole idea of fairness in the system has not been there, and we have seen in these particularly small numbers of contentious claims where this has not happened. Because it hasn't happened, we've had any number of breakups of families that have been destroyed, of lives that have been destroyed. How many of these people that have these long-term, contentious claims would

say, "They injured my body first, and then they injured my mind." The chances for them to ever return are very, very small.

Now, then, in looking at the bill, as I've mentioned, there are a number of issues and principles that were addressed here. Certainly one is fairness, and we want fairness for the injured worker. I think that particularly from Judge Friedman's report there have been over time situations that have arisen in WCB that certainly do contribute to this culture of denial. We see a system that has evolved, and what I think Bill 26 was attempting to fix was this whole situation where we had injured workers who probably throughout their employment years had been in labour-intensive jobs, people that certainly did not have the resources, did not have the knowledge to combat the system to get fair and equal treatment.

4:10

I think that what we've seen here are some attempts in this bill to move this forward, and as I look at this bill I certainly like the greater importance of medical panels. However, I'm not in favour of the way the board has so much input into the medical panels. So the rules governing the makeup of those medical panels again does not indicate a totally level playing field for the injured worker.

As well, when we talk about accountability, Mr. Speaker, I certainly support the idea of the Auditor General now being involved in the workings of the WCB, and I think that in the report he or she would certainly bring to the attention of Albertans and particularly employers, who are paying for this system, situations like occurred in 1999, when we had \$1.3 million in termination benefits.

AN HON. MEMBER: How much?

MR. BONNER: One point 3 million. People got paid those types of benefits while the WCB was in the process of losing \$130 million.

MR. MacDONALD: That's performance.

MR. BONNER: Yes.

I think what also would happen is that the Auditor General would look at something called the rate and benefit stabilization reserve, which had \$211 million in it. Now, this is for the type of claims that we're talking about here, and this money could definitely have been used to help settle some of these long-standing, contentious claims.

I see that in 1999, \$55 million was removed from this fund. It certainly didn't go for the purposes for which it was designated. That left us with \$156 million, and I see in the annual report of 2000 that the other \$156 million was removed from the rate and benefit stabilization reserve. I think this is certainly something that the Auditor General would have commented on and been quite critical of, this board doing this particular thing in light of the fact that at that point these investigations and these review committees were in place.

As well, I think what the Auditor General would look at when we're talking about accountability in the system is the average actual compared to the average required premium rate for operating the WCB. He would certainly look at WCB figures, and referring to page 35 of the annual general report, the 2000 report, we have a summary where in 1997, for example, it cost the WCB \$1.50 per hundred to operate and employers paid \$1.50 per hundred. As we move forward to 1999, it took \$1.64 to operate the system, yet employers were only charged \$1.06. So 58 cents per hundred was not collected from the employers, so they did not fund their own system. Now, then, in the year 2000 the average cost of operating the system was \$1.74, yet employers were only charged \$1.12. Again, when we're talking about a system that is accountable, when

we talk about a system that is fair, how can people not be paying what it costs to run the system? Yet we have injured workers who are not getting fair benefits, and that after all is why the minister did put forward Bill 26.

Now, then, as well, when we look at Bill 26, I think that there certainly is more openness in the way the board is doing business. I see in section 7.1(1): "The Board shall hold an annual general meeting, which must be open to the public." I've had calls from injured workers all over this province who are looking forward to attending that first board meeting. I think this is a positive. I think when we are talking about accountability and we have a board that had revenues in our latest statements here of \$825 million and managing assets in the neighbourhood of \$4.28 billion, the board of directors should be meeting quite often and certainly more than every two months.

The other thing that I want to get in before my time is up, Mr. Speaker, is this idea of this whole special investigation unit. This unit has been used extensively, particularly on the type of claims that the bill is trying to identify or take care of, and those are the long-term, contentious claims. The violation of people's privacy in order to get some type of footage for a very, very small portion of people who are getting benefits that they shouldn't get is totally inconceivable. I can't think of anything that is a greater violation of injured workers' rights than the special investigation unit. Not only are they photographed, but family members have been as well. They're quite concerned that the tapes they get are edited tapes. Certainly what I would have liked to have seen in Bill 26 were some checks and balances on these types of things.

Mr. Speaker, in conclusion, I wish I had more time to speak to Bill 26, but that is it. Thank you for this opportunity.

THE SPEAKER: Question and answer period. The hon. Member for Edmonton-Rutherford.

MR. McCLELLAND: Thank you, Mr. Speaker. I wonder if I could ask the hon. member opposite why there seems to be this fixation with the number of meetings per year of the board of directors when the board of directors is able to meet as often as is deemed necessary. What is behind this notion that because the board is not mandated to meet every month or every two weeks, somehow this equals the Workers' Compensation Board being dysfunctional? The legislation does not prohibit meetings.

MR. BONNER: That's an excellent question, Mr. Speaker, and certainly one that I know employers and injured workers have a great concern with. We are looking at a board of directors that's handling over \$4 billion of employers' money here in the province of Alberta and they are not scheduled to meet on a regular basis. I think that is certainly not accountability.

THE SPEAKER: The hon. Member for Edmonton-Rutherford.

MR. McCLELLAND: Thank you, Mr. Speaker. If the board of directors of, for instance, the Royal Bank meets once every six months – and they deal with a lot more money. Is the criteria for the

number of meetings that are held the amount of money that is handled or the need to meet as a board of directors?

4:20

MR. BONNER: Again, this has to deal, Mr. Speaker, with this whole idea of accountability. The board of directors for the Royal Bank is responsible to shareholders. The WCB in my estimation is responsible to those people who are paying the freight, and that's the employers in this province, and it should be at their direction when they meet, not the board's.

Thank you.

MR. SNELGROVE: The opposition seems to think that if they feed the horse enough oats, the birds will get fed too. I was just curious: how many employees have any of the opposition members had in their business careers?

MR. BONNER: Well, I really can't say how many people have been in business. When we talk amongst the people here, I know that the hon. Member for Edmonton-Gold Bar has been involved in the business community. I have, and I know that the hon. Member for Edmonton-Mill Woods has also been self-employed at some point. So, yes, a number of people I think have had that type of experience. I know that the Leader of the Official Opposition was certainly a farmer and very successful at it.

Thank you.

THE SPEAKER: The hon. Member for Edmonton-Rutherford.

MR. McCLELLAND: Thank you again, Mr. Speaker. Is it possible that the Member for Edmonton-Glengarry is confusing the role of management with the role of the board of directors?

MR. BONNER: No, Mr. Speaker. Obviously the hon. member has missed the point here. We are talking about accountability, and this hon. member is certainly missing the point that the board of directors has a very vital role to play in the operations at the WCB and that as well they are very, very responsible for their . . .

THE SPEAKER: I hesitate to interrupt the hon. Member for Edmonton-Glengarry, but pursuant to Government Motion 28, agreed to on May 13, 2002, I must now put the question before the Assembly.

[Motion carried; Bill 26 read a third time]

THE SPEAKER: The hon. Government House Leader.

MR. HANCOCK: Thank you, Mr. Speaker. It's my pleasure to move that the Assembly adjourn pursuant to Government Motion 26 agreed to by the Assembly on Monday, May 13, 2002.

[Motion carried; pursuant to Government Motion 26 the Assembly adjourned at 4:24 p.m.]