

## Legislative Assembly of Alberta

Title: **Monday, February 23, 2004**

**1:30 p.m.**

Date: 2004/02/23

[The Speaker in the chair]

head: **Prayers**

**The Speaker:** Good afternoon. Welcome back.

Let us pray. As Canadians and as Albertans we give thanks for the precious gifts of freedom and peace which we enjoy. As Members of this Legislative Assembly we rededicate ourselves to the valued traditions of parliamentary democracy as a means of serving our province and our country. Amen.

Now, hon. members and ladies and gentlemen, with us today is Mr. Paul Lorieau. He'll lead us in the singing of our national anthem, and I would invite all to participate in the language of one's choice.

**Hon. Members:**

O Canada, our home and native land!  
True patriot love in all thy sons command.  
With glowing hearts we see thee rise,  
The True North strong and free!  
From far and wide, O Canada,  
We stand on guard for thee.  
God keep our land glorious and free!  
O Canada, we stand on guard for thee.  
O Canada, we stand on guard for thee.

**The Speaker:** Please be seated.

head: **Introduction of Visitors**

**The Speaker:** The hon. Minister of Learning.

**Dr. Oberg:** Thank you very much, Mr. Speaker. It is my pleasure to introduce to you and through you to members of the Assembly the Deputy Minister-President and education and sports minister from Saxony, Germany, the hon. Professor Dr. Karl Mannsfeld. With him in the Speaker's gallery is a delegation representing a number of government departments in Saxony. Mrs. Maja Oelschlägel is in charge of international relations in the state Ministry for Education; Dr. Roger Mackeldey is with the office of the Minister-President and is responsible for international relations; Dr. Lutz Bryja is in charge of technological policy at the state Ministry of Economic Affairs and Labour; and Mr. Klaus Stapf is the vice-president of the Saxony Economic Development Corporation. Seated with the delegation in the gallery are Mr. Hans-Michael Schwandt, the consul general for Germany from Vancouver, and someone known to all of us, Mr. Fritz Koenig, the honorary consul for Germany in Edmonton.

Minister Mannsfeld and his delegation have the distinction of being the first Saxon government delegation to visit our province since Alberta and Saxony formalized our sister province relationship in the year 2002. Through this visit the delegation will be connecting with our government and other Alberta groups on a number of areas of mutual interest in the public and private sector. As an education minister Dr. Mannsfeld is especially interested in exploring our outstanding learning system and its best practices as well as examining some of our new initiatives that contribute to the success of learning institutions and students.

Although our education systems are different, there is much that we can learn from each other. Earlier today we signed a memorandum of understanding which will further our co-operation in the area of education and promote links between schools, students, and

educators in Alberta and Saxony. I'd like to thank Minister Mannsfeld and his delegation for sharing their knowledge and experiences with us. I would ask Minister Mannsfeld and his delegation to rise and receive the traditional warm welcome of the Legislative Assembly.

head: **Introduction of Guests**

**The Speaker:** The hon. Member for Whitecourt-Ste. Anne.

**Mr. VanderBurg:** Thank you, Mr. Speaker. On your behalf I'd like to introduce through you 92 bright grade 6 students from the Westlock elementary school, which is located in your constituency of Barrhead-Westlock. They are accompanied this afternoon by teacher Dan McDonald and parent helpers Denise Houle, Emily Cyna, Marilyn Beer, Mary Dijong, Heather Clarkson, Kim Stonehouse, Julia Walker, Cathy Klemp, Sandy Hiebert, Francis Cloutier, Tina Gatzki, Corinne Calkins, Fleur Whitley, and Deb Debrule. They are seated in the gallery this afternoon. I'd ask them to please rise and receive the warm welcome of this Assembly.

**The Speaker:** The hon. Member for Drayton Valley-Calmor.

**Rev. Abbott:** Thank you, Mr. Speaker. It gives me great pleasure to introduce to you and through you today to all the members of the Assembly His Worship the mayor of Breton, Darren Aldous. He is with us in the members' gallery today. Darren is also the vice-president for villages and summer villages on the AUMA, and he's also a member of the child and family services authority for region 9. So we're glad to have Darren with us. I would ask him to stand and receive the warm welcome of the House.

**The Speaker:** The hon. Minister of Community Development.

**Mr. Zwozdesky:** Thank you, Mr. Speaker. It's a great pleasure for me to rise and introduce three very special guests and an additional special friend from the Canadian National Institute for the Blind who are here today to witness the introduction of Bill 201 as presented by my colleague from Clover Bar-Fort Saskatchewan. This bill deals with safety codes and with barrier-free design and access, and I know that they are keen to see what happens with this particular bill as it goes through the process.

I would ask that our special guests please rise and receive the recognition in the order I introduce them: Mr. Bill McKeown, the executive director of the CNIB in Alberta; Ellie Shuster, the communications director for CNIB; and a board member, Diane Bergeron, and I hope that Polar is with her as well. There he is. Hi, Polar. Please welcome our guests.

**The Speaker:** The hon. Minister of Energy.

**Mr. Smith:** Thank you, Mr. Speaker. It's my privilege to introduce to you and through you to all members of the Assembly a group of students from the University of Calgary. They are a political science class which, I believe, met with you this morning. They'll be meeting with me this afternoon. I guess they're here for the lab portion of their class. So I'd ask if, as I call their names, the group could rise. Ably taught by Dr. Keith Archer, they are Ms Janine Giles, Mr. Shayne Kuzek, Mr. Robbie Schuett, Timothy Duncan, Pierre Chan, Thomas Stooke, Brad Verhulst, Kelly Morrison, Shannon Cheesman, and Ms Meng Yang. If they're in the gallery, I'd ask that they rise and receive the warm welcome of the crowd, and if they're not, I know that they will receive it in absentia as well.

**The Speaker:** The hon. Member for Edmonton-Centre.

**Ms Blakeman:** Thank you very much, Mr. Speaker. I'm just delighted today to introduce to you and through you to all members of the Assembly members of a very special group in my constituency. Today we have joining us in the public gallery 25 members of the Edmonton Jewish seniors' centre. This organization, which runs a day facility, has been in my constituency in the area of Oliver since the early '50s. They have a number of outings, like the one they're all on today, and they're accompanied by their team leaders, their group leaders, Joyce Galante and Rosemary Kitay. I would ask them all to please rise and accept the warm welcome of the Assembly.

**The Speaker:** The hon. Minister of Environment.

**Dr. Taylor:** Thank you, Mr. Speaker. I'm very pleased to rise and introduce to you and through you to this House a young lady that's been working in my office. We had one of our senior people go off for very serious surgery, and we have a young lady by the name of Sonia Ammar, that's been working in our office and has done an excellent job for us. She's been just a real pleasure to have in our office, and she is here today, being able for the first time in her history to observe the House in question period. I'd like Sonia to rise and receive the warm welcome from the House.

**The Speaker:** The hon. Member for Edmonton-Strathcona.

**Dr. Pannu:** Thank you, Mr. Speaker. I'm delighted to introduce to you and through you to members of the Assembly today Shirley Barg, chair of the Council of Alberta University Students and president of Athabasca University Students' Union. Shirley and her colleagues on the council have been quite busy over the year. They undertook campaigns on Bill 43 and had some success in making changes in it. They also had campaigns on generation debt, drawing attention to student debt loads, and on tuition fees. I'll ask Shirley Barg – I believe she's sitting in the public gallery – to rise and receive the warm welcome of the Assembly.

**The Speaker:** The hon. Member for Calgary-Bow.

**Ms DeLong:** Thank you, Mr. Speaker. It's my great pleasure to rise and introduce some guests on behalf of the MLA for Spruce Grove-Sturgeon-St. Albert. There are 17 visitors from Alexander education centre. Are they in the public gallery? I'm not sure. Just to let you know, their teacher, Mrs. Sharon Fisher, is here. If everyone would join me in welcoming them.

Thank you very much.

head: 1:40

### Oral Question Period

#### Long-term Care Facilities

**Ms Blakeman:** According to the government's own Alberta Health Facilities Review Committee, at the Bethany Care Centre for seniors in Calgary

- Residents are suffering.
- Residents are left in bed after baths and bowel care . . .
- Meals are rushed.
- Meals are being forgotten . . .
- Staff have no time to read residents' charts.

That's just the tip of the iceberg. My questions are to the minister of health. How can these appalling conditions exist in this province?

**Mr. Mar:** Mr. Speaker, long-term care facilities are the homes of a

number of seniors in the province of Alberta, some 14,000 of them. I want to assure the hon. member and all Albertans that we share their concerns that our seniors live in a place with dignity and with safety and are treated with respect.

Mr. Speaker, our regional health authorities and our facility operators are responsible for fulfilling their obligations under the Nursing Homes Act. All health regions as well as individual nursing home operators have a process put in place to receive and investigate complaints. When these issues arise, there is a place and a person where a complainant can raise such an issue. We are interested in investigating all such issues. The Health Facilities Review Committee does make recommendations to individual operators and to regional health authorities. The health facility operators and the regional health authorities are responsible for replying to those recommendations.

Mr. Speaker, again, by and large, long-term care facilities in this province have a very, very solid standard. There are complaints that arise from time to time, and we know that if the individual member here is aware of a complaint, she in fact does have an obligation under the Protection for Persons in Care Act to raise that issue with the appropriate person.

**Ms Blakeman:** I just did, and this is full of them.

To the same minister: given that Jennie Nelson was scalded in a care facility just two and a half months after your own government's report came out, what has the government done or, rather, not done to respond to this report?

**Mr. Mar:** Mr. Speaker, the report that the hon. member is referring to by the Health Facilities Review Committee – I should give some background. The Health Facilities Review Committee does make regular unannounced visits to facilities throughout the province of Alberta on a regular basis. The recommendations that may arise from the review of a particular facility, in this case the Bethany facility in Calgary, would be appropriate to review with Bethany in Calgary and the Calgary health region. But it is not related to the situation which took place at the Jubilee and the unfortunate circumstances involving Jennie Nelson.

We have taken the appropriate steps to look also at the situation involving Jennie Nelson. We have expressed our personal condolences to the family of such an individual where a tragic circumstance occurred. But presently it's the subject matter of a fatality inquiry and, accordingly, our ability to speak further in any detail on this matter is restricted.

**The Speaker:** The hon. member.

**Ms Blakeman:** Thank you. Again to the same minister: given that this government is ultimately the funder, is the legislator, is the creator of this programming, why has the government allowed the staffing levels to get so low at Bethany that staff are telling residents that "they may not be able to get them up every day, or if [the residents] were up, they might have to stay up"?

**Mr. Mar:** Mr. Speaker, again, the regional health authorities and the facility operators are responsible for fulfilling the standards under our legislation. When reports are filed with certain recommendations, it is incumbent upon both the operators and the regional health authorities to answer to them. I should say that there is great cooperation from those groups. I'm not aware of any circumstance where recommendations under the Health Facilities Review Committee have been ignored. They've all been dealt with. I think that that is most appropriate.

**The Speaker:** Second Official Opposition main question. The hon. Member for Edmonton-Ellerslie.

### Water Management

**Ms Carlson:** Thank you, Mr. Speaker. Today communities in southern Alberta are appealing a decision to divert water from the Red Deer River. Alberta Environment approved a diversion of well over 300,000 cubic metres of water annually from the Red Deer River.

**Mr. Smith:** Big deal.

**Ms Carlson:** This water will be used for injection into oil wells and will therefore be permanently removed from the water cycle. And it is a big deal, Mr. Minister of Energy.

My questions are to the Minister of Environment. Why did this ministry approve such an irresponsible use of Alberta's fresh water?

**Dr. Taylor:** Well, in the first place, Mr. Speaker, you could say it wasn't an irresponsible use. It's less than 1 per cent of the minimum monthly flow of the river.

As we move forward, we have very clearly an appropriate public appeal process. I believe we're the only province in the country where a director of the Department of Environment can make a decision and then that can be appealed through a semijudicial process called the Environmental Appeal Board. That appeal hearing is happening right now in Red Deer. It will go through the full hearing, the full public process. There will be interveners on both sides, and once that process is complete, then a final decision will be made.

**Ms Carlson:** Three hundred thousand cubic metres will support a small town for a year.

Given that central Alberta is growing rapidly and that Albertans are facing a water scarcity crisis, why would this ministry jeopardize the water needs of these communities?

**Dr. Taylor:** Well, Mr. Speaker, once again, nobody's jeopardizing the water needs of any community.

It points out another issue that we have happening at the same time. It's a committee that is made up of the energy industry; it's made up of environmental NGOs, the agriculture industry, the AAMD and C, the AUMA. I have asked them to come forward with a position paper on the water that is removed from the hydrological cycle. It's not just oil and gas industries. In fact, the oil and gas industry does a very good job on the whole of managing the water. I've asked for this committee – it's a consensus-based committee – to come forward with recommendations on what we should do: what should our policy be on businesses that remove water from the hydrological cycle? I expect to hear from that committee by the end of March.

**Ms Carlson:** Mr. Speaker, when will this ministry show its commitment to water conservation and focus on approving projects that use alternatives to fresh water for injection and just say no to allowing that to happen in this province forever? When will you do it?

**Dr. Taylor:** Well, Mr. Speaker, we're already moving very rapidly on water conservation issues. There's no doubt about that. As I've said, we have this industry/NGO/government committee meeting to take a look at this whole issue of water that is removed from the hydrological cycle, and it will report to me. I'm expecting their preliminary report by the end of March, and from there we will move forward with the plan.

### Alberta Blue Cross

**Dr. Taft:** Mr. Speaker, last week the chair of the Alberta Blue Cross Review Committee admitted that she went against the advice of her own committee when she recommended that Blue Cross lose its tax-exempt status. She also admitted that this decision was made after she was lobbied by private health insurers. Those revelations mean taxpayers' dollars and time were wasted on a review process that served the interests of private health corporations and not the interests of Albertans. To the Minister of Health and Wellness: will the minister admit that there are no controls to ensure that lobbying by powerful health care corporations is not unduly influencing the process of health reform?

**Mr. Mar:** Mr. Speaker, I can assure the hon. member that the answer to that question is: no, there is not any such undue influence. It's all a matter of representing the interests of Albertans as a whole. One might call it lobbying, but you might also call it listening to Albertans, and that is what this government does. It's important for us to develop policy in a manner where we canvass the opinions of Albertans throughout this province. Just because it's an opinion that may not be in accord with the hon. member who has raised this question doesn't mean that it isn't an important opinion to listen to, and we do that.

1:50

**Dr. Taft:** Can the minister explain how forcing a payment in lieu of taxes on Blue Cross serves the interest of Albertans when his own committee recommended against it?

**Mr. Mar:** Mr. Speaker, we don't pick winners and losers. In this particular case, it's most appropriate that there be a level playing field for the provision of private insurance services. In this case, where Blue Cross provides insurance to private clients, it's most appropriate that the playing field be level.

**Dr. Taft:** Will the minister admit that this is going to increase the cost of Blue Cross services to small businesses, who are the main subscribers to these kinds of services?

**Mr. Mar:** There will be a marginal cost, Mr. Speaker, but the marginal cost is a relatively small amount. The fact of the matter is that the advantage that they had was a very, very marginal one.

**The Speaker:** The hon. leader of the third party, followed by the hon. Member for Innisfail-Sylvan Lake.

### Health Care Reform

**Dr. Pannu:** Thank you, Mr. Speaker. Like a 19th century snake oil salesman, the Premier is headed to Vancouver to sell false and discredited cures for what ails Canada's health care system. Four weeks ago the health minister ruled out these snake oil remedies because they simply shift costs while doing nothing to improve the health care system. Now the health minister is falling in line behind his Premier. My questions are to the Minister of Health and Wellness. What evidence does the minister have that Albertans support the Premier's agenda of delisting user fees and withdrawing from the Canada Health Act, and will he table any such evidence, if it exists, in this Assembly?

**Mr. Mar:** Mr. Speaker, we have listened carefully to this hon. member and other opposition members, and they seem to be of the view that the issue of health care is that there is not an issue with

respect to sustainability. The allegation made by this hon. member is that, in fact, this crisis is manufactured by the government. Well, if that's the case, then we've managed to persuade every single Premier of every other province of the same crisis.

The fact is, Mr. Speaker, that if one looks at the Canadian Institute for Health Information reports – and I know that the hon. Member for Edmonton-Riverview has done so – what you'll find in the report National Health Expenditures Trend is that Alberta's health care spending grew 8 and a half per cent every year on average since 1994-95. Even after adjusting for matters of growth and population, the spending still increased at 6.7 per cent.

This is the reason why, Mr. Speaker, the Premiers of Canada are gathering today, as we speak, to discuss issues of sustainability of health care. What we are advocating for is that we need some flexibility on the part of the federal government in its interpretation of the Canada Health Act to ensure that we can have meaningful reform within that act.

Mr. Speaker, I'll say this: of the 14 governments across Canada, the only one that doesn't get it is the federal government. The reason why they don't get it is that they're of the view that sustainability is simply about putting more money into the system. That's not the case. We need more flexibility, and we are a long ways from the 50-50 cost-sharing arrangement that was in place at the time that our current Canada Health Act came in.

**The Speaker:** The hon. member.

**Dr. Pannu:** Thank you, Mr. Speaker. Given that the minister's answer is nothing more than disinformation, let me ask him this question now. Why is the government using doomsday scenarios to scare Albertans into accepting user fees while ignoring Nova Scotia Premier Hamm's call for the Romanow report to be implemented as the best blueprint for strengthening and modernizing medicare?

**Mr. Mar:** Mr. Speaker, the reason why we'll consider all of these options is because, unlike the hon. leader of the third party, we're not ideologues.

**The Speaker:** The hon. member.

**Dr. Pannu:** Thank you, Mr. Speaker. My final question to the minister: why won't the minister admit that his rhetoric about patient participation in funding health care is code for user fees and delisting of health services, which won't save money but only gouge Albertans?

**Mr. Mar:** Mr. Speaker, I've not travelled to a great number of places in the world, but one finds a great deal of information about health care systems from around the world within the comforts of one's own office. I can tell you in front of our honourable guests from Germany that I've looked at their system. I've looked at the French system. I've looked at the Swedish system. I've looked at the system of health care in the United Kingdom. I've looked at what's done in New Zealand. There are many countries in the world that have the same traditions of social democracy that Canada has, and they have long traditions of values of sharing and caring similar to Canadians. I don't hear them clamouring for a Canadian health care system.

We do have a good system, but, Mr. Speaker, again, the core issue is one of sustainability, and our government's mission in this area is to ensure that the health care system remains in place for the future of our children and our grandchildren. Now, if we want our health care system to go over 50 per cent of provincial government

revenues – it's gone from 1993, 24 per cent; this year, about 36 per cent – we can do that. But we need to ask Albertans: is that the choice that Albertans want to make? On the assumption that the answer is no, we need to look at all the options, put them on the table before Albertans, and say: here are the possibilities. But we know with certainty that our system will collapse in its current course of expenditures.

### Health Care Premiums

**Mr. Ouellette:** Mr. Speaker, I've received a number of calls recently from constituents saying that they're hearing that there may be an increase coming in health care premiums. My question is to the Minister of Health and Wellness: is the government planning to increase health care premiums?

**Mr. Mar:** Mr. Speaker, there are no plans at this time to increase health care premiums in the province of Alberta, although I do want to put this in perspective. Right now our health care system costs in the magnitude of \$7.35 billion. In order to support that system, health care premiums have been a part of it, and this year approximately \$913 million will be collected from health care premiums.

**The Speaker:** The hon. member.

**Mr. Ouellette:** Thank you, Mr. Speaker. To the same minister: can I assure my constituents or give the government's assurance that health care premiums are not going to be increased?

**Mr. Mar:** Well, Mr. Speaker, obviously I cannot assure the hon. member that health care premiums will stay the same forever, but I should reiterate that there are no current plans to increase health care premiums.

Furthermore, Mr. Speaker, there are no plans to remove premium subsidies for low-income Albertans, and I can share with the House that there are more than 250,000 nonseniors who currently have a subsidy for their health care premiums, that there are 200,000 seniors that receive partial subsidy assistance, and almost 180,000 seniors in the province that are fully subsidized and shielded from health care premiums.

**Mr. Ouellette:** My understanding of that is that the answer was no.

**Mr. Mar:** Mr. Speaker, again, can I assure the hon. member that health care premiums will remain the same into the long future? No, I can't make that assurance. Again, for the time being, there are no plans to increase premiums, nor are there any plans to remove any of the premium subsidies that benefit lower income Albertans.

2:00

**The Speaker:** The hon. Member for Edmonton-Centre, followed by the hon. Member for Redwater.

### Long-term Care Facilities

*(continued)*

**Ms Blakeman:** Thank you, Mr. Speaker. This government is responsible for caring for our frail and elderly seniors, and they are not adequately managing or funding long-term care. In regard to Calgary's Bethany Care Centre the Alberta Health Facilities Review Committee was "extremely concerned about the significant impact recent staffing and budgetary reductions are having on staff's morale . . . [and] the residents themselves." My question is to the Minister of Health and Wellness. Why has this government allowed

so many recreational programs to be cut that residents are “just sitting around with nothing to do”?”

**Mr. Mar:** Mr. Speaker, I first of all want to point out that we have come a long way from where the Canada Health Act has been. The Canada Health Act was about a funding arrangement from the federal government to provinces and territories relating to the services of physicians and hospitals, and one of the things that we go above and beyond the requirements for under the Canada Health Act is in the area of long-term care.

Now, we spend a great deal of money on long-term care, and when the hon. member talks about the role of the Health Facilities Review Committee, they are responsible for ensuring that there is quality care and that accommodation standards are maintained in health facilities. As I said earlier, Mr. Speaker, the committee does make regular unannounced visits to facilities throughout the province. Again, it is incumbent upon the individual facilities and the regional health authorities to look at the complaints that may be filed against such a facility.

We are working presently with regional health authorities and operators to strengthen and personalize the services in nursing homes, Mr. Speaker, and I think this is a very important point. There are 14,000, approximately, residents in long-term care. We should not be doing anything to unfairly besmirch the reputation of the almost 8,000 people who are nurses and care providers in our nursing homes that provide the care in those places where these seniors live. We are working on improving a number of programs.

As an example, we've developed a province-wide Alzheimer's training program that's being implemented so that caregivers can better understand the needs of their particular residents that they are responsible for looking after. We are developing quality indicators for monitoring and reporting of care. I know that the Minister of Seniors has worked hard on improving food services, giving wider choices of menus, eliminating service charges for things like incontinence products, and we are conducting a review of the contracts that regional health authorities have with long-term care operators and the number of hours of care that residents receive.

Mr. Speaker, these are all appropriate responses to some of the legitimate issues that have been raised in long-term care, predominantly in a very constructive way by the Alberta long-term care operators.

**The Speaker:** The hon. member.

**Ms Blakeman:** Thank you. Again to the Minister of Health and Wellness: how does the minister expect the Health Facilities Review Committee to be responsible for ensuring that all of these good things happen when that committee does not have the power to enforce corrective action based on what it's finding? Where does the buck stop?

**Mr. Mar:** Mr. Speaker, as I indicated to the hon. member in her opening question, the facility operators and the regional health authorities that have contracts with such operators are the ones that are responsible for the maintenance of these standards, and I cannot think of a single example where a report by the Health Facilities Review Committee has been ignored by the operators or by the regional health authorities. A copy of the report provided by the committee is provided to both the CEO of the regional health authority and the operators of the facilities and the Minister of Health and Wellness, and if there is an unsatisfactory resolution of the issue as raised by a complainant, then there is an appeal process by which it can be looked at again.

But, again, overall these 14,000 residents that are in our long-term care centres generally enjoy a very good standard of care, a safe standard of care, and it is important that they be dealt with in a manner that ensures the best quality of life that we can confer upon them.

**The Speaker:** The hon. member.

**Ms Blakeman:** Thank you. My final question, then, is to the Minister of Community Development. Can the minister put the minds of Alberta seniors at ease today by promising that penalties for failure to comply will soon be included in the Protection for Persons in Care Act?

**Mr. Zwozdesky:** Well, Mr. Speaker, the PPIC Act that is being referenced is under review at the moment. We had a full public consultation on that, and we will be coming forward with a government response very, very shortly.

I would tell the hon. member, as she probably may or may not be aware, that the act already provides for very stiff penalties for failure to report abuse or alleged abuse in those particular institutions, and we're looking at strengthening the preventative side so that we don't have to get to where those allegations are going. People need to know that this is an educative piece of legislation and it is going to be focused much more on the prevention and care, and we will look after that in due course, Mr. Speaker.

**The Speaker:** The hon. Member for Redwater, followed by the hon. Member for Edmonton-Gold Bar.

**Mr. Broda:** Thank you, Mr. Speaker. It's not easy having a loved one in a nursing home. That is why it is important to know that the family member or friend is getting the best possible care. I know that there have been some questions asked here today, and I'm going to ask a very similar question to the Minister of Health and Wellness. Will the minister use his authority to review Alberta's nursing homes to ensure that the health and safety of the residents are protected?

**Mr. Mar:** Well, Mr. Speaker, as I indicated to this House earlier, we are looking at the contracts presently that establish the standards that will be applied between regional health authorities and long-term care operators. Included in that review will be a review of the number of hours of care per resident per day. I think that this is a legitimate issue that has been raised by the long-term care operators in a very, very constructive way, and they raise it in the context of it being about having to accommodate the fact that the acuity level of people in our long-term care centres has increased. So the resources would have been appropriate but for the fact that the acuity level of individuals that are residents in our long-term care centres has increased because of increased longevity.

With respect to individual complaints, Mr. Speaker, I've outlined the responsibilities of the long-term care operators and the regional health authorities to answer to questions and complaints that individuals may have, and we want to make sure that those parties fulfill their obligations under the Nursing Homes Act.

Mr. Speaker, I share the hon. member's concerns about making sure that we have seniors that are cared for with dignity and with respect. That is a primary goal of this overall program for our seniors in this province.

**The Speaker:** The hon. member.

**Mr. Broda:** Thank you, Mr. Speaker. My second question, my only

supplemental, is to the same minister. What action is the minister taking to improve care in Alberta long-term care facilities? I know that he's mentioned increasing the number of hours. Is there going to be funding available for that?

**Mr. Mar:** Well, Mr. Speaker, after such a review of issues like the number of hours of care per resident per day, obviously it follows that there would need to be a corresponding increase if it's determined that, in fact, the number of hours legitimately needs to be increased. We are again looking at a number of different issues, and I've outlined some that the Minister of Seniors has looked into with respect to establishing standards for provision of better food and elimination of charges for things like wander guards and incontinence products. I've indicated our willingness to move forward on training programs. The example that I gave was about Alzheimer's. I've indicated that we are developing quality indicators for monitoring and reporting of care.

2:10

We are taking very important steps, I think, Mr. Speaker, in learning from individual circumstances that may arise. For example, in the case of the unfortunate circumstances involving Jennie Nelson, the regional health authority is establishing appropriate care protocols for bathing individuals within long-term care centres throughout the Capital health region. I think it would be most appropriate to say that those learnings should be benefiting seniors throughout the province, not just those within the Capital Health region. We continue to encourage that kind of sharing of information.

**The Speaker:** The hon. Member for Edmonton-Gold Bar, followed by the hon. Member for Edmonton-Rutherford.

#### Access to Information

**Mr. MacDonald:** Thank you, Mr. Speaker. To the Minister of Government Services: why is it government policy to exclude the Premier's Executive Council from the access to information law in this province?

**The Speaker:** The hon. minister.

**Mr. Coutts:** Thank you, Mr. Speaker. If anyone should know about the provisions within the Freedom of Information and Protection of Privacy Act, it should be the hon. member opposite because he sat on the committee that laboured over this for nine months and then signed off on that particular document. Then when amendments were brought into this House about the Freedom of Information and Protection of Privacy Act, yes, maybe he entered into debate and didn't agree with some of those, but it was actually debated and passed in this House.

Mr. Speaker, just to make it very, very clear: ministers' expense records are not exempt under FOIP. Let's just make it clear here today that ministers' expenses are not exempt under FOIP, and neither are MLAs'. They are not exempt under FOIP when they do government business. The hon. member opposite knows that. The hon. member opposite has also put in a number of requests asking for great volumes – great volumes – of information that is being processed by information officers in every single, solitary department. The process is set up by the Freedom of Information and Protection of Privacy Act, and we're abiding by that.

**Mr. MacDonald:** Again, Mr. Speaker, to the same minister: when will the access to information law be changed so that the Premier

and the Premier's staff are no longer exempt from the access to information law?

**Mr. Coutts:** Previously to the actual law being passed in this House last spring, the Freedom of Information and Protection of Privacy Act in this province was to be reviewed every three years. The committee that was looking after proposed changes to the Freedom of Information and Protection of Privacy Act suggested that it be reviewed after five years. That's when he'll have his time to do it, Mr. Speaker.

**Mrs. Nelson:** Mr. Speaker, just to give the hon. member opposite some comfort level, because I do know that he is the chairman of the Public Accounts Committee, I would refer him to the Auditor General's report insofar as expenses go. If he refers to page 289 of the current Auditor General's report, he does say in his conclusions, "We did not find any evidence of inappropriate MLA expense reimbursement and we concluded that the systems in place would generally prevent inappropriate payments." I believe that the Auditor General does a thorough examination of those expenses for MLAs for all members within this Legislature.

One other thing that I found, Mr. Speaker, with the number of recommendations that clearly come from the Auditor General to our departments on an annual basis – at the very beginning of his introduction to this year's report he talks about progress with past recommendations, and he says: "We [clearly] ask ourselves – Is the government listening? Is the government making satisfactory progress in implementing our recommendations? The answer today is – Yes." So I hope that puts your mind to rest.

**The Speaker:** The hon. member.

**Mr. MacDonald:** Thank you, Mr. Speaker. Again to the same minister: given that the Premier stated that the Official Opposition put the government to great expense by submitting an access to information request regarding Executive Council expenses, can the minister tell us in this Assembly how much that request cost the government?

**Mr. Coutts:** Mr. Speaker, the total number of requests that have come in under freedom of information and protection of privacy is about 2,457 in the year 2002-2003. Six per cent of those general inquiries come from elected officials. Six per cent. But that does not give any indication as to the volumes of information that were required or asked for in that 6 per cent. The average cost of every single, solitary FOIP request comes to \$1,629, and the total fee for a FOIP request that has actually come into government is \$44.05 per request. So actually the total direct cost of administering FOIP for 149 employees of this government is \$7,947,000. Seven million, nine hundred and forty-seven thousand dollars.

Now, Mr. Speaker, they're saying that there's not enough information. We have a Privacy Commissioner in this province. That Privacy Commissioner administers provisions of the Freedom of Information and Protection of Privacy Act, and if they're not happy with the information that's going, they can appeal to the Privacy Commissioner. That's part of the act.

**Mrs. Nelson:** Again, Mr. Speaker, our Legislature has a process in place, which I hope will be helpful to the hon. member opposite. If he has questions with regard to specific information of reports, he can place a written question on the Order Paper, and it can be dealt with on a weekly basis within this House. That data can be provided to him.

I noticed last week, Mr. Speaker, that they were asking the Premier certain questions, and he asked them to send over the details of the information that they required. We have yet to receive that information.

**The Speaker:** The hon. Member for Edmonton-Rutherford, followed by the hon. Member for Edmonton-Glengarry.

#### Emergency Room Wait Times

**Mr. McClelland:** Thank you, Mr. Speaker. My questions are to the minister of health. Emergency room physicians have made the case that some patients are waiting far too long in emergency rooms. The problem is particularly acute in the Capital and the Calgary regions. Unduly long waits result in undue pressure on both patients and staff, particularly nurses. My question: why are some individuals required to wait unduly long in emergency rooms to be attended?

**Mr. Mar:** Well, Mr. Speaker, I want to make one thing very clear at the outset in answering the hon. member's question, and that is this: no one who requires emergency medical attention will wait. Those individuals will be treated immediately.

Now, there are some reported wait times, Mr. Speaker, of up to 24 hours in emergency rooms, but that only occurs when an acute care bed is not available for a patient. This 24-hour time period is not the length of time that a patient waits to be seen by a health care provider in an emergency room; it is the time that they might be waiting for the availability of an acute care bed. I should add, Mr. Speaker, that individuals waiting in emergency rooms for an acute care bed will continue to receive the kind of high level care that they require, recognizing their condition.

We recognize the pressures on emergency rooms. Seasonal viruses, as an example, will place a great deal of stress on our capacity in emergency rooms. Mr. Speaker, population growth in the province, of course, is also adding some extra demands on our emergency rooms and our in-patient beds that may be available to service such individuals.

**The Speaker:** The hon. member.

**Mr. McClelland:** Thank you. I would ask the minister: what is being done to increase the number of acute care beds in emergency rooms throughout the province?

2:20

**Mr. Mar:** Mr. Speaker, the regional health authorities, again, as the hon. member pointed out, particularly in Calgary and Edmonton, are feeling the pinch perhaps harder than others, and they are up to this challenge. They're working hard at trying to decrease wait times. As an example, the Capital health authority has added an additional 80 temporary beds to cover winter demands, again at a time when the flu or other seasonal viruses might be causing a greater demand on the system. In Calgary the health region has opened more beds and is using technology that is helping track patients according to priority, and I can say that with some success they've been able to reduce their wait times somewhat dramatically as a result of doing that.

Also, Mr. Speaker, there are real issues with respect to the number of people who are in our acute care facilities whose needs, in fact, amount to long-term care. Calgary, for example, will be opening 120 new long-term care beds in north Calgary, that will allow those seniors to move from acute care facilities into more appropriate health care facilities.

**The Speaker:** The hon. member.

**Mr. McClelland:** Thank you, Mr. Speaker. So what is being done to open up downstream beds to relieve pressure on acute care beds in emergency? Do we have new downstream beds coming on stream?

**Mr. Mar:** Mr. Speaker, we continue to monitor that particular element with our regional health authorities. We are also working hard at encouraging Albertans to use Health Link Alberta. Health Link is giving Albertans 24-hours-a-day access to doctor-approved nurse-delivered advice. That is helping to alleviate some of the concerns that individuals might have about whether or not it's appropriate to go to emergency. Of course, if it is appropriate, such a nurse on Health Link will not hesitate to advise you to go. This service has provided a tremendous resource as a primary care initiative that is answering the calls of some 800,000 inquiries that are being made this year. Again, Mr. Speaker, it is expanding Albertans' access to primary care.

Also, Mr. Speaker, just having recently in January launched 10 new primary care projects – for example, the Alexandra seniors community care centre is providing primary care for seniors with complex social and health needs who are living in the inner city – we are moving on a number of different areas, Mr. Speaker, in primary care that are helping to alleviate the pressures that may be attendant upon our acute care facilities.

#### Highway Maintenance

**Mr. Bonner:** Mr. Speaker, this government's own 2003-2006 transportation business plan proves that they are allowing a decline in the quality of our highways in Alberta. Its own numbers indicate that overall quality of highways will deteriorate through to 2006. To the Minister of Transportation: why is this ministry allowing the physical condition and usability of our highways to deteriorate?

**Mr. Stelmach:** Mr. Speaker, along with building many new highways in the province of Alberta and, of course, four-laning a good stretch of those, we're also responsible for maintaining those that have been previously paved. If we go back in history about 20 years ago, a fair number of our highways were paved at that time, and the life expectancy is coming to an end for those highways. But I'm sure the hon. member will see us progress on that one particular measurement and will see some improvement next year.

**Mr. Bonner:** To the same minister: why are only 78 per cent of our highways expected to meet basic required standards by 2006?

**Mr. Stelmach:** Mr. Speaker, the measurement we use in determining the state of our highways is how comfortable you are riding on the road, how smooth your ride is. Although it's a matter of opinion how smooth this road is compared to another one, we've applied that same test measurement long enough now that we seem to have a trend, and people are saying: well, I don't know how much rougher this road is, but I've noticed that the maintenance, the smoothness, of this road isn't as good as it was once.

Sometimes, Mr. Speaker, the road is not as smooth as one would appreciate; however, engineering testing still determines that it's not appropriate to repave that road at that particular time. As I mentioned before, that is one of the measurements that we use in our department. We recognize that we have to move in that particular area, and we will.

**Mr. Bonner:** Mr. Speaker, to the Minister of Infrastructure: does the government owe this overall decline in the quality of our highways to the increasing use of P3s to fund highway maintenance?

**Mr. Stelmach:** He asked the Minister of Infrastructure to speak about provincial highways.

Mr. Speaker, the only public/private partnership that we are working on at the moment is the southeast leg of the Edmonton ring road. We have just completed the request for qualifications. We expected about four companies to put forward their qualifications, and in fact we have received six. We are now evaluating those six proposals. We'll boil that down to three, and the next stage is a request for proposals. We'd like to see that completed early in spring and construction to start in fall.

**The Speaker:** The hon. Member for Edmonton-Highlands, followed by the hon. Member for Calgary-Buffalo.

### Gaming Revenue

**Mr. Mason:** Thank you very much. Mr. Speaker, a couple of weeks ago an in-depth 200-page study on VLT gambling was released. I will table its conclusions at the appropriate time. The study's findings are very disturbing. It found that while only one in eight Albertans plays VLTs, of those that do 22 per cent are problem gamblers, and if you include those moderately addicted to VLTs, the number is 39 per cent. My questions are to the Minister of Gaming. Given the study's disturbing conclusion that a high proportion of gambling revenue comes from a relatively small number of people who have a gambling problem or who are at risk, will the minister agree to take definitive steps to reduce its dependence on this source of revenue?

**The Speaker:** The hon. minister.

**Mr. Stevens:** Thank you, Mr. Speaker. It was about two weeks ago that a report was published on the Internet relative to VLTs, and, yes, it has some 200 pages. A large portion of the report deals with the history of VLTs in the province. A previous report was published in 2001 or 2002, namely the Canadian Problem Gambling Index report. That particular report related to an index that was established to determine the prevalence of problem gambling throughout the country, and in fact every jurisdiction in Canada that has gambling, to my knowledge, has had that problem gambling index applied to it.

The information in Alberta as of that time was that, generally, 1.3 per cent of the population were problem gamblers. In the VLT category some 5 to 6 per cent were problem gamblers. That particular report, Mr. Speaker, remains the best evidence that we have relative to the issue of problem gambling here today.

The report in question that the hon. member referred to has statistical limitations. Those limitations were pointed out at page 60 of the report by the authors. The reality, Mr. Speaker, is that as a result of those limitations, the information surrounding the 206 people who were interviewed for the new portion of the report is not applicable to the general public nor to the general gambling public.

**The Speaker:** The hon. member.

**Mr. Mason:** Thank you, Mr. Speaker. Since electronic gaming is clearly the most addictive form of gambling, will the government agree to cap the total number of electronic gaming machines, whether they be VLTs in bars or slot machines in casinos?

**The Speaker:** The hon. minister.

**Mr. Stevens:** Thank you, Mr. Speaker. As you are aware, we spend a lot of time canvassing Albertans with respect to the issue of gaming in this province. In 1998 there were plebiscites in some 37 communities, seven of which requested that the VLTs be removed, and in fact they now have been.

2:30

In the years 2000-2001 the Alberta Gaming and Liquor Commission canvassed Albertans and did a lot of other work relative to the issue of a gaming policy for casinos, VLTs, and other areas of gaming in the province for the next five years. As a result of that particular report, which was accepted by this government and which received comments like, "Wise new gaming rules" from the editorial boards of this province, we have maintained our cap on VLTs at 6,000, which was established in 1995. With respect to slot machines, which are found only in the casino environment, we have said that they will expand according to the wishes of municipalities. If there is an application for a new casino, then the community in which that is located will have an opportunity through its council to say whether they would like to see something like that go ahead or not or to be mum on the subject.

So, in short, we do have a policy capping VLTs at 6,000, and we have a very reasonable approach with respect to the potential expansion of slot machines.

**Mr. Mason:** Mr. Speaker, I don't share the minister's definition of "reasonable."

Given that the report's finding is that Alberta is more heavily addicted to gambling revenue than any other province, will the minister admit that it is, in fact, this government that has the real problem?

**Mr. Stevens:** In 1998, Mr. Speaker, there was a gaming summit in Medicine Hat, and at that time Albertans from all over the province came together to talk about gambling and in particular to talk about what ought to be done with gambling proceeds. I think it's fair to say that Alberta has a very unique model – we call it the charitable gaming model – where our charities annually benefit to the tune of \$350 million as a result of the way we handle that. But what's really important is that the people at that particular summit indicated that they wanted the money to go into the Alberta lottery fund, which it was doing and where it continues to be handled since that date. Also, it's important to note that we were directed to put that money into community and public initiatives, and that is what we have done since that time.

Mr. Speaker, you're aware that every year as part of the budget process, we have lottery estimates, where on a line-by-line basis the proceeds of the lottery funds are put before this Assembly, debated, and voted on.

**The Speaker:** Hon. members, in a few seconds from now I'll call upon the first of seven hon. members who want to participate in Recognitions today, but in the interim might we revert briefly to Introduction of Guests?

[Unanimous consent granted]

head: **Introduction of Guests**  
(reversion)

**The Speaker:** The hon. Member for Peace River.

**Mr. Friedel:** Thank you, Mr. Speaker. It was just brought to my



attention that a couple of constituents from the Peace River area have joined us in the Assembly. I would like to recognize that Jim and Judy Ashton, who are not only constituents but long-time very good friends of mine, are seated in the members' gallery. I would ask them to rise and receive the traditional warm welcome of the Assembly.

head:

### Recognitions

**The Speaker:** The hon. Member for St. Albert.

#### University of Alberta

**Mrs. O'Neill:** Thank you, Mr. Speaker. One of the mantras of the University of Alberta is that they are constantly and actively engaged in recruiting and retaining the best and the brightest of researchers. Last week the University of Alberta was ranked number 1 in an international survey of postdoctoral students which was conducted by the British journal *The Scientist*. The survey asked more than 3,500 postdoctoral students from around the western world to rate their institutions.

When active participants who are immersed in a program being evaluated themselves credit the U of A as being the best place to work, I believe the U of A has every right to add this feather to its already colourful and distinguished academic hat. Researchers from around the world specifically recognized the fact that the University of Alberta supports and facilitates quality research and the proper environment in which new scientific and academic ground is broken.

Today I welcome the opportunity to once again recognize the University of Alberta, which has rightly received true recognition from its own postdoctoral students for their profound pursuit of whatsoever things are true.

**The Speaker:** The hon. Member for Edmonton-Calder.

#### Black History Month

**Mr. Rathgeber:** Thank you, Mr. Speaker. It is my pleasure to rise and recognize Black History Month in Alberta, which has been filled with concerts, seminars, a youth festival, and will feature an awards banquet on February 28. This tribute began in 1926 and was expanded in 1976 to a full month of celebration.

Earlier this month, Mr. Speaker, it was my great pleasure along with the Minister of Community Development to visit the new Marcus Garvey Centre for Unity, which is located in the Edmonton-Calder constituency, and to present them with a government of Alberta CFEP cheque toward this building project. The black community has contributed very significantly to Alberta and to Canada, and the Garvey centre will help facilitate even more achievements in the future.

Mr. Speaker, I'd like to express my congratulations and I'm sure the congratulations of all members of this House to our black organizations and particularly the Jamaican Association of Northern Alberta and the National Black Coalition of Canada, Alberta chapter, for their great work in this regard. I am very pleased that the new headquarters is in the Edmonton-Calder constituency.

#### CNIB Vision Award

**Mr. Vandermeer:** Mr. Speaker, I rise to recognize the Canadian National Institute for the Blind in Alberta regarding their inaugural Vision award program, that occurred last week at the Winspear Centre. This spectacular event, which I attended with many of my colleagues, showcased the important work that the CNIB provides to 9,000 Albertans and their families at no cost.

Since 1918 the CNIB has charted many achievements for vision-impaired individuals such as the national digital library of talking books and assistive technology such as the Merlin computer, which enlarges images and actually talks to its users.

The Blind Persons' Rights Amendment Act, 2004, introduced last week in this House by the Minister of Community Development, is one example of our government's commitment to those individuals.

Thank you to the CNIB, its partners and sponsors, and congratulations to our Premier on being the first recipient of the CNIB's new Vision award.

**The Speaker:** The hon. Member for Edmonton-Glenora.

#### Canada and Alberta Business Friendly Jurisdictions

**Mr. Hutton:** Thank you very much, Mr. Speaker. Last week a survey was released by KPMG that once again confirmed Canada's status as one of the most business friendly jurisdictions in the world. When the survey was released, it was revealed that out of 11 major industrialized countries throughout the globe, Canada offers the lowest business-related costs to 17 major industry sectors and maintains the lowest research and development tax dollars. The survey noted that Canada and Alberta enjoy significant labour cost advantages over other major economic powers like the United States.

Furthermore, Mr. Speaker, I'm particularly pleased to say that of all the cities in western Canada and the United States, Edmonton offers the business sector the lowest start-up in operation costs, which is allowing the city not only to attract new businesses every day but to retain the existing ones as well.

At this point I would like to congratulate the governments of Canada and Alberta and thank all Canadians and Albertans for their hard work and commitment to making our country and province a better place.

Thank you, Mr. Speaker.

**The Speaker:** The hon. Member for Red Deer-North.

#### Phil Rauch

**Mrs. Jablonski:** Thank you, Mr. Speaker. I was hungry and you fed me; I was thirsty and you gave me drink; I was a stranger and you invited me in; I was naked and you clothed me; I was sick and you visited me; I was in prison and you came to me: these were the actions of Phil Rauch, a passionate believer in social justice, who died on Tuesday, February 17, 2004, at the age of 38 due to heart complications.

Phil worked tirelessly to address the needs of the most marginalized in our society. He took every opportunity to speak for those who could not speak for themselves. Phil is remembered for his outstanding commitment to the nonprofit sector. He was the founding member of the central Alberta addictions consortium and of the Safe Harbour Society. He was the vice-chair of the Residential Society of Red Deer, chair of the Helping Hands mobile outreach, and a member of the John Howard Society.

But more than this, Phil was a light in the darkness. Phil focused his energy on helping those with HIV, hepatitis, and addictions. He worked with the aboriginal community, prisoners, injection drug users, the gay and lesbian community, and the homeless. Phil gave strength and hope to those who needed help.

Phil, you changed the world. We thank you, and we will miss you. Your wife, Val Joa, and your two daughters, Alex and Kate, will always know that you were a true hero who worked tirelessly to address the needs of the less fortunate in our society.

## 2:40 U of A Golden Bears Hockey Team

**Mr. Bonner:** Mr. Speaker, this Saturday a remarkable record was set when the University of Alberta Golden Bears hockey team completed their 28-game season undefeated. No hockey team in the history of the Canada West Conference has ever done this. The Bears also set a conference record for the fewest goals in a 28-game schedule, letting in only 48 goals in an entire season.

As anyone knows who has seen the many banners hanging in Clare Drake Arena, the Golden Bears hockey team has an astonishing tradition of winning. Since the 1933-34 season the Golden Bears have won their divisional title an amazing 42 times and this year will be going for a record 11th national championship. Their current head coach, Rob Daum, has led the Bears to the playoffs eight straight seasons, and they have qualified for the CIS national championships every year since 1996-97.

Mr. Speaker, this year's undefeated season puts the Golden Bears hockey team in the rarified atmosphere of great athletic achievements. Not only have they been the top-ranked team in the country all season; they're also one of the finest university hockey teams in North America.

I invite all MLAs to join me in congratulating the achievements of this wonderful team.

**The Speaker:** The hon. Member for Edmonton-Gold Bar.

## Edmonton Firefighters

**Mr. MacDonald:** Thank you, Mr. Speaker. When Edmonton calls on its firefighters and other emergency personnel, the city knows it can count on them to respond professionally and without hesitation even if that call comes in the middle of the night with temperatures of about minus 50 degrees Celsius with the wind chill and is the third major fire in less than a week, as happened in this city near the end of January. Firefighters not only fought the fires; they also battled frostbite, freezing equipment, and dangerous conditions.

Edmontonians are grateful that they and their families can sleep easy knowing that brave men and women are watching out for their safety. These heroes put their own safety second to the safety of the community they serve. Their dedication to protecting Edmontonians was in evidence yet again at the recent blazes in freezing temperatures.

While these emergency workers don't look for recognition, I think it's fitting that we recognize their bravery and dedication this afternoon.

Thank you.

## head: Tabling Returns and Reports

**The Speaker:** The hon. Minister of Community Development.

**Mr. Zwozdesky:** Thank you. Mr. Speaker, I rise to table the appropriate number of copies of a congratulatory letter on behalf of the government of Alberta to Mr. Pierre Lueders, who this weekend at the 2004 world bobsleigh championship in Konigssee, Germany, won the gold medal for two-man bobsleigh. Congratulations to Pierre and to his teammate, Giulio Zardo. We're very proud of this duo.

Thank you, Mr. Speaker.

**The Speaker:** It should also be noted that Mr. Lueders is the brother-in-law of the hon. Minister of Economic Development.

The hon. Member for Edmonton-Highlands.

**Mr. Mason:** Yes, Mr. Speaker. I have two documents to table today. The first document is a government of Alberta news release

dated February 12, 2004, which claims to confirm that responsible gaming efforts are on the right track.

The second tabling is a report entitled VLT Gambling in Alberta: a Preliminary Analysis, which shows that the government has failed to prevent problem gambling and continues to profit at the expense of VLT users who are either moderately or severely addicted gamblers.

**The Speaker:** The hon. Member for Edmonton-Gold Bar.

**Mr. MacDonald:** Thank you, Mr. Speaker. I have three tablings this afternoon. The first tabling is a letter that I wrote as chairperson of the Public Accounts Committee to the hon. Premier, president of Executive Council. This letter is dated January 27, 2003, inviting the Premier to meet with the Public Accounts Committee in the spring sitting of the Third Session of the 25th Legislature.

The second tabling is also a letter that I wrote as chairman of the Public Accounts Committee to all hon. members of Executive Council. This letter is dated January 29, 2003, and I was seeking opinions on the committee's operations and how we can alleviate some of the scheduling issues.

The third tabling I have this afternoon, Mr. Speaker, is a poll conducted by CFCN last week in Calgary. Of 1,487 votes cast, 94 per cent were in favour of making all government travel expenses available to the public.

Thank you.

**The Speaker:** The hon. Member for Edmonton-Ellerslie.

**Ms Carlson:** Thank you, Mr. Speaker. I have a number of tablings this afternoon. The first batch are from Kim Condon, Susan Taniguchi, Suzanne MacDonald, Anita Ashmore, Leslie Olson, and Bev Robinson. They are all very concerned about how the negotiations went for nurses. Their bottom-line statement is they don't want legislation or arbitration; they want the government to negotiate in good faith. So that's a sampling of the letters that I've been getting from nurses and supporters of nurses from across this province.

Now, the second tabling is from Lori Nash with concerns about car insurance payments and the way these are regulated.

**Mr. MacDonald:** No.

**Ms Carlson:** Yes. That's who it's from, and that's what she's concerned about.

The third is from Andrea Robbins, who is also very concerned about insurance rates and, in fact, has a solution for the government that they may wish to take a look at.

The last tabling for today is from Annette Le Faive, who is very concerned about the proposed Evan-Thomas provincial park recreation area draft management plan and wants changes made to that.

Thank you, Mr. Speaker.

## head: Orders of the Day

## head: Written Questions

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

**Mr. Zwozdesky:** Thank you, Mr. Speaker. Proper notice having been served on Thursday, February 19, I will now move that written questions that appear on today's Order Paper do stand and retain their places.

[Motion carried]

head: **Motions for Returns**

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

**Mr. Zwozdesky:** Thank you, Mr. Speaker. I would also note that proper notice having been given on Thursday, February 19, I will now move that motions for returns on today's Order Paper also stand and retain their places.

Thank you.

[Motion carried]

**The Speaker:** Hon. Member for Clover Bar-Fort Saskatchewan, please proceed with introductions if you so wish.

head: **Introduction of Guests**  
(*reversion*)

**Mr. Lougheed:** Thank you for allowing reversion to Introduction of Guests. Mr. Speaker, I'm pleased to introduce to you and through you to members of the Assembly in both galleries, and perhaps even some time later in your own, some members from the Canadian Paraplegic Association. We have Marlin Styner with his wife, Diane Gramlich, Betty MacIsaac, Larry Pempeit, Braden Hirsch, Margaret Conquest, who's a member of the Premier's Council on the Status of Persons with Disabilities, Laurie Szymanski, Emily Lawson, Carmen Binder. Also accompanying them is Godfrey Huybregts, who has assisted us with some of these projects. Previously, as well, from the CNIB we had Ellie Shuster and Bill McKeown and Diane Bergeron, who were also introduced. If those folks would rise and be acknowledged or wave their hand and be acknowledged that way, would the members present please welcome them.

head: **2:50 Public Bills and Orders Other than  
Government Bills and Orders  
Second Reading**

**Bill 201  
Safety Codes (Barrier-free Design and Access)  
Amendment Act, 2004**

**Mr. Lougheed:** Thank you, Mr. Speaker. I'm pleased to move second reading of Bill 201, the Safety Codes (Barrier-free Design and Access) Amendment Act, 2004.

In this time available I would like to talk about why Bill 201 is necessary based upon concerns expressed by people with disabilities and their families. I'd also like to identify the objectives of the bill and how those objectives are to be achieved, but first, Mr. Speaker, I'd like to offer an example which will illustrate the need for experts in barrier-free design and access to be part of the Safety Codes Council. It can also be an example to illustrate the changing technologies and the need for experts who keep abreast of these changes to have input into future code revisions.

Mr. Speaker, like many people in this Assembly I've walked in and out of the east ground-level doors hundreds or probably thousands of times in the last seven years, since I was first elected. That's where the wheelchair ramp is located and where persons in wheelchairs access this building. Like most people walking through those doors, sometimes I take the stairs and sometimes I just go down the ramp, but I never thought anything about the design or layout of that little ramp.

Well, about a month ago I was down at those east entrance doors with a person in a chair waiting for his DATS bus. I went outside to check for the bus, and he went to the top of the ramp to wait for me, and since it was minus 30 and the bus wasn't there, I returned and

had occasion to observe this fellow at the top of the ramp. He seemed to be having a lot of difficulty, and I just dismissed his difficulty as some manoeuvring problems and power wheelchair idiosyncracies. Last week another person in a wheelchair made some comment about having difficulty negotiating the top of the ramp because the ramp wasn't built square with the door. Suddenly I realized why that other fellow was having those difficulties. In my present state, capable of walking on the ramp or taking the stairs, whichever I felt like, I was unaware of those challenges.

When the ramp was first constructed 20 years ago, no one used the kinds of power chairs that are used today. That's why we need to have experts in barrier-free design offering help to design those future safety code requirements for new construction and major renovations. Things change and the experts keep abreast of those changes.

Mr. Speaker, let's look at the background to Bill 201 and why this bill is necessary. Alberta has led the way in building safety and accessibility provisions that enable persons with disabilities to achieve independence by both contributing and sharing in the opportunities and responsibilities of our society. The number of persons with disabilities in Alberta, which for the purposes of this bill includes citizens having physical and sensory impairments, is increasing. The aging population trends that are foreseen to put pressure on public pensions, health care, et cetera, will also produce a significant increase in the number of persons with physical and sensory impairments as a result of aging.

In the not too distant future many of us will be using walkers, canes, or other mobility assists and may be wondering why after contributing and being active in our communities some places are suddenly inaccessible to us. Inaccessibility often prevents people with disabilities from contributing and fully participating in their communities.

While the codes and standards of the Safety Codes Act provide for the technical requirements of accessibility provisions, participation by the disabled community and experts in barrier-free design and access in the development of those standards and of the social policies around the application of those standards can be improved. There are provisions in the Alberta building code that allow for the relaxation of accessibility provisions of the code for buildings or installations. The process for approval of those relaxations is in need of improvement by including the opportunity for the input of a growing disabled community.

We've heard much from persons with disabilities. Persons with disabilities have talked about the advancing age of the population of the province and the corresponding need for more accessible and barrier-free spaces. Legislation that will encourage barrier-free design and construction will ensure that this increasing need will be met.

Persons with disabilities often feel that there is no forum where their voice can be added to the dialogue about matters of design and construction while the building industry and other stakeholders have ample opportunity to make comment on such issues. The Alberta disability strategy developed by the Premier's Council on the Status of Persons with Disabilities, after extensive consultation, states in recommendation 3 that "a commitment should be made to embrace the principles of universal accessibility."

What does this bill do? This bill does not, first of all, change any of the current technical requirements or any of the safety codes currently in force. What the bill does do is amend the Safety Codes Act to achieve four objectives: first, to establish the provision of barrier-free design and access standards as a recognized and meaningful purpose of the Safety Codes Act; secondly, to provide the proper voice in the appropriate forum for persons with disabili-

ties to continue to effect change in the built environment; third, to establish fair and considered standards for the design and construction of things that are regulated by the act and are in respect of barrier-free design and access; and fourthly, to allow for the fair and reasonable application of barrier-free design and access construction requirements.

Well, how does the bill achieve these four objectives? First of all, the bill amends the Safety Codes Act to state that the act is, in 2(2.1), "to be applied in a manner consistent with the principles of barrier-free design and access." This statement is similar to recommendation 3 of the Alberta disability strategy and addresses the requests of persons with disabilities for better access.

The amendment to section 4 also addresses requests for better access. In 4(2) "the Minister shall, in accordance with this Act, coordinate and encourage the principles of barrier-free design and access for any thing, process or activity to which this Act applies." By stating that the minister recognizes and promotes the principles of barrier-free design and access, under the responsibilities section the act recognizes the importance of barrier-free design and access as a central component while expanding potential application to all activities governed by this act and its regulations.

Third, the act is amended to provide the proper voice in the appropriate forum for persons with disabilities concerning barrier-free design and accessibility issues. The proper forum for dealing with the building code and the related barrier-free design and accessibility provisions is the Safety Codes Council, which is established by the act to advise the minister. Specifically, in section 16(3) after "buildings" adding "barrier-free building design" and amending section 16(4) by adding "labour and persons with disabilities" instead of just "labour." Amending section 18 to include the clause "may promote the principles of barrier-free design and access for any thing, process or activity to which this Act applies." Section (f) to include "or barrier-free design and access" after "safety." Also, in clause (h) adding "safety standards and barrier-free design and access" after "safety standards" and in clause (i) adding "barrier-free design and access information" after "safety information."

These proposed amendments underline and expand upon the importance of barrier-free access and design as stated in the minister's responsibilities by mandating representation from persons with disabilities and the Safety Codes Council and explicitly including the promotion and acceptance of barrier-free design and access in the council's duties.

Lastly, it will give a stronger voice to the community of persons with disabilities in the development of codes and standards for barrier-free design and accessibility and to allow greater participation by persons with disabilities in the application of codes and standards for barrier-free design and access.

In section 65 the amendments enable the minister to carry out his or her responsibility for the promotion of barrier-free design and provide the minister with the power to establish clear and consistent regulations dealing with barrier-free design and access provisions, including an exemption process.

In summary, Mr. Speaker, the amendments to the Safety Codes Act that comprise Bill 201 employ the existing enabling structure of this act to position Alberta's safety system for the future.

Thank you for your time, Mr. Speaker. I'll make some further comments at the conclusion.

3:00

**The Speaker:** The hon. Member for St. Albert.

**Mrs. O'Neill:** Thank you very much, Mr. Speaker, for allowing me the opportunity to speak to Bill 201, the Safety Codes (Barrier-free

Design and Access) Amendment Act, 2004. I believe that from the standpoint of access for those with physical and sensory disabilities this bill represents movement in the absolute right direction and at somewhat minimal cost to all concerned. The bill asks for more representation of disabled Albertans on the Alberta Safety Codes Council so that any additions to old structures and any new structures be built in such a way that they are accessible to those who have physical and sensory disabilities and who, as examples, use wheelchairs to get around or white canes to guide them.

Mr. Speaker, this consideration does not represent a significant change in the way our laws currently look at the construction and future development of buildings. In the past we've considered buildings from a safety-first perspective, and we will continue to do this. I might add that the matter of access for the disabled is a safety-first consideration in my opinion. However, we have for some time also included consideration of the needs of disabled individuals. Section 3.8 of the Alberta building code addresses many of the concerns regarding barrier-free buildings as well as the exceptions to barrier-free requirements.

Some of those exceptions admittedly do include private homes, some apartment buildings, some group homes, shelters and halfway houses, industrial accommodations, and buildings not used on a daily basis. However, this bill asks that we take further appropriate action. It suggests that we take greater account of the need of those with mobility challenges when we design buildings, and it argues that the best way to do it is to change the safety codes of Alberta to include a representative for disabled people on Alberta's Safety Codes Council.

Mr. Speaker, my support for this bill is based upon my belief in and commitment to equity of opportunity to access buildings in Alberta.

Much work has already been done to allow this government to secure the rights provided for the disabled in the Charter of Rights and Freedoms. Section 15 of the Canadian Charter of Rights and Freedoms reads as follows.

15(1) Every individual is equal before and under the law and has the right to the equal protection and equal benefit of the law without discrimination and, in particular . . . discrimination based on race, national or ethnic origin, colour, religion, sex, age or mental or physical disability.

Section 15(2) reads:

Subsection (1) does not preclude any law, program or activity that has as its object the amelioration of conditions of disadvantaged individuals or groups including those that are disadvantaged because of race, national or ethnic origin, colour, religion, sex, age or mental or physical disability.

Mr. Speaker, it is fairly clear to me that Bill 201 is one that speaks directly to section 15 of the Charter. It addresses the disadvantages that certain disabled people face when attempting to enter or move into buildings that are not set up in a manner which accommodates them. It is my view that when those with physical or sensory disadvantages face barriers to equality, the government does have a role to play in levelling the playing field. Providing access to publicly accessible buildings is one place where we can and should start.

One of the other reasons I support this bill is because it advocates a modest, noninterventionist mechanism for achieving its ends and represents a balance between the rights of disabled individuals and the responsibilities of others who must implement proposed changes. This bill does not propose massive government intervention into the lives of Albertans; it simply proposes that we have a voice of sound, logical reason that will provide barrier-free access for all Albertans regardless of our abilities or disabilities.

I would ask everyone in this Assembly to support this bill because

I believe it is a recognition of the dignity and the strengths that all Albertans in our unique fashion as individuals have a right to in accessing both public buildings and, indeed, those facilities that we all enjoy and in this cold climate in most circumstances need to have access to inside from out. So again I would urge everyone here in this Assembly to support it. It is based on sound principle. It's obvious that we should take action, and it is an appropriate manner in which to do so.

Thank you.

**The Speaker:** The hon. Member for Edmonton-Glenora.

**Mr. Hutton:** Thank you, Mr. Speaker. It is a great pleasure for me to rise today and join in the debate on Bill 201, the Safety Codes (Barrier-free Design and Access) Amendment Act, 2004, sponsored by the hon. Member for Clover Bar-Fort Saskatchewan. Also, I might add that it's a pleasure because that member has worked hard, I know, on the Premier's Council on the Status of Persons with Disabilities and has spent a lot of time with that constituency.

I'd also like to take this opportunity to thank the Deputy House Leader and Minister of Community Development for the work that he has done recently with regard to amalgamating and having an office for improved access for people with disabilities as we as a government spend I believe it's \$1.7 billion a year on the disabled in 11 departments. This will bring a little more focus, and I know that the hon. Member for Clover Bar-Fort Saskatchewan was instrumental in moving that forward as well.

With regard to Bill 201 I see equality legislation, and that is, after all, what we are dealing with. Equality for all citizens of Alberta, regardless of their abilities, is a fundamental right in this province, Mr. Speaker. The barrier that Alberta faces is that this equality does not always come easily for over half a million disabled individuals across this province. This number equates to every sixth Albertan who is affected by a disability and who, as a result, is sometimes denied full citizenship. These individuals have to face the reality of this inequality on a daily basis. What's worse is that they have to be reminded of their inequality every time they attempt to access a business, an office, or any type of public facility that does not provide the appropriate accessibility options.

Mr. Speaker, as Alberta prepares to enter its second century, I feel that Albertans need to be reminded that we live in a time and a place that allows every Albertan – I repeat: every Albertan – the possibility for full citizenship. Bill 201 is our chance to do just that. In Bill 201 we have the opportunity to set national standards that see citizens in Alberta enjoy a life that to them may seem less disabled.

Mr. Speaker, in December 2002 the Premier's Council on the Status of Persons with Disabilities released an Alberta disability strategy. The document provides a foundation for promoting full citizenship for those Albertans with disabilities. Before I continue discussing this strategy, I believe that it is important to define exactly what is meant by the term "full citizenship." The Premier's Council on the Status of Persons with Disabilities defines the expression "full citizenship" as

being treated fairly and without discrimination by individuals, companies, organizations and governments. It means having adequate supports to live a life of safety, security and dignity. It means having the chance to pursue educational and employment opportunities. And it means having the opportunity, choice and ability to participate in all aspects of Alberta society.

Mr. Speaker, that is a thorough definition of what Bill 201 deals with. It is, after all, asking the government to provide proper voice in an appropriate forum for the disabled community and in doing so embrace the principles of universal accessibility set out by the Alberta disability strategy.

3:10

Implementing the Alberta disability strategy increases the likelihood that the idea of full citizenship for all Albertans is possible. Of the eight recommendations made in the disability strategy, four of them deal directly with the goals of Bill 201. The first recommendation addresses Albertans' awareness of rights, needs, and aspirations of persons with disabilities and that it is necessary for Albertans to increase their awareness to successfully accomplish the goal. Mr. Speaker, Bill 201 would provide an appropriate forum, the Safety Codes Council, for the disabled community to voice its concerns and let all Albertans become better aware of the needs and aspirations of disabled Albertans when it comes to access. We cannot positively effect the rights of Alberta's disabled community if we don't listen.

The second recommendation of the Alberta disability strategy deals with the supports for daily living. The government of Alberta must ensure that the needs of persons with disabilities related to their daily living activities are met. Mr. Speaker, by amending the Safety Codes Act, the government would successfully address this goal. Currently, barriers for disabled and mobility-impaired Albertans are much too commonplace. Amending the act would allow Alberta's disabled community increased opportunities to actively be involved in decisions that affect their lives. In doing so, the government could ensure that the needs of persons with disabilities are met.

The third recommendation addresses the main point of Bill 201, which is the physical access of the disabled community to Alberta buildings. A commitment should be made to embrace the principles of universal accessibility as well as a process to be put in place to remove physical barriers from public spaces. In doing so, all Albertans could have the opportunity to fully participate in all community, employment, and business activities that are going along with the Alberta advantage. Mr. Speaker, although Bill 201 can be viewed as a broad stroke for promoting the full citizenship of all Albertans, its main objective is to break down the barriers that hinder Alberta's disabled population from accessing buildings and roadways. This legislation would overcome those obstacles and make Alberta more accessible.

The final recommendation that relates directly to Bill 201 is the sixth recommendation, which concerns learning. The government of Alberta should improve access for persons with disabilities to education by ensuring that all education facilities are physically accessible. Mr. Speaker, I don't think that a proper education should be available to only those Albertans who can access it without any impairment, and I am certain that this government feels the same way. The education of Albertans has always been the top priority of this government. Passing Bill 201 will reinforce that commitment thereby ensuring that all Albertans have the opportunity to learn and grow.

I don't think these recommendations are out of reach for this government. I believe that they are firmly in our grasp. The Department of Community Development is currently reviewing the Alberta disability strategy. I am confident that the response to these recommendations will be the same as mine was: complete support. After all, the real question we should be dealing with is: why aren't we already doing this? Bill 201 is a step in the direction of accepting these recommendations. It is conceivable that we can commit to providing full citizenship for every Albertan.

There are, however, critics of Bill 201 who will talk about the costs of implementation or talk about government getting into the business of business. Mr. Speaker, this legislation would likely lead to additional costs for Albertans who are building a new building or renovating an old one. However, these are also costs to those Albertans who are unable to access these buildings. Doing nothing

now will only delay the inevitable. As Albertans age, changes will be necessary, and implementing them at a later date will in all likelihood not cost less but, rather, a great deal more.

Bill 201 is not asking the government to get involved in the business of business; rather, it is asking the government to get involved in the business of equality for Albertans in the disabled community. These costs are not costs; they are investments in a universally accessible Alberta. Mr. Speaker, by supporting Bill 201 the government will contribute to making Alberta communities barrier free and physically accessible. As a result, a steadily increasing number of Albertans will be able to access the building spaces, services, and programs they require. All Albertans will have the opportunity to fully participate in and provide leadership to public policy processes and to activities and associations that define their community.

I encourage all members of the Assembly to vote in favour of this legislation and, in doing so, vote in favour of Alberta's continued support in making over half a million Albertans with disabilities full citizens of this great province. Thank you very much, Mr. Speaker.

**The Speaker:** The hon. Member for Red Deer-North.

**Mrs. Jablonski:** Thank you, Mr. Speaker. I am very happy to rise today and join debate on Bill 201, sponsored by the Member for Clover Bar-Fort Saskatchewan. This is a very interesting piece of legislation that has the ability to affect a great many Albertans, and I think that we must discuss both the merits and the benefits of this legislation.

Last night I watched the documentary *Bowling for Columbine*. In one section of this documentary a young student from Columbine high school who had survived the massacre but had been shot and is now in a wheelchair had gone to the head office of K Mart in the United States to ask them to stop selling handgun ammunition in their stores. I was surprised and even a little shocked to see that there was no wheelchair access to the beautiful and massive building that was the national headquarters of K Mart. The young Columbine student had to be lifted by three men in order for him to enter the office building that was only accessible by a large exterior and interior staircase. I realized that I had taken for granted that all buildings in our modern world have wheelchair access and are barrier free. *Bowling for Columbine*, although an American documentary, made me realize that barrier-free access is a long way from being taken for granted.

I think it's worth stating again that Bill 201 will amend the Safety Codes Act so that the disabled in Alberta are not met with barriers when trying to access public buildings. It means that another group will be added to the Safety Codes Council to provide input into the decision-making process for safety codes in Alberta. Mr. Speaker, I would like to take my time this afternoon to speak about the Safety Codes Council and how I think this bill is a good thing for Alberta. I hope that my arguments will provide some good information for the members present today.

In Alberta the Safety Codes Council is responsible for overseeing the Safety Codes Act. It is a not-for-profit, nongovernment organization, and its actions play a very vital role in all Albertans' lives whether they know it or not. The council covers nine very important disciplines, which are covered under the act. Those disciplines are amusement rides, boilers and pressure vessels, building, electrical, elevators, fire, gas, passenger ropeways, and plumbing. Each of those disciplines has its own council, the Amusement Rides Technical Council for example, and then each is part of a coordinating committee. This machinery makes up the Safety Codes Council, and each group provides input on the decisions and policy-making of the council.

The council also develops and administers a system to accredit municipalities, corporations, and agencies to carry out specific activities; develops and administers programs to train, certify, and designate safety codes officers; administers an appeal process for decisions made in accreditation and certification programs, orders, and written notices issued; promotes uniform safety standards; and it also provides support to its many industry partners. Now, that list is fairly extensive, but you can see how this council has the ability to affect every Albertan.

[The Deputy Speaker in the chair]

What I find somewhat discouraging about this council is that it has very little representation from a group that is becoming increasingly more visible in this province. This, however, is a situation that Bill 201 is looking to alleviate. Bill 201 would add another representative council to the Safety Codes Council, the barrier-free council. I believe that this would be a very unique addition to the Safety Codes Council because while the other groups represent purely technical and safety aspects, a barrier-free council would represent a good many Albertans and be able to provide the council with insight on how decisions will affect both the elderly and the disabled.

3:20

Now, one must look at the Safety Codes Council to understand why adding a barrier-free council would be a good decision. The Safety Codes Council mission is to work in partnership with industry, municipalities, labour, and government to "provide Albertans with quality public safety systems for structures, facilities and equipment and provide competency-based training for Safety Codes Officers."

If we back up a little and take a look at that, we see that its mission is to "provide Albertans with quality public safety systems." What is important is that the council provides for Albertans, all Albertans, and I think that most Albertans are represented on the council. However, a large group of Albertans is not represented, albeit through no fault of their own nor the council's. Rather, the issue of access to public buildings has really never been at the forefront of many issues in this province until now.

The disabled community in Alberta has stressed to many MLAs as well as MPs on the national scale that they feel they are being overlooked when many different decisions are being made about building structures and access. It could be as simple as having a curb cut on the street. Many of us overlook the fact that most sidewalks in Alberta are built so that if one is crossing the street, the curb of the sidewalk is cut down so that anything with wheels can leave or enter the sidewalk: things like a baby stroller or a shopping cart or a wheelchair, especially a wheelchair. This is something that I don't think many people really take notice of. A person pushing a baby stroller need only lift the front wheels and then the back to get it and the child up and onto the sidewalk, but what is a disabled person in a wheelchair supposed to do? Rarely do they have the arm strength to get themselves up and onto a sidewalk that has no cut-down. Common sense maybe but extremely important to the disabled community.

Nowadays there are many buildings that need to be accessed by the disabled community that are just too difficult. Granted, government buildings in very high traffic public places do have access for the disabled, but there are plenty of places such as restaurants that often don't have barrier-free access. Think about the places you've gone to eat in the past week or so. Did all of those places have a wheelchair ramp, or did the entrance to the eating establishment have a little step before the door, one that poses no problem for an able-

bodied Albertan but one that is a great challenge for a young man in a wheelchair? This is the sort of thing that a barrier-free council could bring to the table if it were represented in the Safety Codes Council.

Of course, the barrier-free council would not only be specific to disabled people but also help another group of Albertans that may have been overlooked in this process as well, and that group, Mr. Speaker, is seniors. Alberta is a province that is aging. The baby boomers are getting to that age where they will soon need a cane or a walker or a wheelchair or a permanent IV drip. Do you think the senior is going to be impressed by having to drag their walker up some stairs to get into their favourite restaurant? I don't think so.

Seniors are extremely important to this province, yet in the Safety Codes Council there is no group through which they can let their concerns be known about rules and regulations that are specific to buildings, structures, and equipment. Again, this is no fault of the Safety Codes Council. The groups on that council are not really meant to think about those issues. It would be nice if all the concerns of Albertans could be heard, but those representing the Plumbing Technical Council are not going to be overly concerned about barrier-free access when discussing building permits. This is something that has been overlooked in the past, and now is as good a time as any to see that it's fixed.

I don't see why the members of this House would not support a move such as the one that Bill 201 provides. We place a large amount of importance on our seniors population, so much so that we have provided a ministry specifically dedicated to seniors' issues. Therefore, one can see how this bill fits right in line with the attitude of not only this government but of Albertans as a whole. Bill 201 provides this House with an opportunity to strengthen the Safety Codes Council. This council has done a remarkable job over the years, and it is now time that we improve the council in a small but very important way.

There are many in this province who are at a disadvantage in living their daily lives. There are those in wheelchairs, with walkers, with canes, without sight who should have their voices heard when policy is being made about quality public safety systems for structures, facilities, and equipment. One thing that all members should know is that I don't believe that this bill is that great a change. However, it is a significant change in that we will be giving a voice to those who currently do not have a voice on this committee. I think that adding one more representative group will not be an administrative nightmare or a change in the council's philosophy.

The Safety Codes Council has done remarkable work for this government and for the people of Alberta over the past year. As I close this afternoon, I would like to ask all hon. members, some of whom may be getting close to that age where they're going to have to start thinking about these issues, to support Bill 201.

Thank you.

**The Deputy Speaker:** The hon. Member for Grande Prairie-Smoky.

**Mr. Knight:** Thank you, Mr. Speaker. It is with a great deal of pleasure that I rise today to speak to Bill 201, the Safety Codes (Barrier-free Design and Access) Amendment Act, 2004. The importance of designing buildings in a manner that does not discriminate against those with a disability is undisputable. For years mainstream building design has for the most part unintentionally reflected the lifestyle and abilities of the able-bodied person. However, in recent years we have become more cognizant of the needs of the disabled, and important strides have been made both by government and the private sector.

In the last 20 years I've seen more public and private buildings

with wheelchair ramps, power doors, and handicapped parking spaces. Awareness of issues that the disabled face on a daily basis has improved, and the physical changes are noticeable. Businesses have recognized that barriers do little to improve the flow of customers who come through their doors. As Alberta's population ages, business owners have become aware of this fact and voluntarily make improvements in an effort to be more accommodating.

As much of the discussion on this bill will revolve around barriers like entrances and bathrooms, I would like to provide a different example that illustrates a business's attempt to make the theatre-going experience more enjoyable for those who face sight and sound barriers, so to speak. At the beginning of this decade, Mr. Speaker, Famous Players decided to invest a million dollars to outfit 50 theatres across the country with state-of-the-art hearing and sight-impaired technology. Infrared headsets provide visual description for the blind, and tinted plastic reflectors aimed at a scroll board from the back of the theatre provide captioning for deaf patrons. This is a classic example of a company not only recognizing the needs of a minority but also recognizing a business opportunity. By acting on an inclusive attitude, this company has expanded its market.

This mentality is likely to continue well into the future. We are an aging population, and with age comes difficulty climbing stairs, using washrooms, reading signage, et cetera. Between 2000 and 2016 it is expected that the number of Alberta seniors will rise from 10 to 14 per cent of Alberta's population, and 10 years after that, Mr. Speaker, it is expected that clearly 20 per cent of Albertans will be over 65.

This trend suggests a couple of different things. First, it means that barriers are becoming a challenge not only for a higher number of Albertans but a larger segment of the population.

3:30

Second, it reinforces the need to increase the emphasis that we place on the issue of barriers and how we can remove them from Alberta's buildings. However, just because a situation has been improved in recent history through changing attitudes of the private sector and added requirements found within the Alberta building code, it is not to say that there isn't room for improvement.

Mr. Speaker, I would like to focus my comments on two specific areas. First, I would like to talk about the mandatory representation the disabled community would be granted because of Bill 201 and the importance of including this crucial stakeholder when we make decisions about issues relating to the removal of physical barriers that are still present in many Alberta buildings. Secondly, I would like to address the need to be responsible in the pace we set to make Alberta a barrier-free society. While making significant grounds toward solving this issue is important, we would do much harm by trying to do too much at once. I would contend that Bill 201 is a responsible measure to make headway with this important issue.

On my first point, Bill 201 would mandate the Safety Codes Council to have representation from the disabled community, which through such representation would have a say in the principles of barrier-free design. Thus barrier-free design would become one of the Safety Codes Council's specific duties. Securely establishing a voice for the disabled through an official committee is an important first step to a more inclusive society. Adding representation for the disabled community to the Safety Codes Council is consistent with this government's history of consultation with Albertans on issues they face. It stands to reason that stakeholders can and do play an important role in solving problems they face.

In order to truly understand what difficulties disabled Albertans face and to seek out proper and timely solutions, it is imperative to

include those who face the barriers on a daily basis. In this instance, Bill 201 builds on progress made in the past and sets a new precedent for the future not only in Alberta but for the rest of the country as well. If such a committee is established, it is necessary to involve the group in the decision-making process that surrounds the issues of relaxation.

Currently the Safety Codes Act allows for relaxations to be made by the director if an owner of a building can show that specific requirements are unnecessary or extraordinary circumstances prevent conformance. It is arguable that an able-bodied person may not be in the best position to determine whether requirements are necessary or not. Some activists suggest that exemptions occur too frequently. Therefore, it would be beneficial if those who face the barriers had some influence in the decision-making process.

Mr. Speaker, I do not believe that relaxation should be eliminated, and establishing a voice for those who face barriers does not mean an end to all relaxations. There are times when upgrades are unnecessary and could pose an economic burden on a business owner. Is there a need to install barrier-free showers at an outdoor soccer field where those using the facility would be able-bodied players and referees? Is it necessary to improve access to a police training facility to which the general public has no access? Should allowances be made if there isn't proper room to add a wheelchair ramp to the outside of a building? These are real circumstances that warranted relaxations in 2003.

It is important to continue to look at each individual circumstance with a degree of balance. At the same time, it's imperative that we continue to move in a forward direction on this issue. I believe that Bill 201 achieves both.

This brings me to my second point, Mr. Speaker. Bill 201 does not eliminate the use of relaxations. Instead, it provides a better mechanism to deal with the issue. This process of discretion is essential to making sure that we move at a reasonable pace in establishing a method to removing physical barriers faced by disabled Albertans. The issue of relaxations is more contentious in rural portions of our province, and in smaller communities stores are more likely to be family-owned. They are likely to be a main staple for a family, and in many cases they don't generate the amount of cash that big box stores in urban areas do. In some cases business owners would take a serious financial hit to install ramps . . . [Mr. Knight's speaking time expired]

**The Deputy Speaker:** Sorry to interrupt the hon. member.

**An Hon. Member:** He was going so well.

**The Deputy Speaker:** He was just on a roll there.

The hon. Member for Edmonton-Glengarry.

**Mr. Bonner:** Thank you very much, Mr. Speaker. It is a pleasure and an honour to speak and make a few comments to Bill 201, the Safety Codes (Barrier-free Design and Access) Amendment Act, 2004. I must commend the member for Clover Bar-Fort Saskatchewan for not only sponsoring this bill but promoting it to all members of the Assembly. It's certainly a bill that I feel is long overdue.

Those of us that were present in the Assembly in 1997 had a very special moment when barriers were removed and we had the honour and the privilege of listening to Rick Hansen on his Man in Motion tour, the 10th anniversary. Also speaking was the Member for Edmonton-Rutherford at the time, Percy Wickman, who himself uses a wheelchair constantly. So for the Assembly to not pass this bill, to me, would be not what we are all about. I certainly, along with many other members that have already spoken, strongly urge all members to support this bill because it is a bill that is required.

On that particular occasion when Rick Hansen wanted to come and speak to the Assembly, what had to happen first of all was that we had to pass Motion 17 in this Assembly, which would allow an unelected member of the Assembly to pass the bar and come and speak to us. It was quite a day. Mr. Hansen was introduced in the Assembly by the minister of health at that particular time and, as well, there were some comments made by the hon. Member for Edmonton-Rutherford at that time. I will never forget the words that he said, and I will quote what the hon. Member for Edmonton-Rutherford said at that time. He said:

Rick Hansen touched the world in three ways that come to mind quite readily. First of all, he leaves behind a legacy, the legacy of the 60 million plus dollars for research so that someday spinal cord injuries may be eliminated.

Secondly . . .

And I think this is what applies to this bill more than anything else.

. . . he single-handedly changed buildings to accessible buildings, and I experienced that in Thunder Bay, Ontario. After the election in 1989, when we were down there for a few days at my sister's place, she arranged for me to be interviewed at the local TV channel station. She had checked it out. It was accessible. When I went there, I couldn't believe it: an old CBC building, nice parking in front. I went inside and marvelled to the crew. I said: I can't believe how accessible this building is. They said: we had to do it; Rick Hansen made us. I said: what do you mean Rick Hansen made you? They said: we wanted him in the studio on the Rick Smith show, and he wouldn't come until we agreed to renovate the building to his specifications. I'm sure that was done dozens of times along the way.

And that is quite significant, because that is what we're here today to start debating in Bill 201. It's to make buildings accessible to people that have either physical or sensory disabilities.

3:40

Thirdly, Mr. Speaker, what the hon. Member for Edmonton-Rutherford at that time said was:

The third and the most important is the change in people's attitudes. Suddenly, being in a wheelchair, you could feel proud. People would look at you and say: God, he's one of those guys. There was something that changed people's attitudes. Suddenly, they realized we were equal, in some cases above being equal. It proved that with determination you can live out your wildest dreams. You've just got to have the guts to try.

Those were the words of Percy Wickman in this Assembly in 1997.

As well, one other thing that impressed me about the Man in Motion tour was that as Rick Hansen was wheeling those last few hundred yards to the finish line in Victoria, B.C., he was filled with elation, he was filled with many different feelings. He had wheeled through every country along the way in unimaginable conditions, heat and cold and wet, and as he came towards the finish line, there was a banner welcoming him home. As he went under that banner, he threw his head back, and on the back of the banner was printed: the end is just the beginning.

So as we look at a new chapter in legislation here in this province for those with physical and sensory disabilities, I think that this is a great start to legislation that will make accessibility to buildings in this province more available for all. I thank you very much for the opportunity to make these comments.

**The Deputy Speaker:** The hon. Member for Calgary-Bow.

**Ms DeLong:** Thank you very much, Mr. Speaker. I'm very pleased to be able to enter into this discussion on Bill 201, Safety Codes (Barrier-free Design and Access) Amendment Act, 2004. One of the very most important people in my life, my father, was disabled. For



the last 17 years of his life he was in a wheelchair. So one of the things I did as a young woman was build a ramp for him to be able to get around his house.

In 1991 when I built my own house, one of the key things in the design was making sure that the house was wheelchair accessible. So I designed the two main floor bedrooms so that they could be made into one master bedroom when I could no longer climb stairs or if I was in a wheelchair. All the doors are at least three feet wide so that wheelchairs can get through, and there's full access from the street right up into the house on ramps. Right now I'm adding a garage to my house and, again, I'm making it so that I can get from the garage all the way up the ramps into the house.

So I'm finding this bill very interesting. I look at section (2.1). I'd like to be able to read this:

This Act is to be applied in a manner consistent with the principles of barrier-free design and access to allow persons with physical and sensory disabilities to access and use buildings and facilities to which this Act applies.

Now, this act applies to all the buildings in Alberta. This act applies to every private residence in Alberta. So it applies to the Alberta building code regulations, which is all the private buildings in Alberta, all the private homes that are being built in Alberta. I realize that what this act does is put us in a position where there's going to be a lot of relaxations, but I'm sure that it is at least moving us into the position where people are encouraged to build all their buildings, all their homes to be wheelchair accessible.

Thank you very much, Mr. Speaker.

**The Deputy Speaker:** The hon. Member for Lacombe-Stettler.

**Mrs. Gordon:** Thank you, Mr. Speaker. It's a great pleasure for me to join the debate on Bill 201, the Safety Codes (Barrier-free Design and Access) Amendment Act, 2004, sponsored by my colleague from Clover Bar-Fort Saskatchewan. I, too, hon. colleague, would like to praise you for the fine work you've done on the Premier's Council on the Status of Persons with Disabilities. I know first-hand that you're a good MLA, a very strong chairman, an avid advocate on behalf of those with disabilities, and a tremendous listener. One of the reasons I know that you're a tremendous listener is because you've brought this piece of legislation forward. This didn't come from you; this came from the people you've been working with and on behalf of for a number of years. So I'm sure they, too, would like to thank you.

May I remind everyone in this Assembly that no one - no one - chooses to be disabled. These things happen. They must deal with them, and as a society we must deal with them. I'm not going to be repetitious and repeat all the things that have been said thus far by the many, many speakers before me, but I will say that this legislation, if passed and proclaimed, would allow another voice to be heard at that table in the implementation of design and how those designs will affect the lives of many, many people. I ask that we as a group of politicians and legislators please consider what the hon. Member for Clover Bar-Fort Saskatchewan is trying to do.

I think the importance of looking ahead has been brought up by a couple of speakers. We have an aging population. As baby boomers - and many of us in this room are considered baby boomers - approach the age of 65, the numbers will be great. If you think of those people that you know - friends, relatives, neighbours, co-workers, staff - that are 65, 70 requiring the use of canes, wheelchairs, walkers and sit down with them and ask them point-blank what barriers they face in their community in trying to achieve the lifestyle that they want and we would hope they would be able to use, I think you will find that there are many buildings that have

done an excellent job. There are many buildings where through this type of legislation we could make sure that in the future when renovations come due or are going to happen, they will include some of these things that the disabled community need and want.

I believe one of the speakers before me talked about the changes to wheelchairs that have taken place over the years. Those changes will continue as new technology comes along to help those that need them, and those wheelchairs and the other devices necessary for the disabled will have to be taken into consideration as we move ahead with buildings and changes in that regard.

I would thank the member from the opposition that talked about the former member of this Legislature, a good man that I had known long before I ever came here, and that was the former Member for Edmonton-Rutherford and a good friend of mine, Mr. Percy Wickman. Every day Percy showed us what it took to come into this Assembly, to leave this Assembly, to drive home from this Assembly. If I'm not mistaken, I think that recently Percy was awarded the Order of Canada for his work on behalf of the disabled and those that are afflicted with handicaps of one sort or another. So thank you, Percy, for the work you did on their behalf.

Fellow colleagues, I would ask you to please give consideration to this important piece of legislation and the implications it will have for many, many people today and well into the future. Thank you.

3:50

**The Deputy Speaker:** The hon. Member for Olds-Didsbury-Three Hills.

**Mr. Marz:** Thank you, Mr. Speaker. It's a pleasure to rise and speak to Bill 201, the Safety Codes (Barrier-free Design and Access) Amendment Act, 2004. As other members have said, the main goal of this bill is to amend the current Safety Codes Act. This amendment would expand the Safety Codes Council to include a representative from the disabled community in Alberta. The expanded Safety Codes Council would be able to provide experienced insights into existing regulations and the application of the Alberta building code. This would not only enhance access to buildings but also render them more user friendly to persons with restricted mobility.

When I have encountered someone in the past who needed a wheelchair to get around, I often thought how much energy and work it would require just to get where you were going. However, I never really thought about what being confined to a wheelchair would really mean. And, again, I'm not talking about the big things; I'm talking about the daily implications and how much more difficult it would be, like going shopping, taking your dog for a walk, or getting in and out of your car. But perhaps in a very small way I've gained a bit of insight that maybe some of my colleagues of the current crop haven't when it comes to understanding this bill because I've already had experience in dealing with issues concerning universal accessibility.

Several years ago I held the position of county reeve, and at that time we were dealing with the issue of renovating our county office. Part of that discussion was making it universally accessible to persons that faced mobility issues, and one of the specific items was looking at putting in an elevator. Well, I don't have to tell many people here that have been involved in municipal politics that one of the most controversial things you can do is renovate or build a new county building, but in those days adding extra dollars to the cost of doing that by putting in a lift even added to that controversy.

So in order to understand the obstacles that people with mobility issues faced, I borrowed a wheelchair for a day when I knew many of the council members were going to be down at the office, and I tried navigating my way around the building and invited several of

my colleagues to take it for a spin to see how friendly our current building really was and to try some ramps at some other buildings. Well, needless to say, my experiences and my colleagues' experiences from that day helped ensure that when the building was renovated, regardless of the controversy, we did make it universally accessible and decided to install an elevator to assist those that use a wheelchair to have full access. It also helped the staff move big files on wheels from the top floor to the bottom floor and probably prevented a lot of injuries that could have happened in the course of trying to carry them down the stairs.

In a wheelchair an ill-placed set of stairs can be an insurmountable obstacle, and a hard-cut curve becomes an invitation for disaster. This is why creating a barrier-free technical council to be a separate entity would also be beneficial. The concerns and issues that it would raise would deal with more than just technical and safety issues. This body would be able to address everyday issues of utility and practicality. This is important because Alberta is committed to being open and accessible to all Albertans. The Alberta advantage applies to all Albertans, and we should take pride in knowing that all people are welcome here.

Mr. Speaker, Alberta along with Canada as a whole is home to a rapidly aging population. From 1971 to 2003 the number of Alberta seniors rose from roughly 120,000 to over 325,000. This is an increase of over 170 per cent in only three decades. Additionally, as a proportion of the whole population the population of seniors is rising. Currently seniors make up 10 per cent of the total population. This is projected to rise to 14 per cent 10 years from now, and after 20 years pass, they'll constitute roughly 20 per cent of Alberta's population. I will be in that number, as will many of my colleagues in this Chamber. This is a very large number of people.

Now, we're all aware that as we age, the chance of losing our mobility increases due to a variety of factors which could be just grouped together under the heading of old age. We'll no longer be able to move around as quickly or easily as we used to do. For some of us it will be severe enough that we'll need help to get around. Whether this help would come from a cane, a walker, a wheelchair, moving from place to place will no longer be as easy as it is now. This means that a higher portion of the population will have mobility issues, and the issue of universal access will even be more important than it is now, and it is important now.

Mr. Speaker, by acting now, we will avoid what could potentially become a very large problem in 10 to 15 years. This legislation takes a proactive approach in anticipating a real problem instead of having to scramble to deal with it once it's become a huge problem.

I realize that there are concerns with this bill, and most of these are cost related and whether we are placing undue burden upon certain Albertans. The truth of the matter is that Bill 201 does not change any existing building codes, nor does it change how renovations are dealt with, and it does not change the requirements that new buildings must meet right now. I cannot stress this point enough. There will be no new costs associated with this bill, and there will be no changes to the existing Alberta building code. What this bill does propose to do is create another seat on the Safety Codes Council so that concerns regarding barrier-free design issues will be properly addressed.

Mr. Speaker, the safety codes amendment act presents Alberta with an opportunity, the opportunity to ensure that our province is for all Albertans. By supporting this bill, we are supporting a greater voice for the disabled community in decisions that greatly affect them. By creating a barrier-free technical council, Alberta would become a leader among provinces in regard to issues that affect persons with impaired mobility. We would be showing other jurisdictions in Canada the way to ensure that all members of the

community will be assured of being able to participate in that community.

Bill 201 is not proposing radical changes to the Alberta building code. What is being put forward here will not result in changing the requirements that new buildings must meet, nor would it alter how renovations are to be completed. Additionally, passing this bill will not mean that the private sector will end up paying out large sums in order to meet new requirements, nor will it be sanctioning the creation of an enormous bureaucracy in order to deal with a flood of new paperwork.

Mr. Speaker, passing Bill 201 will allow the Safety Codes Council to benefit from the input of those who live with disabilities day to day. It will create a forum where a wealth of new knowledge can be shared and utilized in ways that will help Alberta remain open and accessible to all Albertans. This will ensure that members of our community that confront the obstacle of living with impaired mobility on a daily basis will not be excluded from being involved in their community. Alberta is committed to achieving the highest standard of living for all Albertans, and this bill will help us reach that goal.

As I've already mentioned, we're dealing with a rapidly aging population both in raw numbers and as a percentage of the whole. By including persons with disabilities on the Safety Codes Council, we'll be able to better prepare for the coming challenges that we will all be faced with. The safety codes amendment act will deal with the issue of accessibility before it becomes a problem.

I fully support this bill and ask all my colleagues to do the same. Thank you.

**The Deputy Speaker:** The hon. Member for Calgary-West.

**Ms Kryczka:** Thank you, Mr. Speaker. It gives me great pleasure to rise this afternoon and join my colleagues in support of a discussion and debate on Bill 201, the Safety Codes (Barrier-free Design and Access) Amendment Act, 2004, sponsored by the Member for Clover Bar-Fort Saskatchewan. I really do commend the member for bringing this bill forward. I think it is a very important initiative not only today but in the future, as many members have already referred to.

Mr. Speaker, as I understand it, the legislation has two primary objectives. First, it would aid in providing a voice to the disabled community. Bill 201 would require the Safety Codes Council to ensure that it has representation from those with disabilities. As the Safety Codes Act stands now, it necessitates representation from a variety of groups, including labour, business, and municipal governments. However, the disabled community is not included and does not get to offer its input into the decisions made surrounding safety and design issues.

4:00

Mr. Speaker, I feel that by including this group, we are giving these individuals a say in the decisions that ultimately affect their lives, and who better to make those decisions or give input into design plans that do increase accessibility than those who really face this challenge, realistically, every day. By implementing this change and giving representation to disabled individuals, we are taking yet another step in becoming a more inclusive society.

The second objective of this legislation is to increase access to buildings and roadways for those with limited mobility through the implementation of barrier-free designs. I would like to point out that this legislation would not be retroactive but would only apply to any new buildings or renovations to existing buildings.

Mr. Speaker, barrier-free designs can enhance daily living by

maximizing independence. This can improve quality of life by allowing greater participation in regular activities and enabling individuals with disabilities to maintain safe and active lifestyles. How important that is. Barrier-free designs promote independence for those living with disabilities. For those who have limited mobility, the physical surroundings can either facilitate or restrict their independence. A barrier-free environment will allow people with limited mobility to live more self-sufficiently, as I said earlier and as others have said, and they will still be able to access buildings and participate in community activities.

Mr. Speaker, Bill 201, Safety Codes (Barrier-free Design and Access) Amendment Act, 2004, also takes a proactive approach. The issue of building and roadway access is not going to disappear. If anything, the need for barrier-free designs is only going to increase. By promoting the principles of these designs, we're looking to the future and possibly offsetting increased costs down the road. If we don't recognize the needs for alterations at an early stage, and especially now, the result may be a higher financial burden in the future.

Barrier-free designs assist not only those with disabilities but also the elderly. Demographics of this province are changing, as many members also have spoken about today. Alberta has one of the largest senior populations, and it's certainly projected to continue growing. Right now, Mr. Speaker, there are over 323,000 seniors living in the province. Since 1984 Alberta has received on average a net of 721 senior migrants per year. There are more seniors moving to Alberta than there are moving out. According to Statistics Canada since 1971 the province has experienced a 171 per cent increase in the number of Albertans over age 65. During that same time span our entire population has increased only 84 per cent, so that's 171 as opposed to 84 per cent. Therefore, those 65 and older are increasing at a much faster rate than all other age categories, thus illustrating that our population is indeed aging.

It is evident that seniors are increasing their presence in Alberta. By 2026 it is projected that there will be more than 700,000 seniors in the province or roughly 1 in 5 Albertans, and I know that I have seen some figures in the past that by 2030 or '35 it will be 1 in 4 seniors in Alberta. The number of seniors is definitely accelerating and will continue to as the baby boomers approach 65. Certainly, the aging population is going to characterize demographic trends in Alberta. I would also add: don't think only of the aging population and disinclude the disabled population, because to me it's all one and the same.

In previous years the majority of seniors were in the younger age categories. These are just examples of the aging population. Almost 33 per cent were between 65 and 69 years, and approximately 60 per cent were below age 75. But now, Mr. Speaker, we're seeing the numbers increase for seniors in those older groups. Seniors aged 80 and older make up now 25 per cent of seniors in 2001. This figure has increased from 21 per cent in 1971. This group is also expected to increase by 160 per cent by the year 2026.

Just as a personal note at this point, when I visit seniors' housing facilities, I certainly have noticed in the last five years, more so even in the last three, an increasing number of walkers and wheelchairs in these residences. I haven't been in a wheelchair, as the Member for Olds-Didsbury-Three Hills has recounted for us. I have not been in a wheelchair myself, but I certainly have watched my mother in the last year with her walker, first walking independently and now with a walker, and without that walker she would not be able to be mobile and to live independently and stay where she is at least for the time being.

The demographic shift is certainly going to have an impact, as I've said, today and tomorrow and very much so for the future. The baby

boomers, again, are entering their 50s and 60s, and some have even chosen early retirement, and along with increasing life expectancy, which I think is something we should all really be thinking about, it makes it crucial for safety code councils to promote accessibility and address the needs of the elderly. Not only living longer or, as I said, increasing life expectancy, we want seniors and we are encouraging them to live healthier, more active lifestyles. So, again, it's important that design principles promote barrier-free ideals and aid in increasing accessibility of roadways and buildings.

Mr. Speaker, this bill is also about updating legislation and making building codes relevant to our current societal situation. The building code ensures safety but strictly deals with safety issues. The code presently does not account for any social concerns. Although the building code wasn't initially written to deal with social fairness, it should be considered now, and it's certainly time to adjust that to reflect society.

Buildings and roadways need to be accessible to everyone. It's not fair to exclude a portion of the population because it will cost money or be an inconvenience to business owners. In fact, increasingly, the disabled and the seniors population as they increase in numbers will drive more and more of the retail and business marketplace, and that's something that today's businesses should take heed of.

Mr. Speaker, barrier-free designs prevent discrimination against people with disabilities. Physical barriers should be acknowledged as a hindrance to a person's freedom. Barrier-free design should influence policies, design practices, and codes to access the building environment. As a member I must say again, as the Member for Olds-Didsbury-Three Hills said, that everyone should put themselves in the shoes of someone with limited mobility. He was saying that he imagined himself in a wheelchair; then he was in a wheelchair. I say: "How would you like to be disabled physically? How could you make yourself physically disabled and in a wheelchair?" That is the real trick. Then let's see how well we would do.

Think of just the amount of time it would take to get around and the difficulty of accessing roadways and buildings. You might not even be able to enter businesses or stores – I'm sure you wouldn't at the present time – that you visit on a regular basis. I acknowledge most of us here probably have never had to deal with this type of situation, and I know I haven't, and therefore I really don't fully understand these difficulties. If we haven't experienced them personally, maybe we know friends or relatives who have.

There is one person that I certainly knew for many years personally and still do. His name is Vance Milligan, and I think he's probably known very well. I see Vance fairly regularly. I worked at Bennett Jones for many years and admired Vance. He's a man that over the years has become a leader in the disabled community. I would like to just make note of Vance Milligan as someone that we can all admire, but without his support structure of people and accessibility he would not be who he is today.

Thank you.

**The Deputy Speaker:** The hon. Member for Calgary-Fort.

**Mr. Cao:** Thank you, Mr. Speaker. It's a pleasure for me to join the debate supporting Bill 201, Safety Codes (Barrier-free Design and Access) Amendment Act, 2004. The Member for Clover Bar-Fort Saskatchewan has a great deal of knowledge regarding accessibility for disabled Albertans. I hope that this House can pass this legislation to make new and renovated buildings more accessible for more people.

4:10

I think the perception of the disabled is slowly changing. Stereotyping consistently portrays disabled Albertans as helpless and

vulnerable. Increasingly, however, Albertans are realizing that this isn't the case in the majority of instances.

[Mr. Klapstein in the chair]

Unfortunately, we continue to see an alarming number of disabilities due to workplace injuries or traffic accidents. As tragic as this is, some of these people may understand some of the technical aspects of building and safety codes better than others. I would argue that this is an opportunity to turn a tragic event into an important opportunity. Advocates for the disabled have shown that overlooking or not paying attention to the requirements of the building codes can, no matter how unintentional, prevent disabled or elderly Albertans from living an otherwise normal life. Most able-bodied people cannot relate to these challenges. The greatest tool to open doors to any group is awareness.

Mr. Speaker, last year I had the privilege of joining a blindfolded luncheon with my constituent friend Wayne Turnbull, who is also visually impaired, at the CNIB in Calgary. I also met a few Albertans who lost visual ability and hearing ability as well, so this was a great learning experience for me and also conversation.

Mr. Speaker, many years ago I was a bit younger, and I showed off a bit to our children. I experienced a temporary minor disability due to my wrong gymnastic move. It turned out to be not showing how to do it but showing how not to do it. This experience taught me the need for accessibility at the workplace because I still had to work during this temporary disability.

I represent a large number of seniors in the Calgary-Fort constituency. As we all know, the numbers of seniors in our province will increase in the coming years, so I have a keen interest in this bill that improves safety and accessibility. This bill is moving in the right direction for the disabled in Alberta. My favourite proposed change for the Safety Codes Act is a new position for the disabled on the Safety Codes Council.

Initially, there may be some reaction on the part of a few members about the new position. After all, the Safety Codes Council is a very technical group. One may wonder how a disabled community would contribute to the technical side of building construction. To a large degree accessibility for the disabled is a social issue, and the Safety Codes Council isn't equipped with the tools or the mandate to address social issues. However, a seat at the table may benefit the disabled and move Alberta toward the goal of accessibility for all Albertans.

I think that this new voice will help more people gain access to buildings. This will provide an excellent opportunity to apply practical experiences from the disabled to technical requirements of the code. I understand that there is nothing in the bill that compels the council to listen to the views of the disabled. There is also nothing in the bill that provides a mechanism to stop or reduce the number of exemptions granted for new construction or renovation projects. After these considerations I still believe this new position will succeed. I understand that every part of the council works closely with one another. This will be a great asset for every disabled person because the issues are integrated among all aspects of building and safety codes.

Based on what I've heard from constituents, I think the focus of accessibility should be mainly directed to building architecture. I would like to see an award created that recognizes creative and innovative design that helps the disabled. The legitimacy of an award would be stronger if it were supported from within the Safety Codes Council. I think this award would be great exposure for the award winner. My hope is that this could also raise the bar for future designs. Improving access to buildings increases their market value,

improves the public image of construction companies, and can increase the bottom line. Most companies would be encouraged to improve their image as a responsible corporate citizen.

As some members of the council may be concerned about the perceived cost increase in new construction and renovation projects, advocates for the disabled talked about physical barriers that impede their access. Raising awareness of the challenges facing the disabled is extremely important, and we should think carefully about the financial consequences of this bill.

For example, a low-grade ramp or curb cuts may not be expensive, but a conventional elevator can cost over \$50,000 or even a hand-lift can cost up to \$30,000. Some may say that smaller contractors would be unable to accommodate such changes. I am reminded of buildings in my area that have an elevator, and there are people who must walk down seven or eight steps to the actual elevator door. The point of the new position isn't to create a financial burden for contractors. The goal is to take existing measures and modify them to accommodate the disabled. Using the apartment building as an example, there is little need for an elevator if people are unable to get to it.

The voice for the disabled at the table of the Safety Codes Council would be beneficial to meaningful changes to the building codes. I would be interested in the selection process for sending disabled people to the council. Would it be a selection from disabled people or the advocate groups? Or would it be someone with a construction background who has suffered an accident at the workplace? Or would it be some sort of an election? I think these are important details to be considered in the bill. Anyhow, it's a position that creates a voice for the disabled and having the voice heard is important in our democratic system. There should be a way to ensure contributions from disabled Albertans in an effective and constructive manner.

Mr. Speaker, I would like to talk about relaxing requirements for facilities for the disabled. There are a number of people who believe that this exemption is granted too easily. The application allows some projects to override accessibility requirements because of a lack of need. Some argue that this is used as a loophole to save money rather than prevent frivolous renovations. I think certain cases should be looked at closely, and at the same time this application process should continue to have some prominence, play a role in it.

There may also be some concern regarding administration of this bill. How will this bill work once implemented? Larger renovation projects with big budgets can accommodate future changes to help the disabled. What about smaller projects with smaller budgets? Restricting the exemption clause could delay or even cancel smaller projects. Of course, this theory would depend upon the extent of changes and the financial impact.

Overall, Mr. Speaker, I like the idea of raising this bill, and I agree with the spirit behind this bill. I know that the Member for Clover Bar-Fort Saskatchewan has a great deal of insight regarding the challenges facing disabled Albertans. I share the concern with other members regarding the challenges facing Alberta's large and growing disabled community and seniors. I would like to think that future changes in the Safety Codes Act would moderate enough to please the disabled community without leaving contractors with a substantial financial burden.

I want to tell you of an instance that I heard. Somewhere in the U.S. there is a drive-through bank kiosk that was specified and built with Braille panels. I'm hoping the sponsor would shed some light on this detail, and I urge that members support the bill.

Thank you.

**The Acting Speaker:** The hon. Member for Highwood.

4:20

**Mr. Tannas:** Thank you, Mr. Speaker. I'm pleased first of all to commend the hon. Member for Clover Bar-Fort Saskatchewan on his bill, and I want to take a little bit of a leaf from the hon. Member for Olds-Didsbury-Three Hills. I wish to speak on one provision and that being the inclusion to have some person with a disability on the committee as referenced in section 16 of the act.

A few years ago a gentleman and his wife came into my office, a rather narrow step up. High River is subject to periodic floods, so there was a ramp. They were able to get in. It was very awkward getting into my office, but they were able to do that. One of the things that he said was that these handicap bathrooms are really quite good, but my wife has MS, and I'm her caregiver. So we were in a brand new restaurant, and they said that they had handicap bathrooms. Well, yes, they do. They have some for ladies but not for men and some for men but not for ladies. So how does he take his wife into the handicap washroom? Naturally, she would rather go into the ladies than the men's, and so he has to get some lady, a waitress, to go and check and see if the bathroom was clear. Then he could take her in and get her organized and go out and wait a decent amount of time and get another lady to go in to see that there are no other ladies in there so that he may go in and help his wife out.

That indicates to me that sometimes we can do good things, but unless we walk in the moccasins or, in this case, like the Member for Olds-Didsbury-Three Hills actually try the wheelchair and then think of how they are going to be moving around and what condition they are that you move around in it – if they have a caregiver, very often a spouse, maybe a parent, they may not be of the same gender. Some of these washrooms are really well intended but don't work out so well under those special circumstances. So it's very good to have someone who has this situation confronting their life be on the council to advise the others, who can plan all kinds of things, but unless you actually live it, you don't know it. I think they will add a great amount to that board.

So I congratulate you and support the bill.

**The Acting Speaker:** The hon. Member for Edmonton-Norwood.

**Mr. Masyk:** Thank you, Mr. Speaker. I'd like to take this opportunity also to share in the debate on Bill 201. The simple fact is that last year when I brought forward a motion with respect to wheelchair access for disabled people at gas stations, I also went down to a rehab hospital and got a wheelchair. I got into the wheelchair. It was the last snowstorm last spring. There was some ice built up at the island at the gas station, and unless I had, like my son puts it, Go Go Gadget arms, I really had a hard time reaching the spout. If it wasn't for the actual use of my legs where I could get out and get the spout off and put it in my truck, I wouldn't have been able to have really been doing it. The wheelchair I had had little grips on it, but I really couldn't get over the ice. It would spin, and I couldn't quite reach. I was about a foot short. I couldn't quite reach it, but that was the easy part.

[The Deputy Speaker in the chair]

Once I filled up my tank, I went around and tried to get between a car that had decided to pull up for the confectionary part of the gas station, but then I had to backtrack, go around from the other side. When I went up the ramp – this is very odd; I don't know who designs these things – I came into contact with a whole pile of windshield washer antifreeze and oil right on the path of the ramp, and – this was the strange part – the door opened towards me.

Here's another strange part, Mr. Speaker. The attendants were looking at me, standing there watching me. They really looked when I got out of my wheelchair to get around their cans and antifreeze and to get around the door that opened towards me. Talk about not being user-friendly. I went in and paid for my gas and I said: "What if I really couldn't get out of my chair? You guys were going to sit there" – you know, I had some choice words for them – "and just watch me?" They didn't have an answer.

So by bringing Bill 201 forward all it does is bring forward common sense that we misplace because we have our legs and we don't really have those barriers and these impediments in our everyday life to simply get around and buy things like gasoline, go to the supermarket. About 20 minutes of a wheelchair was enough for me, Mr. Speaker, to realize how important it is to do something for other people. Growing up, it was always taught in our household by my mom and dad that you always put other people forward. I guess it was our Christian background, you know, kind of designed everything around the Scriptures, around our livelihood, so one of it was to put everybody else ahead of yourself and do good for others, and it will be returned to you.

I didn't really understand what that meant completely until I was elected in 2001. Now I know what it means to put everybody else ahead of yourself, as an elected official, and it's not by choice; it's just how the nature of the job is. I wish everybody in the public would kind of know what it would be like to be an MLA. There's a misconception that you're on top of the food chain when really, the way I see it, you're at the bottom of the food chain because everybody's problem, every other issue, is your primary concern, being elected.

Even our own private members' bills, like whatever I bring forward or the Member for Clover Bar-Fort Saskatchewan, if we can't bring that forward in the way we see it from our own eyes, then when we get our paycheque, return it. Return it to the Treasurer if we can't do our job by the way we see it to be done. I know he brought it forward. The hon. member walks – he doesn't use a wheelchair – but he probably knows somebody who goes through these barriers, just like I had a little taste of it filling up my simple little gas tank for 20 minutes of my whatever thousand hours or seconds of life that I have left, hopefully.

So when you encompass all these things and couple that with some feelings with respect to being the human beings that we are, with respect to being an elected official, with respect to taking taxpayers' money, and combining all that together with the net sum of doing the right thing, I would encourage everybody to vote in favour of this bill. Thus, at the end of the day and at nighttime when we go onto our pillow, we should be able to sleep.

Mr. Speaker, I want to thank you so much for this moment to speak on behalf of it. Thank you.

**The Deputy Speaker:** The hon. Member for Little Bow.

**Mr. McFarland:** Thank you, Mr. Speaker. I just had a couple of comments that I wanted to share. I do want to thank the hon. Member for Edmonton-Norwood for just speaking from the heart.

I would like to compliment the Member for Clover Bar-Fort Saskatchewan. I've had the privilege of working with him on a couple of committees, and he is a pretty quiet, well-respected good listener, as was previously indicated, to the point that when I first got an ear for the bill, I wasn't really excited about it. I had a lot of bad visions, and for the people that are here, I want to explain that.

I told the sponsor of the bill that our constituency office in a little tiny town in southern Alberta – although it's the cheapest in terms of rent of any of the ones in Alberta, what you pay for is what you

get. This building is a tax recovery building that the village had, and it's two storeys. We let a group of elderly ladies who had a cat store occupy the lower part, and our constituency office is up a set of old rickety stairs on the second level. Well, I could just imagine that somebody, some puffy-chested low bureaucrat, was going to come in once the bill was passed and inform the town and myself that we had to put in an elevator.

This just didn't go along really well because in the time that I've been elected, I've only had three people come to the office that actually couldn't come up the stairs. Without a doubt, the first thing we did was go downstairs because there is a ground entrance. But, unfortunately, this building is probably 87 years old now, and the doorway is the original doorway, and it is not going to let anybody with a wheelchair in, let alone a huge person. So we just go downstairs or we go across the street to the café.

As I was going on to tell the Member for Clover Bar-Fort Saskatchewan, to make matters worse, there's one bathroom in the constituency office. Guess where it is: under that rickety set of stairs. You have to kind of duck to get in there, and it's hard for anybody that's totally able, but for a guy like myself with one wonky eye, I can even hit the head on the bottom of the steps when I use the washroom. So it was that first reaction.

I think I'd also pointed out to the member at that time that there were a number of community organizations who had things like curling clubs in smaller communities, and a lot of them are truly volunteers in the truest sense of the word, and for somebody to have to come up with an elevator, whether it was \$15,000 or \$25,000, was going to be a formidable expense to some of our service clubs.

4:30

But after I got finished venting and relaying these things to the sponsor of the bill, he assured me that the intent was to get somebody from the handicapped part of the community to be a representative on the council to give input, which is a totally good thing. So it kind of switched my mind. I wanted to just have that on the record so that everyone knew it, because it wasn't that anyone would object to having reasonable access.

I've been on a small hospital board where we had to change the interior of a building we converted, as the very first hospital in the province, from an acute care to a long-term care hospital back in 1989. The Speaker and I were both involved in a later pilot project that saw many of the fruits of that discussion take place. What we even had to do in the hospital was actually take an older building and enlarge each and every room, each and every doorway, make provisions in all the bathrooms for handicapped access. It took time, and that took a lot of money, but we were able to do it without anyone telling us we had to do it. It just made sense. We wanted to work with the contractors and the government at the time, and it came about.

So my congratulations to the MLA for Clover Bar-Fort Saskatchewan. I just wanted to put it on the record, Mr. Speaker.

Thank you.

**The Deputy Speaker:** No further speakers? Then I would call on the hon. Member for Clover Bar-Fort Saskatchewan on Bill 201.

**Mr. Lougheed:** Thank you, Mr. Speaker. I'd like to thank the people who participated in the debate this afternoon. The comments have been greatly appreciated.

Mr. Speaker, we've heard many comments about the need to have barrier-free design and access experts have input into safety codes to improve access for persons with disabilities. In my initial comments I spoke about wheelchair access. There can be many hazards – and

I appreciated the comments from many of you – for persons with vision difficulties as well. There are many. One of them, for example, is what are called monumental stairs, which may be very long and zigzag across a plaza. They can appear to be a level walking surface to someone with vision problems. Another problem is hanging stairs or escalators, which can create a head-high obstacle. In that case, double railings need to be used to provide some kind of barrier.

In a book on design that accommodates the needs of persons with visual impairments, the authors emphasize that good architecture and design will empower and integrate all people. They provide three key design concepts. First, logical layout, layouts in which users can anticipate locations or facilities such as stairs located next to elevators or men's and women's restrooms being adjacent to one another to help all users solve way-finding problems.

Second is visibility. Environments in which key features such as handrails, stair nosings, and doors have high visual contrast with their surroundings are safer and more negotiable for all sighted persons, including those with low vision.

Third, good lighting. Good lighting enhances visibility of signs and architectural features and does not cause glare or heavy shadows. Although optimal lighting for individuals varies, in general persons with low vision are thought to need 50 to 100 per cent more light than persons with unimpaired vision.

Something of great interest, Mr. Speaker: persons who are 60 years of age need twice as much light as persons who are 40. I thought that was a significant difference for such a small age difference.

**Mr. Friedel:** Can we put a few more bulbs in here?

**Mr. Lougheed:** There's a request from one member present to add a few more bulbs to the Assembly, Mr. Speaker.

Objects that protrude into travel paths can endanger persons who have visual impairments as well, and those examples would be telephones and drinking fountains, which could actually be recessed into the wall instead of being stuck out into the hallway. Elevators, of course, pose many other problems.

I'd like to address one issue that was brought forward by the hon. Member for Calgary-Bow, and that was relating to what the building code applies to. The drafting of this private member's bill received a great deal of support and help from the people in Municipal Affairs, and I'd really like to thank them for their work on this. I'm advised by that department, who's responsible for the Safety Codes Council and ultimately the building code, that section 3.8 of the Alberta building code addresses all the matters of barrier-free design.

The concerns of the hon. member were that houses, our own homes, are subject to the same regulations as for commercial buildings. This section 3.8 addresses those matters of barrier-free designs, and the requirements of section 3.8 apply to all buildings except for houses, relocatable industrial accommodations, high-hazard industrial occupancies, and buildings not intended to be occupied on a daily or full-time basis. There are some other exemptions as well. It's a fairly long list.

The member is to be commended, and I think we should all take note of the possibility of ultimately needing barrier-free access in our own homes. Many groups are encouraging homeowners when they do build a new house to take into account barrier-free design.

Another term that's been used – and our friend Marlin in the gallery explained this to me when we were over at his place: barrier-free design so that he's able to easily get in and out from the street, from his driveway. When people build houses they're encouraged to make them visitable is the term that's used so that when friends

come over to visit you that are in a chair, they can get in if it's a more visitable house. Not all parts of the house have to be accessible.

So, Mr. Speaker, I thank the people for their comments, and I would ask for all members' support of Bill 201.

**Ms DeLong:** Can I speak?

**The Deputy Speaker:** Is it a point of order, hon. member?

**Ms DeLong:** No.

**The Deputy Speaker:** You've already spoken on the bill, and when we have an hon. member close debate, that, in fact, does close the debate.

[Motion carried; Bill 201 read a second time]

### Bill 202

#### Environmental Protection and Enhancement (Vapour Control Equipment) Amendment Act, 2004

**Mr. Masyk:** Again, Mr. Speaker, I want to thank you very much for this opportunity to engage in my promotion of Bill 202. It seems like some of the bills that I present are tough going. I have experience through that, and I don't mind going around the Horn in the wintertime for the third time. It's never going to be smooth; it's always going to be rough sailing.

Usually at the end of the speaking notes is where you ask for support, but I'm going to ask for support at the beginning of my speaking notes. That way everybody will be attentive to the content of them and park them in their minds so they can refer to them throughout the night and throughout the week.

On that note, Mr. Speaker, for time's sake, I would like to continue on with the notes that were prepared and amended by myself and researched. I'd like to start by bidding you good afternoon and rising to the pleasure today to introduce second reading of Bill 202, the Environmental Protection and Enhancement (Vapour Control Equipment) Amendment Act, 2004. Bill 202 was conceived to accomplish two things, not one but two. The first is to reduce emissions of volatile organic compounds, or VOCs, hydrocarbons such as benzene, during the transfer of gasoline fuel. The second is to ensure that Albertans and their environment remain healthy and strong.

Mr. Speaker, I'd like to run a little tangent if I may on health. We heard lengthy debate during question period with respect to health, and I'm bringing forward part of the solution.

4:40

A step in this direction would be implementing stage 1 vapour recovery systems in all gasoline service stations and storage tanks, fuel cargo trucks, and terminals throughout the province. The requirements of this proposed legislation state that all new service station storage tanks, fuel cargo trucks, and terminals comply with stage 1 vapour recovery control requirements effective January 1, 2005. Mr. Speaker, what difference does it make? If it's going to be new, it might as well be good. Existing facilities would be required to meet stage 1 vapour control requirements effective January 1, 2014. It is also important to note that any new fuel transfer equipment installed at existing facilities would be required to meet stage 1 vapour control requirements effective January 1, 2005.

Mr. Speaker, to understand what Bill 202 is attempting to accomplish, it is necessary to understand what it is we are discussing, otherwise nobody will know. A stage 1 vapour recovery system is used in conjunction with fuel storage tanks, cargo trucks, and

terminals and greatly reduces the amount of vapour released during fuel transfer. The system works in a vacuum, not an Electrolux but a vacuum. Vapours from the storage tank at service stations are vented into the cargo truck during fuel transfer. The vented fuel vapours are then recycled into a liquid at the terminal, and if they're vented off into the atmosphere, guess who's paying for them.

Mr. Speaker, without the assistance of stage 1 vapour recovery there are a number of emissions that are released into the environment, some of which are VOCs. These organic compounds evaporate readily into the air and have no colour, smell, or taste. This makes them dangerous, very dangerous to those who may be subjected to them on a regular basis, because individuals would be unaware that they are in contact with these compounds. To us as adults it may be one thing, but what about the child? What about the young people that are going to school?

VOCs can react with other pollutants from low level ozone and promote the formation of photochemical smog. Mr. Speaker, ground level ozone means just that: ground level, low level. Thus it's in the basements; it's in the ventilation systems in schools, maybe this very building. This can make the air harsh to breath as well as lead to headaches, eye irritation, coughs, chest discomfort. The result, of course, is much worse for those who already face respiratory disabilities such as asthma.

Ground level ozone doesn't only affect humans; it affects animals and plants as well. Many elements in the environment are dependent on each other. It is therefore necessary that we do what we can when we can. Leaving environmental issues until the problems stare us in the face can often lead to irreparable damage. It will then be up to future generations to remedy what we could prevent and discourage today. Mr. Speaker, are we a government of the future, or are we a government of today only? We can measure that by how we vote.

Mr. Speaker, fuel vapour not only contributes to low level ozone, but it also emits the hydrocarbon benzene, the most potent carcinogen found in the emission. Breathing high levels of benzene can cause drowsiness, dizziness, rapid heart rate, headaches, tremors, confusion, and unconsciousness. Did you guys all know that?

It is possible for benzene vapour emissions to contaminate our drinking water. The vapour can be absorbed by moisture in the air and contaminate water sources in the soil. And we know the pressures that we're facing on fresh water. We read it in the local rags.

Should an individual be exposed to benzene on a long-term basis of a year or more, this exposure would start to affect the blood. Benzene causes harmful effects on the bone marrow and can cause a decrease in red blood cells, leading to anemia. It also can lead to development of different forms of leukemia and lymphoma.

Mr. Speaker, the health risks that can be involved with fuel vapour emissions are an important reason for us to pass this bill. I believe that it is important that we do not put Albertans in a position where these types of health conditions are a possibility and an almost certainty. However, there may be some members who would argue that this level of vapour emission in Alberta does not constitute a mandatory stage 1 vapour recovery, but it can be the same members who think that its okay to have leukemia. And that's a valid point.

**An Hon. Member:** Nobody thinks that.

**Mr. Masyk:** Yeah. I retract it.

It is true that these compounds are emitted from a number of other sources such as forest fires, but last I can recall, I don't think you can legislate one out. We can't regulate all the sources. What we can do is this: regulate for fuel vapour emissions.

As health care providers and Albertan stewards of the environment, I find it important to raise this issue and do whatever possible

to ensure that all Albertans have every opportunity to enjoy the cleanest air that we can provide. As well, as stewards of the environment it is important that we ensure that future generations will have an opportunity to enjoy it as we have.

Mr. Speaker, it is estimated that implementing stage 1 vapour recovery may cost – and this is just a guess – \$25 million. You weigh that against health and the well-being of our young people as well as our seniors. It is suggested that at those costs it could be absorbed by gasoline companies and the stations. It may reflect into higher costs, but what's one-tenth of 1 per cent? We get it anyway.

If we look at the big picture, these costs serve a larger cause. The time frame for implementing these requirements is 10 years. That's a little under \$3 million a year: maybe 2 and a half million a year. As technology moves forward and forges to another dimension, we could probably cut that by one-tenth. What's a dollar today in 10 years' time – with competition and greater technology, we know that it gets cheaper. We know that.

These gas stations replacing their steel tanks – they have an approximate lifespan of 17 years, so either way from today they're changing it, so at least they might as well put an upgraded system in. There's a good chance that a new tank will come with a stage 1 vapour recovery system already. This way, we'll just put icing on the cake and make sure that it happens.

What Bill 202 is asking is that we make a switch mandatory to ensure that this transfer of fuel in Alberta is as safe as possible for Albertans and for the environment and for our children and for our seniors. Some may view these costs as too much for return of emission reduction, but what about the price we pay for health care? What about the price we pay for the education of our young people? What about the price we pay for future Albertans if we don't protect the environment?

Alberta is growing at a rapid rate. People from other provinces and other countries want to share in the Alberta advantage that this government has fostered and created and cultivated. Mr. Speaker, everybody wants to share in the harvest, but we all have to put our best forward to contribute to the sowing. As population rises in our cities, so does the possibility for emissions becoming out of control.

In the Speech from the Throne the government committed to a 20-year plan. This plan is designed to ensure that Albertans remain strong and healthy so that future generations can enjoy the same prosperity that we have the luxury to experience. As stewards of the environment it is up to us to do what we can today to ensure that these opportunities are available to them tomorrow.

Mr. Speaker, in closing I would like to reiterate what Bill 202 would accomplish. The purpose of this legislation is to reduce the level of volatile organic compound emissions into Alberta's air resulting in a healthy environment. I would encourage everybody to bring their best foot forward and support this bill as the good stewards they are.

Thank you.

**The Deputy Speaker:** The hon. Member for Edmonton-Ellerslie.

**Ms Carlson:** Thank you, Mr. Speaker. It's certainly nice to see the member looking so green here today, and as his speech was progressing, I was wondering if I could now, then, also convince him to support us on Kyoto because it sounds like we're on the same wavelength.

I have to say that it's a surprise to see a bill like this, that's so green in nature, come forward from any member of the Legislature other than the Liberals, but it's a real pleasure to see it come forward from the Member for Edmonton-Norwood, and we certainly support this bill. It's a right step forward. It certainly will help to do many things: improve general health standards for people working in those

areas and green up the environment. That's the step that we need to take. I'm a little worried that this member may not have the support of his own caucus on this bill, judging from some of the comments that I've heard, but I certainly hope that that's not true and that when you take a look at it and reflect on it, the cost of good health is never too much to pay. That's one of the primary reasons you should consider supporting this bill, in addition to all of the environmental factors.

[The Speaker in the chair]

So I urge everyone here today to speak in favour of this bill and support it when it comes to the end of second reading.

4:50

**The Speaker:** The hon. Member for St. Albert.

**Mrs. O'Neill:** Thank you very much, Mr. Speaker. I do rise to the challenge to speak to this bill, and indeed it is a pleasure and an honour to rise in this Assembly and join in this discussion and, I'm going to say, the debate surrounding Bill 202, the Environmental Protection and Enhancement (Vapour Control Equipment) Amendment Act, 2004, sponsored by the Member for Edmonton-Norwood.

Bill 202 would require all fuel cargo trucks, terminals, and service stations to implement stage 1 vapour recovery systems by the year 2014. It would also require that any new trucks or upgraded gas stations and terminals would have to install the systems after January 1, 2005. It's my understanding that these systems will reduce emissions of volatile organic compounds or VOCs. Stage 1 vapour recovery would capture the VOCs as well as carcinogenic hydrocarbons that are otherwise released into the air. The recovery system returns the vapours back into the truck's tank and then recycles them into liquid at the gasoline terminal.

Mr. Speaker, I acknowledge that VOCs and carcinogens present in the fuel vapour can have considerable impact on the health of our environment and our community. This vapour can produce serious health concerns if significant amounts are released into the air. I also understand the objectives of this bill, and I commend the Member for Edmonton-Norwood for his very good, strong intentions. I recognize that the member's interests inherently lie in protecting our environment and the health concerns of Albertans, and for that I applaud him. However, I do not feel that this legislation is the most appropriate manner in which to proceed in protecting our environment. Therefore, I must raise some concerns regarding the bill.

I do not believe there is anyone in this Assembly that can deny the importance of protecting our environment and certainly the health of Albertans. However, I believe we must make sound decisions that weigh the environmental impact and the economic cost. Choices should be made that best reflect Alberta's interests and will produce valuable environmental benefits. It appears that the environmental advantages are inconsequential when compared to the cost of installing this recovery system.

The implementation of stage 1 vapour recovery control in Alberta would cost approximately \$25 million for equipment installation. There may also be additional costs for maintenance, updates, and operation. As a result this initiative may force many smaller gas stations out of business. The approximate cost per station ranges between \$10,000 and \$30,000 depending on the number of service bays. Therefore, the cost of retrofitting and bringing service stations in line with the proposed regulation may be too high a burden for some small businesses to bear. While some gas stations may be forced out of business, those who carry out the retrofitting requirements may be forced to raise fuel prices to compensate for their costs, which may translate into Albertans seeing higher prices at the pumps, and I, for one, don't want to see that.



Only 0.053 grams of fuel vapour is lost for every litre when fuelling up at a busy service station. This figure is dependent on temperature and is based on a measurement of 27 degrees Celsius. When the temperature decreases, evaporation decreases. As we are all aware, the temperature reaches the high 20s too few days of the year in this province.

I would also like to point out that VOC emissions from gasoline are minimal compared to other emission sources. In fact, these emissions equal less than 0.5 per cent of the VOC emission in the province. Let me repeat: a half of a per cent of the total VOC emissions.

I question that if this is such an important initiative to improve the environment and health of Albertans, then why haven't other jurisdictions enacted province-wide legislation to require the implementation of stage 1 vapour recovery systems? I view this province as a leader, and I acknowledge that we often embark on initiatives before other jurisdictions. However, the fact that other provinces are not even investigating this approach, to my knowledge, as province-wide legislation should raise some red flags.

Mr. Speaker, I acknowledge that certain regions such as the lower Fraser Valley in British Columbia and the southern Ontario corridor have instituted this measure, but action was taken in these areas because of imminent and eminent problems. Regions that have enforced the installation of stage 1 vapour recovery systems have difficulty with air quality and smog pollution. The air pollution was the main thrust behind the Windsor/Quebec corridor implementation. Major metropolitan areas in the United States also have regulations guiding stage 1 vapour recovery systems. However, these are due to smog and, of course, health concerns.

Mr. Speaker, I don't think we can compare New York, Los Angeles, Houston, Washington, and even Atlanta to cities or regions in Alberta. It appears that this measure is used in certain areas to address an air quality problem. Alberta doesn't have a problem, for the most part, with smog. Ironic that I should say that today, when we did have certainly a little bit of smog. The province's air quality index measures air quality 365 days of the year, and over the last year it recorded 354 good days, 11 fair days, zero poor days, and zero very poor days. This index measures air quality from nine different locations in the province.

I'd like to highlight some of the ways VOC and hydrocarbon emissions are currently being reduced, because there are measures that are underway. The province is already experiencing a reduction in emissions because all vehicles since 1998 have been installed with on-board refuelling vapour recovery equipment, which is actually part of stage 2 vapour recovery. Service stations have reduced fuel vapour pressure during the warmer months. This reduction will decrease the evaporation losses of gas vapours. Also, the fuel dispensing rate has been reduced at the pumps to restrict fuel spills and fuel spit back. In Alberta the utilization of bottom loading for gasoline products at terminals has limited VOCs and hydrocarbons during the filling process. The province has experienced a reduction in benzene concentration in gasoline to less than 1 per cent. Alberta's fuel distribution currently accounts for less than 0.1 per cent of the total provincial benzene emissions.

Mr. Speaker, on the surface this legislation makes sense, but a deeper examination unveils that the environmental payoffs don't seem to equal the implementation costs. This province doesn't legislate for the sake of passing laws. It does not believe in the process of implementing more restrictions on citizens and businesses. We pass laws that are grounded in sound principles and those that are in the best interests of all Albertans.

In closing, Mr. Speaker, I'd like to emphasize once again that Bill 202 is rooted in protecting both the health of our environment and our community, and I applaud the Member for Edmonton-Norwood

for proposing measures that attempt to protect Albertans. I support the premise and thrust of this legislation, but I feel that I cannot support this bill because I do not believe that the environmental benefits justify the costs. I encourage all members of the Assembly to carefully consider all arguments when voting on Bill 202, the Environmental Protection and Enhancement (Vapour Control Equipment) Amendment Act, 2004.

Thank you.

**The Speaker:** The hon. Minister of Environment.

5:00

**Dr. Taylor:** Thank you, Mr. Speaker. I am pleased to rise and just take a few minutes to speak on this bill.

Once again, like the previous member, I applaud the member's intentions. Certainly, all of us wish to enjoy the healthy environment that we have in Alberta today and to continue to protect it and, where necessary and where important, improve the quality of that environment as we move forward. So the member's intentions are certainly — well, he wants to do what's right and what's good, so I congratulate him for that. However, Mr. Speaker, this bill is really not an appropriate way to do that.

The previous member, the Member for St. Albert, has made some very good arguments, in fact made most of the arguments I was going to make. She must have my notes, I think, or some such thing. Anyway, good arguments from the Member for St. Albert. But the point is, Mr. Speaker, that this bill will do little to improve or make any environmental impact. It just won't make much difference.

The issue again: one has to constantly balance economic benefits with environmental benefits. This bill would have very few, if any, environmental benefits because many of the things that this bill requires are already being done; for instance, as the previous member said, the installation of on-board refuelling vapour recovery equipment in all new vehicles. That's been required since 1998, Mr. Speaker, so we've already done that. Limiting the fuel dispensing rate: we've already done that.

Many of us as we stand outside in the winter, you know, when it's 40 below and we're filling with fuel at self-fuelling stations, are saying: why does this thing go so slow? Maybe we need to educate the people and say that one of the things that has happened is that the rate of fuel that you can put into your vehicles has been limited to exactly do what this bill wants: to reduce the number of VOCs that get into the environment. So that's been done. Reducing fuel vapour pressure during the summer period to lower evaporative losses of gasoline vapours. You know, all of these actions have been taken, so we are moving in the right direction. Things are happening, and to try and implement this bill probably isn't appropriate. There is a huge cost involved, as the Member for St. Albert has correctly pointed out. So at the current time, Mr. Speaker, I would ask all members of the House to vote against this bill.

I understand I'm supposed to adjourn debate on this bill at this time, Mr. Speaker.

[Motion to adjourn debate carried]

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

**Mr. Zwozdesky:** Thank you, Mr. Speaker. I think we've made some very good progress today. It's a good start to the week, and on that basis I would move that we now call it 5:30 and adjourn until 8 this evening.

[Motion carried; the Assembly adjourned at 5:04 p.m.]

