

## Legislative Assembly of Alberta

Title: **Wednesday, April 25, 2001**

1:30 p.m.

Date: 01/04/25

[The Speaker in the chair]

### head: **Prayers**

THE SPEAKER: Good afternoon and welcome. Please join me in the prayer.

O Lord, on this day we pray for those taken before their time and those who have suffered through workplace tragedies. We reach out to the families and friends most immediately impacted. Life and health are precious. When they are lost, all of us are impacted. Amen.

Please be seated.

### head: **Introduction of Visitors**

THE SPEAKER: The hon. Deputy Speaker.

MR. TANNAS: Thank you, Mr. Speaker. I would like to introduce to you and through you to all members of this House a gentleman who has had a life of high adventure and who has given great and good service to his country and to the cause of freedom. He was first commissioned into the Coldstream Guards in 1939. The second Earl of Jellicoe fought with distinction in special air services regiment and with the special boat section. For his brave and gallant conduct he was at various points during his wartime service awarded the Distinguished Service Order, the Military Cross, Legion d'honneur, the Croix de Guerre, and three times Mentioned in Despatches.

In the postwar era he was a diplomat and in a subsequent career a minister of the Crown. He was Lord Privy Seal and Conservative government leader in the House of Lords from 1970 to 1973. He is now dean of the House of Lords.

Earl Jellicoe addressed Edmonton's Sir Winston Churchill Society at their memorial banquet last night and will deliver speeches to the Churchill societies in Calgary and in Vancouver in the next few days.

Earl Jellicoe is accompanied today by his wife, Lady Jellicoe, and by Mrs. Alana Dunne and Robert Dunne, president of the Churchill Society in Edmonton. Mr. Speaker, our visitors are in your gallery, and I would now ask them to rise and receive the warm traditional welcome of the Assembly.

### head: **Reading and Receiving Petitions**

DR. TAFT: Mr. Speaker, I ask that the petition I presented yesterday from 40 Albertans requesting that no public funds be used to settle Stockwell Day's defamation litigation be now read and received.

THE CLERK:

We, the undersigned residents of Alberta, petition the Legislative Assembly to urge the Government of Alberta to ensure that Mr. Stockwell Day is made personally liable for any funds required to settle his defamation litigation and that no public funds are used for this purpose.

### head: **Introduction of Bills**

THE SPEAKER: The hon. Minister of Finance.

#### **Bill 6**

#### **Appropriation (Interim Supply) Act, 2001**

MRS. NELSON: Thank you, Mr. Speaker. I request leave to introduce Bill 6, the Appropriation (Interim Supply) Act, 2001. This

being a money bill, Her Honour the Honourable the Lieutenant Governor, having been informed of the contents of this bill, recommends the same to the Assembly.

[Motion carried; Bill 6 read a first time]

THE SPEAKER: The hon. Minister of Health and Wellness.

#### **Bill 7**

#### **Regional Health Authorities Amendment Act, 2001**

MR. MAR: Thank you, Mr. Speaker. I beg leave to introduce Bill 7, being the Regional Health Authorities Amendment Act, 2001.

This bill will allow contribution limits to be established for candidates for election in regional health authority board elections, Mr. Speaker.

[Motion carried; Bill 7 read a first time]

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

#### **Bill 204**

#### **Medicare Protection Act**

MR. MASON: Thank you, Mr. Speaker. I request leave to introduce a bill being the Medicare Protection Act.

Bill 204 fulfills a commitment I made to my constituents to repeal the government's Bill 11. It does much more. It replaces Bill 11 with real health care protection legislation, including enshrining a patient bill of rights, ending queue-jumping, and banning private, for-profit hospitals.

Thank you, Mr. Speaker.

[Motion carried; Bill 204 read a first time]

### head: **Tabling Returns and Reports**

THE SPEAKER: The hon. Government House Leader.

MR. HANCOCK: Thank you, Mr. Speaker. It is my honour today to table the requisite number of copies of a calendar with respect to the Committee of Supply designating the dates on which certain estimates of certain departments will be considered before the Committee of Supply of the House.

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

MS KRYCZKA: Thank you, Mr. Speaker. I wish to table a petition I previously presented to the Assembly under Presenting Petitions. The petition is from the Society of Bowness Residents, which calls for the government of the province of Alberta to preserve the Paskapoo Slopes from housing development; 5,459 Calgarians from all communities throughout Calgary signed yes to preserve, 31 signed no to preserve, and one was of no opinion. I'm tabling five copies of this petition as required.

Thank you.

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

MS CARLSON: Thank you, Mr. Speaker. Today I have two tablings. I've got five copies of a letter from Mr. Don Wales of Red Deer. He is concerned about the impact of logging and industrial development in the Bighorn wildland park area by Nordegg. He would like the government to put a moratorium on all development until this area is protected in legislation.

The second tabling is five copies of a letter from Trish Evans.

Trish and her family live near the Strachan gas plant, and Trish is concerned that she's been unable to get any help from the Member for Rocky Mountain House to help her deal with her children's health problems that she believes are being caused by the gas plant.

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

MS BLAKEMAN: Thank you very much, Mr. Speaker. I have two tablings today, both e-mails from constituents. The first is from Brian Blair – this is dated April 11, 2001 – expressing concerns over a double standard the government has with MRIs and also expressing concerns about the government putting school boards in the position of increasing teachers' wages or decreasing class sizes.

The second e-mail is from Linda Pushor expressing concerns about business tax revenues decreasing, personal tax revenues increasing, and this is around subsidization of big business with the rebates.

Thank you, Mr. Speaker.

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

MR. MacDONALD: Thank you very much, Mr. Speaker. At this time for the convenience of the Assembly I would like to table the appropriate number of copies of the Ottewell community patrol program open house program, which myself and the Hon. Gene Zwozdesky attended on behalf of all members of the Assembly. In here for the interest of the Assembly are the statistics on the crime prevention program that works so well in the community of Edmonton-Gold Bar.

Thank you.

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

DR. PANNU: Thank you, Mr. Speaker. I'm tabling five copies of a letter that I received from Ms Perdue, president, Calgary Society of Bowness Residents, asking the government of Alberta to preserve the Paskapoo Slopes from housing development.

Thank you, Mr. Speaker.

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

MR. BONNER: Thank you very much, Mr. Speaker. With your permission I would like to table five copies of the program for the sixth annual Kids Kottage breakfast, which was held this morning. Kids Kottage is located in the constituency of Edmonton-Glengarry and provides a 24-hour crisis nursery, supporting families and preventing child abuse and neglect.

Thank you.

1:40

head: **Introduction of Guests**

THE SPEAKER: The hon. the Premier.

MR. KLEIN: Thank you, Mr. Speaker. It gives me a great deal of pleasure today to introduce to you and through you to members of the Legislature two bright, young people seated in the members' gallery along with their mother. Both worked in my office as STEP students at different times, and both aspire to be medical doctors. I would like to introduce to the Legislative Assembly Ryan and Farrah Yau and their mother, Helen, and I ask that they rise and receive the warm welcome of the Legislature.

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

MR. McCLELLAND: Thank you, Mr. Speaker. To you and through you to other members of the Legislature it gives me a great deal of pleasure to introduce a group of 53 students and two teachers led by Mrs. Pat Smith and Miss Gina Paron from the Sweet Grass elementary school. I'd ask them to rise and receive the traditional warm welcome.

THE SPEAKER: The hon. Minister of Economic Development.

MR. NORRIS: Thank you, Mr. Speaker. It gives me a great deal of pleasure to introduce a group of wonderful young Albertans and their teachers joining us here today: Miss Monica Murphy, Mr. Umberto Miceli, and Miss Hilda Schroeder, who acts as an interpreter, as well as their parent helpers, Mrs. Rowles and Mrs. Brandingen. These are all students at St. Martha school. I've had the pleasure of joining them. They're brilliant young Albertans. I would like you now to join me and ask these people to rise and receive the welcome of the House.

THE SPEAKER: The hon. Member for Wainwright.

MR. FISCHER: Thank you, Mr. Speaker. It is my pleasure to introduce to you and through you to the members of the Assembly a family from the Wainwright constituency. Mr. and Mrs. Chris Pfisterer, daughter Paige, sons Ryan, Kurt, and Derek. Chris is the owner of Meatco, the meat processing plant in Wainwright, and his wife is a nurse in the Wainwright hospital. They also are my family and my grandkids. I ask them to rise and please receive the warm welcome of the Assembly.

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

DR. PANNU: Thank you, Mr. Speaker. I am delighted to introduce to you and through you to all colleagues in the Assembly one of my constituents, John McCoy. He is a second-year political science student at the University of Calgary and has plans to go into law in the future. He is here today to observe the proceedings of this Legislature, and I would ask him to rise and receive the warm welcome of this Assembly.

head: **Ministerial Statements**

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

### **National Day of Mourning**

MR. DUNFORD: Thank you, Mr. Speaker. Saturday, the 28th day of April, is our National Day of Mourning for Canadian workers who have been killed or injured on the job. We honour those victims by remembering them and by renewing our commitment to safer workplaces.

Workplace accidents injure not only the worker. They also leave lasting scars on families, friends, coworkers, and employers. On our National Day of Mourning we need to think about the families of workers who did not come home safely at the end of the day. We need to think about the human cost of workplace accidents. This will always remind us that all accidents are unacceptable and all accidents are preventable. On April 28 we must think about preventing future accidents and about the health and safety of our families and those around us. By learning from the past, we can help to make this a safer world.

Ceremonies honouring our fallen workers will be held in communities across the province. I would ask that all members of the

Legislature take some time today and of course on Saturday to reflect on our losses and to commit themselves to improving workplace safety.

Thank you.

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

MR. MacDONALD: Thank you, Mr. Speaker. I also would like to take this opportunity to mark the National Day of Mourning, which this year falls on Saturday, April 28. All members of the Official Opposition share a deep concern at the number of lives lost as a result of accidents in the workplace. I am pleased, as are all Albertans, to hear of the renewed commitment to safe workplaces by the hon. minister. Our heartfelt sympathy is with the families and friends of the victims. Although no words can take away their sorrow, we continue to strive for a safe and healthy workplace.

In addition, work-related accidents are very expensive to our economy. Nationally, compensation paid to work accident victims or their families is about \$4.65 billion each year. Adding indirect costs, this amount doubles to about \$9.3 billion. These figures do not take into account the pain and suffering of the victims and their families, which are beyond measure.

Prevention is the cure is the theme of this year's North American Occupational Health and Safety Week. This week happens to occur between May 6 and 12 this year.

In Alberta there were 118 workplace fatalities in 1999. Unfortunately, the deaths on the work sites bring to focus to all Albertans an immediate snapshot of the dangers that employees have to work under and with. There are as well, unfortunately, many workers in this province who are exposed to chemicals or radiation that can and do have some long-term implications on the workers' health, and although it is not instantly reported that it is a workplace death, we know in the long term that there are many unfortunate workers who have succumbed to such intrusions into their health.

Again, I call on all members of the Assembly to join in marking the National Day of Mourning. Thank you.

#### head: Oral Question Period

THE SPEAKER: The first Official Opposition main question. The hon. Leader of the Official Opposition.

#### Provincial Fiscal Policies

DR. NICOL: Thank you, Mr. Speaker. Budget 2001, unveiled yesterday, includes about \$3.2 billion of onetime spending. My questions are to the Premier. What policies or guidelines has the government given to departments to accommodate this onetime spending into their three-year business plans?

MR. KLEIN: Mr. Speaker, the direction given to the various departments involved in onetime spending programs is really quite simple: the money is to be spent on priority areas. Those priorities have been identified not only by the government but, I would suggest, by members of the opposition, who have encouraged us over the years to spend more money to upgrade our schools, more money to upgrade our hospitals, more money to build sound and meaningful infrastructure. Those are the priorities that have been identified, and that's precisely where the money's going.

DR. NICOL: Mr. Speaker, how does the government's policy of onetime spending accommodate the continuing costs of maintenance and upkeep into the ongoing budgets?

MR. KLEIN: Mr. Speaker, this is all accommodated in the three-year business plans. We aren't about to embark on any onetime spending that can't be sustainable through appropriate operating moneys.

THE SPEAKER: The hon. leader.

DR. NICOL: Thank you, Mr. Speaker. To the Premier: would it not be more appropriate to take the additional dollars when we have a high revenue, put them into an endowment, carry that money to a time when the economy is not quite as robust as it is now, when prices are not so high as they are now so that we could make better use of our dollar and help to stabilize the economy rather than contribute to a possible overheating of an already robust economy?

MR. KLEIN: Mr. Speaker, that's a good idea in theory, but it doesn't work that way. The simple fact is that we have got to accommodate the phenomenal economic growth in this province. We need, for instance, to complete the Canamex; that is, highway 43 as it leads to highway 16 and highway 2 and the upgrading south of Lethbridge to the U.S. border. There are safety factors, and there are factors relative to the safe movement of goods and products.

We know that we're experiencing pressure on our school systems and we have to put in new schools, new postsecondary institutions, upgrade classrooms, and we know that we have to do the same thing with our health care facilities. I've often said that economic growth and economic prosperity are great, but they create some challenges. Fortunately, in this province through prudent fiscal management we're able to provide the funds to accommodate that economic growth and prosperity.

THE SPEAKER: Second main question. The Leader of the Official Opposition.

1:50

#### Teachers' Salaries

DR. NICOL: Thank you, Mr. Speaker. In yesterday's budget a new policy of the government was implied. My question is to the Premier. Is it now government policy to intervene in the collective bargaining process, as is implied in the separation of the teachers' salaries component in the budget?

MR. KLEIN: Mr. Speaker, I'm not aware of any details in the budget that allude in any way, shape, or form to the government becoming involved or interfering in the collective bargaining process. Perhaps the hon. Minister of Finance can shed some more light on this matter.

MRS. NELSON: Mr. Speaker, I'd be delighted to. In the budget this time there is a line item under the Department of Learning that identifies a salary line that has a salary picture of 6 percent over two years. In addition to that, of course, there is in that budget a 6 percent increase in base funding for base instructional education. Those two lines certainly give our local school boards the flexibility they need to deal with at the local level. They are going to have the flexibility to deal with the priorities within their own school jurisdiction.

There is absolutely no way that the government is going to get involved in the collective bargaining process at the local level. That will be left up to the bargaining unit, which is the local school board and the local ATA.

THE SPEAKER: The hon. leader.

DR. NICOL: Thank you, Mr. Speaker. Again to the Premier. If you didn't want to be involved in the collective bargaining process, why did you not roll those two line items together so that the true choice is left to the school boards at the local level, where they're dealing with the ATA locals? By putting a cap on it, it creates a message out in the public that that is what you expect settlement at.

MR. KLEIN: Well, Mr. Speaker, people may speculate as to what that means, but I have to reiterate what the Minister of Finance has already stated, and that is that it does give the school boards, the local school jurisdictions, the authority and the flexibility to deal with these matters.

THE SPEAKER: The hon. leader.

DR. NICOL: Thank you, Mr. Speaker. My final question is: by putting in this cap, is it now government policy to move from local to provincial bargaining for teachers?

MR. KLEIN: Mr. Speaker, that is not in the books.

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

### Health Care Premiums

DR. TAFT: Thank you, Mr. Speaker. Government figures indicate that the department of health expects to generate some \$700 million in revenue from health care premium tax. My questions are to the minister of health. Given that an Alberta family earning \$12,620 will pay \$816 in health care premiums each year and given that a family earning \$80,000 or even \$800,000 will also pay \$816 in premiums each year, will the minister confirm that health care premiums are a regressive tax on middle- and low-income earners?

MR. MAR: I'll not confirm the same, Mr. Speaker.

THE SPEAKER: Hon. member, you're recognized.

DR. TAFT: Okay. Well, Mr. Speaker, given that the minister's department wrote off 76 percent more in unpaid health care premiums last year than they expected, exceeding \$50 million, is the minister finding that more Alberta families are having difficulty paying health care premiums?

MR. MAR: No, Mr. Speaker.

DR. TAFT: Mr. Premier, given that yesterday in this House the Member for Edmonton-Manning in an eloquent speech called health care premiums a tax that is a huge load on Albertans and said that this is the first tax we should eliminate altogether, will the Premier allow a free vote in this Assembly on the elimination of health care premiums?

MR. KLEIN: Mr. Speaker, first of all, that's a health policy. I would imagine that this item, this matter, will be an issue for discussion at the Future Summit in a postdebt environment in the province of Alberta. Certainly we heard that they would like to see a reduction or an elimination of premiums, and it's something that might – I know there's danger in using that word "might" because we all know that in politics yes means yes and maybe means yes and no means maybe – come up for discussion at the Future Summit.

THE SPEAKER: The leader of the third party.

### Supports for Independence

DR. PANNU: Thank you, Mr. Speaker. Yesterday's provincial budget contained some good news for children at risk who are in government care but nothing at all for children living in poverty. The Minister of Children's Services is doing her part by more adequately resourcing the child welfare system and putting more resources into early intervention. However, the minister of human resources has failed to effectively address woefully inadequate monthly rates for social assistance and AISH recipients. Children go hungry and live in substandard housing because their parents are poor. My question is to the Premier. Why does the government think spending up to \$400 million on Alberta centennial projects is a higher priority than providing even modest increases in the woefully inadequate monthly allowances provided to families who are forced to rely on social assistance?

MR. KLEIN: First of all, Mr. Speaker, the expenditures relative to centennial projects are not frivolous by any stretch of the imagination. Indeed, all of them are legacy programs, programs that will leave in place a legacy for Albertans to enjoy and to appreciate for many, many, many years to come.

Relative to the situation with respect to SFI, supports for independence, and various programs relative to children and children at risk, I'll have the two ministers respond.

MR. DUNFORD: Thank you, Mr. Speaker. In addressing the question again, we've talked here in the House previously about supports for independence being a program of last resort. It's also a program that is considered temporary in nature. I would want to point out to the hon. member that when he focuses on the cash numbers that are provided to various people that are on our client list, he is ignoring a number of other benefits that are provided. We certainly want to point out that there's a national child benefit that these people are entitled to. Of course, there are tax credits that are available. Should the client be working then and have children, there are employment tax credits. We of course have a GST credit. They were entitled to the energy rebates with no deduction. So when we take everything into consideration, then of course we have felt that we're providing them the proper support for Albertans who truly need our assistance.

Now, I would remind the hon. member that in the Speech from the Throne there was a reference made to the fact that we will be reviewing all of the programs and services that we provide for low-income Albertans, so whatever input he would like to make certainly would be appropriate when that is announced.

THE SPEAKER: The hon. leader.

DR. PANNU: Thank you, Mr. Speaker. The inadequacies of social assistance rates are well known. They don't need any more reviews. My question to the Premier: how can he justify not addressing this urgent need in yesterday's budget? That's the real question.

2:00

MR. KLEIN: Well, Mr. Speaker, I disagree entirely with the hon. member. Everything that we do in government is subject to review, and that's precisely what the minister plans to do: to review not only the levels of payment under SFI, supports for independence, but all other things associated with SFI.

I think that the hon. minister has done a good job in spelling out some of these added benefits: the GST credit of about \$400 a year; financial support for clients and their children for prescription drugs, optical care, dental care, ambulances, and other health needs; full

subsidy of health care premiums, premium-free Blue Cross; energy rebates, that are available to all Albertans but certainly meaningful to low-income families, of something like \$1,100 a year; the Alberta family employment tax credit of up to \$1,000 a year; funds to cover \$100 worth of school expenses per child; emergency assistance for expenses such as baby-sitting, day care, special dietary needs, and unforeseeable circumstances that put a client at risk; and supplementary benefits are available for those with special problems, Mr. Speaker. In addition, there is the ability for a person receiving SFI to enter the workforce and, I believe, earn up to \$125 a month before any penalty is assessed.

So, Mr. Speaker, as the hon. minister pointed out, this is not a permanent program. Certainly to those in society who truly need our help and cannot work we will give that hand up, and we will provide sufficient resources to sustain that person or their family. But SFI is, as the minister pointed out, a temporary program that is designed to support people in need but also give them a hand up to get off welfare, now called SFI, and into the workforce.

### **Speaker's Ruling Brevity in Question Period**

THE SPEAKER: We've now spent over six minutes on these last two questions, yet that's double the time we spent on the first three sets. Now, the question period is the question period, not the debate period.

Please proceed.

### **Supports for Independence (continued)**

DR. PANNU: Thank you, Mr. Speaker. My final question is to the Minister of Children's Services. Given that Alberta's woefully inadequate assistance rates are at least partly to blame for the huge increase in the number of children in government care, what actions is she planning to take to convince her cabinet colleagues that increases in these rates are long overdue?

MS EVANS: Well, first of all, Mr. Speaker, I cannot agree with the assumption the hon. member has made. Many people try to associate the number of child welfare cases as a direct correlation with poverty, and it leads society astray to believe that in fact those people with resources are not contributing to the child welfare caseload.

I'd like to just add one simple comment to the supports that we provide for families and children who are attending day care as one example of places where we do provide additional supports. Two parents with two children who are earning less than \$44,000 a year receive a partial subsidy so that the children can attend day care with that kind of support and provide extra service to them.

Mr. Speaker, there are numerous areas in which we are adding dollars for the child in need program and other programs that can sustain children who may be living in impoverished situations.

### **Provincial Fiscal Policies (continued)**

MS DeLONG: Mr. Speaker, this government has been very proud of the Alberta advantage and how this province is leading the rest of the nation when it comes to fiscal responsibility, low taxes, and debt pay-down. During the last provincial election Albertans told us to stay the course. To the Minister of Finance: can she explain why, then, in Budget 2001 government spending has increased by 22 percent?

MRS. NELSON: Mr. Speaker, I certainly can. This year we looked at two elements. Our ongoing program spending increased in the budget by 6.3 percent. That meant that the programs that continue year after year after year increased by 6.3 percent. In the out-years that drops down to 4.3 percent. However, in this year, because of the banner year in revenue that was created from oil and gas, we were able to look at the list of priorities that had been left there in infrastructure that hadn't been dealt with.

We made a choice to blend together program spending and look at the onetime funding requirements that were sitting on the table: things such as the extension to the Deerfoot Trail in Calgary, things such as the completion of Anthony Henday Drive here in Edmonton, things such as the start of the new Children's hospital in Calgary. We felt those were priority areas that needed to be dealt with, and because we had the additional cash flow, we felt we should deal with them now, because we don't believe that in the next year or the year after the revenue base will be as strong as it has been. So we've made the determination to deal with those elements today because next year we likely won't be able to.

MS DeLONG: Mr. Speaker, to the same minister: can she tell this House why the government is embarking on what I understand is several billion dollars in onetime spending when the province still has debt on its books?

MRS. NELSON: Well, again, Mr. Speaker, that's a very, very good question. We made choices this year. The \$3.2 billion in onetime funding, the decision to use that this year was because in fact we were in a position to be able to do it. It's called catch-up. A lot of these projects have been on the table for a very long time. In fact, when I was elected in 1989, I heard about the difficulties with the Anthony Henday road here in Edmonton, and I'll be very pleased to see that project finally completed.

Also, Mr. Speaker, the Premier said earlier that there was a report done and work done quite some time ago, as we were looking at different forums such as the growth summit, that we were behind on our infrastructure, and we were. We, quite frankly, were behind. So we made the decision, again, to play catch-up. Some of the things we're catching up on are the modernizations of our school facilities, of our postsecondary institutions. These things need to be done, and we're in a position this year to look at doing them now. But let's keep in mind: our ongoing program spending stayed at 6.3 percent. This is onetime spending.

THE SPEAKER: The hon. member.

MS DeLONG: Thank you, Mr. Speaker. Can the Minister of Finance tell us when Albertans can expect their province to be debt free and why we hear two to three years on one hand and then up to 14 years on the other?

MRS. NELSON: That's an excellent question as well. Mr. Speaker, as Albertans will remember, we put in place a legislative framework that put our feet to the fire to clear the debt in this province. Our goal is and will be to have the first debt-free province in Canada. At this point in the 25-year plan we are nine years ahead of schedule on our debt retirement scheme. That should send a clear message to all Albertans that the goal of our government and our Premier is to see that debt cleared off sooner as opposed to later. So we have accelerated our debt retirement payment. Now, in saying that, we have a goal to have that debt fully retired before the 100th birthday of this province in 2005.

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

### **Municipal Financing**

MR. BONNER: Thank you, Mr. Speaker. The Minister of Municipal Affairs has announced long-overdue changes to education property taxes in Alberta. It is wonderful to see the government finally moving towards the opposition's suggestion that K to 12 education should be funded 80 percent from provincial revenues and 20 percent from education property taxes. They are not there yet, but they are getting there. However, if we look at the government's track record on municipal financing, they cut \$335 million in grants to the municipalities between 1992 and 1999. We see that this tax cut is really just tinkering at the margins. My questions today are to the Minister of Municipal Affairs. Will the minister explain why this government continues to tinker at the margins rather than committing to a new partnership with Alberta's local governments based on clear definitions of roles and responsibilities and sufficient sources of revenue to meet those obligations?

2:10

THE SPEAKER: The hon. minister.

MR. BOUTILIER: Well, thank you very much, and I thank the hon. member for his question. He raises a good point. This government, Mr. Speaker, has always taken the approach that we can do better, and we are taking that approach in terms of dealing with municipalities and school boards. I'm pleased to say that he has brought up the fact of a reduction in the \$135 million in education tax. I know from the mayors and councillors I've spoken to that municipalities are very pleased with that initiative in working with them in partnership, and we're going to continue to work with them in partnership.

THE SPEAKER: The hon. member.

MR. BONNER: Thank you, Mr. Speaker. How can this government on one hand rail against the injustices of program-specific federal grants and on the other hand have no problems making our local governments jump through hoops to receive program-specific provincial funding?

THE SPEAKER: The hon. minister.

MR. BOUTILIER: Well, thank you, Mr. Speaker. This government and our ministry are working very closely with municipalities. We are always collecting feedback from them. I just recently had the opportunity to attend the Alberta Association of Municipal Districts and Counties, where we were talking about important partnerships. That's going to continue. We're not there yet, but one thing for certain is that we're listening to municipalities, we're taking their feedback, and we're acting on the input from them.

THE SPEAKER: The hon. member.

MR. BONNER: Thank you, Mr. Speaker. Will the minister commit to working with our local governments, starting today, on a responsible plan for long-term funding arrangements that will provide our communities with predictable, stable, and equitable municipal financing and infrastructure planning?

THE SPEAKER: The hon. minister.

MR. BOUTILIER: Thank you very much. Clearly, Mr. Speaker,

sustainable, long-term certainly is something this government will continue to work on with not just municipalities but with all aspects of our government. We're doing it, and we're going to continue to do it.

THE SPEAKER: The hon. Member for Edmonton-Calder, followed by the hon. Member for Edmonton-Mill Woods.

### **Inland Cement Limited**

MR. RATHGEBER: Thank you, Mr. Speaker. My questions today are about an issue that has been brought to my attention by a number of my constituents. They are very concerned about Inland Cement's plans to switch from using natural gas to coal in its Edmonton plant. Specifically, they're concerned that this proposal will not be subject to an environmental impact assessment by Alberta Environment. The perception in the neighbourhoods and in the community is that this project is being fast-tracked and that the proper environmental review is not being done as a result. My question is to the Minister of Environment. Why isn't an environmental impact assessment going to be done on Inland Cement's plans to burn coal?

THE SPEAKER: The hon. minister.

DR. TAYLOR: Thank you, Mr. Speaker. I assure you I understand the member's concern and the concern for his constituents, but what we have to recognize in this case is that Inland cannot automatically change and go to burning coal without a complete environmental review process being done. They have to have an environmental approval. To get that environmental approval, they have to have an environmental review process, and this environmental review process will look at all aspects of the project and its cumulative effects on the environment. We only do an EIA, or an environmental impact assessment, if we go beyond the jurisdiction and expertise of our department, and this proposal that is coming forward from Inland is one which falls within the purview of the departmental review and departmental expertise and departmental jurisdiction.

THE SPEAKER: The hon. member.

MR. RATHGEBER: Thank you, Mr. Speaker. Given that Inland Cement is inside the Edmonton-Calder constituency and that the neighbourhoods are directly downwind of the plant, when Inland is planning an increase in particulate matter emitted by the plant, my constituents are very concerned about the impact on the environment and human health. Accordingly, what is Alberta Environment doing about controlling particulate emissions coming from the plant?

THE SPEAKER: The hon. minister.

DR. TAYLOR: Thank you again, Mr. Speaker. We do not anticipate that in this particular case particulate emissions, or dusting, will be a real problem. The reason I can say that is that dusting only occurs when certain equipment shuts down that's called a precipitator. When the precipitator shuts down, then you have the dusting. We have already had discussions with Inland to indicate to them that they have to provide technology, that if the precipitator does shut down, they have to have technology in place that will prevent dusting. So in fact we expect that there will be fewer opportunities of dusting with this new technology and the new proposal.

THE SPEAKER: The hon. member.

MR. RATHGEBER: Thank you, Mr. Speaker. My second supplementary question is for the same minister. I'm wondering what the next steps will be. Before we have an answer on whether or not Inland can switch to using coal, will the public have an opportunity to be heard on this important issue?

DR. TAYLOR: As I have said before in this House, Mr. Speaker, the public certainly will have an opportunity. We still do not have a formal application yet from Inland, but once that formal application comes in, there will be advertisements placed in the newspapers telling the public what is happening and giving the public a response period of about 30 days, which is normal. When the public responds in various forms, we will review those comments, and we will be consulting with Alberta Health and Wellness as well during this whole environmental process. So the public process is quite clear.

There have been two open houses. There is a public meeting that is happening tomorrow night, organized by the constituents of Edmonton-Calder, in the constituency there. With the Member for Edmonton-Calder we will organize a meeting that I will attend and my officials will attend. There is opportunity for public input anytime during this process through either statements of concern or statements of support for the project. So I believe there's lots of opportunity for public input.

THE SPEAKER: The hon. Member for Edmonton-Mill Woods, followed by the hon. Member for Calgary-Lougheed.

#### **Children's Advocate's Report**

DR. MASSEY: Thank you, Mr. Speaker. The report of the Children's Advocate indicates that many of the problems of the formerly centralized child welfare system still exist. What is happening to some children under government care is absolutely unacceptable. My questions are to the Minister of Children's Services. How is it possible for a young person in care to be unaware of their case plan and to have never seen their social worker?

MS EVANS: Well, Mr. Speaker, I'd like to serve notice today that if any member in this House ever has information that pertains to the best interests of the child, where they are not immediately contacting our office to make sure that we do follow up – if there is such a situation that children and their caseworker or that people are not getting the proper attention, I would like to know. I would be very much a welcoming minister and a welcoming ear to hear people tell me if there are ways that we can do things better. We work very hard through these decentralized authorities, all 18 authorities, to make sure that the caseworkers, the supervisors are there to address problems.

If you will notice in our budget tabled yesterday, Mr. Speaker, we have over the past year added 396 staff positions to look after the commitments to the Alberta Union of Provincial Employees, to make sure that we have the right number of staff in place to look after the needs of children, and we continue to work at improving our practices with the teams that are out there in the communities. So if in fact there exists a child today that has needed care, needed access to a caseworker and that has not been provided, I'd like the details at once so we can follow up and find out why.

THE SPEAKER: The hon. member.

DR. MASSEY: Thank you, Mr. Speaker. To the same minister: why are young people being warehoused – that is, kept in short-term care facilities – for long periods of time?

MS EVANS: Well, again, Mr. Speaker, I do require more detail. My hon. friends on this side of the House are yelling, "Where?" I'd like to know as well. Where are they being warehoused? We've made every effort, for example, in the capital region to move children from facilities such as hotels, that were not the most appropriate place for them to be placed, to look for additional facilities outside the city if necessary. We have looked all over Alberta where we could find proper placements for children. We are adding treatment facilities, for example, for children who have very special needs in co-operation with our partners in AADAC as well as with facilities that are currently in existence. So, again, if I could receive some specifics from the hon. member, I'd be very happy to follow up.

DR. MASSEY: Mr. Speaker, the specifics are in the report that she was given.

My question is to her – and I repeat a question that I previously asked in the House – will the minister undertake to report publicly the action that the government has taken on the advocate's recommendations before the end of this session, not about the advocate but about his recommendations?

2:20

MS EVANS: Well, Mr. Speaker, yes, of course I will report. I indicated we would report previously, and we will report whatever we can as soon as possible. We have consistently tabled in this House the annual reports and the business plans of the child and family services authorities, and I'll be very pleased to respond.

THE SPEAKER: The hon. Member for Calgary-Lougheed, followed by the hon. Member for Edmonton-Ellerslie.

#### **North American Energy Working Group**

MS GRAHAM: Thank you, Mr. Speaker. At a recent speaking engagement in the city of Calgary the Prime Minister of Canada announced that he had created a task force of senior federal ministers to address issues related to what has been referred to as a continental energy policy. Further to that, at the conclusion of the Summit of the Americas held last weekend in Quebec City, our Prime Minister together with the Presidents of the United States and Mexico announced the creation of a further body, the North American energy working group. I think it is critical that the province of Alberta, as the owner of our natural resources, be involved in any discussions taking place about our energy resources; namely, oil and gas. My first question, then, is to our Minister of Energy. Can the minister please inform the members of this Legislature whether or not the federal government has indicated any role or participation for Alberta on this task force of federal ministers?

THE SPEAKER: The hon. minister.

MR. SMITH: Thank you, Mr. Speaker. The member alluded to the principle of Alberta resource ownership and that has, of course, also been confirmed by the Premier publicly and been on record about not being able to be included. It's impossible not to include this government as it is the owner of the resource and acts as custodian for all Albertans.

Mr. Speaker, there's been great interest in the continental energy plan since the election of President George Bush and subsequent appointment of Vice-President Cheney. This has spilled over to indicate a whole new level of interest from our federal government in the province of Alberta, and of course we're responding gladly and warmly to the overtures that they're giving us.

With respect to a specific role being played in either the cabinet

committee that's been created by the Prime Minister or, secondly, the North American energy group, there is at this stage no formal role offered to the province of Alberta. However, in the first minutes of the North American energy working group, the working group has been told very clearly that the work will respect the energy policies and jurisdictions of participants: federal, provincial, and state. So it's clearly embedded in the initial minutes of the first meeting. We have started to speak with Minister McClellan and the Alberta connection . . .

MS CARLSON: This is a speech.

MR. SMITH: It's not a speech as much as it's a very important part of the energy policy of Alberta, Mr. Speaker, and the recognition of the importance of the resource ownership issue that the Liberal opposition seems to want to neglect in this discussion.

THE SPEAKER: The hon. member.

MS GRAHAM: Thank you, Mr. Speaker. My first supplemental question is to the same minister. Given that no formal role has been offered to the province of Alberta, I'm wondering if the minister and/or his ministry has initiated any steps to ensure that Alberta in fact does play a role on this new task force.

THE SPEAKER: The hon. minister.

MR. SMITH: Thank you. In fact, on April 5, Mr. Speaker, we were able to adjoin in a conference call with all ministers in Canada to talk about these issues: the opportunity that is represented to resource-owning and resource-producing provinces and also the tremendous role that Alberta can play as a processor of natural gas that can be piped down from both Alaska and the Northwest Territories and the fact that we can now capitalize on this very important petrochemical and natural gas infrastructure that exists in the province.

On the international front, Mr. Speaker, I was very fortunate to be able to meet briefly with the ambassador of Mexico to Canada, who was here in town to express regrets to the Premier for President Vicente Fox's inability to arrive here. There are companies now working in Mexico on developing gas projects: Precision Drilling, Paramount Resources, and Canadian Hunter. That's going to indicate a tightly knit co-operation not only between Canada and Mexico but also in the entire NAFTA area.

THE SPEAKER: The hon. member.

MS GRAHAM: Thank you, Mr. Speaker. My final question is to the Minister of International and Intergovernmental Relations. Can the minister advise whether Alberta will have a role of any sort in the North American energy working group created out of the Summit of the Americas?

MR. JONSON: Mr. Speaker, this is a matter that is of critical importance to Alberta. As the Premier has stated and I have followed up with written communication to the federal government, we very strongly have indicated our desire. Our obligation we feel as a province is to be part of this overall process.

Now, we understand that Alberta will be included as part of the Canadian delegation to the working group that will be working with the overall initiative, and we will of course commit all necessary resources to make effective representation on this very, very important topic.

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

### Swan Hills Waste Treatment Facility

MS CARLSON: Thank you, Mr. Speaker. Over the past 12 years Alberta taxpayers have forked over \$441 million to support the Premier's hazardous waste treatment plant located in Swan Hills and are on the hook for an additional \$22 million in cleanup costs. On July 28, 1995, in reference to turning over Swan Hills to the private sector, the Premier said, and I quote: it's the philosophy of government to get out of business; the plant is moving now into a commercial stage, and as of December 31, 2000, Swan Hills is back in the hands of the government. My questions are to the Minister of Finance. Will the minister explain why the government has broken the terms of the Financial Administration Act by not getting the approval of Albertans before getting back into the business of hazardous waste?

THE SPEAKER: The hon. minister.

MRS. NELSON: Well, thank you very much, Mr. Speaker. I'll ask the Minister of Infrastructure to respond to the question.

MR. LUND: Mr. Speaker, I think that when you look at the history of the treatment of hazardous waste within this province, the Swan Hills plant has played a major role in that. As a matter of fact, when you look at what's happened in Canada, there is no plant in North America that can meet the standards of the Swan Hills plant. So we believe that it still has a very important function to play within the province, particularly as the petrochemical industry is further developed and, also, there is some waste that will be generated from other economic drivers within the province. It's extremely important that that plant be here to protect the environment.

You know, I get a kick out what the Liberals continually do. They pretend that they want to protect the environment, yet when we've got a plant within Alberta that is capable of destroying even the most hazardous of wastes in Canada, they want to shut it down.

MS CARLSON: Mr. Speaker, given that the terms of the Financial Administration Act have been broken, will the Minister of Finance commit to bringing any deal made for the purchase of the Swan Hills waste treatment centre before this Legislature and Albertans before going ahead?

MR. LUND: Well, Mr. Speaker, once again, this plant has a very important role to play in environmental protection within the whole of Canada, never mind just within Alberta. So we will be working to involve the private sector as much as we possibly can, but once again, this plant is critical to Alberta.

MS CARLSON: Mr. Speaker, one more time to the Minister of Finance: will she please explain why they broke the terms of the Financial Administration Act, and will she commit to bringing that information before the Legislature?

2:30

MRS. NELSON: Well, Mr. Speaker, I think the Minister of Infrastructure has clearly identified that this plant has had tremendous benefits for the province of Alberta. We have put in place . . . [interjections] Well, if the hon. member opposite will keep quiet for a minute, I will go through this program. [interjections]

Mr. Speaker, ignoring the chitter chatter from across the way—we have answered this question several times. We will be dealing with



the private sector to put a new arrangement in place. When that is completed, we will bring it forward and let the members of the House and Albertans know what it is.

Clearly, this facility has been instrumental in cleaning up the environment and some very, very bad hazardous wastes in this province, and anyone who thinks it would be worth while to shut this facility down is absolutely mistaken. I'm going to give one example, Mr. Speaker, of something I know that occurred this last year in the Nanaimo secondary school district. The high school in that community, which services all of central Vancouver Island, it was discovered, had blue asbestos. The only facility in Canada that could take the hazardous waste and dispose of it effectively was in fact this facility. It got that hazardous waste out of the community, off the island, and disposed of. So people from other jurisdictions have also been able to clean up their environment.

For this member to stand up one day and plead the environmental case and then the other day to want to shut down the facility is ludicrous but typical of that side.

### **Speaker's Ruling Improper Inferences**

THE SPEAKER: The chair is going to review some of the words used in that last series of questions. Suggestions have been made by an hon. member that laws are being broken. Then that hon. member has a responsibility to pursue that matter by way, I suspect, of a privilege point or a contempt point, and the House will have to deal with the matter. Words should not be taken lightly unless they can be followed up on.

The hon. Member for Edmonton-Highlands.

### **Provincial Fiscal Policies (continued)**

MR. MASON: Thank you, Mr. Speaker. The government is continuing to play shell games with the people of Alberta in its budgetary practices. This year they are predicting a surplus of \$817 million. What they aren't telling Albertans is that they have funneled \$2.3 billion of future infrastructure spending into this year's budget to make the surplus lower than it would seem otherwise. My questions are to the Minister of Finance. Why did the government pour \$2.3 billion of future spending on infrastructure into this year's budget if not to underestimate the size of the surplus, which was really over \$3 billion?

MRS. NELSON: Well, Mr. Speaker, you know, sometimes the zingers come across the room here, and that's got to be one of the best zingers I've heard. Let me go through this one more time. Please pay attention on the opposite side or in the third party.

The projects that are being funded under the onetime spending element, \$3.2 billion, have been on the table for a very long time. Just to make it perfectly clear, one of the projects that this hon. member, who was a former city council member, should be abundantly familiar with is the completion of the Anthony Henday Drive ring road. I've heard about that since 1989. So that wasn't something forward; that's something from the back. I can tell you that right now.

Then we look at the redevelopment of the Royal Alexandra hospital in Edmonton to add 160 beds. We've heard from these members opposite: we need more beds. Well, here's coming 160 beds. So we're going to move on that project for your community. You should know about that; you've been complaining about it for years. Then we get into another one. Oh, here's another one that he should be familiar with, the University of Alberta in your own

community. We're going to look at the connecting construction of the engineering building here at the University of Alberta, something that's been asked for for a long time. Now, let's get into the rest of Alberta and get into the list of things that are going on. We're going to look at the construction and the design of the Children's hospital in Calgary. That was announced last year.

As you can see from this list, Mr. Speaker, some of these announcements were made a year ago, some of them six months ago, some of them five months ago, some of them 10 years ago. This is called catch-up. So to suggest that we're looking at things to eliminate a potential surplus from this year is ludicrous.

MR. MASON: Why is the minister not answering the question which was put to her, which is: why is \$2.3 billion worth of spending which will be spent in future years being put in this budget?

### **Speaker's Ruling Anticipation**

THE SPEAKER: Actually, hon. minister, as I understand it, the schedule for the next number of months – two, three, four, five, six – has a lot to do with time allocated for the debate of the budget. This is the question period today, not the budget debate period, so I'm really having difficulty. Questions have to be pointed rather than leading to debate, so let's go on to the third one. I really suspect that between now and probably September or October – we'll probably still be sitting here – we'll be looking at certain aspects of the budget.

### **Provincial Fiscal Policies (continued)**

MR. MASON: Thank you, Mr. Speaker. I hope this one goes better. [interjection] On the members opposite, I mean.

Why is the minister abandoning modern and accepted budgeting practices in favour of hiding money under the mattress?

THE SPEAKER: Well, it's pretty much the same type of question.

The hon. Member for Red Deer-North.

### **School Transportation Guidelines**

MRS. JABLONSKI: Thank you, Mr. Speaker. Parents in my constituency have expressed concerns about how far children are expected to walk to and from school on a daily basis. I understand students who live within 2.4 kilometres of a school are not eligible for transportation funding. My constituents would like to see this policy changed to 1.6 kilometres, 2 kilometres, and 2.4 kilometres for elementary, junior, and senior high school students respectively. My question is to the Minister of Learning. Will the minister consider changing the distance formula to better recognize the age and needs of students?

THE SPEAKER: The hon. minister.

DR. OBERG: Thank you very much, Mr. Speaker. That is an excellent suggestion. One of the issues that we're up against is that this particular suggestion would cost us \$75 million to do. At this present time I felt it more important that the \$75 million be directly into the classroom. However, I will undertake with the hon. member to take a look at perhaps expanding the high school distance even more in order to have the elementary distance even smaller. So I will undertake to work with the hon. member to come up with a cost-neutral solution to this problem.

MRS. JABLONSKI: My second question is again to the Minister of Learning. Computerized maps are used to calculate the route with the shortest distance. The computer does not consider the safety of a route; it merely calculates distance. The computer does not recognize that walking next to the river or on a trail through a wooded area may be unsafe. Would the minister consider adding a clause to the urban transportation grant to ensure that the route is calculated based on distance and safety so that students are not walking in unsafe areas?

DR. OBERG: Yes.

THE SPEAKER: The hon. member.

MRS. JABLONSKI: Thank you, Mr. Speaker. My question is again for the Minister of Learning. Can parents in Alberta expect to see changes to the distance requirements for transportation funding by September of this year?

DR. OBERG: Unfortunately, Mr. Speaker, the answer for that one is not as simple as the last question. As I've said, what we have to take a look at is the cost neutrality of this, and I've committed to sitting down with the hon. member to ensure that this is indeed cost neutral.

As I stated prior to this, the original question asked for around \$75 million in transportation grants. I feel that that \$75 million could be better used within the classroom. However, Mr. Speaker, I certainly will sit down with the hon. member, and if there is a cost-neutral way we can do this, we certainly will, and it would be effective by September 1.

THE SPEAKER: Hon. members, in a few seconds from now I'll call upon the first of seven members to participate in Recognitions. Might we revert briefly to Introduction of Guests?

[Unanimous consent granted]

2:40

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

THE SPEAKER: The hon. Member for Vermilion-Lloydminster.

MR. SNELGROVE: Thank you, Mr. Speaker. It's my privilege today to introduce to you and through you to the members of this Assembly approximately 50 parents and students that work with the School of Hope. Now, this school is based in Vermilion but truly teaches students throughout every part of Alberta. They are accompanied today by Mrs. Helene Prediger, Mr. Brian Prediger, Mr. Chuck Marple, and Mrs. Claudia Evans. They are seated in the members' gallery, and I would ask them to rise and accept the warm traditional welcome of this Assembly.

MR. VANDERBURG: Mr. Speaker, I'm delighted to introduce to you and through you two residents of Whitecourt in my constituency. First of all, Town Councillor Willard Strebchuk, a fellow colleague for 10 years; and a very successful businessman and a great local volunteer, Don Guenette. I'd like you all to welcome these two individuals to this Assembly today.

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

MR. HANCOCK: Thank you, Mr. Speaker. It's indeed an honour and a privilege to rise today to recognize a former member of this

Assembly, who was first elected, I think, if my memory serves me correctly, in 1979 and re-elected in 1983, I believe, and was the first representative from the riding of Edmonton-Glenarry after it was created in a redistribution, and if I might put in a fairly partisan comment, the best member that that particular riding ever had. He held that riding for the Conservative Party for those two terms. I'd like to ask Mr. Rollie Cook, a friend for many years, to rise and receive the traditional warm welcome of the House.

THE SPEAKER: The hon. Minister of Gaming.

MR. STEVENS: Thank you, Mr. Speaker. It's not often I get the pleasure to introduce a guest, so I would like to introduce to you and through you to the Assembly today a very good friend, a fine fellow, former law partner, Mr. Peter Pastewka. Peter is sitting in the members' gallery. If he would please stand and receive the warm welcome of the Assembly.

THE SPEAKER: Hon. members, in 30 seconds from now I'll call upon the first of seven to participate.

head: **Recognitions**

THE SPEAKER: The hon. Member for Wetaskiwin-Camrose.

#### **Pat and Alice Smith and Family**

MR. JOHNSON: Thank you, Mr. Speaker. Today I want to commend the Camrose county for their yearly farm family of the year award and recognize the 2001 award winners. The farm family of the year award serves to raise awareness of the agriculture community and was created to recognize outstanding community involvement and the family's role in agriculture.

The winning family is that of Pat and Alice Smith of Bittern Lake. The Smith family spans four generations, and all have been active in their community through numerous organizations such as 4-H, recreation, co-ops, and the church. Family farms are of vital importance to the communities of Alberta. They are food producers and community builders. Family farms provide our communities with the enthusiasm, dedication, and open arms that make Alberta such a wonderful place in which to live and raise our families.

Congratulations to the Smith family of Bittern Lake, their eight children—Donald, Joseph, David, Charlotte, Sharon, Annette, Anita, Janette—and their extended families.

Thank you.

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

#### **Cadet Honour Band of the Prairie Region**

MRS. O'NEILL: Thank you, Mr. Speaker. On Saturday evening, April 21, I had the honour and the pleasure of attending the cadet honour band of the prairie region's Salute to Canada's Peacekeepers performance at the Northern Alberta Jubilee Auditorium. The program performances included a swing band, a symphonic band, a stomp group, and a pipe band, and they were indeed entertaining. Four of my constituents were some of the performers: Flight Sergeant A. Fleming on the flute, Flight Sergeant R. Lawrie on the clarinet, Petty Officer Class 2 E. Hunt performing with the trumpet, and Warrant Officer Class 2 M. Duffley on the French horn. It was a wonderful evening, a terrific salute to our peacekeepers and indeed a very enjoyable evening performed by very talented young people.

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

**Erik Pedersen**

MR. MacDONALD: Thank you, Mr. Speaker. It is an honour to recognize Mr. Erik Pedersen, who celebrated his 75th birthday on April 22 of this year. His accomplishments are many. He immigrated to Canada from Denmark in 1951, and in October 1952 he successfully cofounded a weekly Scandinavian program on a volunteer basis broadcast over CKUA radio.

The first program aired on October 26, 1952, and the last program was broadcast on December 31, 1994. The format was music and news from Norway, Sweden, and Denmark, 20 minutes to each country. Mr. Pedersen's program was the longest running ethnic program in the world.

In his distinguished career at Woodward's he turned customers into lifelong friends with his courteous and cheery manner.

Mr. Pedersen lives in Edmonton-Gold Bar with his lovely wife, Therese, and has a son, Paul, and a daughter, Anne-Marie, and two grandchildren, Mikella and Madelena.

Thank you.

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

**Wentworth Manor**

MS KRYCZKA: Thank you, Mr. Speaker. Today I am proud to recognize in this Assembly Wentworth Manor, a wonderful facility built for seniors in Calgary-West in 1996 by the Brenda Strafford Foundation Ltd. and which due to a recent major expansion truly offers over 200 Calgary seniors a safe, supportive environment to age in place.

Last Friday, April 20, the Premier, myself, local dignitaries, and residents celebrated the grand opening of Wentworth Court. Now there are four distinct levels of living for seniors: independent retirement; private assisted living with four levels of care contracted on a private pay basis; third, designated assisted living, which is 40 beds contracted with the CRHA; and, fourth, a traditional nursing home care level with 73 beds also contracted with the CRHA.

Wentworth Manor under the leadership of visionary and humanitarian Barrie Strafford, chairman and COO of the foundation, is truly an example of an innovative, supportive living facility that brings health care services to seniors through a business partnership. My congratulations to you.

THE SPEAKER: The hon. Member for Lac La Biche-St. Paul.

**Portage College Sports and Education Dinner**

MR. DANYLUK: Thank you, Mr. Speaker. It is an honour for me to recognize the first sports and education dinner which was held at Portage College on Saturday, April 21. The college's mandate is to stretch out into the community and meet educational and training needs within the region. They accomplished this with their main campus in Lac La Biche and 12 service centres reaching 1,600 students.

President Bill Persley stated at the dinner that the purpose of the event was to raise awareness and money for scholarships for students enrolled at Portage College that demonstrate a financial need. Attendees had the privilege of hearing guest speakers Walter Gretzky and Henry Gizmo Williams.

The dinner raised approximately \$20,000, and I would like to congratulate all those involved on their successful efforts and the commitment shown to those constituents of Lac La Biche-St. Paul who will access the scholarship. A great effort, a great cause, a great job.

Thank you.

**Kelsey MacMillan**

MR. FISCHER: It is my pleasure to recognize a very talented young lady from the Irma 4-H beef club who recently won the provincial 4-H public speak-off on April 7 in Wetaskiwin. Kelsey MacMillan, a grade 11 student from the Irma high school, won over 13 others from regions across the province. She had short notice to prepare her six-minute speech on what she envisioned rural life to be in the future. She will be competing in the national speak-off in Toronto in November of this year. Also she will be master of ceremonies for the 4-H provincials next year in Calgary. Kelsey has been a member since grade 5 and feels 4-H has been an excellent influence on her life.

I've had the wonderful pleasure of being neighbours of the MacMillan family since 1937 and knowing well Kelsey, her mom and dad, her grandparents, and her great-grandparents, who are 1906 homesteaders.

Congratulations, Kelsey. We are all very proud of you.

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

**Ann Nicolai**

MR. MASON: Thank you, Mr. Speaker. I rise today to recognize Ann Nicolai, the former co-ordinator of the Beverly Towne Community Development Society. Ann Nicolai's contributions to the communities of the constituency of Edmonton-Highlands are many. The large number of groups, associations, coalitions, and societies that Ann has been involved with know her to be a hardworking and dedicated person who put much time, energy, inspiration, and practical ideas to work improving the areas they call home.

2:50

Ann Nicolai was a key person in the development and implementation of Beverly's redevelopment plan. Everything from the development of the Beverly Towne farmers' market, the annual spring cleanup, a couple of community gardens, and the Beverly Towne job fair owe their births to Ann.

I would like to add my personal appreciation to Ann, who was a very valuable resource to me in my service as city councillor in ward 3. Ann resigned from her full-time position at the Beverly Towne Community Development Society just this past March and is now working part-time with another wonderful association, that being the Candora Society of Edmonton.

I know her colleagues and associates along with the neighbourhood she served in in her capacity as Beverly Towne's co-ordinator will join me in applauding her commitment and contribution to their communities and wishing her the best in all that she endeavours in the years to come. Ann has been able to join us today.

Thank you, Mr. Speaker.

THE SPEAKER: All hon. members, the time allocation for that particular segment of our routine is one minute.

Now, today is also the 63rd anniversary of the birth of the hon. Member for Highwood and the Deputy Speaker.

**head: Orders of the Day****head: Written Questions**

THE SPEAKER: The hon. Deputy Government House Leader.

MR. STEVENS: Thank you, Mr. Speaker. Following notice given yesterday, I move that written questions appearing on today's Order Paper stand and retain their places.

[Motion carried]

head: **Motions for Returns**

THE SPEAKER: The hon. Deputy Government House Leader.

MR. STEVENS: Thank you, Mr. Speaker. Again, following notice given yesterday, I move that motions for returns appearing on today's Order Paper stand and retain their places.

[Motion carried]

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

**Bill 202  
Insurance Statutes (Gender Premium Equity)  
Amendment Act, 2001**

[Debate adjourned April 24]

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

MS HALEY: Thank you very much, Mr. Speaker, for this opportunity to be able to address private member's Bill 202, presented by the MLA for St. Albert. While I appreciate very much her desire in bringing it forward and empathize with the reasons for bringing it forward, I don't actually agree with the bill. There are a lot of reasons for that, particularly from my perspective. We live in a province that does not have government-controlled insurance, unlike British Columbia, Saskatchewan, and Manitoba. We have private insurers that take the risk along with the rest of us when we all have to have insurance for our vehicles. The only way to accomplish what the hon. member is trying to do is to in fact raise the rates for other people who have proven that they have a lower risk level.

Insurance agents or companies currently employ many factors when pricing automobile insurance coverage; however, the use of the three criteria, which are age, gender, and marital status, have in fact been challenged by human rights commissions. At issue is the practice of providing similar insurance coverage to two individuals but at different prices due to one or more of those rating factors.

To date all final rulings by the Canadian courts have been in favour of current practice, including the 1992 Supreme Court of Canada decision in *Bates versus Zurich Insurance* and the 1993 Alberta Court of Appeal's decision in *Waters\* versus Co-operators*. A leave to appeal to the Supreme Court of Canada was denied in that latter case.

[The Deputy Speaker in the chair]

In addition to that, the relationship between driver age and accident frequency is well established in Canada and a number of other countries as well. Younger drivers under the age of 25 are involved in a greater number of both fatal and injury-producing accidents than their older counterparts, and the relative risk facing younger drivers can be 2.5 to 3 times higher than that of other drivers.

The evidence is also clear that female drivers typically demonstrate a lower accident risk than male drivers. As the mother of two sons, while I would love for them to have lower insurance rates, I do in fact understand why there might be a difference between my sons and someone else's daughters.

Presently insurers are permitted to use a variety of rating criteria, including age, gender, and marital status. In most Canadian provinces and territories for the principal operators in the range of 16 to 24 years of age insurers typically charge a premium which

decreases with increasing age, the premium level being lower for female or married principal operators. Many insurers also use the same pattern of premium reduction with increasing age for principal operators 30 years of age and over, with premium levels for female principal operators being lower than that for males.

What would happen today if we were to pass this law would in fact be a decrease for male drivers on a short-term basis of about 25 or 27 percent and an immediate increase of up to 45 percent for our young female drivers. Further, the Insurance Bureau of Canada indicates that while that would be the initial reaction, it would in fact go up again in a very short period of time because one of the side benefits of having lower insurance rates for young male drivers is that we would in fact have more young male drivers on our roads. With the accident rate still being 2.5 to 3 times higher than that for young female drivers, we would have the risk of having more accidents on our highways, and there are enough accidents now, Mr. Speaker.

The only Canadian provinces that restrict the use of age, gender, and marital status as auto insurance rating criteria are in fact British Columbia, Saskatchewan, and Manitoba. I was living in British Columbia back in the '70s when they got rid of all the private insurers and brought in British Columbia insurance. I was out there when the people voted en masse because insurance was going to be so much cheaper for everybody. There was an amazing experience, because in about a year insurance rates were as high or higher than they had been when the private companies had been there, but the government got to own it and run it. That's not actually what we do here in Alberta.

By comparison, in 1988 the Ontario Automobile Insurance Board proposed changes to the auto insurance classification plan that would have disallowed the use of age, gender, and marital status as a rating criteria. Insurers were required to make costly modifications to their computer systems in preparation for those changes; however, the proposed uniform classification plan was dropped by the government due largely to opposition from older drivers who would have faced substantially higher premiums. I think that we would have exactly that same scenario here.

Canadian insurers establish the price of car insurance to reflect the risk of an accident, and the truth is that these young men do have a higher risk of accidents. It's sad, and I feel bad for them. I feel bad for my sons as they struggle to pay for their insurance, but at the end of the day we've made it to the point where they're 23 and 24 now, and with my help and some help from their father they've been able to make their insurance payments and learn that you cannot fool around in your car. You have to take this as a very serious responsibility, and all in all it's not been a totally bad experience for them to have to realize that their peers, members of their sex in their own age group, have created this scenario.

I'm hoping that all drivers will take their privilege of driving seriously, including our young male and young female drivers. When the young female drivers have as many accidents and get as many speeding tickets as their male counterparts, I'm pretty sure their rates are going to go up correspondingly. It's not what I would wish to have. As somebody who's on the highway on a nonstop basis, I would prefer everybody to take it seriously. So I'm not going to support 202, and I would urge this Assembly also to not support it.

Thank you.

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

MS BLAKEMAN: Thank you, Mr. Speaker. I'm glad to have the opportunity to rise in second reading and speak to Bill 202, the

\*This spelling could not be verified at the time of publication.

Insurance Statutes (Gender Premium Equity) Amendment Act, 2001. This is an interesting bill for me. I think what's brought out in this at first look is that, well, this is a bill about fairness or about equity or about human rights, and I think that is inaccurate. This is not a bill about human rights. This is about what one does, not who one is. It is performance based, not identity based. It's not about identity. It's about a disparity in conduct, essentially.

It's interesting for me to note that when we look at the early Charter challenges that came forward under section 15 of the Charter of Rights and Freedoms, a number of them in fact were not based at all on what we would typically call human rights. But I think that was part of the process of sorting that all out, because one of the ones that comes to mind for me was a group of duck hunters who wanted to go up against the bear hunters because the duck hunters got a shorter hunting season and felt that this was discriminatory and wanted to apply it under section 15 of the Charter. Of course, it did not take very long, but it did take us a while to sort through all those cases to come to a better understanding about what the issues are around human rights and what the dividing line is when we look at fairness and equity regarding people and their activities.

3:00

Human rights is not about treating everyone the same; it's not. That's why we have the subsection under section 15 which allows for programs that ameliorate conditions of the disadvantaged. Human rights I think are about fundamental participation in institutions. In this province we had the Vriend decision that went to the Supreme Court, and that was about an individual's ability to access the Alberta Human Rights Commission, to hear their case heard. That was of course a government agency, and that government agency refused to even hear the case. So that was about access to and participation in a government agency or service. In fact, the Supreme Court did rule that basic human rights had been denied there, and the province was given instructions on how to handle that.

In this case we have a question of whether able-bodied young males are a discriminated-against minority. Under the criteria I've just outlined and certainly the criteria that have been put forward by the Supreme Court – and the Member for Airdrie-Rocky View very thoroughly outlined what some of those cases are, so I won't repeat that information, and I thank her for bringing it forward – these young men are not considered a disadvantaged minority, so this is not a human rights issue. So what is it?

Well, the next question is: is driving a right or a privilege? I think we've already answered that question in society. Driving is a privilege. Driving is not like boating. It is indeed a privilege that is earned, frankly. We demonstrate that already by licensing some people and not licensing others. For instance, we don't license the blind to drive, and there are other people, based on medical conditions, who are not granted a licence to drive.

Indeed, we take away licences from people in this society. Chronic defaulters on maintenance enforcement payments can lose their licences. So we as society have the ability to pull the privilege, to revoke the privilege that has been granted. Obviously, driving licences are also revoked as a result of criminal charges. For example, drunk driving often comes with a provision in the sentencing that the driving licence is removed from the person for a period of time or forever. I mean, essentially we do not supply a driving licence in every 16-year-old's birthday cake. They have to go out and earn it, and they have to pay for it. We have even gone further in this province and recently instituted graduated driving licences. So on the question of whether driving is a right or a privilege, I think it's quite clear that it in fact is regarded as a privilege here.

The question that we're really looking at is that we have a group

of individuals who are assessed a risk factor by their conduct, which has a cost attached to it. The question is: do all people share in the costs that are incurred as a result of the behaviour of those individuals, or do we assign that cost and the risk to the individuals who are in fact exhibiting the behaviour? Thus far the insurance companies – they're the assigners of risk – have certainly said: no; we charge the individuals based on their behaviour.

Now, I think what some people could argue – and perhaps it's true – is that in assigning it to the entire group, we do capture some young males who in fact are very good drivers with a good driving record who always obey the rules, stop at the stoplights, are careful and considerate drivers. They are caught in this as a result of being a young male, and they have to pay the higher rate as well. I think that could be argued.

How do we separate out those good drivers from the others that are causing the problems and are raising the cost for all involved? I think there may well be ways, in this day and age of computers and the ability to store vast amounts of information and to sort through it, to collate and analyze that. There may well be ways for the insurance industry in fact to be able to be more specific in how it's assigning that.

Now, I think the answer that comes out of it is that we prefer that the group that incurs it pays it. Certainly in the other provinces where this has been challenged – in one province there was enough of an outcry from the individuals who would have had to share in the cost, that being older drivers and young female drivers, that the government of the day pulled the bill or did not institute the program.

I appreciate that the member who proposed the bill was doing so in all good faith and was trying to correct an imbalance as she saw it, but this is not an issue of human rights. The unfairness that is inherent in this system is unfair because of the behaviour and conduct of a certain group. That behaviour and conduct is voluntary, as is the kind of behaviour they're engaging in; in other words, driving.

So we have that driving is a privilege, that you have to earn the right and to conduct yourself carefully. Hopefully the insurance companies will begin to take that into consideration and be able to bring those rates more into line and more specific to the individuals who incur them.

I'd like to leave enough time for the proposer of the bill to speak to it, and I will close my comments with that. I do not support the bill, and thank you for the opportunity to comment on it.

THE DEPUTY SPEAKER: The hon. Minister of Gaming in the two or three minutes left.

MR. STEVENS: Thank you very much, Mr. Speaker. It's my pleasure to rise this afternoon and say a few words with respect to Bill 202. At the outset I would like to say that I'm very much in agreement with the comments made on this matter by the hon. members for Calgary-Lougheed and Airdrie-Rocky View.

It seems to me that the principal argument here is that basing premiums on gender is discriminatory. That is definitely a true statement, just as it is to say that premiums are based on age or marital status, but the fact is that those are the bases of establishing a premium in most of the jurisdictions in North America. The fact is that in each of those cases there is a measurement of risk that is statistically valid. The fact is that in our society we do recognize discrimination as being valid if it is for a valid purpose. That is recognized in the Constitution Act of Canada. The fact is that much of the legislation that we pass is discriminatory in some nature, but the reason it stands the tests of time and of our courts is that there is a rational purpose for it.

I think most people that I have talked to intuitively understand that there is a reason for looking at age and gender for the determination of insurance premiums. What I would like to do is just refer to some statistics in Alberta which establish that that intuitive reaction to the validity of using age and gender for determining a premium is in fact valid. It's a comparison of the 1999 third-party liability Alberta claims results. In the category of 16- to 20-year-old females – and these are females who were the principal operators of vehicles – there were some 24,839, and they had 2,188 claims. Compare that to the same age group for males. There were in fact fewer males, 23,998, but they had more claims, 3,023. More importantly, the frequency of accidents per 100 vehicles for males was 12.6 compared to 8.8 for females. That's a 43 percent increase over females. Here's the real statistic that makes sense as to the reason for the difference. There was almost \$25 million in total claims paid on account of females and \$43 million, almost \$44 million, on account of males. That's a 75 percent increase.

So I believe, Mr. Speaker, that the statistics relative to Alberta experience clearly justifies that there is a reasonable basis for treating young males differently than young females.

Thank you, sir.

3:10

THE DEPUTY SPEAKER: Standing Order 8(5)(i) provides up to five minutes for the sponsor of a private member's public bill to close debate. The time has run out for other members to participate, so we'd invite the hon. Member for St. Albert to close debate on Bill 202.

MRS. O'NEILL: Thank you. I'd like to take this opportunity to ask everyone in this Assembly, through you, Mr. Speaker, to consider why we vote for something in principle. That's why I believe the second reading of Bill 202 is what we have before us for consideration right now.

What is the intention of Bill 202? The intention is to eliminate a discriminatory practice by virtue of gender designation with insurance premiums for car insurance. What I'd like people to think about right now and what I would ask the members of the Assembly to consider is the aspect of group consideration here, which is what the insurance industry is doing with this discriminatory practice.

For instance, the best example I can use is taken from my teaching experience of years ago. Many of us will recall being asked to work on a project as a group. Often there are people who don't pull their weight in a group, and do we appreciate those people who don't pull their weight? No, because some of us are penalized through marks; some of us are not given adequate acclaim for the work that is done. I say to everyone here that my concern is that we understand what is the feeling of the young male drivers right now who feel that they are discriminated against because they are thought of as a member of a group.

In this day and age, it's also my understanding, we're going to ask individuals and young people to consider what it is like to take responsibility for their own actions, yet we acquiesce and accept insurance premiums being delivered to them and asked of them that are unequal because they have to pay according to the group that they belong to.

Quite frankly, Mr. Speaker, I urge everyone in this Assembly to vote in favour of the passing of the second reading of this bill so that you can speak for the young males in this province who don't like to, don't appreciate, and don't want to continue to pay for, if you will, the sins or the misadventures of other members of their group, a group that they cannot freely dissociate themselves from. So that's why I say that it is not something that is discriminatory by virtue of

– we're not talking about human rights. We are saying, as one of the members mentioned earlier, yes, this is based on behaviour and conduct, but these premiums are high because they're based on the behaviour and conduct of a group, not of an individual. It's the individual whom I'm asking everyone in this Assembly to give acknowledgment to.

I'd also like to make reference, Mr. Speaker, to the insurance industry's response to my proposal of this bill. Many of them have written us, and I know they've written other members of this Assembly, and their response is what I call a ledger response. They have said: if we're not going to get this amount of money, then we'll just put it onto somebody else. Quite frankly, I think that's simplistic. I think it is unfair, and I think what they are doing in response to it is an easy way of making sure that their industry stands up for what they want, and that is the bottom line. I say: don't accept what the industry tells you. What they've done is they've made just a ledger calculation right across the board.

So, quite frankly, I ask everybody here to speak to, vote for what I consider is against a discriminatory practice and for the right of the individual male to have access just as the female does to the same equal rate for their auto insurance. Let the intention of the bill determine how you're going to vote now, because this is second reading.

Thank you, Mr. Speaker.

[Motion lost]

### Bill 203

#### Residential Care Housing Committee Act

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

MS KRYCZKA: Thank you, Mr. Speaker. I rise to speak today for the many overlooked voices in Alberta. We all have constituents who need supports in their daily living, and these individuals are not always able to advocate for themselves. I'm here to bring the concerns of many of our vulnerable adults – the elderly, the infirm, the permanently disabled, and the mentally ill from well-to-do to lower income – regarding their need for flexible, reliable, and appropriate housing options.

Currently there is an unregulated market operating in Alberta, a market where the consumers are people at risk of being taken advantage of. Many of our disabled and elderly are finding themselves paying for substandard living conditions with no assurance against abuse or neglect, and the housing is provided by owners or operators who are not required to be trained in any way whatsoever.

Many residential home operators are often well-intentioned individuals sharing their home with a person or persons in need of special care in their daily living activities. However, other operators are not as philanthropic or compassionate and exploit the elderly, clients of AISH, and the permanently disabled who really have nowhere else to turn.

Municipalities and other key stakeholder organizations have contacted me as an MLA asking for help to deal with residential care homes that operate without standards. Currently the operators of these homes are doing nothing illegal, so municipal authorities can do nothing to prevent them from taking in people in need of supports for living. They are therefore seeking a solution that provides safe and appropriate housing options that are community-based outside of institutions. Bill 203 addresses this need directly.

A new trend of demand for care in the community is emerging, care in an environment that deals with the whole health and wellness of the individual, going beyond acute care. Medical and health care

needs are important, and this government has recently done and continues to do an admirable job of providing quality home care and institutional care to Albertans. However, the concept of wellness also includes a strong component of supports for daily living to maintain the health and independence of those who need it. A segment of this market is not being assured of standards of care and safety in their daily lives.

Mr. Speaker, Bill 203 has the specific purpose to identify, list, and eventually regulate residential care homes which house three or fewer clients who are unrelated to the operator and which are homes that do not receive government funding. The process outlined in the bill entails the creation of a residential care homes steering committee. One key task of the committee will be to identify existing unlicensed care providers with the purpose of creating a voluntary list. This list or registry will serve to help the steering committee formulate regulations that will best maintain stable, high-quality housing for the elderly and disabled in Alberta.

3:20

The steering committee members will represent key stakeholder groups including the Alberta Urban Municipalities Association, the Alberta Association of Municipal Districts and Counties, the Seniors Advisory Council for Alberta, regional health authorities as well as representation from the Legislative Assembly, from the government departments of Children's Services, Community Development, Health and Wellness, Human Resources and Employment, Justice, Municipal Affairs, and Alberta Seniors. The steering committee will be chaired by an appointee of the Minister of Health and Wellness and will be provided with adequate staff support during its four-year mandate.

Mr. Speaker, the issues to be addressed by the steering committee are broad, and the policies they are intended to formulate will be equally so. There needs to be a system of consistent, broad-based standards in place to ensure quality care. As I have said earlier, there are currently no standards for or monitoring of residential care homes with three or fewer clients. Operators have been able to dance around the existing gaps in the laws by appointing clients as building superintendents or resident managers when municipal authorities try to enforce current legislation such as the Protection for Persons in Care Act, which regulates facilities receiving government funding, and the Social Care Facilities Licensing Act, which is designated to only regulate care facilities of four or more tenants.

Bill 203 will bring an end to this lack of provincewide standards in this area and bring accountability to providers who are currently operating beyond the pale of good reason and good conscience. The lack of law has left many of our society's at-risk citizens unprotected, and that is something I find very troubling, Mr. Speaker.

The elderly, a segment of the population which is both aging and rapidly expanding, must have more quality housing options, ones that provide them with safety and the necessary supports needed for daily living. There is a shortage of appropriate housing in most of Alberta's urban centres and rural areas, particularly for housing that provides some level of support. There are many fine lodges and institutions throughout the province. I don't dispute that. But many aging Albertans, for example, want to maintain their independence and also have the option of living in a house or home in their community and near their loved ones. Larger urban facilities do not always provide this preference in choice. This bill helps our need to address the realities and needs of rural communities.

Mr. Speaker, this government has always made a point of respecting the dignity and importance of personal choices of Albertans. We have respected the rights of people while at the same time ensuring the choices they have are safe and viable. The Latin

phrase, though, *caveat emptor*, or let the buyer beware, has always been a fundamental tenet of free-market economics. I would submit that this principle does not operate soundly when one party is consistently in a position of need and has extreme difficulty serving his or her own best interests in the marketplace.

Such is the condition of many of the people who choose to live in residential care homes, and they need protection from exploitation that is enshrined in law. The difficulty for these people is their vulnerability, that they cannot just pick up and move out of a residential care situation on their own. They are captive to their frailty or to their disability. They may have psychiatric conditions, brain injury, or high needs, such as the frail elderly. Presently the general market does not have to provide competitive standards of service but, rather, a minimal level.

Mr. Speaker, there is also very little stopping the care provider from abusing his clients, be it financially, emotionally, or physically. As I said, it is hard for the client or resident to change or to escape from an undesirable situation when there are no guiding principles in law for these clients. I would like to remind everyone that even bed-and-breakfasts are regulated in this province and others in order to meet standards of care and cleanliness for their customers. Why is it not the case for residential care homes which house society's frail and vulnerable citizens?

Yes, we are talking about at-risk or vulnerable adults in society who require help to take care of many things the rest of us take for granted. Many residents are bedridden and need health care and personal supports to be turned, cleaned, fed, and treated with decency. There are reports, for example, of residents being removed finally from residential care facilities with bedsores or suffering from malnutrition because there were not minimal staffing requirements nor any enforced standards of care. There is also no assurance in this province that residential care home operators maintain a standard of basic cleanliness for their clients, nor that it is their responsibility to even facilitate social activities so important to basic mental health.

The CHA, the Capital health authority, and the Calgary regional health authority have established their own personal care homes systems of standards, which include a registry with specific qualifying criteria such as fire inspection, liability insurance, single-room occupancy, and food handlers. A database posts vacancies and lists homes. Indications are that families truly value this approach. However, these are limited to health and home care supports and are not provincewide.

There is a profound need and right, Mr. Speaker, for all at-risk citizens to live a clean and dignified existence, and when they cannot provide it for themselves, they may turn to a residential care home. Also, I think a very significant point is that many citizens may not yet be frail or vulnerable but still choose to not live alone, preferring a more social atmosphere that provides critically nutritious meals with a room. It is true many seniors or disabled persons could be placed in a lodge or an institution such as an acute care hospital or a nursing home, but many people in this province want their home to feel like a real home, and they also want to have their individuality and independence preserved to the greatest extent possible. We must respect this wish, which is so fundamental to a person's wellness. The elderly and those with special needs must be treated with respect and dignity.

Mr. Speaker, these are problems that Bill 203 seeks to solve. We are looking to act right now to serve the best interests of many vulnerable people seeking residential care housing options. By providing them, their families and caregivers with information about the market, knowledge of resources available to seniors and the disabled when they're seeking a residential care home as well as a

mechanism to listen to the concerns of clients, we will eventually provide vulnerable or at-risk Albertans with quality, independent, community-based living.

Through an intensive public education component Bill 203 sets out that Albertans should be informed of the choices they have in residential care, such as where they are located and which services are provided. I would also like to point out that the voluntary registry is only a temporary measure until the framework for licensing and monitoring is in place. Also, the need for education and representation is very urgent. We should not wait one more minute to act.

Mr. Speaker, voluntarily registered home operators will not be recommended by the steering committee without first demonstrating good faith in caring for their clients. They and other key stakeholders will be consulted in this process on the best ways to ensure quality service in this industry. Care home operators who try their best to provide good value and service to their clients welcome this legislation. For too long they have been competing with residential care providers who cut corners, provide substandard care, and treat their clients like a commodity.

It is important we realize that residential care homes do exist in Alberta, homes that receive no direct government funding and are paid directly by the client and which house three clients or fewer. Further, they operate without the benefit of accreditation, monitoring, or even acknowledgment of any authority. Their clients are typically on a fixed income such as AISH, CPP disability, or Alberta seniors' benefits, and their limited resources often restrict their ability to advocate for themselves. This condition, which has persisted in Alberta, must be ended.

Would it be the intent of this Assembly to have neighbouring provincial jurisdictions know that we are content with these types of housing conditions for our elderly and those with special needs? Would you be proud to say that Albertans have more regulations to protect tourists than the elderly in residential care?

There are two trends in Alberta that greatly affect the need for legislation like Bill 203. First of all, there is our growing aging population, which affects more than seniors. There are recent recognized studies that address this issue including the well-respected Healthy Aging: New Directions for Care report, better known as the Broda report, and also the Alberta for all Ages: Directions for the Future report, better known as the aging population study.

3:30

I also want to quote – not directly quote but refer to – some recommendations in the long-term care review such as that it is important to shift the focus so that the first priority is for people to remain in their homes and other types of supportive living arrangements; expand home care services substantially and also encourage the private and voluntary sectors to expand the range of supportive living options available across the province; expand supportive housing to include light- and medium-care cases, people with mild dementia, and young people with disabilities; set provincewide standards for supportive housing developments and also unbundle other services such as personal care and food services and housing arrangements; give people a choice in the specific package of services they need to meet their assessed needs wherever possible; bring services to people rather than requiring them to move into facilities or travel to where services are provided.

Also, I would like to refer to Housing Alberta's Seniors in the Next 30 Years, by the Urban Futures Institute 1999, who reported that the demand for seniors' accommodation in Alberta will increase faster than the population as a whole and the seniors' population

itself. Also, the demand for collective dwellings will increase by 129 percent, and the demand for private dwellings for seniors will increase by 136 percent. As our elderly population booms, we must plan for a positive future by developing innovative solutions to housing with some value-added services and assurance of safety.

The second trend I have to acknowledge is that innovative housing solutions to housing and health needs are occurring. I talk about a specific area within housing. Basically, it is unreasonable and certainly not desirable to relocate massive numbers of aging Albertans into long-term care centres or acute care hospitals only because they require a home with a greater degree of personal security and assistance. Albertans deserve and want to have accommodations that facilitate their independence and their well-being within a community setting, regardless of their age or station in life.

Mr. Speaker, institutional living does not necessarily serve the best interests of all individuals, nor is it their first choice, so we must work to provide safe housing options for all Albertans. There must be more than the conventional institutional health care system. Many elderly and handicapped Albertans do not have a safety net of friends or family to support and care extensively for them. Bill 203 would provide a trustworthy option for their housing and health needs.

If vulnerable Albertans cannot find community-based supportive living that provides for their independence needs, their wellness can't really be assured. Take into consideration a few of the most common illnesses of older Albertans: depression and dementia. People with these common conditions want a smaller and familiar home setting, but they should really not live alone unassisted. They need someone to facilitate recreation, social activity, transportation, and ensure proper diet and exercise. The depressed or those suffering from dementia often need help remembering to take medication or just someone to motivate them daily and remind them of important personal goals.

Mr. Speaker, these are the kinds of services that would be ideally serviced by a small residential care home setting. Keep in mind how common the illnesses of dementia and depression are for the elderly. Also bear in mind the potential cost if the wellness of these individuals is allowed to slide. Then remember seniors will increase from 10 percent of today's population to 20 percent or more in just 20 to 25 years. If we just assure the quality of residential care facilities for Albertans, the free market will provide a housing solution of much lower cost than that of our nursing homes, lodges, or hospitals. If we do not provide a structured market, we are restricting the housing options for Albertans and continuing a system where many Albertans are treated unfairly and without dignity.

Bill 203 is not looking to impose an enormous enforcement and monitoring system upon Albertans. The steering committee can and will facilitate an efficient free market, working collaboratively within existing structures. It will also bring information to potential residents so that they can make informed decisions, and operators will be forced by standards and the market to give good value for money.

The alternative is very bleak, Mr. Speaker. If we persist in providing limited housing options with no standards for our at-risk Albertans, we can expect them on our doorstep. If we choose a responsible course and provide the leadership role in developing regulations for safe, quality housing options, we can then expect them to enjoy their lives, living with a dignity so well deserved. I encourage all members of this Assembly to support Bill 203.

Thank you.

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



MS BLAKEMAN: Thanks very much, Mr. Speaker. I appreciate the work that the Member for Calgary-West has done to bring forward this Bill 203, the Residential Care Housing Committee Act, and her very nice introductory remarks.

Essentially, my issue and my concern with this bill is that the proposal here is to create a committee and that's all. It's outlining what the committee would do in that it would develop standards of care, establish a registry, and develop educational programs, but there's nothing in the legislation that then says what will happen with that. So potentially we can have a group of people come together, do this work, and after four years it's over. Nowhere in here does it say that this will be implemented. It just says that they'll report to the minister. It doesn't say that the minister has to do anything with this. So that's my disappointment in the bill.

There's been a lot of work done here, and it's work that needs to be done. It's acknowledging and opening up an area that we have neglected here in Alberta and an area that needs attention to it, frankly, and needs some regulation and some monitoring and some enforcement. But all this bill does is give us a committee that's going to have meetings, which is fine. That would be a nice thing, to have a committee, but I wish for so much more, and I think it's possible to do so much more. So I haven't decided whether I'm going to support the bill at this point in time. I'll listen to the rest of the debate around it, but my initial reaction to it is that we have a committee established here that doesn't have to go anywhere or do anything. They can just meet for a bunch of years and talk to each other and then it's over. This is an issue that could use a lot of work and a lot of attention.

It was first brought to my attention by the former Member for Calgary-Buffalo, who had started to work with a number of groups out of Calgary and specifically the group called FAIRE, Families Allied to Influence Responsible Eldercare. I also started to work with this group and have referred people to them and have great respect for the prodigious amount of work that they have done. In essence, Sessional Paper 976/99 is, in effect, all of the standards of care that it's possible that this proposed committee in Bill 203 would, in fact, come up with. They're done; it's here. They have gone through all the legislation across Canada. They've looked at all the issues that are arising from the family members and from the individuals themselves who are in care. They've done all the work. It's right here.

So you can understand my impatience, then, when I hear that there's going to be a committee that's going to look at examining developing standards of care when I know that, in fact, it's out there already. It's out there in more than one place, because the previous Member for Calgary-Buffalo working with the previous Member for Edmonton-Manning in fact proposed a bill in the fall session of 2000. [interjection] Yes, because the Liberals continue to bring forward really good ideas which the Conservatives are kind enough and smart enough to recognize and take advantage of.

3:40

The bill was entitled Bill 224, the Seniors' Care Enhancement Act, 2000, and is very thorough in what is being proposed: amendments to the Protection for Persons in Care Act, quite specifically, but also going beyond that and talking about standards, staffing standards, licensing for employees. In order to get a licence, they have to ensure there are sufficient employees on duty, that those people are trained, that their responsibilities are in conjunction with their training, staffing patterns, ratio of care staff to residents, that care staff will not be required to provide other duties such as food preparation or housekeeping or laundry. If they are an individual care attendant, that's what they do. They don't mop the floors and

peel turnips. They look after the individuals that they are supposed to, and other people that are doing those support service jobs are not included in the ratio of staff to patient care. Very appropriate.

We've got nutrition and food services standards. This is something I've always found really interesting, where we do bother to mention it, and I'm not speaking specifically to Alberta at this point. Often where we do see it, it says: well, you know, patients or people in care have to be fed. Uh-huh, but I think we have to go further than that and actually put things in like fed from the Canada food guide or adhering to the Canada food guide, because when we just say, well, they have to be fed, you can in fact get away with feeding them bread and water, and there are people who do. If we want to be really responsible and lay this out in a very clear fashion which is able to be monitored and enforced, then you do start getting very specific with standards of care.

So this Bill 224 went through nutrition and food services standards. It's very specific. Fruits and vegetables: a 225-millilitre serving of vegetables. I mean, they actually get down to detailing that kind of thing, and frankly I think that's the level of detail that is needed here. I mean, we're talking people's lives, and it's too easy to just slough it off, and frankly down the road you see people who have been quite abused as a result of it.

Bill 224 also talked about oral health. It talked about having a residents council, having social activities, and recreational planning standards. It talked about administration of medication and, lastly, a task force including gerontologists and members of seniors' advisory groups and board members that would review these provisions and make recommendations on the standards. It talks about confidentiality, telephones, accessibility, room temperature, privacy, visitors, reportable investigations, neglect and abuse, restriction on the use of restraints – which is a really important area for us to be looking at – emergency restraints, monitoring, reassessment of standards. So all of that work has been done in Bill 224, which is certainly available for the Member for Calgary-West and in other places.

Earlier this week I tabled Sessional Paper 62/2001, which was from the Elder Advocates of Alberta group with recommendations about the Protection for Persons in Care Act and the Dependent Adults Act and what could be done there to strengthen the acts. They talk about an Alberta-wide registry. Now, they're specifically talking about a registry that's listing abusers, and Bill 203 is talking about a registry of accommodation that's available, but it's been raised before. This is dated January 2, 2001. They're quite specific on what abuse means and detail it in great depth. They put forward that abusers have to be held accountable and disciplined for their actions as does the care facility in which these people work. They're recommending that the act states proposed penalties, that they publish reports on this.

One interesting thing I picked out of their document was that complainants who are persons in care, shall not be subject to alteration, interruption or discontinuance of services to which they are normally entitled, because of a report of abuse or neglect.

Very good point, yet we do that in many other areas of social care. When we're not sure what's going on and we want to investigate something, all service stops until the investigation is complete, but for somebody who is frail or vulnerable, that can be devastating.

So there are three documents that I've now referenced, all of which have done work on standards of care. I'm frustrated by the idea that we're going to set up a committee that's now going to look at developing standards of care when so many people have already done the work. Yet do we actually see standards of care implemented as a result of this bill? No. We see a committee that produces a paper. It doesn't even insist on that actually. It just says

that they'll develop these things but not what else happens with it, how much further it goes.

One of the other issues that I have with what's being proposed here is 20 members being proposed for the committee and nine of them being directly accountable to government. Now, there's sort of an open category of Members of the Legislative Assembly. It would be interesting to see if an opposition member got appointed to this, but something tells me no. I don't know why. There are also members from the departments of Children's Services, Community Development, Health and Wellness, Human Resources and Employment, Justice, Municipal Affairs, Seniors, and the Seniors Advisory Council for Alberta or the Premier's Council on the Status of Persons with Disabilities, both of which councils have completely government-appointed people sitting on them. So that's nine of the 20 positions potentially, and I'll note that it's Members of the Legislative Assembly, so there could be more than one member that's appointed to this. But a minimum of nine of these 20 are government employees or directly responsible to government, in effect.

Then they go on to suggest a regional health authority, Urban Municipalities Association, Alberta Association of Municipal Districts and Counties. Those are the three additional agencies that they suggest, so that's taking us to 12. Now we're left with eight people; we're not sure where they come from.

It is allowing for members of the committee to be eligible for remuneration and expenses and also is appointing another government person to be the executive director of the committee. So I'm wondering why there isn't something in here that says that there'll be somebody from the Alberta Council on Aging or there'll be somebody on here from the Kerby Centre or from the Society for the Retired and Semi-Retired, all recognized, well-respected groups that advocate for and deal with seniors.

I'll stop here and note that it actually does not specifically say that we are talking about seniors in this bill. It doesn't designate that, and though I notice that the member proposing the bill spoke at length about seniors, frail seniors and vulnerable seniors, in fact the bill talks about "a residence in which personal assistance, lodging and meals are provided for compensation to persons who are 18 years of age or older." So this is meant to capture more than seniors or seniors needing assistance obviously, but according to the mover of the bill it's obviously intended specifically for seniors. So I'm questioning in that case why there isn't some attempt to capture the expertise that we have in the community through those very well-established and well-respected organizations.

3:50

One other issue around this. I heard the member saying that these were for private residences, but one of the interesting situations that's arisen recently is that we have a situation certainly in Edmonton – and perhaps it's different in other centres. When you have subsidized housing for seniors, it's a situation where both the individual and the location have to be subsidized, have to be approved, and we're short of seniors' housing right now and for the foreseeable future. We have a situation where there are some other nonprofit organizations and even private providers who would like to be offering services that are in demand, particularly for individuals who are requiring assisted care. In other words, they'd like to be living independently, but they can't quite live totally independently. They might well be in an apartment, but they're needing significant home care or assistance to get going or feed themselves, dress themselves, get out and about.

Those individuals, even if they qualified for subsidized housing, can't take that subsidy and go to another nonprofit agency or go to

a private provider and take that subsidy with them. It's only attached to the building, and I think that's an area we need to look at. I think there's some flexibility that is necessary there at this time. I would be uneasy if this were to become a permanent state of affairs, because I think that where you have private corporations offering service, I get uneasy when there's public money going there. But certainly where we know that there is a gap in housing for seniors, where we know that there's housing available, I think there could be a shorter term plan worked out.

Certainly in my constituency I have people who want to go to a certain facility, and they can't because if they leave their current residence, they will lose their housing subsidy. With seniors on a fixed income, that is absolutely critical; it is life or death; it is do or die; it is eat or not eat. Those subsidies are really important to them.

If we're going to be talking about flexibility, if we're going to be talking about care, if we're going to be talking about opportunity for different kinds of housing, I agree very much with the Member for Calgary-West that it needs to be carefully scrutinized. We don't want vulnerable people in a place where they can be taken advantage of, and if we're in a position to put in place regulations and particularly standards of care, we should be doing that. The onus is on us to show the leadership to do it.

I look forward to the rest of the debate on this bill. It's caused me some hard thinking about whether to support it or not. I think I will and that I support the concept that's there. I just truly wish that it had gone far enough. The committee is not enough. Nothing in the bill says that what the committee produces is going to go anywhere, and that's my disappointment.

So thank you for the opportunity to speak to the bill. I'm aware that some of my colleagues also wish to get involved in this debate. Thank you very much, Mr. Speaker.

THE DEPUTY SPEAKER: The hon. Member for Redwater.

MR. BRODA: Thank you, Mr. Speaker. It is my honour to rise today to speak to Bill 203. I believe our focus on this issue has been a long time coming.

Bill 203 would benefit and protect many vulnerable Albertans. I support Bill 203 in concern for the elderly, the infirm, the permanently disabled, and the mentally ill. This legislation would help all of those who are in need of constant yet flexible care. It would protect them from many of the crimes that they may be vulnerable to right now in private care facilities.

In recent years there have been a lot of developments in residential options for individuals who require nonmedical care. These facilities provide constant care outside a hospital or institutional-style group home. This is a great step in the direction of providing people with a more family-style residential care and helping these residents remain in a community and retain a sense of independence.

At present there is a problem facing the residents of some of these facilities. The system of care they have chosen to live within is not protecting their safety or providing them with the standard of care they were promised. These individuals may be abused, neglected, and stolen from.

As more personal care facilities become available to a greater number of people, our government must react in order to ensure that people in our communities are getting the responsible care they deserve. There are currently no legislative guidelines that protect the residents from any possible misfortunes. The law does not set certain standards to which these care facilities must hold. It is the objective of Bill 203 that the province recognize certain standards for these small care facilities in order for them to be considered fit for providing people with safe living conditions and proper care.

These private care facilities and residences are also privately owned homes. They offer lodging, meals, and personal assistance for one to three elderly persons or adults with extra needs. These private care homes are special because they provide care in a familylike setting for individuals who need some assistance and cannot live alone but do not need nursing or medical support. They're operated on a fee-for-service basis that should provide a safe environment, support, protection, supervision, and assistance in relation to individual needs of the residents in that home.

Currently the department only licenses those facilities which house four or more adults. There are no licensing requirements if care providers keep their client base under four, nor is there approval for program standards. While residence owners have different written guides which are available to them, they can only be encouraged to follow the guidelines.

Mr. Speaker, the Guide for Private Care Home Operators is one such guide that addresses issues like the training necessary to be a caregiver, environmental and building requirements and safety standards, food preparation, and selection of residents. Also suggested are the rights and privileges of residents and other concerns. But this book is only a guideline. Operators have the choice not to follow the book, which has no legislative standing. These types of books also help to guide individuals and their families to choose which type of facility is best for their needs and to make informed decisions. It educates seniors and those in need of extra care to help them avoid potentially harmful situations.

These guides fill the need of educating seniors and others to make a better decision, but the problems facing our seniors have not adequately been addressed. There needs to be an enforcement of these guidelines by appropriate regulations. The current situation holds no obligation except the moral decision to uphold the standards listed in the guides. People are being fooled into the standard of care they are going to receive because they have no way of knowing how they will be treated inside each private residence.

The specific purpose of Bill 203 is to identify, list, and eventually regulate care home operators housing three or fewer clients. To begin these developments, a steering committee would build a voluntary list of private health care providers. Then it would use this voluntary list to help formulate regulations. The standards and the regulations that ensure private care facilities are being maintained at a high quality would be based on the findings of the steering committee.

Mr. Speaker, the committee would be made up of a number of representatives of departments from within government and others who have a key interest in the direction of the committee. They would play a direct role in developing the framework that would become the regulations and standards in private care facilities.

4:00

Mr. Speaker, the main reason we should pass Bill 203 is the problem the lack of standards is creating. As stated, there are no legal standards to protect those living in private care facilities, leaving operators to run their businesses outside the bounds of any regulations. This leaves a large segment of our society extremely vulnerable.

The main concern is the possibility of abuse of any sort, be it financial, physical, or mental, which can occur because of a lack of accountability. Clients who want residential care are faced with the fear that their need for care would lead to horrifying experiences that they cannot control. These vulnerable persons, because of some sort of disability, may have difficulty expressing or acting on their wishes and ascertaining or exercising their own rights. These people need regulations to protect them, because in many cases they are unable

to protect themselves. Mr. Speaker, when individuals with any kind of disability rely on others for their safety and well-being, they should have the right to be protected from abuse. I believe it is time we take responsibility to ensure the safety and protection of residents in these homes.

It is an unfortunate truth that there are a number of residents in these care facilities in our province that are subjected to these abuses. Being in a vulnerable state, they do not have the ability to up and leave the situation they are in. Families may not even be aware of the suffering and cannot help them because of the lack of ability to communicate. When signs of any sort of abuse surface, it is already too late, and a vulnerable resident has already suffered its effects.

The lack of standards to regulate these new types of services in our province is perpetuating the abuse of its consumers. Bringing forth the necessity for standards these services must provide would educate its consumers about its hazards and who is rightfully acknowledged as a regulated care provider. Providing the consumer with a list or a registry of monitored caregivers gives them the ability to make an informed decision about the care that they will be receiving. Residents will no longer have to rely on the possible moral standards of their operator. But to ensure that the care they receive is of a high standard and their rights are protected by law, it is important in this situation for them to know that there is a system in place which will watch out for them.

[The Speaker in the chair]

Mr. Speaker, there's a great deal of work that needs to be completed before the long-term effects of Bill 203 are to be felt. By weeding out those who do not meet prescribed standards of care for their clients, legitimate care providers will no longer have to compete with substandard facilities. Furthermore, those that are left will provide the steering committee with a true framework for developing licensing and monitoring policies. The client would be provided with a measure of care that they can trust in a market that could be overwhelming and easily misleading. It is unfortunate that those who are being taken advantage of in this market are those who are vulnerable and in need of constant care.

The process of finding someone that can be trusted to provide for their needs is a difficult task. This type of personal care at one time would have been provided by the family, but we must face the truth. The rapid growth of these facilities shows that there's a definite need for this type of care. The development of personal private care facilities has broadened the choices which are available to our loved ones now and for all of us eventually.

Not everyone has needs which are suited to a more medical-based facility and not everyone likes the idea of living in a large group home. Yet at the moment those places hold the security of knowing that there are standards of care which are necessary to provide for its residents. The development of personal care facilities came out of the demand for more of a need to move away from the conventional system of care.

A study of the change in family demographics would also prove that the trend towards an even greater demand for such places will soon be upon us. Increasingly more people have chosen to only have two or less children, which places the large burden of aging parents on a small family. People work, and there is often no one to look after the full-time needs of an aging adult. Many aging adults have personal reasons for not wanting to depend on their families for full-time support. Whatever their reason the creation of more residential facilities will alleviate the problem of going into an institutionalized-style home for care, which isn't always necessary.

Also, there has been a greater amount of community support for those who are handicapped. More people are gaining confidence in having a style of life that was never an option for them before. They are able to live in a home which better provides for their needs and gives them the freedom and independence they want to have. If our province does not step forward and provide these people with a system that they can trust, then the progress that they have made in living a life of independence will be degraded.

In future the results of the steering committee would help our government provide our citizens with a valuable tool by listing the names of the facilities that have proven to the committee that they meet regulated standards. It will provide consumers the information and education they need. It will help residents make an informed choice about the place that will be caring for their needs and what grade of standards they should be expecting from this care.

I urge all my colleagues here to support Bill 203. Thank you.

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

MS CARLSON: Thank you, Mr. Speaker. I am happy to have an opportunity to discuss Bill 203, the Residential Care Housing Committee Act. I'm somewhat torn in my thoughts about this bill as we see it before the House. On the one hand, it's a barely there kind of bill. It scratches the surface of where we need to go. On the other hand, I know from experience in this Legislature that the more times we bring these kinds of issues back to the floor of the Assembly the greater chance there is that the time that a bill that deals with an issue like this is passed comes closer.

This is, in fact, the third time in very recent history that we've had some opportunity to discuss and hear about the kinds of needs and requirements there are for people who are in residential care housing. Of course, I'm talking about the Broda report that came out in November of 1999, which was really, I think, the first concrete position that the government took on this issue in terms of the kinds of needs there were for standards as a fallout of some of the feedback, I'm sure, that MLAs have heard in their constituencies, and certainly I have lots of those stories too. It was a start there. We would have liked to have seen something that was a little more concrete in terms of an implementation strategy for bringing standards in place.

Then, of course, our former colleague brought forward Bill 224, the Seniors' Care Enhancement Act, 2000, which we felt was a fairly comprehensive review of the needs of seniors in residential care and talked about the issues that were outstanding at that time and continue to be outstanding to this day, Mr. Speaker.

So now we have before us another private member's bill, Bill 203, that certainly takes this forward in terms of where we need to be going. It's very important, I think, that we make some progress on this issue. Like my colleague from Edmonton-Centre I'm a little frustrated by the prospect that what we really get here is the establishment of a committee to develop some standards. While there are some strict rules for how long the committee should sit and how many members should be on the committee, there are no strict rules for what happens with those recommendations or, in fact, that they come forward as recommendations or something that could be incorporated into government policy and passed. We would hope that that's where this would go. It would be beneficial if that were stated in the bill. It's great to set these benchmarks in place, but if we're not actually measuring the success after they've reached the benchmark, then what? It goes nowhere, and we don't accomplish anything. It doesn't take very much time or effort to go the extra half a step and complete the process, and that would have been really good to see in here.

4:10

It's a little discouraging to see this come forward as a private member's bill, Mr. Speaker. It would have been really nice to see this kind of legislation being brought forward by the government at this time. It is progressive in nature. It is a step in the right direction, and it's certainly an area that needs to be addressed.

I know that in my constituency there are a number of small residential homes, the unlicensed kind, and they provide a great opportunity for people to operate businesses, Mr. Speaker, but a great opportunity to operate a business isn't necessarily also a great opportunity for those who are receiving the services, those who are in care. We are dealing with people who are vulnerable for whatever reasons, and we need to be especially mindful of the responsibility we have as citizens and particularly as legislators in that regard. We need to ensure that people are taken care of in all aspects, not just meeting the basic needs of a roof over their head and being fed and clothed but compassion in how they're dealt with and humanity in terms of what happens within the households.

I think particularly of two of these homes that I'm aware of. One is specifically for mentally challenged young people, and to me the folks in the home, those in care – it would seem that things are really great there. It seems that they're happy and that all their needs are being met, but if you take a look around the building, you see that one of the residents is housed in a bedroom that hasn't got a window and doesn't have a closet door. Well, maybe that's not a really big deal, but I think that if you're paying for care, those are minimum kinds of standards that should be met. The families like this operator, and they're willing to put up with some inconvenience for their family member that's placed in that house. I don't know if that's reasonable or not, Mr. Speaker, and I think those are the kinds of issues that we should be talking about.

The other home that comes to mind right off the top of my head is a mixed home. It has some seniors and some other people in the home who have other kinds of interesting challenges that they face on a day-to-day basis, and they aren't very mobile. The operator again in this instance is a very compassionate person and tries to do an excellent job, but there are some issues in that home too, and a lot of them have to do with the ability for the personal care attendants to actually be personal care attendants and not turnip peelers, as my colleague for Edmonton-Centre talked to. Somebody's got to clean those bathrooms, Mr. Speaker, and when you talk about the ratio of staff to people and the kinds of expectations there are, I don't think that we're actually meeting the requirements of most people in most instances.

So what are we going to do with this bill? A committee gets struck, and they talk about the kinds of standards that are needed. We have had lots of talk about the kinds of standards that are needed, Mr. Speaker. I have before me today two documents that were tabled in this Legislature at points in time that speak specifically to the standards that have been talked about and are needed. One went to the Minister of Community Development in January from the Elder Advocates of Alberta, which talks about some very specific requirements that are necessary and that they are recommending. Very, very good stuff. Zero tolerance regarding elder abuse. It's very important that something like that be done.

The registries that we've heard some discussion about, that care facilities and its officers must be held accountable for the care performance within the facility, the basic kind of assumption that people are making is happening, that isn't always happening. Some specific recommendations with regard to sections of the act being rewritten, really excellent recommendations, things like defining time lines for investigations to be held and access to medical and financial information, which I think is also very important. Then

they deal with a section on dependent adults, which is very important. A short document, not very hard to incorporate into regulations that can come forward, but something that needs to be addressed.

Another document I have in front of me is entitled *An Initiative Addressing the Needs and Rights of Alberta's Nursing Home Residents*. This, Mr. Speaker, is much more substantive in nature. It's organized by FAIRE, Families Allied to Influence Responsible Eldercare, and it goes into very specific uses. The use of sanctions, which is something that needs to be talked about. How reporting of unusual occurrences should be addressed. Once again, access to personal records. Notices and posting of information. I'm talking about a residents' council where it's possible to have that.

Standards for dietary services, as my colleague had mentioned. In those, things like not only food production but how it's handled and stored and minimum standards being met in terms of them being able to eat well, where food isn't rationed and where it does meet Canada's food guide needs.

Resident care. The personal hygiene care of them in terms of dental care, skin and nail care, communication and sensory function, and cognitive and intellectual stimulation. If you've been in these homes, you know that people have different needs and can really require a wide range of abilities from those who are taking care of them.

So an excellent document that outlines staffing responsibilities, restraints that can be used, conditions under which they should be limited, the nursing care aspect of it in terms of dispensing medical care and medicines, and a bill of rights. What a great idea, Mr. Speaker, to have a residents' bill of rights. So very, very good ideas.

What I am concerned about is that if we just call the committee together and they are to redo all this work, then perhaps some of this really good information isn't brought forward and sifted through and there isn't a genuine outcome here that will be beneficial for the province. I'll support this bill, Mr. Speaker, because I think it's one step in the process of where we need to go here. But I'm hoping, if it gets passed by this Legislature, that it doesn't reinvent the wheel, that we see it compiling the really good information that is out there, that even if all they can do with the information that is compiled is put in their final report just those issues there is consensus on, then on those issues there is a recommendation made to the government that they adapt them through regulations or through bringing in a bill or whatever process the government wants to do, and that there is some concrete action called for within a specific time frame.

You know, it's a real problem, I think, that some of the information we see developed through the various vehicles the government has access to we don't get timely reports and subsequent action on. The Broda report of November 1999 is a good example. We're in April 2001, and nothing's happened with that. Why is that? It was a good report, something that we supported at the time and continue to support. What we need are not just the recommendations but time lines on when they'll be implemented, at least a time line when the government will report back on what it is from those recommendations that they can implement.

I would suggest that we can't waste any time. We're talking for the most part about people who are in need of assistance from us, be they seniors or be they mentally challenged people, seniors who are needing some form of assisted living or people who fall in between that area who want to live in a secured environment. We need to ensure that their needs are met in a timely fashion. The clock is ticking day by day, and I don't think that we should be trying to waste any time on this. So while I will support this bill because it is a step in the right direction, I hope the real outcome here is some concrete action taken by the government.

Now we've heard from private members on both sides of the

House, Mr. Speaker. Good for those people who have brought these issues forward. Excellent work done on the Broda report but not nearly far enough, certainly not anything concrete that we can take to these people and say: here's some security for you to ensure that your lives are going to be enhanced to the best of our abilities. So I am hoping that we will see some action from the government in that regard and that this is just a small step in the right direction.

Thank you, Mr. Speaker.

4:20

THE SPEAKER: The hon. Member for Red Deer-North.

MRS. JABLONSKI: Thank you, Mr. Speaker. I'm pleased to be able to enter the debate on Bill 203, which has been proposed by my colleague for Calgary-West. I am also very pleased to pledge my support for this bill. By passing Bill 203, the members of this Assembly would let vulnerable Albertans know that we have their best interests at heart. Bill 203 recognizes that Alberta is in dire need of a legislative framework concerning residential care facilities that house fewer than four patients and receive no provincial funding. It also calls for the establishment of a voluntary registry system of care providers. From this registry we can develop standards to protect all Albertans who are dependent upon the care of others in order to lead a quality life.

Mr. Speaker, Bill 203 follows the precedent set by Motion 505, which was passed unanimously in 1995. Motion 505 called upon our Assembly "to ensure that health and safety standards are being met in all personal care facilities by establishing regulations and a comprehensive monitoring system." Bill 203 is calling for the Assembly to live up to the sentiment of Motion 505. This Assembly must make the safe care of at-risk Albertans one of its fundamental concerns.

In this province we have a history of caring for others in times of duress, and many laws do exist that make the care of the vulnerable an aim of our government. For example, the Social Care Facilities Licensing Act and the Protection for Persons in Care Act do protect vulnerable Albertans – seniors, disabled adults, and adults with mental illness – but this protection only extends to those who live in facilities which care for four or more patients. The question is therefore rather obvious. Are Albertans living in facilities which provide care to three or less patients less deserving of being cared for via provincially regulated standards? Of course not. This is why Bill 203 is so important. It says to Albertans in a voice loud and clear that no matter who provides care to you or a loved one, they will be held accountable to firm standards designed to protect the dignity and self-respect of their patients. Bill 203 would therefore seal over the loophole left by the Social Care Facilities Licensing Act and the Protection for Persons in Care Act.

Imagine just for a minute if you would, Mr. Speaker, a person in the care of a facility that did not feel that it should follow rules to protect the dignity of its patients. We've all heard horror stories about patients who have been starved or physically and mentally abused in facilities in which they were supposed to receive care or heard reports of patients whose cries of pain have gone unheeded, and this in facilities in which they have paid to receive care. Yes, we've even heard stories of patients who have not received help for something as necessary as going to the washroom, only to be left with the shame of having soiled themselves. When we refuse to help and protect people in such vulnerable straits, we are effectively telling them that they are less than human. This is simply not right. By passing Bill 203 we take seriously the precious government role of being an advocate for those who are truly in need of our assistance.

I want to point out, Mr. Speaker, that Alberta is not the first jurisdiction to consider this sort of legislation. In Saskatchewan, for example, care providers are bound by the Personal Care Homes Act, which binds all care facilities, no matter how many patients it holds, to a firm set of standards. That legislation was enacted in 1989, making this initiative long overdue. How long will Alberta have to wait before we get it right?

Mr. Speaker, while the intent of Bill 203 is surely not going to be contested, there may be a few logistical concerns. One of these is whether or not smaller care facilities will have any motivation to sign up for a voluntary registry. Some will argue that they have no motivation at all. I disagree, for when I think to the future and consider that I may one day find myself in a care facility, I'd want to feel and my family to feel certain beyond any doubt that the facility follows standards that are safe and that are considerate of my needs. If I did choose to enter a smaller care facility, perhaps because such a facility would be the most comfortable for me, it would be more reassuring to find myself in a home that is registered with the province than one that is not. I would bet heavily that most Albertans feel this way and that this is motivation enough for small care providers to get on board.

Mr. Speaker, if we do not pass Bill 203, we will be robbing peace of mind from Albertans who do enter smaller care facilities. As citizens of this province, our aging population is entitled to first-rate care regardless of where they choose to receive it. Passing Bill 203 not only provides Albertans with the comfort of knowing that the care they receive will be excellent but also gives them the true freedom to choose where they will receive quality care.

There are undoubtedly other concerns, but we must not forget that the dignity of Albertans is at stake, and the dignity of the people of this province must not be forsaken under any circumstances. Further, Mr. Speaker, if logistical concerns are a primary focus, let us consider another matter. It is no secret that Alberta's population is aging. Soon more and more care facilities will be needed to take care of our growing senior citizen population. By passing Bill 203 right now, we'll put ourselves ahead of the game and make progress towards ensuring that Albertans can age with the same grace and dignity with which they made our province prosperous.

Mr. Speaker, I don't think I have to remind this Assembly that this is a bill with the best interests of Albertans at heart. We have always been a province with citizens that have taken pride in helping each other. By extending the standards of care to facilities with three or less patients, this bill merely continues that tradition. I therefore endorse Bill 203 and would strongly urge the members of this Assembly to do so as well.

Thank you, Mr. Speaker.

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

MR. BONNER: Thank you very much, Mr. Speaker. It is a privilege to rise today and speak to Bill 203, the Residential Care Housing Committee Act, sponsored by the hon. Member for Calgary-West. There are a number of issues and a number of comments and observations that I would like to make today about the bill. I think the reason we have this bill coming forward at this time is that there are many, many complaints and there have been many investigations of maltreatment in homes where we do take care of seniors, where we take care of people that are mentally handicapped, where we take care of people who have been brain injured or have serious physical disabilities.

Now, as well, Mr. Speaker, this is a very important bill because we are speaking about protection for the most vulnerable people in our society. These are the frail and dependent Albertans. What I see as

I glance through this bill is that again we are gathering information. We have had many, many reports not only in this province but in this country that have dealt with this very issue. I look back at the annual report of the Seniors Advisory Council for Alberta. This was the report that ended the year March 31, 1996, and I'll quote from here: "However, concern continued to be expressed about the lack of provincial standards and the resulting potential for abuse of the elderly." Now, we're not only talking about the elderly here. We're talking about all individuals who require assistance. We're talking about people that do have pride, they do have dignity, and they certainly want to live as independent a life as they can. I know that all members of this Assembly and all Albertans realize that the goal of this particular bill is that there is zero tolerance and that people that do require this assistance will be treated with the utmost care and concern.

4:30

Now I'd like to make a few comments about the bill, first of all. Glancing through it, I see that we're going to have a registry system here that's going to be operated on a voluntary basis, and this will include those residential care homes that do not receive government funding. It will also be those residential care homes in which one to three people receive residential care. So, again, we have situations here where this bill will not cover those vulnerable people. We heard the comment earlier: why don't we have an Alberta-wide registry? Why don't we have any residential care home that is providing these types of services? Why are they not all compelled to join this registry?

MS BLAKEMAN: No commitment: if, maybe, possibly.

MR. BONNER: Yes.

Again I see here in the bill that we also have to develop education programs for residential care operators. Now, what I think we need here is not to develop programs as much as we need regulations that are enforceable and will make these people accountable to someone.

Now, then, I see again in section 4 of this particular bill: "In carrying out its purposes, the Committee may . . ." Again, this lacks commitment, this lacks enforceability, and it certainly lacks where we do need protection for vulnerable people. So in carrying out their role, it says that they may "receive and hear submissions from individuals and groups respecting the views and concerns of persons living in residential care." So does this mean that they again get to select who they're going to receive submissions from? The submissions from all cross sections of this society are not going to be included.

It also says that they may "provide information to the general public on the purposes of the Committee and matters affecting residential care." Once again, when I read this statement, what happened to openness and accountability? All members of any family are very concerned about any members that may be in these types of facilities. So why is this not an open and accountable reporting?

Again, they may "access research and data on which to base studies and make recommendations on matters of concern to persons in residential care." As a number of hon. members already have mentioned, there have been many, many reports and many, many reports right here in this province that have provided much research, but it seems that we're going to reinvent the wheel and go through it again with a new committee.

It also indicates here that this committee may "appoint subcommittees consisting of members of the Committee and other persons." Now, again, this doesn't seem to be a very timely procedure after all the work that has already been completed.

The Member for Edmonton-Centre certainly made many very good observations about the selection of committee members, where they are from, but I think one of her major observations here was that other agencies that should be included or have some representation on this committee were certainly forgotten. These are people that are directly on a daily basis involved with people who will be filling these residential care homes. I won't spend any more time on the makeup of this committee, Mr. Speaker.

Since we have identified that this is a major problem in this province and in this country, I look at the bylaws and meetings, and I see that "the Committee shall meet at least 2 times in the year this Act comes into force and at least 4 times in each of the following calendar years." Now, I would think that we require certainly much more involvement by this committee on this issue that is of grave importance to so many Albertans. If we have to meet only two times in the first year, again, what is the importance that we are placing on people that are in these facilities who are presently being abused? We have identified that as the issue as to why we require a committee, yet we are doing nothing about it. We are meeting only twice in the first year.

I also note here, Mr. Speaker, that there is an expiry date, a sunset clause: "4 years after coming into force unless it is continued for a further period by the Lieutenant Governor in Council," this act will expire. Again, does that mean, hon. member, that after four years we are still going to be back to where we were in the annual report of the Seniors Advisory Council for Alberta for the year ended March 31, 1996? That is going to put us, if this does come into effect – and, again, we still have no guarantee that anything is going to be implemented as far as standards in this province – so that we will be to the year 2005 and we still won't have these after a nine-year effort to get some standards in this province.

As well, there are some other very important issues to be discussed here. We did have projections as to how our demographics were going to be affected as the years progressed, and certainly these statistics that I'm quoting here, the population projections of seniors in Alberta – they start in the year 1995, and at that time our senior population only was 9.7 percent. In 2001 we have a total number of seniors projected at 311,635. I would assume that with the influx of people into this province over the last four to five years, this number would be higher, but certainly the overall percentage would not be greater than the 10.4 percent that was forecast at that time.

We must also note, when we look at these statistics, that compared to the rest of Canada, this figure of 10.4 percent is very, very low. If my memory serves me right, we do have the lowest percentage of seniors of any province in Canada. So we don't have a great problem as far as the percentage of seniors. Our big problem is how we treat seniors and others who are in the care of these residential caregivers.

Now, then, as we go through here again, it has been said and pointed out that there has been a tremendous amount of work done by many, many different people. Of course, one was the former Member for Edmonton-Manning, who introduced Bill 224, the Seniors' Care Enhancement Act. This would have been a bill which had many, many excellent recommendations for the vulnerable and frail persons in care in this province.

4:40

MS BLAKEMAN: If they would have actually implemented it instead of just talking about it.

MR. BONNER: Yes, and I agree fully with the Member for Edmonton-Centre that many, many of these recommendations in here, if they would have been implemented at that time instead of

just talked about, would have enriched the lives of so many in this province.

Now, I think there are some critical questions, Mr. Speaker, that we have to look at when we are dealing with public policy. Certainly we have to look at some of the assumptions that underlie this position or this policy. Again, as I said, we have in Bill 203 only the start. We don't have a commitment to actually do anything about this problem. We have also left guidelines in here that allow this process to continue for four years, for the entire length that we will be sitting in here until the next election, and still no commitment. So if this is such a critical problem in this province, if we do require legislation to look at this, then certainly we would assume that there would be some commitment, there would be some enforcement of these regulations, and we certainly haven't had these.

I would love to have seen in this bill some strategies as to how the recommendations of this committee were going to be implemented. This is a very time-sensitive issue, Mr. Speaker, and many of the findings of this committee are going to parallel those findings that the hon. Member for Redwater found in his report. So I think we have to certainly take a look that there are too many assumptions in this bill. I think, as well, that we have to look at the assumption of what is happening to people who are in resident care, in facilities where there is only one to three people, and that any guidelines that are implemented will not affect these people.

As well, I think what I would love to see in here, again, when this committee is meeting, is that if in fact people are in violation of the standards that this committee would find, there would be some type of penalty that would be imposed. This is how we as a province could certainly provide protection to some of the most vulnerable members of our society.

As well, we have to assume that abuse is happening. We have to assume that this abuse occurs in many, many different areas if in fact we are bringing legislation forward. So we assume from this legislation, then, that residents of these facilities are undergoing emotional or psychological abuse. We know that any behaviour that produces debilitating emotional stress, fear, or mental anguish is a form of abuse. We make the assumption, Mr. Speaker, that there is, as well, financial or material abuse. We do know that for people who are in these facilities, quite often when the family gets to visit, it is not uncommon for articles of clothing or personal items or little things that they might have in their room to have gone missing. Again, this is not a knock on the staff in these facilities. I think more than anything it is because of the type of person who is inhabiting those facilities, whether they are suffering from Alzheimer's, dementia, or mental incapacities, that in many cases these things go missing.

Now, then, I think as well that what we have to do here is to look at whose interests are served by this particular bill. I don't know whose interests are served by this bill, because again we are doing work that has been done a countless number of times in this province and in this country. Again, what are we going to gain by one more committee doing the same work that has been done on countless occasions before? Is the interest behind this policy just to create work for people? Are those who are going to gain by this those people who do sit on a committee? I do believe they get remuneration. Is that correct?

MS BLAKEMAN: Possibly through the bill, yes.

MR. BONNER: Possibly through the bill, yes. I can't see why people who are benefiting in this manner at taxpayers' expense here in the province do not have the authority to implement their findings.

Now, then, I think, without looking too hard at what all could be

improved in this bill, we do have to look at who are going to be the people that gain from this bill as well. We would certainly hope it would be those people in these facilities who presently are undergoing this abuse. We would certainly hope that their families, many of whom cannot visit on a regular basis because of living in different locations or having been transferred or whatever reasons, would gain.

So in closing I just want to say that I don't know whether I will be able to support this bill or not. It certainly doesn't go anywhere near far enough. I know that the people in this province would love to see some type of strategy that includes not only the implementation of these standards but also their enforcement. I look forward to hearing this afternoon, Mr. Speaker, comments from other members of this Assembly.

Thank you.

THE SPEAKER: The hon. Member for Lacombe-Stettler.

MRS. GORDON: Thank you, Mr. Speaker. It is my pleasure to speak in support of Bill 203, the Residential Care Housing Committee Act, sponsored by my hon. colleague the Member for Calgary-West. Before I start, I want to congratulate the Member for Calgary-West for the work that she does on the Seniors Advisory Council. I think she's chaired this committee for some time and has done an outstanding job. She chairs it with compassion and with care. I also know that when this hon. member speaks on behalf of seniors, she is well researched, has done her homework, and knows what she's talking about.

Having listened to the debate that has taken place today, I find it rather interesting that you can listen to debate and have some members stand before us starting off with "I support Bill 203." With other members you must wait until 19 and a half minutes of debate to find out if, in fact, they do support the bill because, I'll tell you, the dialogue and discussion that has taken place is not indicative of it. I think that some of the votes on this bill will be strictly for political reasons. I heard time and time again about how many reports have taken place regarding this issue and all of the work that has been done.

One motto that I live by is that today is the first day of the rest of your life. I live in the present and look forward to the future. I applaud the Member for Calgary-West for having the tenacity to once again bring this forward so that we can progress and move forward on the issue and deal with it, hope that it passes in the Assembly, that it is proclaimed, and that at long last we can see some implementation.

4:50

The statement was made by members opposite that it is very discouraging that this is being brought forward by a private member. Private members are supposed to bring forward ideas from their constituents, ideas from their professional backgrounds, bring forward their expertise, and again I applaud the hon. member for doing so.

It's a well-known fact, Mr. Speaker, that Alberta's population is aging rapidly. I think back to the day when you talked about the average age in this Assembly as, I think, 51 years. We are baby boomers that are moving quickly.

AN HON. MEMBER: Say it ain't so.

MRS. GORDON: Except for the hon. member right behind me.

As a result, we must be proactive as a government in how we deal with the need for long-term, assistance based care. It has been

widely acknowledged that there is a need for consistent housing standards for care homes in Alberta, especially in those with three or fewer adults.

My hon. colleague from Red Deer talked about how we don't have a problem with five or more. She is right. So why do we have a problem with three or fewer adults? For community living to be effective, there have to be basic standards for supports and services. These are the very characteristics that make up Bill 203. Currently there are residential care homes that are not covered by comprehensive legislation, and this has resulted in circumstances where Albertans have to live in intolerable situations with intolerable abuse. Thank goodness these cases are few and far between.

As the population in Alberta continues to age, we must pay attention to the projected demographic changes and what effects these will have on our elders. Thus, Mr. Speaker, it is very important to examine how the aging population will affect provincial government programs and services. We're seeking the government to be more involved in the provision of care and housing. In 1997-98 Community Development initiated a governmentwide study of the impact of the aging population. This program assessed the impact of the aging population on provincial government programs and services and recommended policy directions, strategies, and program changes to assist government in meeting the changing needs of Albertans as they age.

As a result, Alberta developed a strategy, one that entailed an annual increase of \$23 million in financial assistance for people eligible under the Alberta seniors' benefit and special needs assistance programs. I believe government should be proactive in this regard, as I said earlier, passing, proclaiming, and implementing Bill 203.

It has been said by several members of the opposition that there are certain things they would like to see changed. If this bill is not voted on and accepted in second reading, we will be denied amendments that could be brought forward in Committee of the Whole.

Talk about a registry within this piece of legislation: the government can develop a framework within this registry that would protect Albertans who are dependent upon others to care for them. I say all Albertans, Mr. Speaker, because currently the Social Care Facilities Licensing Act and the Protection for Persons in Care Act only regulate facilities with four or more clients, government-contracted facilities for handicapped adults, and residential care homes for seniors. I strongly believe that it is essential that government not only maintain but increase our interest in the well-being of Albertans who are living in residential care housing. Our ability to react proactively is what will ensure the safety of these very individuals.

One of the areas where government has been working to effectively anticipate the needs of Albertans is in protecting those who are most vulnerable. Throughout the latter part of the '90s, Community Development led a working group to implement the Protection for Persons in Care Act. The scope of the act is to better protect the health, safety, and well-being of adults who receive services in facilities governed by specific Alberta legislation. These facilities include approved hospitals, nursing homes, lodges, government-funded group homes, vocational skill development facilities, and women's shelters. Bill 203 proposes to take this issue a step further, a step into the homes of those which are currently not governed by such provincial legislation. Bill 203 will help raise awareness for the Protection for Persons in Care Act. Though it is true that there are a number of Albertans who are aware of the act, there are an equal amount of Albertans who are not.

In accordance, for example, Community Development promoted and operated a toll-free telephone line for reporting abuse and for obtaining information on the act. During the three months of



operation in the latter part of 1998 the department collected and forwarded an appalling 190 reports of alleged abuse to the appropriate provincial government departments for investigation. To further its involvement with abuse, an elder abuse strategy was developed to focus on educating seniors, seniors' families, and service providers about the Protection for Persons in Care Act. Community Development also worked very hard to promote amendments to this act to include protection for all cohabiting family members. As a result, seniors can now use this legislation if they are experiencing abuse at the hands of family members.

But, Mr. Speaker, this is still not enough. The safety of individuals in residential care settings that are not currently governed by provincial legislation must be maintained. We must ensure that all Albertans have access to the support that they need to live in a secure and dignified way as independent and contributing members of society.

Bill 203, Mr. Speaker, would protect the health, safety, and well-being of adults who receive care in small, unfunded – that's unfunded by the province – residential homes through the development and implementation of broad-based standards in co-operation with key stakeholders. But perhaps education is the most important portion of Bill 203. Albertans who are well informed about programs and services available to them from the government and community have a much better opportunity to live independently, more safely, and with a greater sense of well-being.

In closing, Mr. Speaker, I wish to restate my support for Bill 203. In my opinion, residential care and community living are essential to the well-being and quality of life of aging and vulnerable Albertans, regardless of where they live. However, for it to be truly effective, there must be a set of mandatory rules, regulations, and standards. I urge all of my colleagues in the Assembly to support this essential piece of legislation. I look forward to further debate if and when we move into Committee of the Whole, and possibly we will see some amendments that will further enhance this particular bill.

I thank again the hon. Member for Calgary-West, and thank you.

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

DR. PANNU: Thank you, Mr. Speaker. I'd like to take a few minutes to make some observations on Bill 203, Residential Care Housing Committee Act. The bill is essentially about striking a committee and setting it up and outlining what the committee will do. I do want to commend the efforts of the Member for Calgary-West for bringing the bill forward.

[Mr. Shariff in the chair]

Two or three issues that I want to comment on have to do, first, with what the committee is charged to do. I was looking at section 2. The bill does specifically mention that the committee will be struck

- (a) to develop standards of residential care governing
  - (i) the level of care,
  - (ii) the type of accommodation to be provided and maintained,
  - (iii) the safety and security of persons in care.

When I read through this third line, what came to mind was what was missing. In my view, what's missing here is some assurance, some responsibility that the committee takes to make sure that we specifically address the question of the residents being treated with dignity and respect. I think that mentioning those words is very important. Physical security and safety are important, but so is the whole issue of the dignity and respect with which the residents must

be treated, keeping in mind that the residents of such facilities are dependents. They very much depend on those who provide the care, the caregivers, and it's a trust relationship. So the whole issue of dignity and respect is something that needs to be addressed explicitly in the bill.

5:00

Lots has been said and some very good points have been made by my colleagues across party lines here, so I just want to focus on things that I think need a little more attention. I am concerned about section 2(2)(c), which states that the registry will be established "on a voluntary basis." I think that's a serious shortcoming in the bill. Anyone who wants to enter this area of business and wants to have one to three residents, I guess are covered here, must be obliged – it should be mandatory for such operators of businesses to register themselves and have the information available on a provincewide registry for them. So the voluntary part is something that I think needs to be fixed.

The second point that I want to make has to do with the reciprocal obligations between the minister and the committee. The committee is obviously required to report to the minister once a year, but I think we need to strengthen the implementation part related to the recommendations once they're made by the committee. I think what will help in strengthening the role of the committee in getting the recommendation implemented is if the bill provides for an obligation for the minister to report within a specified time both to the committee and to this House as to the status of action taken by the minister on the recommendations. Without this kind of accountability mechanism provided for in the bill, the bill loses its effectiveness as presently proposed.

So I will be certainly recommending to the member to make note of it, and hopefully she'll come forward with some amendments to this effect. But the minister must also be obliged within a six-month period, in my view, to report back to the committee and to this House as to the recommendations and their status.

The next point that I would like to make has to do with the composition of this committee. I notice that there are 12 different categories of persons or organizations or departments from whom the membership will be selected. The membership is made up of 20, so there's a fair bit of room for a particular category of persons to be appointed in numbers which are more than one. I'm concerned about the fact that we haven't specified a reasonable number of representatives from two groups that are mentioned in part (f) of that section 3(2), "the Seniors Advisory Council for Alberta or the Premier's Council on the Status of Persons with Disabilities."

In my view, the presence on the committee of these two groups needs to be increased and the numbers should perhaps be specified. I think these are the two groups that would be recipients of the care and the recipients of the quality of services, and these are the people to whom we owe guaranteeing quality of service that's acceptable and that these services are provided under conditions of dignity and respect to all of them. Their presence needs to be strengthened here. The way the composition of the committee is outlined here doesn't give me confidence that that will happen. What we need to do – I would hope that the member will consider this – is to strengthen the presence in terms of the numbers of these two groups for whom the bill is designed to give some assurance and guarantees. So that's the second point I want to make.

Another related point in terms of membership composition has to do with one category here of seniors. With the exception of seniors, all other membership categories are fairly specific in that these are organizations or departments. It's easy to see how a person could be

appointed as representing a department of the government or an organization such as the Seniors Advisory Council for Alberta or the Premier's Council on the Status of Persons with Disabilities. These are identifiable organizations, and they can either nominate their own members or the minister can appoint from the organization.

But the one category of seniors, a very broad one, a very unspecified category – there are tens of thousands of seniors. Simply to say that seniors will also qualify to be appointed I think is not enough in my view, and this point is related to the point I made earlier, that the representation, perhaps, of the Seniors Advisory Council should be strengthened in terms of numbers. Maybe that's a way of addressing this. But I would like to see certainly more seniors appointed to the committee and more persons representing the persons with disabilities appointed.

So these are some of my comments. I hope these are helpful to the Member for Calgary-West, who is the author of this bill. As we go through the bill, I'll have perhaps a few more things to say.

Thank you, Mr. Speaker.

THE ACTING SPEAKER: The hon. Minister of Justice.

MR. HANCOCK: Thank you, Mr. Speaker. I'm pleased to rise today to speak in support of Bill 203. I think it's very important that the Member for Calgary-West brought forward an issue which is extremely important to Albertans.

Governments, in my view, should do very few things. We need governments to do things on behalf of all citizens in the area of education, obviously, and in the area of health care, but one of the primary things governments can do is to help protect those who are in need of protection, help protect those who are infirm or unable to care for themselves.

We find in our society from time to time very unfortunate situations where people are taken advantage of, where people are treated inappropriately and are not in a position to care for themselves or to protect themselves from predators essentially. I'm not a big proponent of regulation, particularly where regulation is not necessary, but it is important to put in regulatory frameworks, to put protections in place so that those who can be preyed upon by others and who are not in a position to defend themselves can be protected. That's one of the essential roles that we as government I think play. So I am very pleased to see the proposals being brought forward by the Member for Calgary-West in Bill 203.

I don't wish to speak to the details of Bill 203. I think there may be all sorts of items that could be discussed in committee, if it should get to committee, with respect to how the process could be improved if people have concerns about that. But in second reading we speak to the principles of the bill, and I think it's extremely important that in speaking to the principles of the bill, we recognize that elder abuse is a problem in our society, that people do take advantage of elderly people, do take advantage of infirm people, and that happens all too often in our society. It's something that we don't talk about enough, it's something we don't shine the light on enough, and it's something we hide away and pretend doesn't happen, but it does happen. It is particularly insidious, Mr. Speaker, because it happens to people who can't care for themselves. So again I go back to the principle of the bill, which is that governments have responsibility to take care of those who can't take care of themselves.

5:10

In particular, this bill deals with a very small portion of that whole subject. Some could argue and I think I would argue that it doesn't go anywhere near far enough in terms of the whole range of elder abuse and the range of concerns that we have with respect to how

elders are treated in our society. But it does deal with a very important corner of that equation, and that's the situation where people are providing accommodation, housing, providing care, if you will, to people in small settings outside the normal process which could be reviewed, what we'd normally know as institutional care or institutions, away from the light.

I certainly don't want to cast aspersions on those many good people out there who are doing it, doing it well, providing good accommodation, providing a wonderful living situation, a good quality of life for people, but there are circumstances where that doesn't happen. We don't want to encumber unnecessarily the operations of those people who do a good job and who do it well and who do it fairly and get fairly compensated for it, but we do in fact need to have rules and regulations in society for those people who do not willingly follow what we would consider to be good moral guidance or who are prepared to take advantage of people in order to make a dollar or who in fact go further. Mr. Speaker, there are many cases in our communities where it does happen, where they go further, where they abuse seniors, where they treat seniors in a manner which is totally disrespectful, totally harmful, and they do it because they can, because nobody is watching, because there aren't any rules in place.

I would commend the member for bringing forward this particular bill. It's one small piece of a puzzle. Perhaps with a bill like this we can have more public discussion about the areas of elder abuse. In fact, it's something that does happen all too often in our society. One instance is more than enough, and, Mr. Speaker, I would encourage members to support the bill.

THE ACTING SPEAKER: I hesitate to interrupt the hon. Minister of Justice, but under Standing Order 8(5)(a), which provides for up to five minutes for the sponsor of a private member's public bill to close debate, I would invite the hon. Member for Calgary-West to close debate on Bill 203.

MS KRYCZKA: Thank you, Mr. Speaker. I would first like to close debate by thanking all the government speakers today who spoke and supported the essence of this bill, even an additional member, Calgary-Buffalo, who was sitting here ready to speak when we ran out of time. I appreciated his willingness. We could have heard from this member firsthand his experiences in his past career with this situation as we've been discussing today.

What I heard was that all members in this Assembly who spoke today agree on the need. I won't go into that. I think basically we do all agree, and the facts are out pretty much on the table. But I do feel that the discussion around the process itself, you know, whether the glass is half empty or the glass is half full – that is your choice. I feel that some of the members across the way decided to look at the glass – i.e., the process as outlined in the bill – as being half empty. However, it was designed with all care to set out and provide guidelines for this committee and that it would be comprehensive, specific, and provide, again, the structure in order to reach the goal as set out in the bill.

A couple of points around the bill itself. It's definitely a multidepartmental committee and includes also, though, key stakeholders. We all know that people who are vulnerable, not only seniors, at-risk younger adults – and we have many of them in society who are also aging, and their parents are aging way ahead of them, obviously. This has to be a collaborative effort from start to finish, from the committee structure to the consultation out in the communities. If you look carefully at the bill, you'll see that as part of the bill structure. As one other member across the way, though,

also did point out wisely, 20 positions is the maximum. It could be less. I think it was 11 or 12 that are specifically designated, and the remaining are at the minister's discretion, so this bill allows not only structure but flexibility for the minister.

I want to just make a comment about FAIRE. I feel that FAIRE certainly has identified a major problem within our long-term care centres with adults who suffer from advanced dementia. The hon. Member for Redwater and myself and I know a minister have met with FAIRE. I have attended their workshops. I do identify with their concerns, and that is probably that we need more training and more staff in long-term care centres for people with advanced dementia. I just want to make it clear today that this government has certainly listened to their concerns, but I do feel, again going back to the content of the speakers, that Bill 203 addresses more mild dementia and certainly the other groups that were mentioned and not the one that FAIRE refers to.

Demographics and an aging population are very important

Canada-wide. Everybody knows Alberta has a young population, but we are going to age. It's just that we're going to be a little behind the others. So we would be very wise to listen and hear from other jurisdictions, including Scandinavian countries, as to how they address housing options and how they have already looked after, say, the aging population concerns.

I just want to say again that there is a real history with this government having identified this need, and I really feel it is time that we addressed this need. It's time that we acted and planned positively for the future. I just say that it's time for this Assembly to commit by supporting this bill so we can move forward in planning towards a positive future. The time is now, not down the road.

Thank you very much.

[Motion carried; Bill 203 read a second time]

[Pursuant to Standing Order 4 the Assembly adjourned at 5:18 p.m.]

