

Legislative Assembly of Alberta

Title: **Wednesday, May 9, 2001**

1:30 p.m.

Date: 01/05/09

[The Speaker in the chair]

head: **Prayers**

THE SPEAKER: Good afternoon.

Let us pray. Our Father, we confidently ask for Your strength and encouragement in our service of You through our service of others. We ask for Your gift of wisdom to guide us in making good laws and good decisions for the present and the future of Alberta. Amen.

Please be seated.

head: **Introduction of Visitors**

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

MR. RATHGEBER: Thank you, Mr. Speaker. I'm pleased to rise today and introduce to you and through you to all members of this House two individuals from my home province of Saskatchewan. Located in the Speaker's gallery are Mr. Jason Vogelsang, who is a master of public administration student at the University of Regina. With Mr. Vogelsang is an old friend and colleague, Professor Garnet Garven, dean of the Faculty of Administration at the University of Regina. Dean Garven and I both go back to the mid-80s, when we were both servants of the government of Saskatchewan. Mr. Vogelsang and Dean Garven are in Edmonton attending the national conference of the Institute of Public Administration of Canada. This national conference, sponsored in part by the government of Alberta, saw more than 400 public servants from across Canada come together to focus on public administration in a knowledge society. As an Edmonton MLA it is a pleasure to be the host city for this national conference. Please join me in welcoming our special guests.

head: **Reading and Receiving Petitions**

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

MRS. ADY: Yes. Mr. Speaker, I request that the petition I presented yesterday now be read and received.

THE CLERK:

We, the undersigned residents of Alberta, petition the Legislative Assembly of Alberta to support legislation to protect the right of healthcare professionals and healthcare workers to refrain from participating directly or indirectly in treatment or procedures that offend against their convictions that human life is inviolable, and to protect equally their right to so refrain without fear of discrimination, penalty, harassment, or dismissal.

head: **Introduction of Bills**

THE SPEAKER: The hon. Minister of Finance.

Bill 14 Alberta Income Tax Amendment Act, 2001

MRS. NELSON: Thank you, Mr. Speaker. I'm pleased to rise today and introduce Bill 14, the Alberta Income Tax Amendment 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.

Mr. Speaker, this act provides the authority for the Alberta energy

tax refund and makes a minor technical change to the foreign tax credit and the overseas employment tax credit. The Alberta energy tax refund program was announced September 6, 2000, to help relieve the pressures of higher than normal energy costs, including home heating costs, and higher prices at the gas pumps. This program was possible because of the higher than expected revenues from resources and returns \$690 million to the pockets of more than 2 million Albertans. The technical component of the amendment will ensure that Albertans who are eligible to claim the overseas employment tax credit and the foreign tax credit receive that full benefit as intended.

Thank you, Mr. Speaker.

[Motion carried; Bill 14 read a first time]

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

Bill 209 Highway Traffic (Bicycle Safety Helmet) Amendment Act, 2001

MRS. FRITZ: Thank you, Mr. Speaker. I request leave to introduce Bill 209, being the Highway Traffic (Bicycle Safety Helmet) Amendment Act, 2001.

The goal of this bill, Mr. Speaker, is to reduce injury, disability, and death related to the 82 percent of children and teens under the age of 18 riding bicycles without the use of helmet protection.

Thank you.

[Motion carried; Bill 209 read a first time]

Bill 210 Alberta Personal Income Tax (In-Home Care and Dependant Tax Credit) Amendment Act, 2001

MR. CENAIKO: Mr. Speaker, I beg leave to introduce Bill 210, the Alberta Personal Income Tax (In-Home Care and Dependant Tax Credit) Amendment Act, 2001.

Bill 210 will amend the Alberta Personal Income Tax Act to allow for a greater tax exemption for individuals who are caring for dependent adults or relatives in their home. Specifically, the bill would allow for a nonrefundable tax credit equal to the spousal credit of \$12,900 per individual who has dependent adults or relatives living with them.

[Motion carried; Bill 210 read a first time]

head: **Tabling Returns and Reports**

MR. KLEIN: Mr. Speaker, I'm proud today to rise to file with the Assembly copies of a news release announcing that the Alberta government has been awarded the gold medal for innovative management from the Institute of Public Administration of Canada. This award recognizes the government's corporate human resource development strategy, which focuses on learning, leadership, and promoting the Alberta public service as an attractive employer.

I am also tabling a memo I sent to all members of the Alberta public service congratulating them on this great honour and thanking them for the excellent work they do every day on behalf of the people of this province.

THE SPEAKER: The hon. Minister of Finance.

MRS. NELSON: Thank you, Mr. Speaker. I have two tablings for

the Assembly today. Firstly, I have five copies of the 29th annual report of the Alberta Automobile Insurance Board for the year ended December 31, 2000.

The second tabling, Mr. Speaker, is the Alberta Municipal Financing Corporation's 2000 annual report. I also have five copies of that report.

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

DR. TAFT: Thank you, Mr. Speaker. I rise today to table the appropriate number of copies of a letter to the Minister of Justice containing the details of concerns of a conflict of interest in the Calgary regional health authority.

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

MR. MacDONALD: Thank you, Mr. Speaker. I would like to table today for the benefit of all Members of the Legislative Assembly a letter from Alberta Labour dated September 14, 1993. It is signed by Bruce Allen, research and approvals officer, and it's regarding the acceptance of pine shake manufacturers in the province.

Thank you.

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

DR. PANNU: Thank you, Mr. Speaker. I rise to table in the Assembly a document called Reasons for Judgment of the Honourable Mr. Justice E.S. Lefsrud, related to the case between Her Majesty the Queen and Ziad Jaber.

Thank you, Mr. Speaker.

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

MR. MASON: Thank you, Mr. Speaker. I have two tablings today. My first tabling is a letter from Mrs. Gail Duiker making a case for an immediate raise in the basic social services living allowance.

The second tabling is a corporate registry document pertaining to 530376 Alberta Ltd., a numbered company owned by Nawal Jaber.

head: **Introduction of Guests**

MRS. McCLELLAN: Mr. Speaker, I'm very pleased to introduce to you and through you to the members of the Assembly two very special guests from Chilliwack, B.C. This is their first visit to our Legislature to observe a fiscally responsible government at work. They are very special guests to me: Jim and Lona Peacock. Jim happens to be number one of my six brothers. I would ask that they rise and receive the warm welcome of this House.

THE SPEAKER: The hon. Minister of Justice and Attorney General.
1:40

MR. HANCOCK: Thank you, Mr. Speaker. It's my pleasure today to introduce to you and through you to members of this Assembly two constituents of mine, Louis and Ruth Adria of Edmonton-Whitemud. Accompanying them are Ann Pavelich and Joe Green. Louis and Ruth are with the Elder Advocates of Alberta. They're very active in assisting the elderly and advocating on their behalf. I can attest to you, Mr. Speaker, as many of my colleagues know as well, that Ruth and Louis will not let a matter go if they think it needs advocating, and they will not desist if they believe that there's an elder in need. They do an excellent job of bringing those needs to the attention of myself and my colleagues. They are with us today to observe debate on Bill 203, the Residential Care Housing Committee Act. They're seated in the members' gallery. I'd ask that

they please stand and receive the traditional warm welcome of the House.

THE SPEAKER: The hon. Minister of Revenue.

MR. MELCHIN: Thank you, Mr. Speaker. It's an honour to be able to stand today to introduce to you and through you to various members of the Assembly a family from the Calgary-North West constituency. It's always a pleasure to have someone from our area here. The Heger family: father, Karel; mother, Sheila; their two sons, Tim and Nick. We got to know this great family over the past provincial election. We've got a very enthusiastic young man in Tim, who has a great interest in the government, wanted to come here and observe the political process, got all of his family involved in the campaign. He's 11 years old. He's shown great interest in being one of the future Prime Ministers of this country. So it's an honour to invite them to stand and receive the warm welcome of the Assembly.

MR. MASKELL: Mr. Speaker, I'm pleased to introduce to you and through you to the members of this Legislature Chris Langton. Chris was a volunteer who spent many hours assisting in the office and door-knocking during my campaign. Chris is very interested in the political process and has offered to serve on my constituency board. He intends to observe our democracy in action as often as he is able. I would ask Chris to please rise and receive the usual and traditional warm welcome of the hon. members.

THE SPEAKER: The hon. Member for Whitecourt-Ste. Anne.

MR. VANDERBURG: Thank you, Mr. Speaker. It's a very special honour for me to introduce to you and through you to all members of this Assembly the very first school from my constituency that I've had the pleasure of introducing as MLA for Whitecourt-Ste. Anne. They are accompanied by teachers and helpers Mr. Jacob Van Vliet, Mr. Jim Ferguson, Mrs. June Harrison-Leir, Mrs. Elizabeth Shen, Mrs. Brenda Rawluk, Mrs. Joy Boyle, Mrs. Judy Freehill, Miss Fay Green, Mrs. Kelly McConkey, Mrs. Liz Rice, and Mrs. Barb Redel. We have today with us in two groups – and I ask for your indulgence later on, sir – 150 grade 6 students from Percy Baxter school in Whitecourt. I'd ask my guests seated in the members' gallery to please stand and receive the warm welcome from this Assembly.

THE SPEAKER: The hon. Minister of Community Development.

MR. ZWOZDESKY: Thank you, Mr. Speaker. It's my pleasure to introduce to you two very hardworking young women who are here visiting us in the Legislature today. They are Sheryl Burns, who is the director of the Alberta centennial celebrations office, and her very capable administrative assistant, Antonine Bergeron. I would ask them both to please rise and receive the warm welcome of this House. We're all anticipating a great 2005 and thank you for your work in that regard.

MR. CARDINAL: Mr. Speaker, I'd like to introduce to you and through you to the Assembly a friend of mine visiting here from Ontario, Mr. Gord Lang. Gord is seated in the members' gallery. I'd like Gord to rise and receive the traditional warm welcome back to Alberta, because I believe he's moving back.

head: **Oral Question Period**

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

Conflict of Interest Court Case

DR. NICOL: Thank you, Mr. Speaker. My questions today are to the Premier. Will the Premier direct the Alberta Gaming and Liquor Commission to hold an inquiry into the Jaber case, given that they have the power under section 13 of the Gaming and Liquor Act?

MR. KLEIN: Mr. Speaker, I don't know what more there is to look into. There was a police investigation. There was a prosecution, which was a successful prosecution because it resulted in a conviction. What more can be said?

THE SPEAKER: The hon. leader.

DR. NICOL: Thank you, Mr. Speaker. Again, will the Premier direct the commission to report to the Minister of Gaming on any implications that it may have had under section 31 of the gaming act?

MR. KLEIN: Mr. Speaker, I have to admit I'm not familiar with that particular section. I will however have the hon. Minister of Gaming respond, and I hope that he's familiar with the section.

THE SPEAKER: The hon. minister.

MR. STEVENS: Well, thank you, Mr. Speaker. I'm pleased to say that I will take that question under advisement and in due course advise all members of the Assembly as to what that section deals with.

THE SPEAKER: The hon. leader.

DR. NICOL: Thank you, Mr. Speaker. A question again to the Premier: will the Premier commit to making public to all Albertans any documents that his office, the Ministry of Justice, or the Ministry of Gaming may have that relate to this case?

MR. KLEIN: Mr. Speaker, as I understand it – and I'll repeat – there was, I would assume, a complete police investigation into this matter. Charges were laid. As I understand, there was a preliminary hearing, where the prosecution had ample opportunity to produce all the documentation it deemed required to prosecute this particular case. The case went on to trial, at which time there was, as I understand it, an agreed statement of facts, and a conviction was obtained. So I would have to assume that all of the information pertinent to this particular case has already been made public through the court process.

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

Horse Racing

DR. NICOL: Thank you, Mr. Speaker. During the Jaber case it was revealed that a top aide to Premier Getty won \$20,000 at Northlands racetrack in one day of horse racing and that no record was kept. My question to the Premier: why is it that no record is kept of winnings of such large amounts as this at Alberta racetracks?

MR. KLEIN: Mr. Speaker, I used to be involved in horse racing a long time ago. As a matter of fact, I owned the back quarter end of a horse, so I know something about horse racing. There's no requirement anywhere in this country, as far as I know, to declare

either losses or winnings from a horse race on either the front quarter, the middle, or the back quarter.

THE SPEAKER: The hon. leader.

DR. NICOL: Thank you, Mr. Speaker. If no record is kept at the racetracks on winnings or losses, how is it that we know how our public dollars are being spent when that comes into the Gaming ministry on a commission basis? That kind of relationship has to be dealt with.

MR. KLEIN: Mr. Speaker, there is no law against owning a horse, there is no law against betting on a horse, and there is no requirement under any law that I know that requires a person to declare winnings or losses from bets placed on a horse race.

THE SPEAKER: The hon. leader.

DR. NICOL: Thank you, Mr. Speaker. My final question is to the Minister of Gaming. Can the minister tell us whether or not an investigation will be held into why we have such a lack of record-keeping?

THE SPEAKER: The hon. minister.

MR. STEVENS: Thank you, Mr. Speaker. I must say that the question is indeed vague, but as the Premier has indicated, there is no place that we are aware of where this type of record-keeping is necessary. I would point out to the hon. member that under the Racing Corporation Act the corporation is the one that is responsible for the control and management of racing in this province, and perhaps he should pursue that matter with them.

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

1:50

Rossdale Power Plant Expansion

MS BLAKEMAN: Thank you, Mr. Speaker. Yesterday the EUB gave approval for expansion of the Rossdale power plant in the river valley of downtown Edmonton. My first question is to the Premier. Is this what we get when the Premier talks about fast tracking: a power plant built in an environmentally sensitive area, on a historic site, next to a residential neighbourhood?

MR. KLEIN: Mr. Speaker, the Alberta Energy and Utilities Board is a quasi-judicial body charged with the responsibility of conducting a fair and thorough hearing into each and every application, and this was done. I would point out that in the approval of this particular application the EUB set conditions for allowable impacts to air and water quality and put in place strict noise limits.

More importantly, EPCOR, the proponent, is also required to work with Alberta Community Development should any human remains or artifacts be found. Relative to the historical impact and the cultural impact, I'll have the hon. Minister of Community Development supplement.

THE SPEAKER: The hon. minister.

MR. ZWOZDESKY: Thank you. Mr. Speaker, this particular site and this particular project do have a fairly long history, which culminated with some specific hearings called by the AEUB in January. The upshot of it all is that there was a very thorough

environmental impact assessment done on the area. There were also two historical resource impact assessments done on the area. In conclusion, there were some significant finds, of course, discovered.

We are looking right now at how to work through this with EPCOR and see what can be done about further designations, possibly with the low-pressure power plant, which the hon. member I'm sure is familiar with. There's the pump house there, and there's also an administration building.

Relative to the cemeteries that were there for either known or unknown individuals, those, the majority at least, I believe about 200 or so, have been moved under careful ceremonial guidance of the individuals' families that were involved, and they've been relocated under the proper guidelines to proper sites in this city.

THE SPEAKER: The hon. member.

MS BLAKEMAN: Thank you. My next question is to the Minister of Community Development. He has mentioned the dealings with the remains that are on the site, but there are significant historical issues as well. My question is: is this the type of community development and protection and preservation we can expect from this department and the minister when the department had the ability to stop this expansion? Why didn't it happen?

MR. ZWOZDESKY: Well, Mr. Speaker, there is no simple answer because there are a lot of very complex issues involved in this. I would like to tell the hon. member that we do have an interdepartmental committee of deputy ministers that has been struck to help continue looking further into this and see if there are any further requirements that have not yet been satisfied. We are concerned that the architectural as well as the archaeological resources are maintained, preserved, and cared for in an appropriate way.

We are considering a designation right now of the low-pressure power plant as a historic source, and I should also say that the area in question, where some significant finds have been made, is actually at the very, very west end. A very small part of it is on the RD11 site. The majority of the area that has been of some discussion is actually west of that, and it goes underneath what used to be the old traffic circle, where the traffic lights are now. So we've done quite a bit there, and we'll continue to do that. We'll continue to work through this so that the area is given its proper consideration.

THE SPEAKER: The hon. member.

MS BLAKEMAN: Thank you. To the same minister: given that the department has given their blessing to this project, what other avenues are available to concerned citizens to appeal the decision other than lobbying Edmonton city council?

MR. ZWOZDESKY: That is a very good question, and I'm glad she raised it, because I intended to refer to it in my earlier answer. There is an appeal mechanism that can be accessed. If the individuals in question wish to do that or if some of the organizations or the neighbourhoods wish to do that, they certainly can give my office a call. I'd be happy to tell them how that process would work.

THE SPEAKER: The hon. leader of the third party.

Gaming Licences

DR. PANNU: Thank you, Mr. Speaker. The Premier likes to pretend that the Jaber influence peddling case is somehow in the past. However, Mr. Jaber served as chair of the Alberta Gaming Commission until June 30, 1995, more than two and a half years after the Premier took office. The time period in which Mr. Jaber was chair

was a period of unprecedented gambling expansion in Alberta. My questions are to the Premier. Given that the former chairman of the Alberta Gaming Commission has been convicted of influence peddling, has the government taken steps to investigate whether decisions of the Alberta Gaming Commission taken during the tenure of the former chairman, which involved millions and millions of dollars, were free from inappropriate and illegal influence?

MR. KLEIN: Mr. Speaker, there was no evidence at that time of any undue influence or any wrongdoing relative to any gambling activities in the province of Alberta.

THE SPEAKER: The hon. leader.

DR. PANNU: Thank you, Mr. Speaker. Given that the government has known since at least November of '99 that a wrongdoing had occurred, has the government investigated whether any illegal activity occurred in the awarding of hundreds of licences covering thousands of VLT machines while Mr. Jaber was chair of the Gaming Commission, and if not, why not?

MR. KLEIN: There have been no allegations of any wrongdoing relative to any gambling casino licences or VLTs or any other activity associated with gambling, Mr. Speaker. All of these applications are thoroughly reviewed by the commission, by the minister, and by the administration. We go to great lengths to make sure that any application is absolutely clean and aboveboard.

THE SPEAKER: The hon. member.

DR. PANNU: Thank you, Mr. Speaker. My last question to the Premier: in light of what the Premier just said about the successful prosecution and conviction of Mr. Jaber, will the Premier commit to reviewing all of the records of the Alberta Gaming Commission during this time period of Mr. Jaber, that nothing else improper took place? If not, why not? We need to know this.

MR. KLEIN: Mr. Speaker, as I understand it, the offence took place in 1992, and at that time Mr. Jaber, as I understand it, was not involved with the amalgamated Alberta Gaming and Liquor Commission. He was associated with the Alberta Liquor Control Board.* Subsequent to that, of course, that board was amalgamated with the Gaming Commission to form the AGLC. I don't think there would be any useful purpose served in tabling that information relative to the ALCB, but if he wants it, I'm sure that he can submit a FOIP request or submit a written request for answers relative to the specific questions. But there are not rooms big enough to hold all of the documents that probably exist from the former Alberta Liquor Control Board. You know, it's been around since Prohibition anyway.

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

Poverty Rates

MRS. JABLONSKI: Thank you, Mr. Speaker. Recently federal and provincial governments released a national report that outlines what governments are doing to reduce child poverty and promote parents' ability to stay in the workforce. The report shows that there are fewer children living in poverty and more parents working across Canada. Would the Minister of Human Resources and Employment confirm that this trend is the same in Alberta?

*See page 472, right col., para. 4

MR. DUNFORD: Yes, I can. What we use as a reference in this matter would be the market basket measurement, that of course we're using as a performance measurement in the Measuring Up document as it pertains, then, to the government of Alberta. Actually, we can notify yourself, Mr. Speaker, and all members here in the House that based on that kind of analysis, Alberta has the lowest poverty rate here in the country. Fewer than 28,000 families are in the supports for independence program, and our unemployment rate, of course, remains below 5 percent.

Again some more context on this. There are 248,000 children in this province whose parents receive the federal national child benefit supplement. Nine out of 10 of these children's parents are not in our supports for independence program, indicating that a strong economy is not only good for Alberta business; it's good for Alberta working families.

2:00

MRS. JABLONSKI: This question is also for the minister of human resources. What is Alberta doing for families through the national child benefit?

MR. DUNFORD: This is an excellent example of flexible federalism, Mr. Speaker. When the federal government increases its financial support to families, this allows some savings in our SFI, supports for independence, program, and we can reinvest, then, those savings in programs that do in fact support low-income families. For families receiving supports for independence, we've increased monthly shelter allowances. As a matter of fact, last fall we increased the annual back-to-school allowance to help these families with school expenses. When our families move into the workforce, our reinvestment helps with prescription drugs, diabetic supplies, emergency ambulance service, dental and optical services. We believe that we're helping over 62,000 children this past year.

Perhaps I'd ask the Minister of Children's Services to supplement further on this particular category.

MS EVANS: Mr. Speaker, we have reinvested \$30 million in families of low income with children. I'd like to point out one additional thing if I may. The low-income family in Alberta, those earning \$30,000 per year with two children and a single parent, can expect through their taxes, through their health premiums, through the fuel tax, through the tobacco tax, through all of the other things they may pay, to pay the grand total of \$531. The next best province in Canada is Ontario, that pays over \$1,700. We do at least \$1,200 better for low-income families and for children than any other province in Canada.

THE SPEAKER: The hon. member.

MRS. JABLONSKI: Thank you, Mr. Speaker. Again to the minister of human resources: how can taxpayers be sure that national child benefit funds are really supporting families who need it?

MR. DUNFORD: Mr. Speaker, we see the results in the children in our families. Since this program was developed between the federal government and ourselves, we've reinvested more than \$30 million in these particular programs. We believe and the feedback is indicating that Alberta children are healthy and they're giving their parents a hand up and support for the world to work, that this is a proper philosophy and proper programming for this area of our population.

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

Energy and Utilities Board

MR. MacDONALD: Thank you, Mr. Speaker. The Minister of Energy tabled on April 11 in this Assembly a TransCanada Energy news release announcing new electricity generation in Grande Prairie when the project had not yet been approved by the EUB. My first question is to the Premier. When a company like TransCanada Energy is putting out press releases announcing new projects 13 days before the actual hearing at the EUB has been held, does that suggest that the EUB is seen by the Premier and such companies as a routine rubber stamp and not an independent quasi-judicial agency of the government of Alberta?

MR. KLEIN: Mr. Speaker, I really take offence to the preamble and the suggestion that the Alberta Energy and Utilities Board is a rubber stamp. As I pointed out earlier, it is a quasi-judicial body charged with the very serious responsibility of undertaking a thorough review and investigation through public hearings and other administrative procedures to make sure that all applications for energy projects are in the best interests of the public.

THE SPEAKER: The hon. member.

MR. MacDONALD: Thank you, Mr. Speaker. Again to the Premier: given that the EUB indicated that it would treat TransCanada Energy correspondence dated February 21, 2001, as a request for review and variance of decision 2001-13, dated February 19, regarding location-based credits, should not formal approval be granted by the EUB before projects are announced?

Thank you.

MR. KLEIN: Mr. Speaker, relative to the details of how the AEUB rendered its decision, frankly I have to admit that I'm not privy to those particular details. Perhaps the hon. Minister of Energy is, and if he can shed some more light on this matter, I'll have him respond.

MR. SMITH: Mr. Speaker, if I recall correctly, the announcement or the tabling of the TransCanada proposal and the cogeneration project was just that. I don't believe that in my memory that proposal mentioned anything about offset credits or whether the EUB would be awarding through the transmission administrator a fair and open competitive process to grant location credits, that in fact that was mentioned at all in the press release.

THE SPEAKER: The hon. member.

MR. MacDONALD: Thank you, Mr. Speaker. Again to the Premier: in light of this announcement 13 days prior to the EUB hearings, how can the citizens of Edmonton now have confidence in the decision of the EUB to allow the Rosedale power plant to expand in the heart of the city?

Thank you.

MR. KLEIN: Mr. Speaker, I was just through that relative to the Rosedale plant. I understand that this application was made some two years ago, and since then there has been a thorough investigation not only by the Alberta Energy and Utilities Board but certainly by the Department of Energy, the Department of Environment, the Department of Community Development, and all the ministers involved. It culminated in a hearing, of course, before the Alberta Energy and Utilities Board. The Alberta Energy and Utilities Board has rendered its decision with a number of very strict conditions relative to the impacts to air and water quality and relative to noise

and relative to all the cultural and heritage components of the project. As I understand it, it's now up to Alberta Environment to further approve the project and set conditions for the expansion to ensure that all components and all aspects of the environment are protected.

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

Nonconforming Secondary Suites

MR. LORD: Thank you, Mr. Speaker. Homelessness and the lack of affordable housing is an issue of concern to many and is often accompanied by demands for more government money for projects. Critics like myself, however, believe that one of the main reasons for the lack of affordable housing is overly restrictive building codes and municipal land zoning policies, possibly driven by exclusionary attitudes hiding in a cloak of safety and other concerns, policies which may be making it too regulated, too prohibitive, and too costly for average or senior citizens to be able to build low-cost, affordable, and legal secondary suites in their own homes. My question to the hon. Minister of Municipal Affairs is: considering anecdotal evidence that thousands of people may be living in so-called illegal suites and therefore estimating that there may be, in fact, a large number of nonconforming suites in existence, has a comprehensive review been done recently or a study of the reasons why homeowners might not be complying with the regulatory requirements? Has such a study been done recently?

MR. BOUTILIER: Mr. Speaker, under the Municipal Government Act municipalities have the authority to allow secondary suites, or, the term we all know, basement suites, keeping in mind, though, that the affordability in our province is very important to housing. But I want to assure the members of this Assembly that we want to strike the right balance between what is safe, what is affordable, and what is unrestrictive. Presently that mandate of the compliance and the monitoring of the building codes is done by municipalities and done very well within this province.

THE SPEAKER: The hon. member.

MR. LORD: Thank you, Mr. Speaker. To the same minister: could a new review of building codes be considered to review regulatory requirements and standards that may be creating unnecessary or overly costly barriers to citizens wishing to build legal secondary suites in their own houses?

2:10

MR. BOUTILIER: Mr. Speaker, the short answer is yes. In fact, the Safety Codes Council, who I met with just today at lunch, is reviewing this very issue, and I'm looking forward to their recommendation, specifically, again, keeping the balance between what's safe, what's affordable, and also what is unrestrictive pertaining to housing.

MR. LORD: Mr. Speaker, my second supplementary is to the hon. Minister of Seniors. When discussing the issues of house-rich, cash-poor or maybe just lonely senior citizens being able to stay in their own homes, would it be desirable to foster secondary suite formation as one of the win/win solutions?

THE SPEAKER: The hon. minister.

MR. WOLOSHTYN: Yes, Mr. Speaker. In my opinion it is desirable

to encourage secondary suite formations, especially with respect to seniors. It does give them an opportunity for additional income, it also gives them an opportunity for companionship, and it provides a home to those who need it.

Just as an example, Mr. Speaker, my ministry supports the Society for the Retired and Semi-Retired here in Edmonton, who have a home-sharing program currently in progress. How this basically works is that the society promotes affordable housing alternatives where two or more people can share a facility if one of the people is 55 or older. We support this program through the ministry to the extent of some \$43,000 per year.

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

Lesser Slave Lake Water Diversion

MS CARLSON: Thank you, Mr. Speaker. Stream flow volumes for many of the important rivers in our province are forecast to be at much below average this summer. Across the province people are already asking where the water will come from if traditional sources are running too low. My questions are to the Minister of Environment. What is the status of the application by the municipal district of Lesser Slave Lake to draw 65 million cubic metres, or two and a half inches, of water off Lesser Slave Lake for industrial use?

DR. TAYLOR: Thank you for that question. I can say that we do have guidelines in place. People have to be licensed for their water supply, and without licences they cannot draw water. In terms of licensing, I would point out to the member that it's the first one on in historical precedence that is on, and it's the last one on that will be removed first. So in regards to this particular case in Lesser Slave, I'm not familiar with that particular case, but I will get the information and provide it to the member.

MS CARLSON: Well, the fee is only \$7,800 to remove two and a half inches off the top of that lake.

Will the minister table any studies or reports that his department has about the long-term viability of such massive water diversion projects on this lake?

DR. TAYLOR: Absolutely. Before any water diversion can occur, Mr. Speaker, there has to be a complete study of what the total effect of that diversion will be on that water body, whether that's Lesser Slave Lake or any other lake, and as I say, I will provide that information to the member.

MS CARLSON: That's not what happened when they did this last year.

Do Albertans have any opportunity to appeal this application which is a water diversion that is more than 100 times the annual amount used by the towns of High Prairie and Slave Lake together?

THE SPEAKER: The hon. minister.

DR. TAYLOR: Yes, Mr. Speaker. Water licences can be appealed to the Environmental Appeal Board. If somebody is not happy with the granting of a particular water licence to anywhere or anybody or any industry in this province, it can be appealed to the Environmental Appeal Board, and then there will be a complete hearing, a public hearing, a public appeal process that occurs.

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

Schoolyard Cleanup

MR. MASYK: Thank you, Mr. Speaker. It's come to my attention that schools are involved in cleaning up the schoolyards. It's an old practice, and it's kind of a tradition. However, there have been cases where there have been things in the schoolyard. My question is to the Minister of Learning. Does the government mandate this activity?

THE SPEAKER: The hon. minister.

DR. OBERG: Thank you very much, Mr. Speaker. No, the government does not mandate this activity. What happens is a lot of schools and school boards undertake this activity with the students as a form of community service, so it is up to the individual schools.

MR. MASYK: My second question is to the same minister. Since there could be items in schoolyards that are a risk to children, condoms and needles, what policies does the government have in place to ensure children's safety?

THE SPEAKER: The hon. minister.

DR. OBERG: Thank you. Well, Mr. Speaker, any policies that are related to school cleanups are policies of the particular school boards, but I would encourage the school boards to ensure that there are not such things as needles and condoms and issues like that. Some schools, for example in the inner city of Edmonton, have janitors go out first and take a look around the schools and ensure that there are no condoms and needles, in particular, so the children could be jeopardized, and then the cleanup is allowed to continue.

This is a very important issue, Mr. Speaker, and I would certainly encourage all school boards to do this as we do not want a student obviously to be exposed to needles or condoms.

THE SPEAKER: The hon. member.

MR. MASYK: Thank you, Mr. Speaker. My final question is to the Minister of Health and Wellness. When students are cleaning up the schoolyards, they could get pricked by a needle or pick up condoms. Could the minister tell us what health risks the children who are picking up these materials such as condoms and needles can incur?

MR. MAR: Mr. Speaker, I should say first of all that I think the intentions of schools are good in this regard, but there are a number of precautions that should be taken if children are to participate in this kind of activity. The public health nurses from the Capital health authority are working with schools to ensure that children are safe when they are participating in these school cleanups.

Nurses advise the school to have children contact an adult if they do find condoms or needles or other dangerous materials. They also provide written handouts to children on the type of protective clothing that they should wear and the types of precautions that they should take while participating in a cleanup. Children should be told to get an adult to pick up needles. Adults should also of course take precautions to use proper gloves or tongs in picking up such materials. They should also make sure, for example in the case of needles, that they are disposed of in a container that is puncture resistant so that the people who are handling the waste and taking it away from the school are also protected from such danger.

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

Underground Petroleum Storage Tanks

MR. BONNER: Thank you, Mr. Speaker. Underground petroleum storage tanks have the potential to cause contamination of drinking water supplies, adverse health impacts on people on or near the site, and can be a fire hazard or cause other safety concerns. On Monday the Minister of Municipal Affairs confirmed that cleaning up these tanks is a top priority and a very important issue, but Albertans need information, not confirmation of the problem. My questions today are to the Minister of Municipal Affairs. Will the minister table any studies or reports that his department has about the effects of the estimated 5,200 leaking petroleum storage tanks on Alberta's drinking water supplies?

THE SPEAKER: The hon. minister.

MR. BOUTILIER: Thank you, Mr. Speaker. I want to say and assure this House that the program is working on a priority basis in dealing with remediation. It's working very well, and the \$80 million that was put in our budget to deal with this is something that we heard when we were talking to Albertans. I am quite prepared to deliver to this House information pertaining to the remediation work and the good work of environmental people.

MR. BONNER: Also to the same minister, Mr. Speaker: will the minister release a list of the locations of all the tanks identified to date and the planned date of remediation?

MR. BOUTILIER: Mr. Speaker, I don't have the information in front of me pertaining to the sites, but I do know that our officials are working very closely. In fact, it is my understanding at this time that we are still receiving applications, based on the work, of Albertans who are saying: we require help. That is the intention of the \$80 million in remediation work.

MR. BONNER: Then, Mr. Speaker, will the minister table a copy of the proposal and program design for tank remediation that was submitted by the Petroleum Tank Management Association of Alberta to the government?

THE SPEAKER: The hon. minister.

MR. BOUTILIER: Thank you, Mr. Speaker. We work very closely with many stakeholders, and the information that we collect we believe is very important in this remediation plan. We're going to continue to work with those stakeholders towards this case so that the \$80 million is on a priority basis and that it's dealing with the remediation so that we protect the environment, which is the number one commitment of our government.

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

2:20

Gaming Licences (continued)

MR. MASON: Thank you very much, Mr. Speaker. This is to the Deputy Premier. During the tenure of Mr. Jaber as chairman of the Alberta Gaming Commission major developments occurred in the gambling industry in Alberta. Mr. Jaber's term as chairman began immediately following the commission of the offences for which he has since been convicted. How many casino licences were awarded during Mr. Jaber's tenure as chairman, and what is the value of them in subsequent profits to those who received the licences?

THE SPEAKER: The hon. Deputy Premier.

MRS. McCLELLAN: Mr. Speaker, thank you for the question. I will defer to the Minister of Gaming, who I am sure would more appropriately have that information at hand than I would.

THE SPEAKER: The hon. minister.

MR. STEVENS: Thank you, Mr. Speaker. That particular question calls for a great deal of detail, which obviously is not before me today. I'll take the question under advisement and report in due course.

THE SPEAKER: The hon. member.

MR. MASON: Thank you, Mr. Speaker. How many VLTs were licensed during Mr. Jaber's tenure as chairman of the Alberta Gaming Commission, and how many licensees does it involve? What profits were produced by these VLTs to the people who received the licences?

MRS. McCLELLAN: Mr. Speaker, if the question is directed at me, I would say on observation of the first question and this one that these questions might be more appropriate through a request for written questions or motions for returns rather than taking up the question time of the House.

THE SPEAKER: The hon. member.

MR. MASON: Thank you, Mr. Speaker. To the Deputy Premier. Given the fact that the government appointed an individual as chairman of the Alberta Gaming Commission who has been convicted of criminal offences which occurred at approximately the same time as his appointment as chairman, why does the government continue to stonewall demands that his activities should be investigated while he was chairman of a commission which makes decisions worth millions of dollars to those who were given licences? Why should it not be investigated?

MRS. McCLELLAN: Mr. Speaker, I think that this item has been dealt with in many questions over the last week. I believe that it has been made very clear that all requests for information from this government, from ministers of the Crown – all the information that has been requested has been provided. However, to ensure that the hon. member understands this, one more time I'll ask the Minister of Justice and Attorney General to answer more fully.

MR. HANCOCK: Mr. Speaker, as has been indicated numerous times in this House, we have a criminal justice system in this province that works. No one is above the law. Everyone who commits a criminal offence, if there's information available about that – it's investigated, it's brought forward, charges are laid, and the person is prosecuted. That's what happened in this case.

I would assume and I think any hon. member of this House and the members of the public in Alberta are entitled to assume that if the investigating police force, in this case the RCMP, had any indication, any evidence, any suggestion of wrongdoing that went beyond the individual information that they have in this case, they would be pursuing that investigation and they would be bringing forward subsequent information to the prosecutors for charges to be laid. I assume that that would happen.

It is not appropriate, Mr. Speaker, for one to jump off a charge of this nature and to assume that one should then have public inquiries

and investigations into a wide band of things. If there is any evidence to suggest that anything further should be done, then in fact we would be more than happy to make sure that that is done. No one is above the law in this province.

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

Young Offenders

MR. CENAIKO: Mr. Speaker, there has been considerable concern voiced by school boards, school administrators, teachers, and parents about an element of the new federal Youth Criminal Justice Act. The act allows for but does not require that information about young offenders be shared with school boards. There is some concern that because this information sharing will not be mandatory, both students and teachers may be put at risk. My first question is to the Solicitor General. What is the government of Alberta's position on the information-sharing provisions of the Youth Criminal Justice Act?

THE SPEAKER: The hon. minister.

MRS. FORSYTH: Thank you. Mr. Speaker, providing our children with a safe learning environment is the government's top priority. We think it's important for schools to be given the information they need about young offenders when there is a real or even potential threat to the safety of other students or teachers. Officials from my department have been in contact with senior officials of the Canadian School Boards Association and the Alberta School Boards Association to discuss proposed changes to clause 125 of Bill C-3.

We support changes that require Justice officials to disclose information regarding young offenders to school boards in order to ensure the safety of staff and students and to facilitate rehabilitation of the young person. We feel this is a commonsense policy, and I have written a letter to Justice Minister Anne McLellan regarding this issue.

MR. CENAIKO: Mr. Speaker, my second question is to the Solicitor General. What is currently the policy within the Alberta Solicitor General's office on notification of schools where a young offender may be in attendance?

THE SPEAKER: The hon. minister.

MRS. FORSYTH: Thank you, Mr. Speaker. In Alberta we've had procedures in place since 1996 to manage the sharing of information about students with young offender status in the school system. Since September of 2000 my staff have been required to notify school boards of any young offenders under their supervision who commit category 1 offences. Category 1 offences include violent crimes, drug trafficking, sex offences, and other serious offences that could pose a threat to other students and school staff. We feel the exchange of information about young offenders is necessary to ensure the safety of students, staff, and other people involved with the school.

In cases where a youth is under the supervision of the department and a serious violent offender is involved, the department requires that designated school officials be advised, without exception.

MR. CENAIKO: Mr. Speaker, my final question to the Solicitor General: are there any other initiatives under way that might help prevent youth in our schools from committing violent crimes?

THE SPEAKER: The hon. minister.

MRS. FORSYTH: Thank you, Mr. Speaker. The Alberta Solicitor General and Alberta Learning have created a joint committee that will explore opportunities to share information. The mandate of that committee goes beyond Justice and Learning issues.

Mr. Speaker, I'll have the Minister of Learning supplement.

THE SPEAKER: The hon. Minister of Learning.

DR. OBERG: Thank you very much, Mr. Speaker. Safety in schools has been a prime issue for our department over the past several years. We have launched the initiative called the Safe and Caring Schools initiative, which is something that has met almost universally with a great amount of success. We have a conference every year. We ensure; we monitor. Very briefly, safety in the schools is of prime and utmost importance to us, and we will ensure it happens.

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

Electricity Prices

DR. TAFT: Thank you, Mr. Speaker. On December 13, 2000, just a few months ago, the chief economist of the Canadian Manufacturers & Exporters made a report to the Alberta business forum on power supply and demand at the Shaw Conference Centre here in Edmonton. The report found that electricity deregulation had led to Alberta's electricity prices climbing from among the lowest in North America to near the highest. The association argued that this was adding significantly to the cost of manufacturing in Alberta and could cost Alberta up to 31,000 jobs lost in manufacturing alone. My question is to the Minister of Economic Development. Given that this report comes from the Canadian Manufacturers & Exporters, presumably an organization he will be very interested in, has the minister reviewed the report?

MR. NORRIS: In a very simple answer, Mr. Speaker, I haven't. But I would like to point out that Alberta is an industry leader with this deregulation movement and that when supply comes onstream, not only will our costs be the lowest in Canada, but our supply will be the envy of the nation.

DR. TAFT: Mr. Speaker, has the minister prepared a specific response to this report?

MR. NORRIS: Again, Mr. Speaker, I haven't seen it, but I'd be delighted to. Again, supply is what we're going after. We're going to have a more bountiful supply than anywhere else in Canada. Supply equals industry growth. Industry growth equals jobs. Alberta is the place to be.

THE SPEAKER: The hon. member.

DR. TAFT: Thank you. Mr. Speaker, I'm wondering: can the minister name any jurisdiction in Canada where the delivered cost of electricity to small manufacturers is higher than Alberta?

MR. NORRIS: I'm sorry; I didn't hear the question.

DR. TAFT: Mr. Speaker, can the minister name any jurisdiction in Canada where the delivered cost of electricity to small manufacturers is higher than in Alberta?

MR. NORRIS: I'll take that under advisement and get you an answer.

THE SPEAKER: The hon. Member for Little Bow, followed by the hon. Member for Cardston-Taber-Warner.

Government Centre Security

MR. McFARLAND: Thank you, Mr. Speaker. When people come up to the building here, to the Leg. Annex, and the grounds, they expect to be able to come here with some sense of security and safety. It seems that last week there was some discussion about the use by the government of surveillance cameras and whether it was an intrusion on people's privacy and those kinds of issues. I think we have to hearken back to last spring and whether or not we want to see some damage to publicly owned buildings. My questions today are to the Solicitor General. The first one: is the Solicitor General going to change a policy that currently allows for surveillance cameras to be used within and outside these buildings?

2:30

THE SPEAKER: The hon. minister.

MRS. FORSYTH: Mr. Speaker, thank you. We will not do anything to lessen security in the Legislature Building and on the grounds. If anyone has a question about the need for the security measures, they only have to look at the bullet hole by the elevator on the ground floor. These security measures were increased after a man with a gun walked into the Legislature Building intending to harm someone. Security cameras are here for the protection of the people who work in this building, the school groups that visit, and other members of the public who visit and conduct business in the public building.

Mr. Speaker, I want to remind the Member for Little Bow that these guidelines recently introduced regarding the use of security cameras are just that: guidelines. They're not the law. We're carefully examining these new guidelines. A committee has been established with representatives from security operations and from Alberta Infrastructure. The committee is developing a strategy for complying with the guidelines. The Information and Privacy Commissioner will be consulted before it's in place. It appears that guidelines will be satisfied by simply placing signs around the perimeter of the Government Centre indicating that the area is under security camera surveillance.

THE SPEAKER: The hon. member.

MR. McFARLAND: Thank you, Mr. Speaker. For those that seem to want to protect the criminal or the vandal, is a camera more intrusive than four or five live security guards doing the same thing? Yes or no?

THE SPEAKER: Hon. minister, this sounds like an opinion.

MRS. FORSYTH: The cameras are less intrusive. All of the cameras with the exception of one are in full view of anyone on the premises. They are large cameras mounted on brackets. The only camera not in public view is in a private office area. Security staff have the ability to monitor the cameras 24 hours a day. It would take a small army of security officers to cover all the areas the cameras cover.

THE SPEAKER: The hon. member.

MR. McFARLAND: Thank you, Mr. Speaker. Will the minister

assure our public that come here and our school groups especially that there will be no reduction in the surveillance that's available here right now?

MRS. FORSYTH: Mr. Speaker, for the public record, we intend to continue to use the security cameras to ensure the safety of those who work in and those who visit the building. The Privacy Commissioner quite rightly raises privacy issues. However, there are also security and public safety issues to be considered. All of the cameras are in public areas. People do not have the same expectation of privacy when they are out in a public area that they have when they are in the house. This building will remain a safe place for all those who work and visit here.

THE SPEAKER: The hon. Member for Cardston-Taber-Warner.

Electricity Transmission Line Capacity

MR. JACOBS: Thank you, Mr. Speaker. It has been noted by a newspaper in southern Alberta that electricity transmission lines from Pincher Creek wind-powered generation plants are inadequate to carry the full capacity of generated power from these sites. Also, there are many new wind-powered generation plants that are being considered in the area that will put further stress on the existing transmission capacity. My question for the Minister of Energy: is there anything the government of Alberta can do to assist increasing the transmission capacity of these lines?

MR. SMITH: Well, Mr. Speaker, in fact the Alberta government has contributed by putting forth a competitive market model that allows the risk of new generation to be taken by the private sector and to recognize that transmission is a very important part of the electricity equation. The government will not put further money into transmission. That money comes through a process of the transmission administrator. The transmission administrator will act as a financial clearinghouse for transmission services to the generators. It sets provincewide tariffs for system access. It interacts with the Power Pool on these issues.

Where we find that there is new, important generation that does not add to any greenhouse gas, such as the great windmill potential that sits in southern Alberta, the wind generation – the transmission administrator is reviewing plans now, to my understanding, and is drawing up proposals that allow for the adequate transmission of new power so that the marketplace generator can take advantage of these market opportunities. For example, with the TransCanada announcement that was referred to in the House and dealt with transmission and offset credits, everything was pending regulatory approval, Mr. Speaker.

So, in fact, the process is that the transmission administrator calls for proposals. They take the winning proposals, which is a competitive process that is open, and then go to the Alberta Energy and Utilities Board and ask for approval to be granted additional transmission capacity.

THE SPEAKER: The hon. member.

MR. JACOBS: Thank you, Mr. Speaker. A final question to the same minister: can the government of Alberta do anything to see that power generated at these sites is not wasted by incorporating new possible available technology?

MR. SMITH: Well, Mr. Speaker, it's been clear in the answers both today and in previous times that the real key to putting further

downward pressure on prices is new generation and new generation that's delivered to the marketplace with as little as possible power loss through the transmission lines. That's one of the reasons that we have offset credits: the ability for us to facilitate new generation through a competitive, market-based model, generation that puts Alberta ahead of the curve, generation that has now come into place even since a report, for example, from the Canadian Manufacturers' Association that talked about the loss of some 31,000 jobs. That never materialized. Why did it not materialize? Because there's been new generation added. Power prices have dropped 40 percent since the issuance of that report. There's more going on here than there is in the rest of Canada. We're ahead of the curve.

THE SPEAKER: Before the Clerk deals with the next matter that we have in our Routine today, hon. members, I'm going to call on the Government House Leader for clarification of a point. I did this the other day when the hon. Member for Edmonton-Riverview asked for such an opportunity. I'm doing it as well today.

The hon. Government House Leader for clarification.

Gaming Licences

(continued)

MR. HANCOCK: Thank you, Mr. Speaker. Earlier in question period, I think with respect to a question from the leader of the third party, the Premier in response indicated that Mr. Jaber was a member of the ALCB. That was clearly incorrect. I think it was cleared up in terms of subsequent questions and answers, but the Premier asked that I clarify for the record that it was the Alberta Gaming Commission, not the ALCB, that he was a member of.*

head: Recognitions

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

Leighann Doan

MS DeLONG: Thank you, Mr. Speaker. On Monday night Calgary's Jack Singer hall was packed for the ninth annual Howard Mackie awards to honour the excellent quality of Canada's university athletes. These awards also bring financial support from the corporate sector in the form of postgraduate scholarships to Canada's top male and female university athletes.

Mr. Speaker, we should all be proud that Leighann Doan from the University of Calgary was selected as the Canadian female athlete of the year. Leighann started her basketball career in Stettler and went on to tremendous accomplishments with the U of C Dinos: four times all Canadian, best CIAU player, and best Calgary athlete of the year to name just a few of her achievements. Leighann's coach and teammates also recognized her as leader and role model both on and off the court.

We all wish Leighann well with her personal and professional goals, which include playing for Canada in future Olympics. This outstanding athlete is an inspiration and role model not only to younger athletes coming up through the ranks but indeed to us all.

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

Nursing Week

MR. RATHGEBER: Thank you, Mr. Speaker. Today I rise to acknowledge nursing awareness week and reflect on the essential role of nurses in the Alberta health care system. Nursing is among the most challenging jobs in health care. Nurses carry the daily load

*See page 466, right col., para. 8

of patient care and feel the weight of the pressures that challenge our health care system. Nursing combines community service with the science of health as nurses offer counseling, education, wellness promotion, and patient care. Each of us, I'm sure, has personally experienced the cheerfulness and care a special nurse has provided to us or given to a loved one in a time of illness or injury.

Because nurses are so valued, this government continues to do what it can so that nurses that are already here, those looking at Alberta, and young people considering a nursing career can all share in the Alberta advantage. As our government works towards sustaining our health care system for the years to come, I am assured that nurses will continue to be part of that system and part of the solution. I ask all members of this House to join in thanking Alberta's nurses for their commitment to patient care and to our health care system.

2:40 **St. Albert Public Library**

MRS. O'NEILL: I am particularly proud of St. Albert Public Library, and today I'd like to recognize several of their services. Library users in St. Albert borrowed over 675,000 books and other items last year. We have a collection in our library of over 137,000 books, including 3,000 books in French, plus we have 8,000 items in audiovisual formats, books in larger print for the visually handicapped, interlibrary loan service, and access through the provincial consortium to a collection of books in over 30 languages. We have 250 magazines and newspapers in print format and several hundred additional magazine titles in electronic form. We also have nine Internet stations for public use, and we have a membership in The Alberta Library, which permits our members to borrow from libraries across the province: public, university, college, and special libraries. We also have programs for children and for seniors and especially those to train them in computer usage.

THE SPEAKER: The hon. Member for Medicine Hat.

Foremost Municipal Library

MR. RENNER: Thank you, Mr. Speaker. I rise today to recognize this year's recipient of the creative public library service award, the Foremost Municipal Library. The award was presented to the Foremost Municipal Library for its innovative pumpkin festival, a celebration of families and community. Many events are tied to this annual festival, including silent and live auctions of items donated by local businesses, as well as the traditional pumpkin carving contest and much more. This event, which has been in existence for the past 12 years, is a clear demonstration that libraries are vibrant centres of the communities they serve, places where individuals and families gather, find information, and are inspired to learn.

I join my colleague from Cypress-Medicine Hat in congratulating the Foremost Municipal Library on receiving this award recently presented to them in Jasper by the Minister of Community Development. I encourage all Albertans to visit their local libraries and discover the latest developments in technology and new services offered to their communities. Congratulations, Foremost.

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

Battalion Park Elementary School

MS KRYCZKA: Thank you, Mr. Speaker. Last Thursday, May 3, I was very honoured to participate in the grand opening of Battalion Park elementary school, a public minischool with 149 students living in the Signal Hill and Richmond Hill communities and located in my

constituency of Calgary-West. Although it has only been 10 months since the sod turning and arrival of 10 relocatable classrooms, Battalion Park has swiftly become an integral part of a thriving community hub including rinks, a functional storage shed unit, and a soon to be built playground built through community fund-raising efforts and the provincial government facility enhancement program.

Most important, Mr. Speaker, was the evident pride and happiness of the students, who in their Battalion Bears T-shirts enthusiastically sang their theme song, *The Battalion Park Bears*, for the many dignitaries and parents crowded into the narrow hallway and down around the corner.

Heartiest congratulations go to the principal, Carol Murray, and her staff and to the 40-member devoted school council parents for achieving so much for the young people of these communities.

Thank you.

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

Edmonton Downtown Development Corporation

MS BLAKEMAN: Thanks very much, Mr. Speaker. Yesterday I had the honour of attending the ceremony for the Downtown Development Corporation awards for 2000. This fine organization was formed as a result of a 1984 report, the Mayor's Task Force on the Heart of the City, chaired by Joe Shoctor. Mr. Shoctor chaired the DDC until 1990. The Downtown Development Corporation has a mandate with its unique public/private partnership to lead the way in the developing of a vibrant downtown for the benefit of all citizens.

The award recipients recognized yesterday for projects which contributed to the vitality of downtown were DECA, the Downtown Edmonton Community Association, the Empire Building renovation, the new MacCosham lofts, and Telus Plaza redevelopment. I'd also like to recognize the following nominees: Chance Restaurant, Churchill Exchange Building, Fifth Street Lofts, and the TD Waterhouse call centre. Our thanks to each of you for making downtown Edmonton a better place.

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

Jack McMoran

MR. MASON: Thank you, Mr. Speaker. I rise today to recognize an outstanding Albertan. Last month at the United Way annual labour appreciation night Mr. Jack McMoran was presented the Jim Shewchuk award in recognition of his outstanding contributions to union life, the community, and the United Way. Many organizations have been recipients of Jack's hard work and dedication to his community. The Edmonton and District Labour Council, the United Way, and the leukemia society of Canada have all benefited from Jack's skill in organizing people around causes and never giving up until the job is done and done well.

Those acquainted with Jack always make mention of the tremendous energy he brings to whatever project he is involved with. Jack will be retiring at the end of this year from his employment with UFCW local 401. There's no doubt in my mind that for Jack retirement will mean more time to dedicate to his passion, which is helping the unemployed and the underprivileged.

Congratulations, Jack McMoran, and kudos to the United Way for their choice of a most worthy recipient of the Jim Shewchuk award.

THE SPEAKER: The Government House Leader on a point of order.

Point of Order Oral Question Period Rules

MR. HANCOCK: Thank you, Mr. Speaker. Earlier today in question period the hon. Member for Edmonton-Highlands asked questions of a nature which I believe violates rules 408 and 409 with respect to oral questions. The type of information which was requested goes far beyond the nature of question period.

I only rise on this point of order because it should not be the purpose of question period and should not be a member's opportunity in question period to ask questions of such a specific nature, of such specific information that one could not possibly have the answer at hand or the ability to answer the question. In other words, a question being asked should be a question capable of being answered by a minister within their capacity and general knowledge of their department. It's totally unrealistic to expect that a minister would be able to answer a question about the specific number, for example, of licences issued during a period of time or the specific value of licences issued at a particular period of time. That, Mr. Speaker, is precisely the purpose for written questions and motions for returns, which have their places on the Order Paper.

I would refer to the *House of Commons Procedure and Practice* book, which you so graciously provided to House leaders earlier and, in particular, page 438 of that book, which outlines the purposes of written questions and the process and guidelines for written questions there.

My purpose for rising today, Mr. Speaker, is to ask you to indicate to the House and to rule on this situation that it is not appropriate to try and embarrass or to try and ask questions to set up a further question if those questions ask for such detailed information that a person could not possibly have that information for the House at that particular time.

THE SPEAKER: Hon. Member for Edmonton-Highlands, did you want to participate in this point of order?

MR. MASON: Well, Mr. Speaker, I don't know if I'm allowed to take a point of order under advisement. That is reserved for the cabinet, I suppose.

I would say that I certainly accepted the undertakings of the minister to provide that to me later, and I certainly had no intention of embarrassing the government in respect of not knowing those particular points. Other points of embarrassment remain to be seen. Thank you.

THE SPEAKER: Hon. members, the chair invites any other participation from hon. members with respect to this point of order, but the bottom line is that the hon. Government House Leader very correctly raised the point of order at the time, dealt with it in *Beauchesne* 408, and I would like to read it into the record again. It basically advises and cautions hon. members and provides them with some guidance with respect to asking of oral questions.

- (1) Such questions should:
 - (a) be asked only in respect of matters of sufficient urgency and importance as to require an immediate answer.
 - (b) not inquire whether statements made in a newspaper are correct.
 - (c) not require an answer involving a legal opinion.
 - (d) not be asked in respect of a matter that is sub judice.
 - (e) not be of a nature requiring a lengthy and detailed answer.
 - (f) not raise a matter of policy too large to be dealt with as an answer to a question.
- (2) Answers to questions should be as brief as possible, should deal with the matter raised, and should not provoke debate.

Of course, there's other very, very good reading that hon. members would want to pay special attention to.

2:50

The difficulty that the chair has in dealing with this, an intervention in that type of question, is that the chair always is amazed at the ability of certain people in this Assembly to respond to very, very specific questions when they're confronted with such a question and in recent days has noticed with a great deal of personal satisfaction and, shall one say, with almost admiration the way certain ministers may respond to specific questions given to them by having all kinds of specific information available at their fingertips. So today was a situation where a very detailed question was asked, no doubt at all about that, and the chair did stir and wasn't sure if in fact the minister would or would not have the answer. If all hon. members would like to review the questions in the question period of the last 12 or 13 days, the members will see that the chair is correct in his observations. Some very specific questions have been asked to various ministers, and they had the ability to respond very specifically to those questions. So one is never sure when one should intervene or one should not intervene.

However, the point made by the hon. Government House Leader is a very valid one, because in this case the chair absolutely believes that the questions were of a very, very detailed nature, much beyond what would ordinarily be the scope of an ordinary human being to be able to comprehend: the specific number of licences given seven, eight, nine years ago.

So today is unique. Today is unique. Oftentimes it's not a requirement that the chair would dole out a punishment to an hon. member who is found guilty on a point of order, but today is the first time in this session that the House will have the experience of dealing with the resolution of written questions and motions for returns. This hasn't happened yet in this Assembly, so the chair would invite the hon. Member for Edmonton-Highlands to remain in the Assembly for the remainder of the afternoon as the Assembly deals with the disposition of these written questions and these motions for returns to actually get the experience of the milieu with respect to specific questions. It's a positive learning experience and a positive learning environment.

head: **Orders of the Day**

head: **Written Questions**

THE SPEAKER: The hon. Deputy Government House Leader.

MR. ZWOZDESKY: Thank you, Mr. Speaker. Always a pleasure listening to your rulings, always something to learn.

Proper notice having been given yesterday, it is indeed my pleasure to move that written questions appearing on today's Order Paper stand and retain their places with the exception of written questions 1 and 2.

[Motion carried]

Solid Waste Costs

- Q1. Ms Blakeman moved on behalf of Ms Carlson that the following question be accepted.
What is the average cost per tonne for treating solid wastes at the Swan Hills waste treatment centre?

MR. LUND: Mr. Speaker, we are prepared to accept this written question with some amendments. Those amendments would be that we need to add the word "projected" after "average cost," and the second change needs to be by striking out "solid."

Mr. Speaker, as you know, we are always very anxious to provide as much information as possible, and we want to make sure that it's absolutely accurate. Before the hon. member gets excited about the amendments, I think it would be very important that we elaborate on why it is necessary to do this so that we do get that proper information out there.

A little bit of history about the Swan Hills special waste treatment plant. The government did sell it, and it was operated by Bovar Inc. for some time, but last December 31 it was given back to the province, so we have had an operator in the facility operating as a contract operator since that time.

Now, with the question the way it was written asking for the specific cost, I think it could be very misleading when we only have four months of winter operation to go by. That's why we want to put in "projected" so that in fact we can give the information that we used as we were looking at the budget.

There are a few other things that are fairly important. The budget that we put together is based on an estimate of the costs for the whole year, and when you establish that, you also have to put in some projected volumes in order to figure out what the total budget would be. The reason that we have to strike out "solid" is because we did not differentiate between the solid and the liquid wastes that were being treated at that plant, but I think it's also important to point out that there are many factors that come into the cost of incinerating various materials at the plant. For example, the liquid might not contain much heat. It may be a chlorinate type of content. It may require secondary and tertiary treatment, so those kinds of things come into it.

The operational costs, of course, too are going to vary with the cost of energy, with the cost of labour, with the chemicals, with the maintenance of the plant. There are a whole number of factors that come in, and of course the volume that comes to the plant, because there are some fixed costs that are there. So if you get the mass, you can in fact treat the waste at a lesser cost per unit.

So, Mr. Speaker, we will accept the question as amended, and then the question would read: "What is the projected average cost per tonne for treating wastes at the Swan Hills waste treatment centre?"

THE SPEAKER: On the amendment, the hon. Member for Edmonton-Centre.

MS BLAKEMAN: Thank you, Mr. Speaker. I hate to disappoint the member, but I wasn't excited by his answer, but perhaps the next one. [interjection] Yes, I know he's crushed; I know.

Projected cost is generally a cost in the future, and it's just interesting to me that the government wants to look at the future costs of this rather than the average cost. Usually when you're looking for an average of something, you would add up the total costs involved and the total of what was produced or the number of units produced or the tonnage of the waste that goes through. You divide the two into each other, and then you have an average cost per tonne. So it's just interesting to me that the government wants to do it in a projected way, but on behalf of my colleague from Edmonton-Ellerslie we'll accept that.

I'm less pleased about removing the word "solid" from Written Question 1, because, obviously, if you examine the two questions put forward today, the first was a question on solid waste, and the second was a question on liquid waste, and by removing the "solid" from it, it's removed the specificity of the question. However, we are interested in getting the information, and therefore in anticipation of the detailed response, I will accept the amendment as put forward by the hon. minister.

[Written Question 1 as amended carried]

Liquid Waste Costs

- Q2. Ms Blakeman moved on behalf of Ms Carlson that the following question be accepted.
What is the average cost per tonne for treating liquid wastes at the Swan Hills waste treatment centre?

MR. LUND: Mr. Speaker, we will reject this question because it is redundant.

THE SPEAKER: The hon. Member for Edmonton-Centre to close the debate.

3:00

MS BLAKEMAN: Yes, sir, to close the debate. Well, as I mentioned earlier, I am disappointed because this has watered down, so to speak, these two questions, one of which was seeking information on solid waste and one which was seeking information on liquid waste being treated at the Swan Hills plant. It muddies the water, so to speak. But the first question has been accepted, and we're looking forward to receiving the information. I'll express my disappointment on not receiving the information on the two separate questions. The purpose of these written questions, as the Speaker pointed out, is to get detailed information from the government. I'm always disappointed when we can't convince the government that it's in the best interests of Albertans to be open and transparent and to release information.

Having said that, I will resume my seat. Thank you, Mr. Speaker.

[Written Question 2 lost]

head: Motions for Returns

THE SPEAKER: The hon. Deputy Government House Leader.

MR. ZWOZDESKY: Thank you, Mr. Speaker. Proper notice having been given yesterday, it's my pleasure to now move that motions for returns appearing on today's Order Paper do stand and retain their places with the exception of motions for returns 1, 2, 3, 4, 5, 6, 7, 8, 9, and 10.

[Motion carried]

Power Purchase Agreements

- M1. Ms Blakeman moved on behalf of Mr. MacDonald that an order of the Assembly do issue for a return showing copies of studies and reports prepared by or for the ministries of Energy and/or Sustainable Resource Development or sent to the ministries of Energy and/or Sustainable Resource Development for the period April 1, 2000, to April 9, 2001, regarding options under the market achievement plan (MAP) for dealing with unsold power purchase agreements (PPAs) held by the balancing pool.

MS BLAKEMAN: It's always important for us to be seeking additional information to clarify the activities of the government, and I would ask that this motion for a return be accepted.

THE SPEAKER: The hon. Minister of Energy.

MR. SMITH: Well, thank you, Mr. Speaker. Of course, we feel that absolute transparency and the ability to clarify is something that is very important. In September of 2000 the Department of Energy did post a discussion paper entitled Market Achievement Plan on the Internet discussion forum. That primary document set out the

options for dealing with the balancing pool held power purchase agreements, or the PPAs.

In October 2000 a balancing pool advisory group was formed to provide advice to the balancing pool administration and the government on implementing the market achievement plan. The balancing pool advisory group, Mr. Speaker, was made up of balancing pool and department staff, consumer representatives, market participant representatives, i.e. PPA holders, and consultants – seems that you always need a consultant in this business – retained by the balancing pool to provide expert advice on options and implementation of the market achievement plan. Documents related to the process and implementation of the market achievement plan were updated and then posted on a regular basis on both the department and the Power Pool of Alberta web site.

I must recommend the Power Pool of Alberta web site. It's quite a good one. It details a great amount of information both in today's world and in market information running up to the new competitive market model that sits in place in Alberta today. There is a forum there where you can register for your own stakeholder comments. Of course, this does indicate that the method is totally transparent, and there is great clarification. Simply by dialing into www.power-pool.ab.ca the opposition, the seven Liberal members, can spend a great deal of time going through that. I would recommend they do so, and in fact because of that I would be recommending rejection, Mr. Speaker, of this motion for a return.

THE SPEAKER: The hon. Member for Edmonton-Centre to close the debate.

MS BLAKEMAN: Thank you, Mr. Speaker. I take it then – and I'm sure the minister has an opportunity to correct me if I'm mistaken in some way – that all studies and all reports around the matters detailed here are posted on the web site. If that is the case, then we are delighted that all studies and all reports mentioned under this motion for a return are indeed posted on the web site. Given that, I will have to accept the minister's refusal to provide the documents. I understand, then, that everything is to be on the web site and readily available to everyone. We will seek that to ensure that all the ones that we're aware of in fact are there.

Thank you.

[Motion for a Return 1 lost]

Royalty Tax Credit Program

M2. Ms Blakeman moved on behalf of Mr. MacDonald that an order of the Assembly do issue for a return showing copies of studies and reports prepared by or for the ministries of Energy and/or Sustainable Resource Development and Alberta Treasury and/or Finance and/or Revenue for the period January 1, 2000, to April 9, 2001, reviewing the operation of the Alberta royalty tax credit (ARTC).

THE SPEAKER: The hon. Minister of Energy.

MR. SMITH: Thank you again, Mr. Speaker. I did detect from the hon. member in her response to the original Motion for a Return 1 that there might indeed be a dash, if ever so little, of skepticism on our ability to co-operate and deal fair and square with the opposition. In hopes of being able to promote that feeling and to be able to generate a feeling of co-operation in the interests of taxpayers and all citizens of Alberta, I am pleased to accept Motion for a Return 2.

MS BLAKEMAN: Excellent. I'm pleased to see the Minister of Energy setting such a prime example for his colleagues.

[Motion for a Return 2 carried]

Electricity Deregulation

M3. Ms Blakeman moved on behalf of Mr. MacDonald that an order of the Assembly do issue for a return showing copies of studies and reports prepared by or for the ministries of Energy and/or Sustainable Resource Development or sent to the ministries of Energy and/or Sustainable Resource Development for the period April 1, 2000, to April 9, 2001, evaluating the impact of electricity deregulation on the utility bills of various classes of Alberta consumers.

THE SPEAKER: The hon. Minister of Energy.

MR. SMITH: Thank you so much, Mr. Speaker. There are many, many variables to consider when comparing prices in a deregulated market to those of a regulated market. We have, in fact, a new competitive market model structure out there where we've seen prices drop some 43 percent in a very short period. We're seeing a market unfold. We're seeing competition starting to move in other areas, and there are some areas where some competition needs a hand. As the market develops, Mr. Speaker, there is downward pressure on prices.

There have been no specific studies on the impact of deregulation, as it was called then, on utility bills. There are numerous factors, of course, other than deregulation that impact electricity bills. As we know, there's a terrific tie-in with gas prices. As one member so pointedly raised in question period two days ago, there are times when there are power-generating devices that are out of operation, hopefully due to mechanical means. Water levels: we're worried about the snowpack and the amount of water that's available to generate hydroelectric power.

3:10

Of course, we've all seen the Alberta advantage at work throughout this period, where there have been increased jobs, increased business formations. We've seen a tremendous amount of profits being generated in both small business and in our oil and gas sector.

Rates, of course, can be compared between 2000 and 2001, and it's no secret that not only have electricity prices increased here in Alberta, but they've increased virtually continentwide. If you were to look at some of the run-up narrative to the impending energy plan coming forth from President Bush and Vice-president Cheney, you would know, Mr. Speaker, that there's virtually an infrastructure, transmission, and electricity generation crisis looming over all of us in North America. So it's very difficult to say that increased rates would solely be the result of one small event. There are a number of other considerations.

I know that the member was getting very eager, was responding to us in this new environment, and thought that this might be an example of a colleague – so I just want, in order to temper that response, Mr. Speaker, to reject MR 3.

Thank you.

MS BLAKEMAN: Oh, Mr. Speaker, I am so disappointed. It was going so well. Further than that, I have to say that I am, well, shocked and appalled that there would have been no studies or reports or cost-benefit analysis evaluating the impact of electricity on Alberta consumers in that entire period of time. That is a truly frightening thought, especially since, as the minister is well aware, I have so many consumers of electricity living in high-rise condominiums and apartments in my riding who are very interested in the effect on these different classes of Alberta consumers.

I am very disappointed to hear that the government has not been monitoring and evaluating the progress of the impact of the electricity deregulation on these utility bills. But, you know, the government has the ability to be open and transparent, and if they're not going to be open and transparent, I will have to accept that.

Thank you.

[Motion for a Return 3 lost]

Centre for Frontier Engineering Research

M4. Ms Blakeman moved on behalf of Dr. Nicol that an order of the Assembly do issue for a return showing copies of annual and interim financial statement analyses prepared by or for the ministries of Treasury and/or Finance and/or Revenue for the period January 1, 2000, to April 9, 2001, as set out under sections 5.2 and 5.3 of the loans and guarantees procedures manual pertaining to financial assistance provided by the government to the Centre for Frontier Engineering Research.

THE SPEAKER: The hon. Minister of Revenue.

MR. MELCHIN: Thank you, Mr. Speaker. On behalf of the Minister of Finance I would like to stand and reject the motion as put forward on the basis that there was no actual analysis prepared during the period January 1, 2000, to April 9, 2001. As well, a subsidiary of the Alberta Research Council has the obligation to repay the guaranteed loan, so no analysis was considered necessary.

MS BLAKEMAN: Well, I'm certainly disappointed to hear that there was no analysis prepared during the period which we are questioning and extend my sympathy to the minister that on his very first opportunity to accept a motion for a return, he was unable to do so.

Thank you.

[Motion for a Return 4 lost]

Treasury Branches Status

M5. Ms Blakeman moved on behalf of Dr. Nicol that an order of the Assembly do issue for a return showing copies of studies, reports, background documents, and memoranda other than the CIBC Wood Gundy report prepared by or for the ministries of Treasury and/or Finance and/or Revenue and sent to the ministries of Treasury and/or Finance and/or Revenue for the period January 1, 1999, to April 9, 2001, assessing the feasibility of a change of status and/or privatization of the Alberta Treasury Branches.

THE SPEAKER: The hon. Minister of Revenue.

MR. MELCHIN: Thank you, Mr. Speaker. Again I rise on behalf of the Minister of Finance and reject this motion on the basis that the documents on the future of the Alberta Treasury Branches contain policy advice to the minister and the government and do contain sensitive material and commercial information which if released could result in direct financial loss to the Alberta Treasury Branches and the government.

In July of 1999 the former Treasurer, Stockwell Day, announced, following a survey of Albertans that showed they were split on the future of Alberta Treasury Branches, that the government had decided that Alberta Treasury Branch would complete its three-year business plan and that the future of the Alberta Treasury Branch would be considered again in consultation with Albertans in 2002.

The executive summary of CIBC Wood Gundy report was released at the same time, July 1999, as well as information on the survey results.

Mr. Speaker, Alberta Finance has received six FOIP requests on this topic from elected officials. The only information released has been the executive summary, the financial sector overview, and a partial table of contents of the Wood Gundy report. Exemption of the rest of the report from disclosure was upheld by the Information and Privacy Commissioner.

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

DR. TAFT: Thank you, Mr. Speaker. It's an honour and a delight to rise to speak on my first motion for a return, and I hope the hon. Member for Edmonton-Highlands is learning from his detention.

I am concerned about the response – and I'm reflecting on discussions, if I may do so, Mr. Speaker, from this morning in the Public Accounts Committee in which it became apparent that there was no business analysis, no business case developed contrasting the accelerated pay-down of the debt versus the taking of that money and investing it. There was no business case done there. I am concerned about the statements from the minister that the future of ATB sounds like it's being determined by political poll rather than by the kind of financial and business case that we might expect from a businesslike government.

I am also concerned that given the value of ATB – it's a very large asset, I believe, for the people of Alberta – the people of Alberta, who are in effect its shareholders, are not being given access to this information. So I certainly speak out to express as a citizen and as a person with an interest in the businesslike operation of public affairs that I'm very disappointed in the minister's response.

Thank you, Mr. Speaker.

3:20

THE SPEAKER: The hon. Member for Edmonton-Centre to conclude the debate.

MS BLAKEMAN: Yes. Thank you very much, Mr. Speaker. Well, the answer of the minister certainly piqued my interest, and I'm sure that we will continue to seek information on that. It is curious that every study, every report, every background document, and every memorandum is containing policy advice to the government, and there was a second FOIP phrase that he used there. Very interesting that every single study, report, background document, and memorandum falls under that catchment.

Of course, I'm very disappointed on behalf of the minister that he's had a second opportunity to promote openness and accountability to the citizens of the province and is unable to do so.

Thank you.

[Motion for a Return 5 lost]

Expansion of Government's Reporting Entity

M6. Ms Blakeman moved on behalf of Dr. Nicol that an order of the Assembly do issue for a return showing copies of studies and reports prepared by or for the ministries of Treasury and/or Finance and/or Revenue or sent to the ministries of Treasury and/or Finance and/or Revenue for the period April 1, 2000, to April 9, 2001, assessing the feasibility of expanding the government's reporting entity to include universities, colleges and technical institutes, regional health authorities, and school boards.

MR. MELCHIN: Once again, Mr. Speaker, I rise on behalf of the Minister of Finance and reject this motion. Certainly there's been a lot of discussion between the government and the Auditor General over the last number of years on this specific topic. The Auditor General's office has reported in a number of years that certain entities have been inappropriately excluded from the reporting entity. For example, the Auditor General's office believes that regional health authorities, universities, colleges, and school boards should be consolidated in the financial statements of the ministries of Health and Wellness and Learning as well as in the consolidated financial statements of the province. Alberta Finance, Treasury before that, has disagreed with those statements in the past.

The proposed amendment would result in the tabling of excerpts from the Auditor General's September 29, 2000, letter and the government's January 10, 2001, response. Mr. Speaker, this government responded to a similar motion for a return in 1999, Order for a Return 117, by providing a summary paper rather than a series of individual documents. While there has been ongoing discussion between Finance and the office of the Auditor General, little has changed in our respective positions as outlined in the above paper.

I'd like to further outline, though, that there is no common practice across the country and that, actually, this issue has been referred due to the disagreement between the Auditor General's office and Treasury, now the Department of Finance – the public-sector accounting board of the Canadian Institute of Chartered Accountants is actually dealing with and is in progress of developing some guidelines on this topic, on the criteria for inclusion or exclusion of entities in the government reporting entity, and I would suggest that it's more appropriate to wait for the conclusion of that exercise.

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

DR. TAFT: Thank you, Mr. Speaker. This motion for a return cuts to an issue that I am concerned about. It's come up in my particular case relating to regional health authorities. The reporting to the government and through the government to the Assembly on the regional health authorities, particularly on their estimates, has been quite disappointing to me. I've contrasted them to earlier years when, for example, estimates on health care spending included detail on capital expenditures, on staff expenditures. It allowed us to decide whether there was money going towards long-term care, towards for-profit nursing homes or district nursing homes. There used to be much more detail.

I think that probably the pressure the minister is feeling from the Auditor General and through this motion for a return is intended to provide this Legislature with better information for decision-making. I need to express quite strongly my disappointment in this information not being brought to the Assembly through this motion for a return and even more greatly not being brought to this Assembly through such things as more detailed estimates.

So it is with sincere disappointment that I finish my comments here, Mr. Speaker. Thank you.

[Motion for a Return 6 lost]

Canada Pension Plan Reform

M7. Mr. Bonner moved on behalf of Dr. Nicol that an order of the Assembly do issue for a return showing copies of studies and reports prepared by or for the ministries of Treasury and/or Finance and/or Revenue for the period April 1, 2000,

to April 9, 2001, outlining proposals and recommendations developed by the government for reform of the Canada pension plan or options to replace the Canada pension plan.

THE SPEAKER: The hon. Minister of Revenue.

MR. MELCHIN: Thank you, Mr. Speaker. Once again on behalf of the Minister of Finance I reject the motion because there were no studies or reports actually prepared during the period requested. However, Finance has one study on options to replace the Canada pension plan that was completed in November of 1999, a study by Bill Robson of the C.D. Howe Institute titled *Cost-effective Pensions for Albertans: The Economics of an Alberta Pension Plan*, which we have provided to members of the public requesting the information. In addition, the Institute for Public Economics of the University of Alberta cosponsored with Alberta Treasury a conference in January 1999 on a separate pension plan for Alberta. The Minister of Finance is willing to provide copies of the Robson study and the report on the conference to the opposition leader if he would be interested.

We also published appendices in Budget '99 and Budget 2000 on CPP reform.

THE SPEAKER: The hon. Member for Edmonton-Glengarry to close the debate.

MR. BONNER: Thank you, Mr. Speaker. Yes, we do appreciate the comments made by the minister that there were no reports made during the period April 1, 2000, to April 9, 2001, and we would welcome his offer to provide us with other information.

Thank you.

[Motion for a Return 7 lost]

Treasury Branches

M8. Mr. Bonner moved on behalf of Dr. Nicol that an order of the Assembly do issue for a return showing a copy of the full report and appendices prepared by CIBC Wood Gundy for Alberta Treasury for the period July 1, 1998, to July 31, 1999, relating to a change of status and/or privatization of the Alberta Treasury Branches.

THE SPEAKER: The hon. Minister of Revenue.

MR. MELCHIN: Thank you, Mr. Speaker. On behalf of the Minister of Finance again I'd reject the motion for the same reasons as Motion 5 was rejected. The CIBC Wood Gundy report contains sensitive, commercial information which if released could result in direct financial loss to both Alberta Treasury Branches and the government. Furthermore I would say that the exemption of the rest of the report was upheld by the Information and Privacy Commissioner. These are topics of great sensitivity to the ongoing viability and I'd say security for all those who deal with the Alberta Treasury Branches and for such reason reject this motion.

3:30

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

DR. TAFT: Thank you, Mr. Speaker. Just a very brief comment. Obviously, again we are disappointed. I stand to be corrected here, but I believe that CIBC is the bank of record for the provincial government, and I am very concerned about the potential for, shall we say, a failure of a proper arm's-length relationship between the bank of record for the provincial government and the people

advising on the future of Alberta Treasury Branches. I would be more comfortable if there were an organization advising, assuming that such advice is going on – and I believe it is – that had no connection whatsoever to any of the chartered banks to ensure that there's a proper arm's-length relationship.

Thank you, Mr. Speaker.

THE SPEAKER: The hon. Member for Edmonton-Glengarry to close the debate.

MR. BONNER: No further additions than what were made by the hon. Member for Edmonton-Riverview.

[Motion for a Return 8 lost]

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

Ridley Grain Ltd.

M9. Ms Blakeman moved on behalf of Dr. Nicol that an order of the Assembly do issue for a return showing copies of the annual and interim financial statement analyses prepared by Alberta Treasury as set out under sections 5.2 and 5.3 of the loans and guarantees procedures manual for the period March 31, 1999, to March 31, 2001, pertaining to the loan between the government and Ridley Grain Ltd.

THE SPEAKER: The hon. Minister of Revenue.

MR. MELCHIN: Thank you, Mr. Speaker. I rise again on behalf of the Minister of Finance and reject this motion due to privacy issues. Financial analyses involving third parties cannot be released due to the confidential nature of the economic material being reviewed. In January 2001 the hon. Steve West advised the Standing Committee on the Alberta Heritage Savings Trust Fund that the government was negotiating a possible settlement to the loan with Ridley Grain Ltd. Disclosing information at this time could compromise the negotiations.

On March 23, 2001, a response was given under the Freedom of Information and Protection of Privacy Act pertaining to Ridley Grain. The financial analysis and other information was severed pursuant to section 15, "disclosure harmful to the business interests of a third party"; section 16, "disclosure harmful to personal privacy"; section 23, "advice from officials"; and section 24, "disclosure harmful to economic and other interests of a public body." For such reasons we reject this motion.

[Motion for a Return 9 lost]

Vencap Acquisition Corporation

M10. Ms Blakeman moved on behalf of Dr. Nicol that an order of the Assembly do issue for a return showing copies of the annual and interim financial statement analyses prepared by Alberta Treasury as set out under sections 5.2 and 5.3 of the loans and guarantees procedures manual for the period March 31, 1999, to March 31, 2001, pertaining to the financial arrangements between the government and Vencap Acquisition Corporation.

MR. MELCHIN: Again, Mr. Speaker, on behalf of the Minister of Finance we reject this motion for similar reasons as outlined in the previous one: due to the confidential nature of the economic material reviewed.

[Motion for a Return 10 lost]

THE CLERK ASSISTANT: Public Bills and Orders Other than Government Bills and Orders. Committee of the Whole.

THE SPEAKER: Hon. Member for Edmonton-Highlands, we're saved. We can go now.

MR. MASON: Thank you, Mr. Speaker.

THE SPEAKER: You're welcome.

MR. MASON: I've enjoyed the lesson, and I assure you that I've learned my lesson and won't do it again.

head: Public Bills and Orders Other than Government Bills and Orders Committee of the Whole

[Mr. Shariff in the chair]

THE DEPUTY CHAIRMAN: We'll call the committee to order.

Bill 203

Residential Care Housing Committee Act

THE DEPUTY CHAIRMAN: Are there any comments, questions, or amendments to be offered with respect to this bill?

The hon. Member for Edmonton-Centre.

MS BLAKEMAN: Thank you very much, Mr. Chairman. I'm pleased to be able to speak again to this bill in Committee of the Whole. My concerns raised while we were in second reading were around the fact that this bill essentially establishes a committee. It doesn't go any further than that. It just establishes the committee which will look at developing a set of standards covering the level of care and the type of accommodation to be provided and maintained, and the safety and security of persons in care.

It goes into detail about how the committee is formed and who is to be assigned or appointed to the committee from various ministries. We have the departments of Children's Services, Community Development, Health and Wellness, Human Resources and Employment, Justice, Municipal Affairs, and Seniors. So eight departments have representatives on the committee plus Members of the Legislative Assembly.

Now, there's not to be more than 20 members appointed in total. It also includes representatives from the regional health authorities under the Regional Health Authorities Act, a representative from the Alberta Urban Municipalities Association, the Alberta Association of Municipal Districts and Counties, and the Seniors Advisory Council for Alberta or the Premier's Council on the Status of Persons with Disabilities, and then any number of MLAs. It doesn't restrict it to just one MLA. In fact, the rest of the committee, the rest of the 20 could be made up of Members of the Legislative Assembly.

It does allow for the minister to designate one of the members now appointed to the committee as the chairperson of the committee. It sets out how long the terms are and how the transition between a member with an expiring term and an incoming member, a new appointment, would happen. It does allow for remuneration of the members of the committee, and travel, living, and other expenses incurred in the course of their duties under this act.

All of this is familiar to me as it's very much the same setup as the legislation that I worked under as executive director for the Alberta Advisory Council on Women's Issues. Very similar. The difference

is that the advisory council legislation had in it a requirement that the government had to respond to the recommendations that were put forward by the committee. So whatever work the advisory council did and submitted to the government, we were safe in the knowledge that in fact the government would have to read it and think about it because they were required to respond to it. In fact, the one drawback to that process, I would say, was that there was no particular time line on when they had to respond back. In some cases it was six or eight months before we had a government response to the recommendations made by the Advisory Council on Women's Issues. So when I looked at this legislation brought forward by the Member for Calgary-West, that's immediately what came to mind for me, that it's very similar legislation.

3:40

I was quite comfortable with the way it was set up, with a few minor exceptions. I was looking to have additional representatives of the community through grassroots organizations like the Society for the Retired and Semi-Retired, and the Alberta Council on Aging would have been an excellent addition to this and perhaps even something like the Lions centres here in Edmonton or the Kerby Centre in Calgary, all groups that work extensively with seniors in the community. There are additional groups, like the Elder Advocates of Alberta.

So I'm concerned that in the group that's set up here to develop these standards of care, out of all of the 20 possible positions, we're really looking at perhaps one person from the Seniors Advisory Council for Alberta being on it, and in fact that could be someone from the Premier's Council on the Status of Persons with Disabilities. While there may well be some MLAs who are seniors, that narrows the field of choice somewhat as to who would be appointed to this committee. So that's one of the specific disappointments I have when I look at exactly what is spelled out in this legislation.

The major concern that I was raising was the fact that it's a committee. That's all this bill does: it sets up the committee. It says what the purpose of the committee is, but there's nothing in here that says that what the committee recommends is even going to be responded to by the government or that it will get done. I've heard quite a bit of interest in this legislation out in the community. I've been on radio talk shows. I know other members of the Assembly have been as well. Everybody is talking like this is what this legislation will produce, that it's a done deal: a set of standards of care. In fact, that's not what the legislation gives us. So there's a gap, a jump, a chasm between what is set out in the legislation specifically and what people are hoping and assuming will be the outcome of the passage of this legislation. I think that's a concern.

So this committee that's established develops the standards for residential care and establishes a registry and develops education programs. Now, I'm being very specific with the wording here, Mr. Chairman, because that is the wording that is in the legislation: "develop standards" of care, "establish a registry," and "develop education programs." That's it. It doesn't say that this actually gets implemented.

If I look farther down, the committee can "receive and hear submissions" from various people in the community, they can "provide information to the general public on the purposes of the Committee and matters affecting residential care," they can "access research and data" on these issues that they are charged to cover, and "appoint subcommittees." Nowhere in here does it say that we're going to come out of this with a response from the government or indeed with standards of care. That was developing standards of care but not implementing in any way, shape, or form.

The Member for Calgary-West had asked me if I had an amendment, and I had to keep admitting I didn't know if I'd actually get it

ready in time. In fact I did, and I would like now to move this amendment to Bill 203.

THE DEPUTY CHAIRMAN: Hon. member, just a moment. If it's an amendment, we will need to make sure that it's received by everyone. We will refer to it as amendment A1.

Hon. member, you can proceed now.

MS BLAKEMAN: Thank you very much. So the amendment that I'm proposing is adding after section 6(2):

(3) The Minister shall, within 60 days after the annual report has been laid before the Legislative Assembly, make public an official Government response to the Committee's report.

As you can see from my earlier comments, what I'm trying to do is strengthen the legislation by ensuring that in fact there would be a government response to the reports and submissions that come forward from the committee. In other words, I'm trying to make sure that what is obviously the underlying intent, that the establishment of the committee results in the creation of standards of care, the registry, and various other educational proponents, will actually come into being rather than being created by the committee, staying with the committee, and not having an opportunity to go further.

In section 2(3) it would "make its recommendations to the Government through the Minister," which is the process by which the committee can in fact deliver its recommendations or the proposed standards of care or information on the registry through to the government. There's no requirement there that the government ever respond to it. I think this is such a vital issue for so many people in the community, not only for those who are frail, elderly, who are in need of care in a facility that would be covered by these standards of care but for their families.

I'm sure that many of us in this Assembly either are currently or will be shortly dealing with parents who have reached a point in their lives and in their health where they are in need of specialized care. If we're not in a position to be able to care for them ourselves in our own homes, we want to know that they are going to be cared for well. We know that in this day and age if you want that kind of thing to happen, you've got to be specific about what your expectations are.

3:50

It's not enough to say that somebody will be fed, but you need to say that they'll be fed three meals a day and that they will be fed according to the Canada food guide. You have to be specific about these things because unfortunately the world and the outcome of various litigation cases have told us that if you don't write it down in the first place, nobody's obliged to follow it. If it's not there, then it may not be followed. So I think it's important for all of us in Alberta to be following through on the excellent ideas that are presented in this legislation.

As legislators our obligation is to provide leadership and to facilitate processes happening in Alberta that make it a better place for all Albertans. I certainly think that's what's possible under this legislation, but it doesn't go far enough. That's why I have done the amendment and proposed it before everyone.

I've worked with a number of groups in the community who feel very strongly that we are lacking standards of care in all institutions. The registry is specific to residential care homes

- (i) that do not receive government funding, and
- (ii) in which 1 to 3 persons receive residential care.

The standards of care that are to be developed don't specify the size or the number of people that are involved in the institution. It merely says standards for

- (i) the level of care,

- (ii) the type of accommodation to be provided and maintained,
- (iii) the safety and security of persons in care;
- (b) to develop methods for monitoring residential care homes to ensure compliance with the standards established under this section.

So part of this is around residential care homes, which are defined in another section: "assistance, lodging, and meals are provided for compensation to persons who are 18 years of age or older who are unrelated." So it isn't specifying how large or how small the residential care home is, the number of people in care. I would hazard a guess and my research has said that it does not cover things like existing nursing homes, extended care, auxiliary hospitals, assisted-living centres, et cetera.

I keep hearing in the community and on the news that this is going to establish standards of care for homes that have less than three people that are receiving this care, but in fact the one to three persons receiving care is specific to the registry, not to the standards of care. The standards of care is just talking about people who are paying, where there's compensation involved and receiving personal assistance, lodging, and meals in a residence. So less specific there.

I would really like to see this legislation succeed. I had spoken earlier of working with FAIRE, which is the group out of Calgary, and I know that the member who proposed the bill had responded indicating that what they were looking for wouldn't be covered under this bill, but I still think there's a way that we can go to strengthen this.

Specific to the amendment is making sure that when all of the hard work of the committee is done and is sent through to the minister, there is a careful consideration and a response and that the response is made public. Because that's the other frustration. I mean, we've just gone through a series of written questions and motions for returns in which information has been requested, and we've been told: no, you can't have it under freedom of information and protection of privacy; there are a number of different caveats that are placed upon the information.

I would encourage everyone to carefully consider the amendment. I hope it will find support in the Assembly. It is certainly brought forward as a companion and as a piece to strengthen the legislation that's been proposed by the Member for Calgary-West. I'm sure that many in the community would be excited to see this pass and have it implemented, and I congratulate her and her committee on the work that was done for it.

With that, I will take my seat and allow any others that wish to speak to the amendment to do so, but I do urge all the members of the Assembly to accept this amendment. Thank you.

THE DEPUTY CHAIRMAN: On the amendment, the hon. Member for Calgary-West.

MS KRYCZKA: Thank you, Mr. Chairman. I acknowledge the suggestion that's within the notice of amendment put forward by the Member for Edmonton-Centre.

THE DEPUTY CHAIRMAN: Anybody else on the amendment? The hon. Member for Edmonton-Glengarry.

MR. BONNER: Thank you very much, Mr. Chairman. I would like to get up and support this amendment to the Residential Care Housing Committee Act that's proposed by the hon. Member for Edmonton-Centre. I think her concerns in this particular case are very, very valid.

In earlier debate on Bill 203 that members on this side of the

House certainly viewed this particular bill with a lot of skepticism. One of the reasons for the skepticism was a report, probably one of the more extensive and inclusive reports ever done for this Assembly, completed by a former member, the MLA for Olds-Didsbury. He had put this out on December 10, 1992, and it was a report on seniors titled *Looking to the Future*. This was a report; it was an action plan. It was to take us to the year 2005. Unfortunately, this report was shredded after all this tremendous work, after consulting with so many, many groups here in the province.

You know, the people that were involved in that, Mr. Chairman, were the general public, including seniors, people who were 45 and older, and the community at large, as well as service providers, including community organizations, continuing care facilities, home care, family and community support services. We had the business community involved, service clubs, media, academics, other levels of government, and related organizations and associations. Again, a very, very comprehensive report done at a tremendous cost to the Alberta taxpayers, and this report was shredded.

Now we have an amendment here that I think adds further strength to this particular bill in that it will result in some action. So I would urge all members of the Assembly to support this very good amendment as proposed by the Member for Edmonton-Centre on Bill 203.

Thank you.

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

MS KRYCZKA: Thank you, Mr. Chairman. I'm very pleased as sponsor of Bill 203, the Residential Care Housing Committee Act, to open Committee of the Whole in this Assembly today. Bill 203 was fully debated in second reading by many hon. members on Wednesday, April 25.

THE DEPUTY CHAIRMAN: Hon. member, we are on the amendment as it has been circulated. Do you want to speak on the amendment?

4:00

MS KRYCZKA: Yes. I will be speaking on the amendment in my speaking notes, Mr. Chairman.

My sincere thanks to researcher Darcy Dupas and researchers for their hard work on Bill 203. My remarks will address the essence of Bill 203, including the amendment proposed by the Member for Edmonton-Centre today and also the principles that are supported in the bill and will address not only the amendment but other concerns of colleagues.

As noted, Bill 203 promotes the establishment of a steering committee, and it has a cross-jurisdictional approach that would include relevant government departments, MLA representation, and key stakeholders. This committee would consult, develop, and oversee the framework for broad-based standards for residential care homes housing three or fewer people. The main objective of the committee is the development of provincewide standards for residential community care options and a system of monitoring and investigation and also information for individuals looking for residential care options.

Information needs to be collaboratively shared and collected between many government departments as well as appropriate key stakeholders involved in this important issue. To not include representation from all government ministries that monitor children's services such as Justice, Health, housing, Seniors, and Human Resources would really be a grievous error. To exclude key expert contributors in this area of policy development would also be overlooking . . .

THE DEPUTY CHAIRMAN: Hon. Member for Calgary-West, currently we have before us an amendment. We could have a vote on the amendment, deal with it, and then you could proceed with your speech as you have prepared. But we'll have to deal with the current amendment that's before us.

MS KRYCZKA: Yes. We'll have the vote on the amendment, and then I will continue with my speaking notes.

Thank you, Mr. Chairman.

[Motion on amendment A1 lost]

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

MS KRYCZKA: Thank you, Mr. Chairman. As I was saying, to not include representation from all government ministries that monitor children's services such as Justice, Health, housing, Seniors, and Human Resources would be a grievous error, and to exclude key expert contributors in this area of policy development would also be overlooking a major resource.

Also, with up to eight persons on the committee not named, flexibility remains for the minister's discretion. This is the main reasoning for the composition of the steering committee as defined in section 2. Obviously, there must be limitations on the size of the steering committee, and regrettably, some groups familiar with this policy issue area will not be able to be named. However, it is noted in the bill that there must be public consultation with key stakeholders. Therefore, organizations and individuals with an interest in residential care housing would then be able to lend their expertise to the committee, whether it's in writing or in person. Most importantly, the committee will retain a good portion of representation from the government that the people of Alberta elected.

I would like to point out that the first directive of the steering committee pursuant to section (4) of the bill is ongoing consultations which will occur with the individuals most affected by the residential care housing market. It is through the consultations with grassroots stakeholders and citizens that the steering committee will be able to best accommodate the needs and values of Albertans and reflect these elements in the recommendations for the regulations of the residential care housing market. It will be the responsibility of the steering committee to ensure that literally hundreds of stakeholder groups and individuals are heard from and that it is accurately documented. In so doing, their ideas will be discussed and reflected in the recommendations that will result from the consultation process.

Bill 203 is determined to protect at-risk, vulnerable Albertans: seniors, adults with special needs, brain injured, those with developmental disabilities, and adults with mental illness and mild dementia. It would regulate the activities of the residential care provider to ensure safe residential care alternatives and quality services.

That the debate around Bill 203 is primarily focused on housing needs of seniors is no accident, as seniors would seem to be the main beneficiaries of this legislation. However, the bill does not specify that residential care housing must involve a person over the age of 65, as Bill 203 is intended to serve all adult Albertans who may require or do require additional care in their daily living. The focus on seniors is an acknowledgment of the Albertans that will most likely be the residents in these housing units – nothing more. The directive of the steering committee is to develop regulations to include younger adult Albertans who require specific types of care in order to live independently in a community setting.

I am pleased that my colleagues in this Assembly support the general direction of the bill and acknowledge the need for the

formation of policy for residential care housing. It is important to act soon on these issues, as the need for residential neighbourhood housing living arrangements will only increase as Alberta's population ages and increases. Regulating the care of our at-risk, aging population is an opportunity to provide Albertans with innovative yet also commonsense approaches to housing options for all adult Albertans who require some assistance with daily living.

The regulation of this housing market will create new opportunities for entrepreneurs in Alberta and facilitate value-added living services for our elderly and our disabled who are paying an operator for accommodation, meals, and defined personal services. The monitoring of this market will create a level playing field that will ensure that standards are met, and this level playing field will foster a competitive market that ultimately provides more quality housing.

It is only through a collaborative effort that we can achieve the positive change that is necessary to have residential housing continue to grow and provide high-quality services. There has to be an inclusive process that takes into consideration the existing market and structure and one which encourages present and new operators to adopt standards of care that should be every Albertan's birthright.

I urge my colleagues to focus on the big picture of residential care housing and to keep clearly in mind those adult Albertans who need it as we debate the specifics of Bill 203 this afternoon. I look forward to hearing and perhaps responding to any existing concerns or supportive comments.

Mr. Chairman, to reiterate, there is a very strong case for the need for Bill 203. It is time for this government to assume the leadership role through a collaborative process and implementation and to move forward by proactively ensuring that at-risk adults have a quality, safe, independent lifestyle within a residential setting.

Thank you.

THE DEPUTY CHAIRMAN: The hon. Member for Redwater.

MR. BRODA: Thank you, Mr. Chairman. I am very pleased to speak to the Residential Care Housing Committee Act. Bill 203 was vigorously debated in second reading by many members and received overwhelming support from the members of the Assembly.

Bill 203 promotes the establishment of a steering committee which would have a main objective of developing provincewide standards for residential care options, a system of monitoring and investigating and providing information for individuals looking for residential care options. Bill 203 would protect at-risk, vulnerable Albertans, seniors, adults with special needs, and adults suffering from mental illness and dementia. It would regulate the activities of the residential care provider to ensure safe residential care alternatives and quality services.

4:10

Many groups and individuals have identified a need for standards and monitoring of residential care. The need for care was addressed by this Assembly in 1995 when the then Member for Calgary-Bow proposed the motion which read:

Be it resolved that the Legislative Assembly urge the government to ensure that health and safety standards are being met in all personal care facilities by establishing regulations and a comprehensive monitoring system.

The motion passed unanimously. As a result of this motion the interdepartmental working group on private care in group homes was formed to identify issues related to private care and group-living options, to determine if there was a role for the provincial government to play.

Their report, the Safety of Adult Living in Residential Care Options, in 1998 made key recommendations that are very valid today and which are an integral part of Bill 203.

Even more recent government reports reinforce the need to pass Bill 203. For example, Alberta for All Ages: Directions for the Future, June 2000, presented a study on the impact of aging population. This document forecast an enormous demand for community and residential care. Also, the document Healthy Aging: New Directions for Care, November 1999, the final report of the policy advisory committee on long-term care review, a report I'm very familiar with, also recommends strongly that Alberta take measures to ensure the private and voluntary sectors expand their range of support of living options available across the province and expand the support of housing to include light- and medium-care cases: people with mild dementia and young people with disabilities.

Also, the report urged the government to set provincewide standards for supporting housing developments. Through a collaborative process this is what Bill 203 aims to do, Mr. Chairman, and I urge all my colleagues to support this bill.

Thank you, Mr. Chairman.

THE DEPUTY CHAIRMAN: The hon. Member for Red Deer-North.

MRS. JABLONSKI: Thank you, Mr. Chairman. I'm pleased to have the opportunity to speak before the Committee of the Whole today on Bill 203. I'd like to thank the hon. Member for Calgary-West for bringing forward the Residential Care Housing Committee Act.

This is an important bill that would rectify gaps in Alberta legislation pertaining to home care. Bill 203 addresses several inadequacies that vulnerable Albertans face in terms of residential home care. Currently no legislative standard of care exists in Alberta for home care operations in residences housing three or fewer clients. Section 2, which would allow the steering committee to develop regulations concerning "the level of care" and "the type of accommodation to be provided" and standards for the health and safety of the residents, will protect all home care consumers from potential abuse.

The steering committee will also work to develop procedures for monitoring residential care homes so that they can ensure that established standards are being implemented. Initially the committee will only monitor those homes that have applied to the voluntary residential care list. Those homes that are accepted onto the list will have met the care, sanitation, and accommodation requirements established by the steering committee. This list will signify to those Albertans interested in residential care service that the providers on the list are of solid reputation and will undoubtedly provide good-quality care.

Mr. Chairman, the steering committee will work towards a goal of standardized home care where eventually all residential care homes with three or fewer clients will be regulated under the umbrella of legislation stemming from the work of the committee. These standards imposed on the operators will serve to protect Alberta's residential care consumers.

As you know, Mr. Chairman, the population of Alberta is graying. Now is the time for this government to ensure that the rapidly growing senior population will find that there is adequate care waiting for them when they need it. Not only should they be aware that quality residential home care will be available; they should have the knowledge to make an educated choice of a provider. This is why section 2 of Bill 203 establishes a mandate for the committee to relay information to the general public regarding residential care. Through such an initiative the public will know what to expect when it comes time to choose a home for themselves or for a loved one. Public consultation and education will also apply pressure on home care providers to ensure that their level of care is up to the standards set out by the committee.

Bill 203, section 3, confirms that the steering committee will have a broad spectrum of input from many government departments, Members of the Legislative Assembly, regional health authorities, municipalities, and the Seniors Advisory Council. Mr. Chairman, such a variety of input will ensure that this committee will have adequate representation to make informed and reasonable decisions.

The Residential Care Housing Committee Act is essential for those members of the seniors community who are without the luxury of a network of friends and family who can care for them. This bill will provide a road map for Alberta's elderly when they seek quality, trustworthy, standardized care. This is the least the government of Alberta can do to ensure that those who have made vital contributions to Alberta's success will be cared for when they can no longer care for themselves.

Thank you, Mr. Chairman.

THE DEPUTY CHAIRMAN: The hon. Member for Airdrie-Rocky View.

MS HALEY: Thank you very much, Mr. Chairman. I'm very grateful to have the opportunity to address private member's Bill 203, and I'd like to thank the hon. Member for Calgary-West for bringing this important issue forward.

There are, however, some issues that I would like to raise. I think that it would be easy to say yes to this bill. I mean, no one wants the elderly or the vulnerable members of our society to be abused or taken advantage of. I believe that is why a couple of years ago, when Bonnie Laing was here, we passed her Protection for Persons in Care Act. Perhaps this bill is the logical next step.

What concerns me is that there is always yet another step, a step that once again puts government into the mix of personal choices, another step that says that government can just pass more laws to make society perfect – well, perhaps perfect in the minds of people in this Assembly – another step that says that we know best and that you, Mr. and Mrs. Albertan, don't really have to think about things because government is there to do your thinking for you. We will make you safe; you and your family need not take much responsibility or concern about your choices because we're here to do that for you.

There is the likelihood that the formation of a voluntary registry will in fact create a liability for this province. None of us has forgotten the eugenics law. I mean, we are still paying for that one; it was repealed 30 years ago. Recommending or listing housing options for seniors without certification, without licensing or monitoring may put consumers at risk and the government at risk of being sued for contributory negligence.

We raise expectations that we may never be able to meet. There is reason for concern on this issue. I do not in any way deny we are all aware of our aging demographics, and just today in the *National Post*:

The C.D. Howe Institute, an economic think-tank, estimates that health care will consume more than half of all provincial revenues by [the year] 2040.

I believe it'll be a lot quicker than that.

That will likely increase the tax burden on a shrinking workforce paying for a growing pool of elderly Baby Boomers, he predicts. In 1998, 12% of Canadians were over age 65, yet more than 43% of provincial health care spending went to services for seniors, the report notes.

Yet there is little evidence that more spending meant better care.

I raise that simply because this is yet another layer, and nobody knows what it's going to cost.

We know that within 15 years or less our seniors population will

in fact double. We know that we will require more long-term care, more nursing homes, more lodges, more assisted living, and, yes, more residential-type care. So while we all want to ensure the safety and protection of our frail, our elderly, and our vulnerable members of society, I ask all of you to carefully consider if this is the correct vehicle. Our existing legislation I believe is currently being reviewed. There has been extensive work done by the Member for Redwater and a report issued with many recommendations that are currently being implemented, and more of them are coming forward. Bill 203 in my opinion will generate similar recommendations but could possibly forestall government action and possibly impede current initiatives.

Another question that you must ask yourself is what possible incentive there is for a residential housing owner/operator to voluntarily register. Anyone that could be in the least concerned about meeting standards would surely not register their home. What about the sole owner/operator? There are no employees to register a complaint about that person.

4:20

Is it possible that the registry could impact upon the cost-effectiveness of good residential care homes? I ask this because the bill does not talk about the cost of compliance. No one knows what the standards will be. Would there be flexibility in standards for different clientele?

Monitoring costs are significant. How many bureaucrats would it take? At what cost? Who pays? And if there's no monitoring, what good is it? Would it be like a Better Business Bureau that you could just phone up and get information from? I don't know that, but if that's all it was, maybe I could support this bill. But then there is a Better Business Bureau already, and maybe we should be talking to them about branching out into this area.

Bill 203 does not address costs or even propose to examine them. The vast majority of people in care home residences are there by personal choice, and we need more of those choices as our population ages. There are advocates out there, starting with family and friends, moving to the AISH caseworkers, home care operators, and RHAs, and of course we have the newly formed Department of Seniors. We have Government Services, and we have municipal housing authorities as well as law enforcement officers. If an individual is unable to report abuse, I'm not sure that another committee will change that.

Once again I would sincerely like to thank the Member for Calgary-West for bringing the issue forward. It is important, but I am concerned when we risk setting up yet another bureaucracy without any idea of what it may cost, without any idea of how many people will be discouraged from opening their homes to help others in this type of situation. They may not open those homes for fear of not meeting some arbitrary standard that may in fact be a moving target.

I for one would be far more comfortable if this issue were coming forward through the Minister of Seniors. That way it would have been thoroughly scrutinized. We would have a better idea of the cost of compliance or the penalty of noncompliance. We would have a better knowledge of the extent of the problem that we're trying to address here and what standards we could actually anticipate. We may have a better understanding through a public consultation process, though, of what really needs to be done and the impact of both the positive and negative aspects of doing something versus doing nothing.

I have to be honest, Mr. Chairman. In eight years as an MLA I have never had a call in my constituency office about this issue. I have had complaints about doctors, about hospitals, about long-term

care facilities, but I have never had a complaint about a residential care home. That doesn't mean that there aren't any problems out there. It just means that as a representative of my area I have to wonder why I would want to support a bill that nobody at home has talked to me about. I wish that on private members' bills Standing Orders allowed us to be able to send a bill like this to a minister and ask him or her to spend some time and, yes, even a little bit of money to more thoroughly review the issue, and then have it come back through the process.

I regret, Mr. Chairman, that that is not the case, because without a lot more information about the ramifications and the potential costs of this bill, I am unable to support it. I would ask that all hon. members in this Assembly stop and think carefully about the issues I've raised before we pass into law a bill that impacts 3 million Albertans, most of whom are totally and completely unaware of what we're talking about in here today.

Thank you, Mr. Chairman, for this opportunity to put my views on the record.

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

MS KRYCZKA: Thank you. I would just like to take a few minutes of speaking time to respond, very much in part only, to a couple of concerns raised by the hon. Member for Airdrie-Rocky View. In terms of creating a layer of bureaucracy, we have at risk our vulnerable adults that we're speaking about here, who for the most part cannot advocate for themselves. We protect children as vulnerable through legislation. Why not vulnerable adults? As the final report on the Safety of Adults Living in Residential Care Options states: this is a collaborative, consultative initiative and process that builds on current initiatives and existing structures in the community and will not necessarily create an extra layer of bureaucracy.

I would be very pleased to provide the hon. member with an extensive list of people that I have consulted with and organizations that support the initiative that this bill sets out to solve. They are large organizations, but they have looked toward the province for leadership.

In terms of a registry it is really a voluntary list to help ensure that individuals are not at further risk while the broad-based standards are being developed. The main intent of it would be to help Albertans who are seeking information as to, for instance, where residential care homes are located, details of those homes, and types and levels of assistance that are offered.

Again, there are many resources and examples, such as the Department of Health in the government of Saskatchewan, who have been working with the Personal Care Homes Act since 1989, and two major regional health authorities, the Capital health authority and the CRHA. As I said, I would be very pleased to give the Member from Airdrie-Rocky View a list of resources, of people and organizations that have been involved in the consultations.

Thank you.

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

MR. CENAİKO: Thank you, Mr. Chairman. It's my privilege to speak to Bill 203, the Residential Care Housing Committee Act, proposed by my distinguished colleague from Calgary-West.

Mr. Chairman, as we all know, our population is aging, and the ability of our health care system to accommodate the inevitable surge in demand for health services is a real concern. This province has consistently shown that we are at the forefront of this issue and that

we are committed to taking a proactive stance in order to ensure that all Albertans receive the very best care available.

Mr. Chairman, Bill 203 seeks to address the need for long-term residential care. Seniors today are more independent than ever. Most elderly Albertans would prefer to remain in a residential setting even as they begin to require more regular supervision and direct medical care. The opportunity to receive these services in a residential setting and maintain a sense of self-sufficiency is a great benefit to many elderly Albertans.

In addition to the benefits that individual seniors receive, residential care options will serve to alleviate the stress placed on group homes and other care facilities. Residential care facilities are also extremely cost-efficient when compared to more formalized institutional services.

The reason we need Bill 203 is that currently residential care facilities with three or fewer clients not receiving any provincial funding do not have regulatory bodies created specifically to address the issues and concerns of residential care recipients. Mr. Chairman, we must work to protect the citizens who choose this type of care and give them the opportunity to live the best, safest, and most independent life possible.

As stated in section 2(2), the bill establishes a residential care housing committee "to develop standards for residential care" and "to develop methods for monitoring residential care homes to ensure compliance" with established standards. This committee would also develop a voluntary registry system of existing residential care housing providers who do not receive government funding and care for up to three people. This registry will provide the foundation for developing standards and requirements for the operation of these facilities.

Mr. Chairman, the passage of this bill will enable the elderly to receive regulated, properly monitored residential care as an alternative to formalized institutional care. Monitoring residential homes is vital to guide care providers toward better service while at the same time ensuring proper care of dependent adults.

In summary, Mr. Chairman, this bill is a proactive step in the development of a comprehensive system to care for our aging population. It ensures that no segment of our society is denied appropriate health and safety standards for their personal care. It further allows the elderly to choose care options that are the best for them, with peace of mind that the care they are receiving is governed by appropriate regulations and a comprehensive monitoring system.

It is for these reasons, Mr. Chairman, that I enthusiastically support Bill 203 and encourage my colleagues in this Assembly to do the same. Thank you.

[Mr. Lougheed in the chair]

THE ACTING CHAIRMAN: Calgary-McCall.

MR. SHARIFF: Mr. Chairman, thank you for providing me with the opportunity to speak to Bill 203, the Residential Care Housing Committee Act. As I look at this bill, I think it would benefit and protect many vulnerable Albertans. I support the bill out of 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 will protect them from many of the crimes that they are vulnerable to.

4:30

At present there are no legislated guidelines that protect these residents from abuse. The law does not set certain standards that these care facilities must comply with. These facilities offer lodging,

meals, and personal assistance for one to three elderly persons or adults with extra needs. These facilities are special because they provide care in a residential setting for individuals who need some assistance and cannot live alone but do not need nursing or medical support. They provide a safe environment, support, protection, supervision, and assistance to the residents in that home.

Mr. Chairman, I'm particularly concerned about one factor. There is nothing stopping an operator from opening five, six, seven homes and having three seniors living in each home. What that effectively does is give them responsibility for 20, 21, 25 elderly people with no management or control in place. Currently the department only regulates those facilities which house four or more. Why shouldn't we be doing that for those homes that have three or less in their care?

The specific purpose of the bill is to identify, list, and eventually regulate care home operators housing three or fewer clients. To begin this development, a steering committee would build a voluntary list of private health care providers. That is one area where I'm wondering: why should it be voluntary? It probably should be mandatory. Why let them provide a list on a voluntary basis? I think that should be mandatory.

Then it would use this list to help formulate regulations. The findings of the steering committee will be the basis for standards and regulations that ensure that private care facilities are being maintained at the highest quality level.

On some specifics on a line-by-line basis I'd like to kind of highlight for the mover of this bill a few pointers. As I indicated earlier on, I think that there should be a mandatory registry and not a voluntary one according to section 2. The committee should probably have more resources made available to it so it can carry out the task of visiting the various facilities, talking to the clients, talking to the clients' families, and then providing a report to Albertans.

I notice in this bill that

one year after the date this Act comes into force, and every subsequent year on the same date, the chairperson of the Committee shall submit to the Minister an annual report of the activities undertaken by the Committee during the previous fiscal year.

Now, what if that date turns out to be a Sunday? I'm wondering whether such fixed times are required within this bill.

Overall in principle I support it. I think it is needed. I have had many concerns expressed to me about the quality of care received by seniors in small group homes. So I'd like to compliment the hon. member for bringing forward this bill. It may not be perfect in every which way, but I think the intent is right. This is an opportunity for us to bring about amendments if we so choose. I hope the hon. member will take the debate into consideration, and I hope that every member will support this bill.

Thank you.

THE ACTING CHAIRMAN: We'll call on the Minister of Agriculture, Food and Rural Development.

MRS. McCLELLAN: Thank you. I just have a couple of comments I'd like to make on this bill, Mr. Chairman, because I think it's an important bill. I want to commend the Member for Calgary-West for the intent that she brought this bill forward with. However, having said that, I do have some concerns with the bill. I'm not going to go through them all, because some of the concerns certainly were well spoken to by the Member for Airdrie-Rocky View.

[Mr. Shariff in the chair]

One of those certainly is the whole area of how much government gets into people's lives and people's choices. For those of you who

know me from years in this Legislature, you will know that I believe people should have choices. I believe that the less government is in your life, the better off we all are. Having said that, I also believe that there is a vulnerable part of our society that needs protection and care.

Like the Member for Airdrie-Rocky View I would prefer that this had a more thorough vetting with the Minister of Seniors to better understand from my perspective what abuse is out there. Frankly, in 14 years I haven't had a call on this issue, and I do represent quite a large constituency. So I have that concern with the bill.

As I indicated, I respect that the Member for Calgary-West brings this bill with a feeling and a knowledge and a belief that this is important. An aspect of the bill that I do like is that the registry would be voluntary, and I would support that if it were to go ahead.

Again, as people make a choice as to how they want to live when they can no longer be independent in their homes, I would like to see that choice left to persons when you are in what is almost a noninstitutional setting of three or less people. I think people choose that because they do want to be in a more familylike setting. They do need some care but not the care that you would require if you were slated for institutional care.

I feel that way about other areas as well, and I've spoken on them in the Assembly. One of those areas is day care. I think people that choose to put their children in day care should understand that they have a regulated environment, that the factors are all there, but I always wanted to leave it to mothers who want to leave their children with friends or family to make those choices for themselves. For many people that is the better choice. I feel that that's applicable in this as well.

I also have a concern, having some experience in this Legislature, of dismantling committees that have been in place for years that actually didn't function. I was amazed at how many committees we had in place that hadn't met for three or four years. So when we talk about setting up another structure, I wonder if there isn't a structure already existing that can manage some of these things. I'm not in favour of large bureaucracies, and I'm not in favour of large committees, but make no mistake, hon. members, I am in great favour of ensuring that the people who are vulnerable in our society have protection. I just happen to believe that that's available today. I do happen to believe, as I've indicated, that in homes that look after less than three persons, that can be left to the choice.

I wouldn't feel that confident about it if we didn't already have in place a system of very fine care homes for people which are regulated, which are monitored through the social care facilities committee, which has done an outstanding job over the years of visiting those places and making sure that residents are cared for and protected.

4:40

There's one other area I just want to mention. There's a group in Calgary that many of us are familiar with, and I'll just single them out: the Kerby Centre. The Kerby Centre has represented seniors over the years and has been a place for seniors who have concerns in those areas to go and have been great advocates for them. Perhaps groups like that can better respond if there are issues on a one- or two-person dwelling. Once you get over three or four, you're probably in an institutional-like setting and government perhaps has a role of monitoring.

Those are my comments, Mr. Chairman. With those comments I support the intent of the bill, but I would not support it passing in its present form.

THE DEPUTY CHAIRMAN: The hon. Member for Medicine Hat.

MR. RENNER: Thank you very much, Mr. Chairman. It's also a pleasure for me to have an opportunity to address Bill 203 this afternoon. I, like many others, would like to congratulate the Member for Calgary-West. I think that the intent of this bill is well thought out. I think the member truly does believe that there is a need to address some concerns for the quality of living conditions that are found in some of the residential care facilities throughout the province.

But like the previous couple of speakers, the Member for Airdrie-Rocky View and the Minister of Agriculture, Food and Rural Development, this is an area that I, too, have not had a lot of calls on. I do hear from time to time complaints with respect to day care, complaints with respect to formalized institutional care settings, but I have not heard specific complaints as they relate to a residential care situation. I'm the first to agree that that does not indicate that there are no problems. I'm not so foolish as to believe that there are not some situations that could be potentially hazardous and create a very poor environment for people who really are not in a position to speak for themselves and to stand up for themselves.

I have concern with this bill. The concern that I have is that this is the type of bill that has very little detail in it. Basically, the bill says that we'll have a committee, that the committee will establish standards, that we'll have a voluntary system, and that the committee will enforce those standards. Then it goes on to say that the government will pay for it all. Like the Member for Airdrie-Rocky View we have no idea how much this is going to cost. In order for it to be done properly, conceivably there would have to be literally dozens of persons who would be responsible for enforcing and visiting each of the various facilities throughout the province.

In addition to costs to government, which I think all of us should be concerned about – nevertheless, we also have to keep in mind that it is the role of government to provide services to its citizens, so I don't think that the cost to government should be the overriding concern when you get into a discussion like this – there are costs to the individuals. In a case where you have care providers providing the services, I have grave concern that not knowing what the extent of the standards are that this committee may or may not develop, there could be some substantial costs involved in upgrading facilities where the committee makes an arbitrary determination that perhaps a certain minimum number of square feet are necessary for a room. There could be any number of standards that are set that would tend to be arbitrary and would tend to be extremely expensive.

Then we run into a situation where we've got this voluntary list of providers that meet, quote, the standards, and you've got another group of providers out there who don't meet the standards and hence would not, obviously, be listed on this sheet. The implications would be that there's an inferior level of care if any provider is not listed on this voluntary list.

Well, it could very well be that the standards that have been established are unreasonable in some circumstances. What is reasonable accommodation in one community may not be reasonable in another, and I'm not so sure that setting some kind of a province-wide standard would be a workable solution in this particular case.

We also would have a situation where the costs that would be borne by the clients may in reality end up being substantially higher for those providers that are providing services under the, quote, voluntary registration, and then we get into a whole argument on the equity of the situation. Those that can afford to go into a voluntarily standardized accommodation will be assured of having the committee and the enforcement provisions provided by the committee at their disposal to ensure that either their loved ones, in the case of a guardian, or individuals are looking after their own affairs. On the other hand, where there is a case where an individual may not be

able to afford accommodation that meets the arbitrary standard, they're going to be living in accommodation that is not on the list, that is not going to have access to the enforcement criteria of the committee, and what have we accomplished? We've accomplished nothing. We still have people living in inferior accommodation.

So even if this bill was to be passed and supported, I don't think it would solve the problem that it's trying to solve. I think that we need to think very seriously about this situation.

I agree with comments that have been made. Let's determine if in fact there is a serious problem in our communities around this province. If there is, let's do some broad-based consultation. Let's talk to people who are in fact providing residential care throughout the province, get some input from them, get some input from people who are living in residential care, and come up with a solution that will in fact be a long-term solution. We'll deal with the problem if that problem does exist. Mr. Chairman, I unfortunately feel compelled not to support this legislation at this point.

Thank you very much.

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

MS KRYCZKA: Yes. Thank you, Mr. Chairman. I appreciate the comments that have been made by the last three speakers, and I also, though, feel that I would like to respond briefly to some of their comments. I realize I can't answer them all satisfactorily, but I will do my best to address a few of them.

Looking first to the government and our policies, it's my understanding that we support the continuum of care – and I think it has been mentioned already this afternoon by the Member for Redwater – in terms of health, housing, health needs. The long-term care review report substantiates that, and the aging population study substantiates that. We know that individuals, Albertans, want to truly age in place in their communities. Their first choice would be to age in their own homes, and their last choice would be to be in an acute care setting. But in between we have, happily enough, new models of living around the province where personal supports and help can be added as needed. We have congregate living that's in the private sector, we have lodges that are in the public sector, and there is subsidized housing for seniors.

4:50

So we have got some choices in there, but we do know that in many instances we have a housing shortage, and there are waiting lists. I am aware through my research – again, I have done extensive research on this – that there have been organizations in the province that have set up similar minisystems, because they are, in their own way, dealing with this problem that we do not have regulations and standards for people who live in housing. Say, for instance, the one that I'm proposing here that has one to three or less than four residents: there are basically no standards of the sort that would protect, again, vulnerable adults. I'm talking about seniors, for instance, who may be healthy today but not necessarily healthy tomorrow. We all probably know through personal experience that this does happen to seniors. Dementia could be diagnosed or Alzheimer's.

The main thing along with this continuum of care is, I believe, that this type of regulated housing would give us additional housing in the communities. We talk about costs, as did the hon. Member for Medicine Hat. The cost of this housing in terms of bricks and mortar is nil. It is housing that already exists, and it's out there in the private sector. Seniors or persons with special needs would be paying their own way.

Basically, I think the main point to remember is this is another

housing choice that we will have for our at-risk adult Albertans, and with the aging population the demand is only going to increase.

In terms of not having complaints or not knowing, I made a statement earlier today that these are vulnerable adults, and probably most of them are not in a position to speak for themselves – perhaps through their families, but some of them do not have families close by or do not have families that can speak for them. So, again, a main reason why this bill is being proposed is at-risk people.

With not having a present registry we don't know how much of this type of housing exists. Again, we have no idea of negligence unless there have been reports such as in the media. These things have happened, and I do have documentation of negligence that has occurred.

I think, basically, the main impact of this too is that truly many, many people will be allowed to age in place within their communities in safe housing and, again, be provided with these personal supports that are necessary.

I tend to have focused on seniors and not on people with special needs. I know that for people with PDD, brain injuries, with mental health problems, their own agencies and their support organizations are working to support them. As an example, one of many examples I've heard, a mother is distraught because her son, who did have an accident and is brain injured, has been living in a long-term care centre mostly with people with advanced Alzheimer's. He has progressed to the degree that this is not a suitable setting for him. So where does he go from there? He even actually does one day of volunteer work a week at the Children's hospital, and he's capable in many areas, but he cannot function without supports in a home. So it's not just the seniors. We are talking about people with special needs.

I say, yes, there are challenges, and I acknowledge the points that are made by the hon. members, but I would like to ask the members of this Assembly to support this bill. I rest my case.

Thank you.

THE DEPUTY CHAIRMAN: On the clauses of the bill, are you agreed?

SOME HON. MEMBERS: Agreed.

THE DEPUTY CHAIRMAN: Opposed? The motion is defeated.

[Several members rose calling for a division. The division bell was rung at 4:56 p.m.]

[Ten minutes having elapsed, the committee divided]

[Mr. Shariff in the chair]

For the motion:

Abbott	Gordon	Nicol
Blakeman	Hancock	O'Neill
Bonner	Jablonski	Taft
Broda	Johnson	Tarchuk
Cenaiko	Kryczka	VanderBurg
Dunford	Mason	Zwozdesky
Forsyth		

Against the motion:

Ady	Jonson	Ouellette
DeLong	Knight	Rathgeber
Evans	Lougheed	Renner
Friedel	Lukaszuk	Snelgrove

Haley	Lund	Stelmach
Herard	McClellan	Stevens
Hlady	McClelland	Taylor
Horner	McFarland	Vandermeer
Jacobs	Melchin	
Totals:	For – 19	Against – 26

THE DEPUTY CHAIRMAN: The motion has been defeated.
The Deputy Government House Leader.

MR. ZWOZDESKY: Thank you, Mr. Chairman. In view of the clauses of this bill having been defeated, I would move that the chairman now leave the chair.

[Motion carried]

5:10

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

**Bill 205
Municipal Government (Farming Practices Protection)
Amendment Act, 2001**

[Debate adjourned May 8: Mr. Lund speaking]

THE ACTING SPEAKER: The hon. Minister of Infrastructure.

MR. LUND: Thank you, Mr. Speaker. I noticed in *Hansard* that as we adjourned debate yesterday, I was in the middle of a sentence. No aspersions on the Speaker; it was just that I was trying to stretch the time. Maybe I should complete the sentence that I had started.

I was commenting on the conflict that we find occurring out in rural Alberta with the fragmentation that's happening, and I was commenting about the number of things that we find that people complain about. I see where I had said that we find that there are complaints about sprayers. I need to clarify that in fact it was the aerial spraying that I got a lot of complaints on when I was minister of agriculture.

I think there's a bigger picture here that we are discussing. Certainly what Bill 205 speaks to is the approval process. I must admit that I did make a lot of comments about those other peripheral issues. Certainly in the whole area of the ILOs I guess that the approval is probably the starting point, where we need to concentrate. I want to take this opportunity to thank the hon. Member for Lacombe-Stettler for bringing this forward, because it is a very, very important issue, one that the committee that toured the province three times came back and quite frankly did not have a clear answer to.

As a matter of fact, what we see happening today is pretty close to what that original committee had recommended, and quite frankly, Mr. Speaker, it's not working. We have to discuss further how this process needs to evolve and how it needs to work. What's happening out there today are a couple of things. It is dividing the communities. You have local officials being pitted against, in some instances, even neighbours to make a very difficult decision. The emotion runs high, and the first thing you know, there's division. There's that problem.

Then there's the problem of being inconsistent, because what will happen in one area doesn't happen in another. As well, there's the issue that I touched briefly on yesterday about having one body saddled with the responsibility while the authority lies in another jurisdiction. That causes a great deal of concern, and I must repeat:

it doesn't work. We've seen cases in other areas where that happens, where the responsibility and the authority are not in the same arena, and as soon as that happens, you're doomed for failure.

I think that the code that we issued about a year ago on the safe handling and disposal of manure and other operations certainly goes a long way to addressing the issues of operation that are out there. I'm looking forward with great anticipation to a report that will be coming from the most recent committee that toured the province taking information and taking advice on how to solve the two issues, the operational and the approval.

So with those comments I once again thank the Member for Lacombe-Stettler for bringing this forward. It's probably one of the toughest issues that we are going to have to make a decision on in the short term. I believe that this is a good start for the debate.

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

MR. MASON: Thank you very much, Mr. Speaker. I'm pleased to speak to Bill 205. As I understand it, the intent of the act is to take away from the local municipal jurisdiction the authority to deal with intensive livestock operations and to have those issues settled elsewhere, particularly at the provincial level.

Now, there are many issues around this, Mr. Speaker. The development of these very, very large-scale intensive livestock operations has produced controversy throughout the province and, I think, rightly so. In general, these intensive livestock operations often pose a threat to local groundwater. I think that's an issue which is of great provincial concern. We have seen increasing questions raised about the state of the groundwater in this province, which is by its nature not the wettest place on Earth and which I think has less open water than most other provinces in the country if not every other province in the country. It is fundamental that we preserve pure and adequate levels of groundwater if the many other activities of this province are going to continue, not just agriculture but in particular, in this case, agriculture.

So the control of ILOs is of very great concern, I think, to everybody in the province. The question then is: what are the other impacts of ILOs? Well, there are economic impacts in the sense that they threaten the smaller family farms with competition that they cannot meet. I think that that's another impact that needs to be considered. Now, I know members opposite take a different view and believe that these are natural evolutionary tendencies and are best left alone and that if the family farm is consigned to the dustbin of history, then so be it, that it's sad, but there's not very much we can or even should try to do about it.

We take a different view, Mr. Speaker. We take the view that the family farm is an institution that's worth preserving in this country and in this province and that the industrialization of agriculture, with all its attendant disruptions to our society and our environment, is not a welcome development. So we have, I think, a difference on that with members opposite or at least with some members opposite.

Then there's the question of local government and local authority. One of the things that local government does, whether it's in the city or in the countryside, is evaluate whether or not different types of land use are compatible. That's a fundamental function of local government not just in Alberta but pretty much everywhere in the country.

What I read in the comments in *Hansard* by the hon. Member for Lacombe-Stettler when she introduced this bill or spoke to it at second reading concerned me a little bit, Mr. Speaker. It was obvious that what had happened was that the local government there had made certain decisions that certain larger scale agricultural

producers found hard to live with, yet those decisions were made through the democratic institutions of local government. Then we had the hon. member coming to this place and seeking approval of the Assembly to override the local decision and in fact take away the power of local municipal governments to make those decisions with respect to ILOs right across the province.

I note, Mr. Speaker, that a number of hon. members on the government side who have a background in rural municipal government have stood up and spoken against the bill and have argued that the local government is in the best position to make these kinds of decisions. I read their speeches with interest as well, and I agree with them. I think that they are correct in saying that local government is in the best position to make these decisions. Whether or not you can satisfy issues of groundwater or pollution and disposal of waste products, if it in fact creates a nuisance for people who live in the country, then it is the local government that ought to be making decisions about which land use is compatible with which other land use.

5:20

So on that basis, Mr. Speaker, I am speaking against the bill because I think we should, first of all, protect and enhance local government and its traditional responsibilities. I don't like at all the idea that if local government makes a decision that you disagree with, you come to this place and ask everybody to take away the power of that local government to make the decision. Can you imagine if every time the government in Ottawa disagreed with decisions that were made by this government – and I know they don't have the power, as we do, over municipalities – if every time Alberta exercised its authority in an area and the federal government disagreed with that position, it took away our powers? How would that go down with members of the Assembly? Not very well, I think. So I think on those issues it's clear that the power should go with local government to control these.

Now, there's a broader issue that I think the provincial government needs to be very strongly concerned about, and that is the deterioration of the groundwater of this province, which is perhaps one of our most precious and underrated resources, because of intensive agricultural uses and because of undercontrol in the gas and oil drilling industry, which is causing tremendous contamination of our groundwater in this province. When the groundwater is

severely compromised, the economy and the livability of this province will suffer tremendously.

So the government has an obligation, in my view, to take up this question as one of the key questions facing the future of this province and to really address it with a view to preserving the groundwater of this province for all of the purposes that people require it for on a permanent basis, on a completely sustainable, permanent basis so that it never, never is compromised. To not do so would be compromising not just the economy of the province, not just the agricultural sector of the province, but in fact the very livability of this province, Mr. Speaker. I think that the member by bringing this forward raises this issue, and I appreciate having the opportunity to make my points.

I will now take my seat and let other speakers proceed. Thank you.

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

MR. STEVENS: Yes, Mr. Speaker. I move that we adjourn debate on this bill. Thank you.

[Motion to adjourn debate carried]

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

MR. ZWOZDESKY: Thank you, Mr. Speaker. I would move that we adjourn and recess the House at this point, that we call it 5:30, and that we reconvene in Committee of Supply tonight at 8.

THE ACTING SPEAKER: Does the Assembly agree with the motion proposed by the hon. Deputy Government House Leader?

HON. MEMBERS: Agreed.

THE ACTING SPEAKER: Opposed? Carried.

[Pursuant to Standing Order 4 the Assembly adjourned at 5:24 p.m.]

