



Province of Alberta

The 27th Legislature  
First Session

# Alberta Hansard

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The Honourable Kenneth R. Kowalski, Speaker

# Legislative Assembly of Alberta

## The 27th Legislature

First Session

Kowalski, Hon. Ken, Barrhead-Morinville-Westlock, Speaker  
Cao, Wayne C.N., Calgary-Fort, Deputy Speaker and Chair of Committees  
Mitzel, Len, Cypress-Medicine Hat, Deputy Chair of Committees

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Mary Anne, Red Deer-North (PC), Minister of Seniors and Community Supports</p> <p>Jacobs, Broyce, Cardston-Taber-Warner (PC)</p> <p>Johnson, Jeff, Athabasca-Redwater (PC)</p> <p>Johnston, Art, Calgary-Hays (PC)</p> <p>Kang, Darshan S., Calgary-McCall (L)</p> <p>Klimchuk, Hon. Heather, Edmonton-Glenora (PC), Minister of Service Alberta</p> <p>Knight, Hon. Mel, Grande Prairie-Smoky (PC), Minister of Energy</p> <p>Leskiw, Genia, Bonnyville-Cold Lake (PC)</p>	<p>Liepert, Hon. Ron, Calgary-West (PC), Minister of Health and Wellness</p> <p>Lindsay, Hon. 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Ron, QC, Calgary-Glenmore (PC), Deputy Premier, Minister of International and Intergovernmental Relations</p> <p>Swann, Dr. David, Calgary-Mountain View (L)</p> <p>Taft, Dr. Kevin, Edmonton-Riverview (L), Leader of the Official Opposition</p> <p>Tarchuk, Hon. Janis, Banff-Cochrane (PC), Minister of Children and Youth Services</p> <p>Taylor, Dave, Calgary-Currie (L), Deputy Leader of the Official Opposition</p> <p>VanderBurg, George, Whitecourt-St. Anne (PC)</p> <p>Vandermeer, Tony, Edmonton-Beverly-Clareview (PC)</p> <p>Weadick, Greg, Lethbridge-West (PC)</p> <p>Webber, Len, Calgary-Foothills (PC), Parliamentary Assistant, Energy</p> <p>Woo-Paw, Teresa, Calgary-Mackay (PC)</p> <p>Xiao, David H., Edmonton-McClung (PC), Parliamentary Assistant, Employment and Immigration</p> <p>Zwozdesky, Hon. Gene, Edmonton-Mill Creek (PC), Minister of Aboriginal Relations, Deputy Government House Leader</p>
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[Errata, if any, appear inside back cover]

## Legislative Assembly of Alberta

1:30 p.m.

Wednesday, June 4, 2008

[The Speaker in the chair]

### Prayers

**The Speaker:** Good afternoon.

Let us pray. Guide us all in our deliberations and debate that we may determine courses of action which will be to the enduring benefit of our province of Alberta. Amen.

Please be seated.

### Introduction of Visitors

**The Speaker:** The hon. Minister of International and Intergovernmental Relations.

**Mr. Stevens:** Thank you very much, Mr. Speaker. It's my pleasure this afternoon to rise and to introduce to you and through you to members of this Assembly the consul general for Germany, Mr. Klaus Achenbach. This is the consul general's first visit to Alberta, and I can tell you that while it has been short, he has already indicated he is very much impressed with our province and intends to return. Accompanying Mr. Achenbach is Mr. Bernd Reuscher, the honorary consul general for Edmonton.

Mr. Speaker, Germany is one of our most important international partners, a significant reason why Alberta has had a trade office there since 2002. There are nearly 700,000 Albertans of German ancestry, Alberta's second largest ethnic group. Germany and Alberta have a history of economic and social co-operation, and I look forward to working with the consul general to strengthen our ties. I would kindly ask our guests to rise and receive the traditional warm welcome of this Assembly.

### Introduction of Guests

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

**Mr. Sandhu:** Thank you, Mr. Speaker. It is an honour today to rise and introduce to you and through you to all members of this Assembly an amazing group of people that I am very proud of. They are sitting in the public gallery today. They are 17 very, very special students and their teachers: Carol Mott, Harvey Hiob, and Grace Boschman. Please forgive me if I mispronounced your names. They are from Fraser elementary school, located in my constituency of Edmonton-Manning.

I met them earlier today to have our picture taken on the steps in the rotunda, and I can tell you that these are very special people, indeed. Fraser school has a student body of just over 200 students and 19 dedicated and caring staff. Despite their size this year they were able to raise over \$11,000 with their combined efforts. This money was donated to the Kids with Cancer Society. These fine students are our future leaders. I will explain more about this group during my member's statement this afternoon, but for now I will ask these special people to rise and accept the traditional warm welcome from this Assembly. Thank you, Mr. Speaker.

**The Speaker:** The hon. Member for Strathmore-Brooks.

**Mr. Doerksen:** Thank you, Mr. Speaker. Today it's my pleasure to introduce to you and through you to all members of this House a group of school students from the Rolling Hills school. They are accompanied today by teachers Mrs. Gail Sapergia and Mr. Dana

Kohlman as well as parents Mr. Brian Fletcher, Mrs. Wendy Bulkiewicz, Mrs. Christy Christensen, and Mrs. Michelle Hensing. I'll ask them all to stand up and receive the traditional warm welcome of this House. Welcome.

**The Speaker:** The hon. President of the Treasury Board.

**Mr. Snelgrove:** Thank you, Mr. Speaker. For those that were here last night, that might seem slow compared to the number of guests I have today to introduce to you. It gives me a great deal of pleasure to introduce a group from the Vermilion elementary school. With them is a lady named Gerri Cameron. Gerri became involved in the school lunch program many years ago and has worked at it so diligently and successfully that it's been featured in the *Canadian Living* and *Homemaker's* magazines. Gerri was the recipient of the first breakfast for the learning international leadership award. She's in today with 50 of the brightest and cutest and most inspirational grade 6ers that are in Alberta, including a nephew, Brady, and a niece, Kelsey. I particularly want to thank Casey and Dallen, who read their stories for the group that you allowed to meet in your rotunda, Mr. Speaker. Their teachers are Mrs. Raelene Tupper, Geoff Faull, Mrs. Penny Moon, Jean Tulson, and their principal, Ms Trish Rawlake. They're also accompanied by their superintendent, Nancy Spencer-Poitras; the former superintendent, Dr. Terry Pearson; and the former principal, Dr. Bob Gerhart. I would ask that they would please all rise and accept the traditional warm welcome of this Assembly.

Mr. Speaker, to show you what years of clean living and hard work and proper nutrition can do, I had the benefit and the privilege and pleasure of hosting in my office and having a chat with 38 seniors from the Mannville, Minburn, and Innisfree communities. They're here with the family community support program and Janette Reidel. It's such a tremendous opportunity to show off this building that in many ways their hard work has helped pay for and run, and for many of the decisions we make here, we know that their counsel and wisdom is guiding our judgment. I am so glad they were here today to see the six to 60. Sixty years ago many of these were in grade 6. I would like all of the seniors and Janette to rise and please accept the traditional warm welcome of this Assembly.

**The Speaker:** The hon. the Premier.

**Mr. Stelmach:** Well, thank you, Mr. Speaker. It gives me great pleasure to introduce to you and through you to all members of the Assembly two outstanding constituents of Fort Saskatchewan-Vegreville. Mr. Kelly Thompson is a 13-year-old member of the youth action club of Fort Saskatchewan, where he does some outstanding work for young people in the community, definitely a leader of the future. Kelly attends school in Ardrossan. He is accompanied today by his father, Mr. Dennis Thompson. I would ask them to both rise and receive the traditional warm welcome of this Assembly.

Thank you.

**Mr. Xiao:** Mr. Speaker, I would like to introduce to you and through you the family of one of the current pages, Tania Shapka. They are here to observe Tanya in her role as a page during her last session here at the Legislature. Joining us today in the Speaker's gallery are her father, Ray Shapka; her mother, Marie Shapka; and her grandmother, Alice Sosniuk. Ray works for Alberta Education, Marie as a teacher at Centennial elementary school, and Alice and her husband manage their own business. I would ask them to please rise and receive the traditional warm welcome of this House.

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

**Mr. Quest:** Thank you, Mr. Speaker. It is a pleasure to rise today and introduce to you and through you to this Assembly a constituent who's visiting the Legislature today. Peter Bidlock is the chairman and CEO of the Jasper Avenue Inn and Suites. He was the past chairman of the county of Strathcona tourism and past president of the Edmonton hotel association and the western Canada hotel association and the Alberta hotel association. He continues to play a vital role in our constituency. In the province he was involved on numerous boards and associations such as being a director for Edmonton Northlands. He was also a very active member of my campaign team and walked with me many times on those cold, dark February nights. He's seated in the members' gallery, where I can't actually see him, but I know he's there. I would ask him to rise and receive the traditional warm welcome of this Assembly.

Thank you.

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

*1:40*

**Mr. Dallas:** Thank you, Mr. Speaker. It's a privilege today to introduce to you and through you to all members of the Assembly representatives from the Plasco Energy Group. Plasco Energy is a private Canadian waste conversion and energy generation company. They use world-leading technology to convert municipal household, commercial, or industrial waste into green power and other valuable products. They have a demonstration facility up and running in Ottawa and are presently supplying electricity to Ottawa residents from the waste they produce. They are in the Legislature Building today during their visit to Alberta for a variety of meetings, and I am happy to have the opportunity to introduce them to you. Here today from Plasco Energy Group is president and CEO, Rod Bryden, who many of you know as the past owner of the Ottawa Senators, as well as Colin Swift, their account director for Alberta, who I understand is a high school friend of our Minister of Culture and Community Spirit. I would now ask them to rise and receive the warm welcome of this Assembly.

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

**Mr. Cao:** Thank you, Mr. Speaker. I'm pleased to introduce to you and through you to all members of the Assembly Randy Moore. Randy is working in my constituency office for the summer as part of the STEP program. Randy is currently a fourth-year student at the University of Victoria, majoring in political science, with aspirations for postgrad study to become a lawyer. Randy is active in a model United Nations club at U Vic. Being a person in a wheelchair himself, Randy also volunteers with many community organizations, including Rick Hansen Wheels in Motion and the Canadian Paraplegic Association. Randy is in the public gallery today. I would ask our members to give him a warm welcome.

**The Speaker:** The hon. Member for Lethbridge-West.

**Mr. Weadick:** Thank you, Mr. Speaker. I'd like to introduce to you and through you to the members of this Assembly two people in the public gallery. The first one is Miss Cheryl Dick. Cheryl is the CEO of Economic Development Lethbridge. She's here planning the opportunity for a delegation from Lethbridge to come up in the fall to both thank the government for recent investments in Lethbridge and also talk about how Lethbridge is supporting the

policies of this government. The other one is Elif Algam. She's my Leg. and CPC assistant here in Edmonton. I'd ask if they would stand up and both receive the warm welcome of this Assembly.

**The Speaker:** The hon. Member for Edmonton-Beverly-Clareview.

**Mr. Vandermeer:** Thank you, Mr. Speaker. It's my honour to introduce to you and through you to the people of this Assembly two people that you've met many times before and one that you probably haven't seen for a few years. You probably wouldn't recognize him because he was a baby back then. My new colleagues have not met these people before. They are my wife, Patricia, and two of my four kids, Charlene and Grant. They are sitting in your gallery. I would like you to give them a warm welcome as they stand.

**Mr. Snelgrove:** As normal, Mr. Speaker, I was derelict in completing my introductions, and I apologize to you.

We also have some other members of the breakfast for learning group with us today, Mr. Speaker, as well as Miss Canada, who has committed her support for the nutritional programs in schools. We greatly appreciate it. At this time I would ask Alesia Fieldberg, Kaye Joyce, Ardyth Garrison, and Sandra Budzinski to stand and please receive a warm welcome and my apologies.

**The Speaker:** Are there others? The hon. Member for West Yellowhead.

**Mr. Campbell:** Thank you, Mr. Speaker. It is my pleasure to introduce to you and through you to all members of the Assembly a group sitting in the members' gallery. They are representatives of the Northwest Corridor Development Corporation, the NCDC. They are in Edmonton conducting strategic planning and board meetings June 4 to 5. The NCDC is a nonprofit corporation. The organization is committed to fostering transportation, trade, and tourism opportunities throughout Canada's northwest corridor. The representatives here with us today are a geographically diverse group of both directors and board resource persons. You might expect this as the NCDC is a public-private partnership spanning four western provinces and territories. They are conducting a full day of strategic planning today followed by a board of directors meeting tomorrow.

Present with us are board chair Don Zurowski, who is a councillor with the city of Prince George; director and past chair Ron Vanderlee, who is manager of customer care and administration with Pacific Northern Gas; director Maynard Angus, who is a public affairs manager with the Prince Rupert Port Authority; board resource member Dan Dibbelt, who is executive director of the Northern Alberta Development Council; another board resource member, Gord Van Tighem, mayor of the city of Yellowknife; director and past chair Jeff Burghardt, who is president of Prince Rupert Grain Ltd.; director Berry Heinen, deputy mayor for the town of Peace River; director Jim Feeny with CN Rail external relations; Alberta vice-chair Carolyn Kolebaba, a councillor with Northern Sunrise county; Ellis Forest, a councillor for the town of High Level; B.C. vice-chair Jim Eglinski, mayor of the city of Fort St. John; director Laurie Brown, who is the manager of the city of Terrace's Northwest Regional Airport; and the organization's executive director, Gerard Aldridge, himself a one-time MLA for the Thunder Creek constituency in the province of Saskatchewan and who currently resides in the constituency of Dunvegan-Central Peace.

Mr. Speaker, the northwest corridor is vital to Canada's Asia-Pacific gateway. Please join me in welcoming the group, and I'd ask them to stand and receive the warm welcome from this Assembly.

## Members' Statements

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

### Fraser Elementary School Fundraising

**Mr. Sandhu:** Thank you, Mr. Speaker. I rise today to recognize the incredible fundraising effort of the Fraser elementary school, located in my constituency of Edmonton-Manning. With the help of teachers and students at the school and their community they raised over \$11,000 for the Kids with Cancer Society.

The Kids with Cancer Society was instrumental in making a difference in the life of one student in particular at Fraser elementary school. Adam is a three-time cancer survivor and is only nine years old. Despite the struggle Adam has faced early in his life, he is here with us today. The Kids with Cancer Society took Adam to hockey games and the rodeo and special camps with other children with cancer.

The Fraser school community participated in a variety of fundraisers, including selling candygrams, bake sales, coin tosses, and movie afternoon in the gym. There were even a few brave students, teachers, and parents who participated in a head shaving fundraiser. These participants grew out their hair, some to their backs, and the hair that was at least 10 inches long was donated to Locks of Love. Locks of Love is a public, nonprofit organization that provides hairpieces to financially disadvantaged children in Canada and the United States suffering from long-term medical hair loss from any diagnosis. It is wonderful that these students give of themselves to help others in need. I am humbled by their efforts and am proud to be their representative.

Thank you, Mr. Speaker.

**The Speaker:** The hon. Member for Lethbridge-East.

### Project Porchlight

**Ms Pastoor:** Thank you, Mr. Speaker. Today I have good news for all the members of this Assembly. My office in Lethbridge-East has been distributing free compact fluorescent light bulbs, or CFLs, for Project Porchlight. Project Porchlight began in Ontario in 2004 and has spread to Alberta, British Columbia, Saskatchewan, and the United States. The project hopes to eventually give all Canadians one of these bulbs in order to help the environment. The bulbs, which are currently sitting on each member's desk, are 70 per cent more efficient than regular nonfluorescent light bulbs. While normal light bulbs lose 95 per cent of their energy to heat and use 60 kilowatt hours, these CFLs use only 13 kilowatt hours.

If Project Porchlight realizes its goal and gets just one of these bulbs plugged into every Canadian home, the resulting reduction in carbon emissions would be equivalent to removing 66,000 cars from our nation's highways. I believe that we should replace all of the 65 burned-out bulbs in our ceiling of this Assembly with clean, efficient CFLs. This simple task would save the government and the environment 195 kilowatt hours, or \$17.55 for every hour that these lights are illuminated. Mr. Speaker, that's why you've got two, one for you and one for the ceiling.

This is my one simple act, and in the big picture of tar sands emissions it is but a grain of sand in the Sahara Desert. However, from small acorns great oaks grow. If anybody would like to learn any more about how to participate in the program, please check out their website at [www.projectporchlight.com](http://www.projectporchlight.com).

Thank you.

1:50

## Oral Question Period

### MLA Remuneration

**Dr. Taft:** Mr. Speaker, it's not news to any of us here: there's widespread public concern about the process through which MLAs and cabinet ministers receive their increases in pay. The simple fact is that Albertans do not think that the Premier, cabinet ministers, or MLAs should decide their own level of pay. It's a concern that Alberta Liberals share. There are better options. My question is to the Premier. Will this government immediately set up an independent panel to set remuneration levels for cabinet and members of this Assembly?

**Mr. Stelmach:** Mr. Speaker, before that member's time in the House a third party reviewed MLA remuneration, back in 1994. It was independent. It was KPMG, I believe, if I remember correctly. Fifteen years ago they recommended in that report that ministerial salaries go up to about \$200,000. The reason I raise that is that at that time it was a third party, and we did not accept it in Members' Services. But I just want to, again, reiterate that at the end of the day no matter who reviews compensation for elected officials, the matter still has to be voted on by cabinet.

**The Speaker:** The hon. leader.

**Dr. Taft:** Well, thank you. I appreciate the reference to research from 15 years ago. What research was done on pay levels and workloads in other Legislatures to ensure that these most recent increases were justified, and would the Premier, if he has that research, please make it public?

**Mr. Stelmach:** Mr. Speaker, it's not up to the Premier. The research was done by Members' Services Committee. Members' Services Committee is an all-party committee. It is an all-party committee; all parties are represented. Might I add that it is the only Members' Services Committee that sits in public in the whole dominion of Canada.

**The Speaker:** The hon. leader.

**Dr. Taft:** Thank you, Mr. Speaker. Again to the Premier: given that contradictory stories are coming out about whether Tory candidates were promised higher pay before the last election or not, who are we to believe on this issue, the Premier or government backbenchers?

**Mr. Stelmach:** Mr. Speaker, I guess if the issue bothers the Liberal leader to such a degree, my information is that Members' Services Committee is meeting tonight. My information is that the hon. Leader of the Opposition was on the eligibility list, which gave him an increase of \$3,500 a month. If that bothers the hon. leader, then he has time to send a letter to Members' Services Committee this afternoon and say that he will not accept it.

**The Speaker:** Second Official Opposition main question. The hon. Leader of the Official Opposition.

### United Horsemen of Alberta Inc.

**Dr. Taft:** Thank you, Mr. Speaker. The horse racetrack in Balzac is in serious financial trouble. The cost has escalated from \$80 million to \$260 million. The track is owned by a private company called the United Horsemen of Alberta Inc. A government-funded

agency, Horse Racing Alberta, is quietly sliding lottery money to this company to keep it from going belly up, including at one point a \$500,000 loan unsecured and interest free. To the President of the Treasury Board: why are millions of lottery dollars being loaned to a private company with ties to top Tories?

**Mr. Snelgrove:** Mr. Speaker, I have absolutely no knowledge of the position or the circumstance that the hon. Leader of the Opposition has brought forward.

**Dr. Taft:** Well, again to the same minister. This deal, if you dig through the statements buried away in the footnotes, becomes even more suspicious when Albertans look at the relationship between the government's Horse Racing Alberta and the company, United Horsemen. Two of the directors at Horse Racing Alberta are also directors on the corporation that is receiving the loan. Why is this government allowing dubious backroom deals to take place with Albertans' money?

**Mr. Snelgrove:** Well, Mr. Speaker, that line is certainly not out of the ordinary for them: to make sure to cast aspersions on all Albertans regardless of whether they have or not. But his questions should more clearly be directed to the Solicitor General or the minister of community services.

**The Speaker:** The hon. leader.

**Dr. Taft:** Thank you. Well, to the Premier: will this government do the proper thing and remove from the board of Horse Racing Alberta all members who have ties to the United Horsemen of Alberta Inc.?

**Mr. Stelmach:** Mr. Speaker, last year in the House the member across raised significant serious allegations with respect to Balzac and accused me personally and government members of having some sort of a secret deal made by the Balzac people with respect to supplying water. It is almost a year later. He still has not been able to provide the evidence of the secret deal, and once again he's abusing the rights and privileges of this House to cast aspersions on members of this province.

**The Speaker:** Third Official Opposition main question. The hon. Member for Calgary-Mountain View.

#### Contamination by Oil Sands Tailings Pond

**Dr. Swann:** Thank you, Mr. Speaker. It took a major disaster in Walkerton, Ontario, to force the province to review its unsafe water monitoring system. Last week we tabled the report on contaminants in groundwater from Tar Island 1 from independent researchers, which both the minister and the Premier dismissed. Real people are deeply concerned about off-site impacts of over 40 years of tailings ponds in the Fort McMurray area. To the Minister of Environment. In regard to this research you alluded in this House to engineering changes that were made in 1976: "Since 1976 there has been no further leakage from this pond." Does the minister stand by the statement?

**Mr. Renner:** Yes, Mr. Speaker. As I explained last time this came up, in 1976 the seepage return system was installed in this pond, so there is no further leakage from the pond. I also explained last week when I was standing that, however, the water that did leak from the pond prior to the installation of this is now beneath the pond, and there is some evidence that there could be some seepage into groundwater from that original water.

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

**Dr. Swann:** Well, thank you, Mr. Speaker. The report tabled last week indicating over 5 million litres per day leaching into groundwater from this one small island, Tar Island 1, was confirmed by the authors of the report today, indicating that this was based on recent research. Why did the minister and Premier mislead the House?

**Mr. Renner:** Mr. Speaker, there was no misleading. I think I gave a very long and thorough explanation. The member makes reference to numbers that do not take into account the seepage collection system that actually captures the seepage and returns it into the pond. Again, to reiterate: any seepage that is being referred to in this report is the seepage that occurred prior to the installation of the collection system, and it is accounted for. I've been quite open about it.

**The Speaker:** Hon. member, please. "Misleading" is not appropriate language.

**Dr. Swann:** Well, perhaps the minister is not listening, Mr. Speaker. The authors of the report said that this was results post-1976. In the last 10 years the leakage into groundwater is now at 5.7 million litres per second. Will the minister apologize to the House and to all Albertans?

**Mr. Renner:** Mr. Speaker, no apology is necessary. In fact, if the member had read the report, he would have read that the seepage collection system is so effective that they now are encountering dry sand under the pond itself. To reiterate one more time for the member because he seems not prepared to listen: the seepage that he's referring to in the report is with reference to water that escaped from the pond prior to 1976, after construction in 1967.

**The Speaker:** The hon. Member for Edmonton-Highlands-Norwood, followed by the hon. Member for Strathcona.

#### 2:00 Lieutenant Governor's Residence

**Mr. Mason:** Thanks very much, Mr. Speaker. Yesterday in the House the Minister of Infrastructure denied that the government plans to proceed with the construction of a new mansion for the Lieutenant Governor. Just hours earlier at a news conference in Calgary the Premier said, and I quote: we are continuing with the construction of the residence. It's great to have both of them here in the same room so that we can get to the bottom of things, maybe. My question is to the Minister of Infrastructure. Is the minister suggesting that the Premier was not telling the truth or that he simply doesn't know what he's talking about?

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

**Mr. Hayden:** Thank you, Mr. Speaker. I'm in fact not suggesting anything. I'm giving the absolute facts on how we go forward. With the Premier's encouragement I am going forward with infrastructure projects that meet the needs of Albertans based on their priorities listed in the areas where the need is most apparent. Over this year's budget and over our three-year capital plan that includes such things as education facilities, health facilities, seniors' facilities, and government facilities that will serve Albertans.

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

**Mr. Mason:** Well, thank you very much, Mr. Speaker. Then I'm going to ask the Premier what he thinks about this \$10 million mansion because just yesterday he said that a new mansion for the Lieutenant Governor was a worthwhile investment. Mr. Premier, what is it? Do you believe that we should build a \$10 million mansion for the Lieutenant Governor, whether it's in the capital plan right now or not, or not?

**Mr. Stelmach:** Mr. Speaker, I rose in this House to defend this government's support of the office. By the way, if CTV Calgary is listening, it's "leftenant" because yesterday I was accused of saying "lootenant." It must be a small news day.

Really, it's the tradition of this province. Yes, we do have many capital projects on the list. The Lieutenant Governor himself said: look, costs escalated a bit; could we hold the project back? We agreed. Still, it is an important tradition in this province. We shouldn't give up on tradition, tradition that's really helped this great province of Alberta.

**Mr. Mason:** Mr. Speaker, the costs on that building have mushroomed from about \$2 million or \$3 million now to \$10 million. It might go even higher. The Premier has not answered the question about whether or not he is going to proceed with this very extravagant and unnecessary mansion out of respect for tradition for the Lieutenant Governor, as he likes to put it.

**Mr. Stelmach:** Mr. Speaker, the projected cost is about \$10 million. It was around \$3 million originally, a number of years ago, when the house was first planned. We've rolled out a \$22.2 billion three-year capital plan. It's not in the immediate plans, but it is a project like many others that we have in an overall rolling capital plan that extends over 20 years. We have a 20-year strategic capital plan, the only province in Canada that goes that far out in terms of our capital.

**The Speaker:** The hon. Member for Strathcona, followed by the hon. Member for Calgary-McCall.

### Air Quality

**Mr. Quest:** Thank you, Mr. Speaker. Today is Clean Air Day, a day when we focus on what we can do to improve the quality of the air we breathe. My question is to the Minister of Environment. What is the government of Alberta doing to protect air quality in this province?

**Mr. Renner:** Well, Mr. Speaker, just this morning I had the opportunity in recognition of Clean Air Day to introduce the media to Alberta's mobile air monitoring laboratory. This is one of a number of ways that we monitor and ensure that Alberta's air quality is at standards that we can all be proud of. We have some 90 different facilities around the province that are stationary. Plus, we have the mobile facility that is used when it's appropriate to target certain areas.

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

**Mr. Quest:** Thank you, Mr. Speaker. My first supplemental to the same minister: can the minister tell us what Albertans can do to reduce emissions from the vehicles they drive?

**Mr. Renner:** Well, Mr. Speaker, this morning at Government House we talked about some things that Albertans can do. One is some-

thing so simple, almost as simple as changing a light bulb, which, by the way, Alberta Environment is responsible for. I'm happy to have one of my bulbs back. Something so simple as maintaining proper air pressure in the tires on your vehicle will significantly improve your mileage and, therefore, reduce your impact on air quality. There are a number of things that Albertans can do.

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

**Mr. Quest:** Thank you, Mr. Speaker. My second supplemental to the same minister: can the minister tell us what the government is doing to address the issue of vehicle emissions?

**Mr. Renner:** Mr. Speaker, we're constantly looking at ways that we can reduce vehicle emissions. As I've mentioned in the House before, we have a team that's now focusing on gross emitting vehicles, and we're looking at options such as enhancing the vehicle scrapping programs, like Car Heaven or the kidney car program. We're contemplating introducing laws to stop tampering with emission control systems on vehicles and whether or not it would be advisable to install remote sensing equipment so that, like photo radar, a vehicle driver with gross emissions could be advised electronically.

**The Speaker:** The hon. Member for Calgary-McCall, followed by the hon. Member for Calgary-Hays.

### Energy Efficiency in Government Vehicles

**Mr. Kang:** Thank you, Mr. Speaker. Much has been heard in recent days about the cabinet's generous self-appointed pay raises. In addition to this very generous pay boost, government ministers are lucky enough to get \$45,000 from the Alberta taxpayers to buy themselves a car. My questions are to the Minister of Service Alberta. Since you and your fellow ministers recently gave yourselves a huge pay hike, will the ministers now buy their own cars?

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

**Mrs. Klimchuk:** Thank you, Mr. Speaker. I'm pleased to answer the question. With respect to the ministers having government vehicles, it is certainly the choice of the ministers to decide to purchase one. Many of the ministers continue to use their own vehicles, and that becomes their own choice.

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

**Mr. Kang:** Thank you, Mr. Speaker. My supplemental question to the minister again: given that this government recently encouraged children across the province to engage in one small act to green up their lifestyle, will the minister at least require all these free cars to be low-emission vehicles?

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

**Mrs. Klimchuk:** Thank you, Mr. Speaker. Many of the current ministers do have low-emission cars of their own.

As well, with respect to the vehicles in our fleet of 3,000 there are about 500 cars that are in urban areas. We can certainly look at turning those into hybrid vehicles. As I've indicated before, many of the vehicles that we use within Alberta are in areas where a larger vehicle is needed.

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

**Mr. Kang:** Thank you, Mr. Speaker. This government talks about fiscal responsibility and environmental awareness, but evidence makes it clear that they give themselves thousands of taxpayer dollars along with free gas-guzzling vehicles. How can the minister justify this to Albertans?

**Mrs. Klimchuk:** Mr. Speaker, as the minister responsible for all the vehicles in the government I am encouraging and moving in the direction of more hybrid vehicles. I am in the process of meeting with my departmental officials to move more quickly in that direction.

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

### Residential Tenancy Disputes

**Mr. Johnston:** Thank you, Mr. Speaker. I understand that the Minister of Service Alberta is planning to introduce a new program in Calgary that will help tenants and landlords resolve disputes without having to go to court. The program has apparently already been operating in Edmonton for the past 18 months. My questions are for the Minister of Service Alberta. What kind of disputes will the service deal with in Calgary?

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

**Mrs. Klimchuk:** Thank you, Mr. Speaker. We are certainly looking forward to establishing the residential tenancy dispute resolution service, or RTDRS, in Calgary. This unique program allows tenants and landlords to have their disputes resolved without having to go through the more costly and lengthy court process. Disputes are heard by a tenancy dispute officer, who makes a decision that is binding on both parties. A range of different issues can be dealt with, including eviction, unpaid rent or utilities, security deposits, damages, repairs, or other common disagreements. It's a terrific program, and I know it will be of real benefit to both tenants and landlords in Calgary.

2:10

**Mr. Johnston:** My first supplemental, Mr. Speaker, to the same minister: what is the track record of this dispute resolution in Edmonton?

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

**Mrs. Klimchuk:** Thank you, Mr. Speaker. The RTDRS program started in Edmonton in 2006 as a pilot project, and it proved tremendously successful. Since it was launched, it has heard more than 6,800 cases and has helped reduce the number of days the courts in Edmonton deal with landlord-tenant issues from twice a week to only one day a month. It's fast, efficient, and effective, and we're planning to make it available province-wide by 2010.

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

**Mr. Johnston:** Thank you, Mr. Speaker. My second supplemental to the same minister: what is your department planning on doing to make sure that tenants know about this program, not just landlords?

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

**Mrs. Klimchuk:** Thank you, Mr. Speaker. We've been very active in informing both landlord and tenant organizations about the program and how it works. Our staff do presentations around the province and have materials available at various locations. We also have a web page specifically for the RTDRS program so that tenants and landlords can easily find it. However, our experience so far is that landlords make the most use of the service, so we're looking at ways to better promote it to tenants in the months and years ahead.

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

### Warehousing of Liquor Products

**Ms Blakeman:** Thank you, Mr. Speaker. Connect Logistics is the monopoly contractor of liquor warehousing for the AGLC, and small-volume importers and boutique wine shops are getting the short end of this deal. The total warehousing costs in Alberta are almost quadruple those in B.C., at \$2.27 per case all in versus just 59 cents in British Columbia. My questions are to the Solicitor General, responsible for the AGLC. Why is the Alberta government allowing Connect Logistics to charge so much more for the same basket of services?

**The Speaker:** The hon. Solicitor General.

**Mr. Lindsay:** Well, thank you, Mr. Speaker. In regard to Connect Logistics and the warehousing of the liquor products in Alberta I'm not sure what formula they use out in British Columbia, but I know that in Alberta we use an averaging formula so that all of the retail stores across the province receive their product at the same price. That could explain the difference.

**Ms Blakeman:** No. It was a comparison across.

My second question to the same minister: given that these liquor agents have no alternative supplier in this government-approved monopoly and they have no ability to get compensation from Connect for late deliveries, misordered product, losing inventory in the warehouse, shipping out newer stock before older stock, how is there any incentive for Connect to improve their services?

**Mr. Lindsay:** Mr. Speaker, again, it would appear that the hon. member is living in the past. We certainly did have a problem with delivery going back a year ago, but we restructured that contract, so that's the incentive for Connect Logistics to deliver products on time, and they are.

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

**Ms Blakeman:** Thank you. My final supplemental to the same minister: why does the department allow Connect to continue using the activity-based costing system, which targets and penalizes our small importers and specialized boutiques?

**Mr. Lindsay:** Mr. Speaker, again, we restructured the contract with Connect Logistics. Activity-based pricing is based on a formula that any free enterprise system would use: the cost to bring a product in, the cost to sort, and the cost to get it out. It's as simple as that.

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



### Seniors' Lodges in Calgary

**Ms DeLong:** Thank you very much, Mr. Speaker. There is a personal responsibility that all individual Albertans share with the government, and that is to care for those seniors who need our help. Now, it appears that the new west leg of the Calgary LRT will have a significant impact on seniors' housing, particularly on Jacques cottage on Bow Valley Drive in my riding. My question is to the Minister of Housing and Urban Affairs. Will any seniors' housing be lost due to the expansion of Calgary's LRT?

**The Speaker:** The hon. Minister of Housing and Urban Affairs.

**Mrs. Fritz:** Thank you, Mr. Speaker. The Member for Calgary-Bow has discussed these concerns with me. There are approximately 24 of the 88 Jacques cottage units that the member referred to, that were built by the Metropolitan Calgary Foundation in the early '60s, that will be removed for the extension of the LRT. But I would like the member to know that the staff is in close discussions, and has been for some time, with the seniors, the Metropolitan Calgary Foundation, and the city of Calgary to ensure that there is a good transition to new affordable housing for those seniors.

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

**Ms DeLong:** Thank you very much, Mr. Speaker. To the same minister: what sort of affordable housing is being envisioned for these seniors in my constituency?

**Mrs. Fritz:** Well, later this week I will be at a sod-turning for a 150-unit apartment complex that will house low- to moderate-income seniors. That's the Bow Valley Supportive Apartments. The addition of these new apartments, hon. member, will more than make up for the loss of the 24 units, which, as I said to you, Mr. Speaker, are 45 years old. It's a very innovative housing project. It's for aging in place. It will assist seniors with their needs such as meals and scooter storage and other good things.

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

**Ms DeLong:** Thank you, Mr. Speaker. My final supplemental to the same minister: will seniors affected by the new LRT line continue to receive the subsidy that's currently available to them?

**Mrs. Fritz:** Well, Mr. Speaker, I know as well that that is an issue, certainly, regarding the subsidy and with the Metropolitan Calgary Foundation because they currently receive a lodge assistance program grant of \$1.20 per day for operations. That will be phased out with this new initiative. It will be replaced with below-market rents. The former cottage residents, hon. member, who move to the new apartment will pay below-market rents for a period of five years with a nominal rental increase.

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

### Support for Low-income Albertans

**Mr. MacDonald:** Thank you, Mr. Speaker. The cost of living in Alberta's two main cities is increasing far quicker than in any other city in this country. Since 2002 there has been an over 20 per cent jump in the consumer price index in Calgary and Edmonton. The consumer price index is an indicator of changes in the consumer

prices experienced by Canadians. It is obtained by comparing through time the cost of a fixed basket of commodities purchased by consumers. Albertans on fixed incomes are suffering because of it. My first question is to the President of the Treasury Board. Why is it that cabinet votes massive increases to its own salaries but doesn't adequately protect the most vulnerable in this province from the soaring cost of living?

**Mr. Snelgrove:** Mr. Speaker, the needy in Alberta, be they seniors or people with disabilities, are looked after to an extent that far exceeds the supports in any other province.

If the hon. member would like to also attend the Members' Services Committee and talk about the salary raise that the members gave themselves there, where it's appropriate, I'd be more than happy to entertain this discussion, as I, too, am a member of Members' Services. To connect the job of a committee of the Legislature to the supports we provide for Albertans is a little bit irresponsible.

**Mr. MacDonald:** Mr. Speaker, I would remind the hon. minister that the Members' Services Committee did not vote on Executive Council's pay increase.

Now, given that the pay of all the MLAs, all the hon. members of this Assembly, is indexed to inflation, why hasn't this government taken similar steps to guarantee the benefits to our most vulnerable citizens so that they can keep up with these skyrocketing costs?

**Mr. Snelgrove:** Mr. Speaker, Members' Services did not vote on executive raises. They voted on their own, as we did in Executive Council, where the responsibility for our actions rests clearly with us and the people of Alberta.

To the programs that we fund, most programs are indexed to inflation and are reviewed periodically to ensure that they are continuing the purpose for which they were designed.

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

**Mr. MacDonald:** Thank you, Mr. Speaker. Albertans on fixed incomes are falling behind because of the dramatic increase in the cost of living in this province, and the government is not doing enough about it. Now, what does this hon. member say to Albertans on AISH, to seniors on fixed incomes, and all those others who are relying on social programs who see this massive inflation eating away at the value of their already insufficient benefits?

**Mr. Snelgrove:** Mr. Speaker, we could review the some 60 hours that we debated the budget in this Assembly that identified the billions of dollars that we spent on programs supporting those in Alberta that have needs of whatever kind. The multitude and the breadth of our programs – there are people who may fall through the cracks. That's not our intention. We try to address the scope of need in Alberta.

Mr. Speaker, one way to ensure that there are a lot more needy people would be to put the opposition in charge of the province, and then we could all look to government for help.

**The Speaker:** The hon. Member for Edmonton-Strathcona, followed by the hon. Member for Edmonton-Mill Woods.

2:20

### Funding for Human Services

**Ms Notley:** Thank you, Mr. Speaker. The Salvation Army is cutting two important programs in Calgary for preschool and elementary-

age children at risk because they have to focus their attention on the pressing problem of homelessness. Government funding simply doesn't allow agencies to pay the competitive wages needed to attract and retain workers. The minister has met with some of the agencies involved, but still no concrete action has been taken, and the problem persists. To the minister of children's services: how many other agencies, in addition to the Salvation Army, are scaling back or cancelling programs because of staff retention problems?

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

**Ms Tarchuk:** Thank you, Mr. Speaker. The member mentions some work I have been doing with the contracted agencies. Just to update the House on that, last Tuesday we had senior officials and the CEO from our child and family authorities; as well, about 20 contracted agencies were represented. We had a full-day planning session. I was there for a couple of hours. The discussion was very good. We focused on how we could address challenges together. We talked about staffing issues as well as contracting processes, and I have asked for an action plan with some solid strategies on how we move forward in the short term and the long term.

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

**Ms Notley:** Thank you, Mr. Speaker. I'm wondering, then, when the minister will stop giving vague hints and general long-term plans and when she will act and announce increased concrete, stable funding so agencies that serve children and their families can start planning and stop removing these important services from our children most at need.

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

**Ms Tarchuk:** Well, thank you, Mr. Speaker. I would remind the House that we have already taken action. In the fall we announced \$10 million for contracted agencies. Again, \$11 million in our budget a couple of months ago, and I have also announced that in next year's budget. But I can tell the member that out of the planning session we had last week, we do have a working group, and I have asked for a report back on what the next steps are by the end of June.

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

**Ms Notley:** Thank you, Mr. Speaker. Well, the Salvation Army is an example of just one organization of many that have been forced to cancel programs or scale back services due to government underfunding, and we still don't have concrete plans for a solution. Meanwhile the government has not tabled an annual report from the Child and Youth Advocate since 2005. When will the minister table these reports, and will the reports tell the stories of those who have lost services?

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

**Ms Tarchuk:** Thank you, Mr. Speaker. The same member did raise this issue back in estimates, and I did say that those reports would be coming in the next couple of weeks.

**The Speaker:** The hon. Member for Edmonton-Mill Woods, followed by the hon. Member for Calgary-Currie.

### Oil Sands Tailings Management

**Mr. Benito:** Thank you, Mr. Speaker. Recently Alberta's commitment to greening the energy industry has come under question. The remnants of simple extraction, specifically tailings ponds, have some Albertans very worried that the promised technological breakthroughs in the oil sands remain on the very distant horizon. My first question is for the Minister of Advanced Education and Technology. Considering the level of concern that has been raised, when can we expect to see all the talk about projects become reality?

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

**Mr. Horner:** Well, thank you, Mr. Speaker. I guess it's important to note that you can't really put a time limit on discovery. You can't really say that we're going to discover this at a certain point in time, but I can tell you that many of the scientists that are working on these issues will tell you that they're very, very close. Currently, the Alberta Energy Research Institute, which is commonly referred to as AERI, is focused on practical technologies that include 10 graduate level studies on tailings ponds alone and on a water treatment test facility for in situ thermal bitumen production, which is basically getting rid of the tailings ponds.

**Mr. Benito:** Mr. Speaker, my first supplemental is to the same minister. Is there any technology being tested or utilized now that will improve tailings ponds in the oil sands?

**Mr. Horner:** Mr. Speaker, the short answer to that is yes. We have a number of practical technologies that we're experimenting with in the oil sands where we could one day see dry tailings coming into the environmental mix, if you will. Part of that is mixing old tailings with gypsum, which could create a dry tailings pond. Again, the research and development that we're doing is alongside industry; it's working with industry and with the Alberta Research Council, or AERI, as I mentioned before, and the goal and the target, of course, is to have dry tailings ponds and to minimize even more the impact on our environment.

**Mr. Benito:** Mr. Speaker, my second supplemental is to the Minister of Environment. Can the minister tell us what his ministry is doing to improve tailings management in the oil sands?

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

**Mr. Renner:** Thank you, Mr. Speaker. We've talked at some length about some of the significant improvements that have been made in tailings ponds technology since 1967, so I won't go into any more discussion around seepage capture facilities and groundwater monitoring.

Just this April Alberta Environment invested \$3 million into the University of Alberta School of Energy and the Environment to research tailings ponds reclamation. They'll have access to about \$20 million worth of scientific research infrastructure at Devon and their tailings ponds research. The intention is to reduce the creation of fluids and decrease freshwater consumption.

**The Speaker:** The hon. Member for Calgary-Currie, followed by the hon. Member for Whitecourt-St. Anne.

### Ambulance Services

**Mr. Taylor:** Thank you, Mr. Speaker. The changes to ambulance services which will allow EMS to transfer some patients to facilities

outside of the ER may help to some degree. Other improvements are necessary to truly reduce the crowding in emergency rooms. In fact, a review by the Calgary health region on the recommendations of the Health Quality Council of Alberta found that only a very minor percentage of patients transferred to the ER in Calgary required a lesser level of care. The health minister's notion that upwards of 30 per cent of patients could be transferred elsewhere by EMS seems to be a bit of an urban myth. To the Minister of Health and Wellness: what other evidence does the minister have that would somehow, perhaps, contradict this review done by the Calgary health region?

**Mr. Liepert:** Mr. Speaker, what I said was that municipalities have estimated that 30 per cent of those particular patients probably didn't need to go to emergencies. Municipalities were operating the system, so I trust what municipalities say, not like the hon. member.

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

**Mr. Taylor:** Thank you, Mr. Speaker. I think I would trust more what medical professionals said about the diagnoses of patients than I would municipalities.

As the Health Quality Council has found that a significant way of reducing crowding in emergency rooms in Calgary is by – wait for it – increasing bed capacity, what steps will the new health board be taking to increase emergency room bed capacity, particularly in urban centres? Or are they going to ask city council?

**Mr. Liepert:** Mr. Speaker, first of all, I think the hon. member should take a look at the first part of his question. He attacked the integrity of paramedics and their ability to do work. He attacked their ability to do what they do; that is, handle cases that need to go to emergency.

**Mr. Taylor:** I honestly don't know why I bother, but here we go again, Mr. Speaker. Given that the Health Quality Council has recommended that increasing the availability of primary and urgent care facilities would be an effective way to reduce emergency room crowding in Calgary, why has the minister, instead, given insufficient funding so that centres like the Sheldon Chumir health centre are forced to operate at reduced capacity?

**Mr. Liepert:** Mr. Speaker, some time ago we released a health action plan, and we're going to fix health care. Not like the hon. member. I'd like to quote from the hon. member in his advance run at the leadership, his comments to an esteemed columnist in Calgary on the weekend. He said: we have some brilliant policies, but we also have a couple that are sucking slough water. I think that's where he is right now with his questions.

**The Speaker:** The hon. Member for Whitecourt-Ste. Anne, followed by the hon. Member for Calgary-Varsity.

#### Electricity Prices

**Mr. VanderBurg:** Thank you, Mr. Speaker. Electrical bills have once again hit the radar screen. Albertans are concerned about their bills that have been arriving. I signed a five-year contract with EasyMax a while back, a 7-cent contract. The member beside me from Rocky Mountain House tells me he signed a 6.7-cent contract with the Rocky REA. Some Albertans chose to use a default rate and are now faced with higher rates. My questions are all to the Minister of Energy. Are these customers that didn't protect themselves by signing contracts in for a shock?

**Mr. Knight:** Mr. Speaker, certainly, there's no surprise here. Monthly bills can, you know, go up and down as prices do in the marketplace. With respect to changes to the regulated rate option, the option that many people have chosen, that structure has been around since 2006. Of course, there are a couple of opportunities for us to do reviews during this five-year process. We have just done one, and I think that that completed review indicated to stakeholders that we're on the right track.

2:30

**Mr. VanderBurg:** Well, on the right track is great, Mr. Minister.

Again, I want to talk about the RRO and its expiry. What will happen for those Albertans that can't qualify for a contract? Will that RRO still exist for those people?

**Mr. Knight:** Well, yes, Mr. Speaker, as a matter of fact the RRO will exist, but what happens there is that it goes from a longer term hedge to a short-term, one-month forward hedge, and of course at that point in time there is volatility in the marketplace that would be reflected in individuals' bills. They have a choice to do that, which is what I do, by the way, or to take a contract.

**Mr. VanderBurg:** Well, thank you for those answers. You know, I understand the RRO being extended for a year or two, but long-term will there always be an RRO there for those that can't qualify for that electrical contract?

**Mr. Knight:** Well, again, Mr. Speaker, with the situation with respect to people that have a difficult time managing or have circumstances which limit their ability to sign a contract, there have been a number of opportunities for individuals in that situation. Certainly, one that comes to mind is a prepaid card arrangement. When we get into the smart meter system and those types of things, many opportunities present themselves for individuals that find that the contracts for one reason or another are not suitable for them. We do have opportunities for those people on a go-forward basis.

**The Speaker:** The hon. Member for Calgary-Varsity, followed by the hon. Member for Calgary-Fort.

#### Renter Assistance

**Mr. Chase:** Thank you, Mr. Speaker. During question period on April 24 and again on April 29 the minister of housing and urban development assured Albertans that the direct to tenant rent supplement was meeting the needs of Albertans who qualified, if their rent was more than 30 per cent of their income. However, people that have contacted my constituency who qualify under these rules are being told that they are medium priority and are being kept on a waiting list, so obviously not everyone is getting help. To the minister of housing and urban development. Can the minister tell us: if a person qualifies for the supplement under the government's rules but is still denied the supplement, how valid is your catch-22 criteria?

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

**Mrs. Fritz:** Thank you, Mr. Speaker. This is criteria that's been well established. It's a rent supplement program that's being delivered through management bodies, actually. There are 44 management bodies. It is a program that is, as I indicated earlier, 30 per cent of an individual's income. Yes, there are people that apply that are on a priority wait list, and we recognize that. We increased

in the budget the rent supplement program by 40 per cent, which is an incredible increase, and it is working.

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

**Mr. Chase:** Thank you. People are languishing on that list.

I would like this minister to tell us why Calgary Housing Company is placing people who qualify for the direct rent supplement on a waiting list and telling them that they have to wait indefinitely to actually get the supplement. Wasn't this program supposed to help people that were on the waiting list to get subsidized housing?

**Mrs. Fritz:** Well, Mr. Speaker, we do have about 60,000 Albertans in over 35,000 affordable housing units that do qualify for a \$105 million program. As I indicated, this year we've increased that program by 40 per cent for rent supplements. Calgary Housing Company, I can tell you, does an excellent job in helping people in need of a rent subsidy. They have a priority list, and I know that the formula and the criteria and the standards that they set for people to be on that priority list are excellent.

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

**Mr. Chase:** Yes. That doesn't hold up with the people on the street waiting for their housing.

On April 29 this minister stated, "We are there to support people in need so that they aren't out on the street." Well, obviously the program isn't working because qualified people are being denied assistance and are forced onto the streets. I'd like to ask the minister what her ministry is going to do to fix this problem.

**Mrs. Fritz:** Well, Mr. Speaker, we also have another excellent program that was put in place, one of the seven recommendations put forward by the Affordable Housing Task Force, and that's the homeless and eviction prevention program, which you're familiar with. We've spent \$45 million at this stage to assist 27,000 people with 66,000 applications. That program is working. People will have immediate help through that program. They have help with their first month's rent, they have help with the damage deposit, and they have help with moving costs. They can apply as often as they require that assistance. That's in place.

**The Speaker:** The hon. Member for Calgary-Fort, followed by the hon. Member for Edmonton-Riverview.

### International Tourists

**Mr. Cao:** Well, thank you, Mr. Speaker. Tourism high season is starting again. Group tour organizers have told me that they have a very hard time organizing group tours in Alberta for foreign tourists because each client must obtain their tourist visa on their own, and many in the group get rejected. We do not have a policy for group tour visas, as practised in the U.S.A. and Europe. My question today is to the hon. Minister of Tourism, Parks and Recreation. What can the minister do to assist tour organizers to overcome this difficulty?

**Mrs. Ady:** Well, Mr. Speaker, we certainly want to encourage groups of international visitors to come to Alberta. Travel Alberta has been making some great progress in doing some of this work around the world; for instance, the new Mexican air service that was announced this week. Imagine. We've all gone to Mexico. We now have Mexicans coming to Alberta, which is a great new thing. Relative to the question, when I meet with my federal counterpart,

I will raise the member's concerns on this issue because it's under their jurisdiction.

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

**Mr. Cao:** Well, thank you, Mr. Speaker. Given that wealthy and healthy individuals from many countries wish to visit our great province but their visa applications get rejected because our Canadian visa officer deems that those individuals would stay in Canada even though Canada and Alberta say that we need more people, more workers, what can the minister do to help improve this situation?

**Mrs. Ady:** Mr. Speaker, I appreciate the hon. member's concern. We do need to attract more workers, and certainly we want to attract more visitors to our beautiful province. Again, I'll discuss passport and visa issues with the federal minister as these issues really are under their jurisdiction, but they do affect tourism in Alberta.

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

**Mr. Cao:** Thank you, Mr. Speaker. To the same hon. minister: given that the cost of passports, particularly for U.S. citizens, and visa restrictions are detrimental to our development of tourism, can the minister promote tourism in Alberta by advertising that we would refund a portion of passport fees for a certain number of first-time visitors to our great province?

**Mrs. Ady:** Well, Mr. Speaker, it's an interesting idea, certainly, and I thank the hon. member for thinking of different ways we can attract visitors to this province. I'm not aware of any other jurisdiction in Canada that refunds passport fees, so we're not necessarily losing out to other provinces because of this issue. I understand that it could be difficult, also, to identify who is a first-time visitor and who isn't a first-time visitor. But I'll look into it further and get back to the hon. member.

**The Speaker:** The hon. Leader of the Official Opposition.

### United Horsemen of Alberta Inc.

*(continued)*

**Dr. Taft:** Thank you, Mr. Speaker. I'd like to follow up questions on the dubious backroom deal between the government's Horse Racing Alberta and United Horsemen of Alberta Inc. To the Solicitor General: is the Solicitor General aware or does he know about Horse Racing Alberta loaning money to this company?

**The Speaker:** The hon. Solicitor General and Minister of Public Security.

**Mr. Lindsay:** Well, thank you, Mr. Speaker. No, I'm not personally aware of whether or not Horse Racing Alberta has loaned money to the United Horsemen association. Again, if the hon. Leader of the Opposition has some evidence that there has been some wrongdoing, he should bring it forward.

**The Speaker:** The hon. leader.

**Dr. Taft:** Thank you. My next question is to the Minister of Culture and Community Spirit. Given that the Alberta lottery fund website shows that lottery dollars fund horse racing with \$56 million, does he support Horse Racing Alberta loaning lottery dollars to a private, for-profit corporation?

**Mr. Blackett:** Mr. Speaker, Horse Racing Alberta does not get lottery funding. Horse Racing Alberta keeps a percentage of the slot machine proceeds from their facilities. One-third, or 33.4 per cent, of slot machine proceeds from each of these facilities goes to the Alberta lottery fund, 15 per cent goes to the operator, and 15 per cent to Calgary. So \$48 million this year went to Horse Racing Alberta. That is money that is generated in their own facilities, of which they get to keep a portion.

**The Speaker:** The hon. leader.

**Dr. Taft:** Thank you. Well, Horse Racing Alberta is established by an act of this Legislature. Members of Horse Racing Alberta, directors, are in fact loaning Horse Racing Alberta money to a private company those directors own. To the same minister: will this minister remove from the board of Horse Racing Alberta all members who have ties to United Horsemen of Alberta Inc.?

**Mr. Blackett:** Mr. Speaker, in a prudent nature, as we go about our course of business in this government, once the Leader of the Opposition presents some solid evidence to that effect, then we will look into that matter.

**The Speaker:** The hon. Member for Airdrie-Chestermere.

## 2:40 Calgary Commuter Rail Initiative

**Mr. Anderson:** Thank you, Mr. Speaker. The Calgary region is one of the fastest growing regions in North America, with its population of 1.2 million people expected to grow to over 3 million by roughly 2050. Obviously, this growth will pose incredible strain on the region's transportation corridors. One potential cost-effective solution to this challenge is to use existing rail lines for a commuter rail service between Calgary and surrounding communities, including Airdrie, Chestermere, Cochrane, and Okotoks. My questions are to the Minister of Transportation. Is the minister examining the possibility of investing in commuter rail between Calgary and surrounding communities?

**Mr. Ouellette:** Well, Mr. Speaker, first of all, commuter rail service in the Calgary region is a municipal responsibility. The province provides support, though, for municipal transit projects through our municipal funding grants. This year my department will provide \$315 million in grants to Calgary that can be used for transit development and about \$230 million to Edmonton. In addition, the federal public transit trust will provide \$28 million for Calgary and \$18 million for Edmonton.

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

**Mr. Anderson:** Thank you, Mr. Speaker. My first supplemental is to the same minister. What sort of timeline are we looking at before a decision is made on whether or not to proceed with commuter rail in the Calgary region, and will this minister support such an initiative?

**Mr. Ouellette:** Mr. Speaker, the question of mass transit in the Calgary region is a decision for municipalities to make. As I indicated, we already supply a lot of money to municipalities to help them with their transit systems. If they want to talk about future plans, we're always open to new ideas and open to discussion with them. But since this is really something that falls under Municipal Affairs, perhaps the hon. member would like to address a question to the Municipal Affairs minister.

**Mr. Anderson:** I will. My last supplemental, then, is to the Minister of Municipal Affairs. Can the minister tell us if Municipal Affairs has provided any governments or organizations in the Calgary region with any funding related to a commuter rail initiative?

**Mr. Danyluk:** Well, Mr. Speaker, in fact, in addition to all of the funding that the Minister of Transportation talked about, I would want to enlighten the hon. member that the municipal sustainability initiative can be used exactly for that purpose. The city of Calgary is receiving \$3.3 billion over 10 years. In addition to that, Municipal Affairs has supported the Calgary Regional Partnership to the tune of \$1.1 million last year and so far this year \$500,000 to explore regional transportation models and needs.

Thank you very much, Mr. Speaker.

**The Speaker:** Hon. members, that was 108 questions and responses today.

Please remain for just a few more seconds. When a number of members left this Assembly this morning, at approximately 2 a.m., there were a number of young people with us: the pages. A number of them will be retiring very shortly, at the conclusion of this spring session. Wednesdays is usually when we have the maximum number of pages in the House. I'd now like to call on the Deputy Speaker for some words with respect to the pages.

## Page Recognition

**Mr. Cao:** Well, thank you, Mr. Speaker. The Deputy Chair of Committees and I would like to draw to the attention of all hon. members that we are going to miss nine of our wonderful pages when this spring session ends: head page Luke Wilson, Scott Barichello, Anthony Combden, Evhen Dytyniak, Nancy Easton, Victoria Micek, Nicholas Mickelsen, Tania Shapka, Helena Zakrzewski. I ask you to join me in recognizing the great effort of these pages, who daily show patience and understanding of our many demands. They carry out their task with attention to duty and in good humour.

On behalf of all members I would like to ask our head page, Luke Wilson, to give each retiring page our gift and with it our best wishes to each and every one. We are very honoured to have our pages here working with us in this Legislature. I want to call on our Deputy Chair of Committees to present the gift to Luke. [Standing ovation]

**The Speaker:** Luke will be leaving us along with the other pages this spring. But just out of interest because Luke is the head page, his intent is to pursue medicine, his hobby is to learn Gaelic, and he wants to write fiction. That's just part of all of the backgrounds of these young people.

We're going to get back to the Routine, and we're going back to Members' Statements very briefly. But in the interim might we revert briefly to Introduction of Guests?

[Unanimous consent granted]

## Introduction of Guests

*(continued)*

**The Speaker:** The hon. Member for Calgary-Mountain View.

**Dr. Swann:** Thank you very much, Mr. Speaker. It's a great honour for me to stand and introduce two selfless and courageous individuals who have committed many years of their lives to creating healthy

and safe environments for farm workers and basic human rights. Eric Musekamp and Darlene Dunlop, please stand and receive the warm welcome of the Legislature.

**The Speaker:** Hon. members, in 30 seconds from now we'll go back to Members' Statements.

### Members' Statements

(continued)

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

#### Barb Tarbox Awards

**Dr. Sherman:** Thank you. I rise today to speak about the 2008 Barb Tarbox awards of excellence in tobacco reduction. Last week I had the privilege of presenting these awards along with Barb Tarbox's husband and daughter. As you all know, Barb Tarbox had lung cancer. After her diagnosis she was dying. She knew she was going to die, so she went on a crusade to educate our children. She talked to more than 50,000 students about the bad effects of smoking, and she campaigned until her last day.

Now, there were five award recipients. The first one was Action on Smoking and Health executive director Les Hagen for his tireless efforts on tobacco reduction for nearly 20 years; secondly, the Campaign for a Smoke-Free Alberta, a coalition of 12 different organizations that have co-operated on ways to reduce tobacco use over the past two decades; thirdly, the Drumheller composite high school drama class and Q91 radio Drumheller, who worked together to produce and broadcast 10 radio segments about tobacco and youth; and last but not least, the true hero of the day was a 10-year-old gal by the name of Cassidy Sauve from Medicine Hat. She received a youth scholarship award for her moving account of the negative impact of tobacco smoking on her family.

AADAC established the awards and scholarship fund to honour Barb Tarbox, who passed away in 2003 after battling lung cancer caused by smoking. The irony was that this woman talked to my children, and here I was: I had the privilege and honour of talking in front of her family. During the past few months of her life she crusaded, and this crusade is carrying on today, and these awards are in memory of her. Mr. Speaker, tobacco use is a leading cause of illness and death in this province, and we look forward to doing greater things in reducing tobacco use.

Thank you so much.

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

2:50

#### Emerald Awards

**Mrs. McQueen:** Thank you, Mr. Speaker. Each year the Alberta Emerald Foundation recognizes those that excel in environmental leadership. Last evening I had the honour along with many of my colleagues, including the Minister of Environment, to attend the 17th annual emerald awards ceremony held here in Edmonton, and I was truly inspired by the nominees and the winners. I am proud our government helped create and continues to sponsor the emerald awards.

Today I stand to acknowledge a member of my constituency, Mr. Rob Macintosh, who was honoured last night with an emerald award for individual commitment. Mr. Macintosh was instrumental in establishing three of the most successful environmentally focused organizations in Alberta: the Pembina institute, the Alberta Ecotrust Foundation, and the Clean Air Strategic Alliance. I applaud Mr. Macintosh for his personal commitment and leadership in helping

protect Alberta's environment. To all nominees and winners, congratulations and thank you for your commitment to the environment in Alberta.

Thank you.

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

#### Seniors' Service Awards

**Mr. VanderBurg:** Thank you, Mr. Speaker. Tonight at the 11th annual minister's seniors' service awards volunteers from across the province will be honoured for providing great volunteer service to Alberta seniors. This year an incredible 93 nominations were received for awards. Six individuals and two organizations were selected by the hon. Minister of Seniors and Community Supports to join an elite group of award recipients. In 11 years just 34 individuals and 22 organizations have received this award. I am pleased to have the opportunity to present this year's winners.

The minister's seniors' service award recipients for 2008 are Doreen Armstrong of Edmonton, who has volunteered for more than 50 years and founded Lifestyles Helping Hands Seniors organization; Joan Furber of Fort McMurray, who helps make Christmas and other seasons of the year special for seniors at the Rotary House Seniors Lodge; Doreen Glanfield of Rimbey, who began fundraising and secured land, provincial grants, and corporate donations to build a new seniors' centre in her hometown; Hank Heerema of Calgary, who helped design a computer laboratory and obtained computers for the Kerby Centre; Diane Latham of Wabamun, who takes seniors to appointments and helped establish the Wabamun seniors' thrift shop to assist low-income seniors; and Shirley Geyer of Banff, who, sadly, passed away last March. Her memory lives on in all the people whose lives she touched at the Mineral Springs hospital.

The two organizations receiving a minister's seniors' service award are Linking Generations of Sherwood Park, which brings teenagers and seniors together to meet and learn from one another, and the Sylvan Lake Seniors Association, which has been working to improve the quality of life of seniors for almost 25 years with its programs and services.

I'd like to invite all hon. members of this Assembly to join me in recognizing the 2008 minister's seniors' service award recipients for their outstanding commitment and service to Alberta's seniors.

Thank you, Mr. Speaker.

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

#### Greater Forest Lawn Community Car Sharing Program

**Mr. Cao:** Thank you, Mr. Speaker. Transportation is more than just a means of getting from here to there. Transportation is freedom. Transportation allows us to connect to the world around us. It allows us to access services and resources and enables us to have a social life. Without adequate transportation we are unable to participate fully in our own lives. For many Calgarians transportation is an enormous challenge. For some it is the single biggest barrier they face each day, getting from here to there.

This past Saturday I was pleased to attend the launch of the greater Forest Lawn community car sharing program. The Arusha Centre and the Calgary Learning Village Collaborative came together to launch this nonprofit, independent community car sharing program based in greater Forest Lawn.

Car sharing is affordable without the burden of vehicle ownership, and it's a reliable means of transportation. It helps to reduce our environmental impact and creates healthy communities. Car sharing is a transportation alternative that can help families and individuals

overcome some of these transportation barriers. At the same time it is helping us to build sustainable and mobile and equitable communities. The greater Forest Lawn car sharing program has taken several innovative approaches, including offering financial supports so that low-income families can participate, allowing groups memberships so that community organizations can join, and a fleet made up of primarily of minivans to meet the needs of families and communities groups.

I applaud the Arusha Centre and the Calgary Learning Village for launching what will be a successful program, and hopefully it will be adopted across our province.

### Presenting Petitions

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

**Mr. Taylor:** Thank you, Mr. Speaker. I'm pleased to rise today and present a petition with signatures on it from a number of people in the Jasper area, primarily, asking that the Legislative Assembly urge the government of Alberta to

commission an independent and public inquiry into the Alberta Government's administration of or involvement with the Local Authorities Pension Plan, the Public Service Pension Plan, and the Alberta Teachers' Retirement Fund.

Thank you.

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

**Ms Blakeman:** Thank you very much, Mr. Speaker. I'd like to present a petition signed by individuals from Edmonton and surrounding areas. Oh, yes, Sherwood Park definitely. These individuals are asking the government to "introduce legislation to have midwife-attended homebirths funded by Alberta Health Care." Thank you.

**The Speaker:** The hon. Member for Calgary-Mountain View.

**Dr. Swann:** Thank you, Mr. Speaker. I have several scores of petitions from the Calgary area calling on the government to review and change labour laws relating to five significant changes: the introduction of a process for first contract arbitration, full legal recognition of bargaining rights for public employees, one labour law for all unionized workers, automatic certification of workplaces, and legislation outlining the use of replacement workers.

Thank you, Mr. Speaker.

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

**Mr. Kang:** Thank you, Mr. Speaker. I, too, have four petitions here signed by concerned Albertans from St. Albert, Edmonton, and Calgary urging the government of Alberta to

commission an independent and public inquiry into the Alberta Government's administration of or involvement with the Local Authorities Pension Plan, the Public Service Pension Plan, and the Alberta Teachers' Retirement Fund.

Thank you.

**Mr. VanderBurg:** Mr. Speaker, it's my pleasure to table a petition signed by 98 Albertans from around the province. The petition urges the Assembly to eliminate child poverty. I'd also like to acknowledge the hard work that some of my constituents from Whitecourt-St. Anne put into organizing this petition.

Thank you.

**The Speaker:** Are there others? Calgary-Mountain View.

**Dr. Swann:** Thank you, Mr. Speaker. Just a few more signatures and a petition calling on the Legislative Assembly to urge the government to

commission an independent and public inquiry into the Alberta Government's administration of or involvement with the Local Authorities Pension Plan, the Public Service Pension Plan, and the Alberta Teachers' Retirement Fund.

### Tabling Returns and Reports

**Mr. Liepert:** Mr. Speaker, earlier this week the Member for Edmonton-Strathcona stated, "Why is the minister dragging his feet and withholding this important health information?" Well, this minister doesn't drag his feet on anything. I'd like to table five copies of the report that the hon. member had asked for.

I also would like to table a number of responses to questions that were posed in Committee of Supply on May 13, some responses to questions that were asked during Public Accounts, the Health Quality Council of Alberta survey on emergency department patient experience, responses to written questions 13 and 14, and the annual report of the College of Registered Dental Hygienists of Alberta.

**The Speaker:** The hon. Minister of Municipal Affairs.

**Mr. Danyluk:** Thank you very much, Mr. Speaker. I'm pleased to table in the Assembly today five copies of the 2007 annual report of the Alberta Boilers Safety Association. The Alberta Boilers Safety Association is one of the delegated administrative organizations that reports to Alberta Municipal Affairs.

**The Speaker:** The hon. Minister of Housing and Urban Affairs.

**Mrs. Fritz:** Thank you, Mr. Speaker. Yesterday this House was informed by the Member for Edmonton-Centre that the Greater Edmonton Foundation had 500 seniors waiting for subsidized housing in one constituency alone. I'm tabling four copies of a letter from the Greater Edmonton Foundation that clarifies that the actual figure is 325 people for the entire city.

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

**Mr. Sandhu:** Thank you, Mr. Speaker. I'm tabling five copies of a flyer produced by the Fraser school. This poster thanks all the people who supported their fundraising drive. The school sold candygrams, had bake sales, movie days, coin tosses, and heads shaved. This school of just over 200 students was able to raise \$11,084.61 and donated it to the Kids with Cancer Society.

Thank you.

3:00

**The Speaker:** The hon. Leader of the Official Opposition.

**Dr. Taft:** Thank you, Mr. Speaker. I'm tabling five copies of a letter from Gwen Berdan. She writes that "Alberta Education should be funding the basics." She defines the basics as

staffing approaching the Alberta Learning Commission's class size guidelines of 17 in Division 1 and 23 in Division 2; computers for keyboarding and internet access; stocked libraries; curriculum-based field trips; library books; and safe physical education equipment.

Based on her definition of basics, she feels that public education in Alberta is underfunded.

Thank you.

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

**Mr. Taylor:** Thank you, Mr. Speaker. I'm pleased to table the appropriate number of copies of a number of letters from 108 different constituents of Calgary-Currie, who are concerned about Alberta's labour laws and say that they require at least five significant changes: the introduction of a process for first contract arbitration; full legal recognition of bargaining rights for public employees, including the right to strike; one labour law for all unionized workers; automatic certification of workplaces where more than half the employees have clearly indicated their desire to be represented by a union; and legislation outlawing the use of replacement workers to break strikes.

Thank you, Mr. Speaker.

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

**Ms Blakeman:** Thank you very much, Mr. Speaker. I have two tablings today. The first is a series of signatures, which is not in order to be presented as a petition, asking for midwifery to be funded. This is an additional 85 names now, bringing the total to 2,137 people from all over Alberta who want midwifery funded, and those signatories are from Calgary, Banff, Canmore, Cochrane, and Chestermere.

Mr. Speaker, I'd also like to present the appropriate number of copies of identical letters that have been submitted by my constituents Rita Thompson, Gerald Thompson, Michele McKay, Chantal Dion, James Cribbin, Bev Gargett, Nancy Keating, Jim Rands, Murray Sinclair, and Brian Blair. All of them are outlining five points that they would like to see improved in the labour laws not, unfortunately, reflected in Bill 26.

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

**Ms Notley:** Thank you, Mr. Speaker. I'd like to table the appropriate number of copies of documents relating to the government's plan to build a new residence for the Lieutenant Governor. These include a government news release from November '07, several articles from the *Journal*, and one from the *Edmonton Sun*.

**Mr. Xiao:** Mr. Speaker, because of technical reasons, I'm tabling a document with over 6,600 signatures urging the government, in particular the Minister of Environment, to take a complete environmental review of the Qualico gravel project in the North Saskatchewan river valley. The official petition will come later.

Thanks.

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

**Mr. Chase:** Thank you very much, Mr. Speaker. I have a number of tablings today. To begin with, I'm tabling a letter from the Calgary Learning Centre asking for generous, sustaining gifts to the centre, which are now vital because of chronic underfunding and fewer resources of reliable funding, fewer dollars available from granters, and the centre's increased costs from the overheated economy that are threatening their ability to provide the very necessary literacy programs for people with learning disabilities and ADHD, which lower social assistance and EI costs.

My second tabling, Mr. Speaker, is a fact sheet from Breakfast for Learning, which was presented to members along with Vermilion grade 6 bagged lunches today at noon in the rotunda. Simply stated, the group would like the government to end the lip service and support their lunch service.

My next letter is a copy to the Energy minister from a Calgary entrepreneur, Terence Gannon, who is working co-operatively with the B.C., Saskatchewan, and Manitoba governments to create an open-source free reference index to provide public access to information on energy-related wells. With a government that promotes entrepreneurship and innovation, he is again asking the Minister of Energy or one of his staff to respond to his correspondence.

My next tabling is a copy of letter from a constituent, Martin Cowman, who is a senior on a fixed income and who very eloquently states the reasons for his objections to the recent pay increases that were decided on by your cabinet behind closed doors and states that he hopes you will "speedily rescind these pay increases."

My next is an e-mail from Calgarian Joan Teghtmeyer indicating her concerns about the influence of big pharmacy and the Institute of Health Economics and expressing concern about whose interests will be protected by the children's nutritional guidelines.

Finally, Mr. Speaker, I have the requisite number of copies of a notice of intention published in the *Calgary Herald* on May 29, 2008, but not included in any media release or information bulletin, indicating that the government is proposing to establish the Longview-Pekisko heritage rangeland, consisting of public and privately held lands and which provides a mailing address for the public to provide input before July 29, 2008, the proposed date of designation.

Thank you for your patience, Mr. Speaker.

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

**Mr. Kang:** Thank you, Mr. Speaker. I'm tabling five copies of hundreds of letters signed by constituents of Calgary-McCall expressing their concerns: number one, first contract arbitration, full bargaining rights, one labour law for everyone, automatic certification, and anti-scab laws.

Thank you.

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

**Mr. MacDonald:** Thank you very much, Mr. Speaker. I would like to table on behalf of constituents from Edmonton-Gold Bar letters that they have written requesting changes to Alberta's labour laws to make the law fairer for all working people, and what is being proposed in Bill 26 is not what they had in mind. These constituents are Lynne Curtiss, N.J. Young, Dan Alig, Robert Summerscales, Duane Quinn, George Ramdass, Helen Ramdass, and Peter Yez.

Thank you.

**The Speaker:** The hon. Leader of the Official Opposition.

**Dr. Taft:** Thank you, Mr. Speaker. I am pleased to table two sets of documents relating to my questions earlier today on the special arrangement between Horse Racing Alberta and the United Horsemen of Alberta Inc. The first is the appropriate number of copies of excerpts from Horse Racing Alberta's annual report from 2007, which confirms, in fact, that one of the corporation's directors is an employee of the United Horsemen of Alberta, and additionally two of the organizations which hold director positions within the corporations also hold director positions with the United Horsemen of Alberta.

The second set of documents is from the 2006 annual report of Horse Racing Alberta. This also indicates the intimate financial and



organizational links between the private, for-profit corporation United Horsemen of Alberta Inc. and Horse Racing Alberta.

Thank you.

### Tablings to the Clerk

**The Clerk:** I wish to advise the House that the following documents were deposited with the office of the Clerk. On behalf of the hon. Mr. Knight, Minister of Energy, responses to questions raised by Dr. Taft, hon. Leader of the Official Opposition; Mr. VanderBurg, hon. Member for Whitecourt-Ste. Anne; Mr. MacDonald, hon. Member for Edmonton-Gold Bar; and Mr. Berger, hon. Member for Livingstone-Macleod, on April 29, 2008, Department of Energy 2008-2009 main estimates debate.

On behalf of the hon. Ms Tarchuk, Minister of Children and Youth Services, responses to questions raised by Mr. Chase, hon. Member for Calgary-Varsity; Ms Notley, hon. Member for Edmonton-Strathcona; and Ms Pastoor, hon. Member for Lethbridge-East, on May 14, 2008, Department of Children and Youth Services 2008-2009 main estimates debate.

### Orders of the Day

#### Government Motions

#### Adjournment of Session

17. Mr. Renner moved on behalf of Mr. Hancock:

Be it resolved that when the Assembly adjourns to recess the spring sitting of the First Session of the 27th Legislature, it shall stand adjourned until October 14, 2008, as per temporary Standing Order 3.1(1) or until a time and date as determined by the Speaker after consultation with the Lieutenant Governor in Council.

**The Speaker:** Hon. members, this motion is not debatable, so I'll call the question.

[Government Motion 17 carried]

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

#### 3:10 Time Allocation on Bill 26

18. Mr. Renner moved on behalf of Mr. Hancock:

Be it resolved that when further consideration of Bill 26, Labour Relations Amendment Act, 2008, is resumed, not more than seven hours shall be allotted to any further consideration of the bill in Committee of the Whole, at which time every question necessary for the disposal of the bill at this stage shall be put forthwith.

**Mr. Renner:** Well, thank you, Mr. Speaker. The government is bringing forward this motion to deal with an issue that has had a significant amount of discussion in this House. I understand that the discussion at the committee stage of Bill 26 was begun last evening. We believe that seven hours is an appropriate amount of time to allow members to have multiple opportunities to participate in the debate on this bill. It also will allow members who wish to bring forward amendments to have an indication of how long the government has allotted through time allocation to this bill so that they can deal with amendments in an appropriate time.

Mr. Speaker, I understand that according to the standing orders there is an opportunity for five minutes of debate on this motion, and I then move that we put the question.

**The Speaker:** The Deputy Government House Leader is absolutely correct. Under Standing Order 21(3) "a member of the Executive Council may outline the reasons for the motion . . . and a Member of the Official Opposition may respond but neither speech may exceed 5 minutes." We've heard from the member of Executive Council. Now, who from the Official Opposition? The hon. Member for Edmonton-Gold Bar. The clock will start.

**Mr. MacDonald:** Yes. Thank you very much, Mr. Speaker. Certainly, in getting an opportunity to speak on Government Motion 18, I would first like to express my disappointment that we would be resorting once again to the use of closure in this Legislative Assembly to restrict and limit debate on a very important matter. It's not like there has been a lot of public consultation regarding Bill 26 already.

The hon. Deputy Government House Leader indicated that seven hours is plenty of time in Committee of the Whole to deal with this matter. Well, when you do the math on that, Mr. Speaker, that's about five minutes of time for each and every member of this Assembly, and if each and every member of this Assembly wanted to participate in the debate at committee, it would be next to impossible to accommodate all hon. members. There would be very few constituencies, if any, that would not have individuals residing in that constituency who would be directly impacted by Bill 26.

Now, I was astonished yesterday when the hon. Member for Edmonton-Strathcona directed a question to the Minister of Employment and Immigration, the hon. member in charge of the Labour Relations Code, that no unions in this province had been consulted regarding the final drafting of this legislation. Yet here we have this bill being rammed through this Legislative Assembly in record time.

The hon. Deputy Government House Leader talked about the amendments. Well, there's hardly enough time to get amendments drafted, get them authorized by Parliamentary Counsel, and get them before the floor of the Assembly. There's just not enough time to do this. If we look at Monday, when this was bill was introduced – of course, it was on Notices of Motions last Thursday on the Order Paper, but it was introduced on Monday. Here we are on Wednesday afternoon invoking closure on debate, and by sun-up tomorrow morning there's a probability that this bill will be the law of the province. I don't understand why we have to be so fast, why we have to be so quick in ramming this legislation through the Assembly. Many organizations haven't had the time to look at this legislation.

Now, I had a call just before the Assembly started at 1:30, Mr. Speaker, and it was from an individual who works on projects in the city of Edmonton to increase the number of affordable housing units that are to be constructed. His organization had planned to use the MERF funds to help or assist in the construction of over 1,000 affordable housing units in two areas of the city, one on the south side and one on the north side of the river.

**Mr. Liepert:** Well, they'll have to do it the fair way.

**Mr. MacDonald:** Now, I think the minister of health is chatting about a fair way over there. I'm not sure. I would really appreciate it if he'd listen to at least the interests of individuals who are relying on measures to increase the number of affordable housing units in this city.

That group was planning on using MERF funds to lower the construction costs on these units, but this is going to be eliminated. That option is going to be eliminated if we allow this bill to pass and become law. That's only one example, Mr. Speaker. I can't believe

that if this government is so sincere and so genuine in their talk about increasing the number of affordable housing units, particularly in urban areas, they would conduct themselves in this manner.

**The Speaker:** Hon. members, I must now draw to the attention of all members in the Assembly the motion before us.

[The voice vote indicated that Government Motion 18 carried]

[Several members rose calling for a division. The division bell was rung at 3:17 p.m.]

[Ten minutes having elapsed, the Assembly divided]

For the motion:

Ady	Fawcett	Ouellette
Anderson	Fritz	Quest
Berger	Horner	Rogers
Blackett	Jacobs	Sandhu
Brown	Johnston	Sherman
Calahasen	Klimchuk	Snelgrove
Campbell	Leskiw	Stevens
Dallas	Liepert	Tarchuk
Danyluk	Lindsay	Vandermeer
DeLong	McFarland	Woo-Paw
Denis	Mitzel	Zwozdesky
Drysdale	Olson	

Against the motion:

Blakeman	Notley	Swann
Kang	Pastoor	Taylor
MacDonald		

Totals:	For – 35	Against – 7
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[Government Motion 18 carried]

**The Speaker:** Hon. members, momentarily the House will convene itself in Committee of the Whole, and the clocks will be set. That means that the clocks will go to 5:30. When the House rises, the House will reconvene in Committee at 7:30 and at approximately 12:31 a.m. will arrive at the maximum time allocated for consideration of this particular bill in committee.

### 3:30 Government Bills and Orders Committee of the Whole

[Mr. Mitzel in the chair]

**The Deputy Chair:** I call Committee of the Whole to order.

#### Bill 26 Labour Relations Amendment Act, 2008

**The Deputy Chair:** The hon. Member for Calgary-Currie.

**Mr. Taylor:** Thank you, Mr. Chair. It's my pleasure to rise and kick off debate at committee stage on Bill 26, the Labour Relations Amendment Act, 2008. The clock is ticking as of now, I gather, and we have just a little under seven hours to give this very contentious piece of legislation something approaching full and fair and complete debate. I don't think we can do it in seven hours. I know that there are amendments coming forward from this side. I suspect

there may be some amendments from the third party. I somehow doubt that there are any amendments coming from the government side; call it a hunch.

There is much work to be done on this bill. I think, Mr. Chair, that a key part of the work that needs to be done on contentious pieces of legislation, on controversial bills that have a direct impact on a significant percentage of the population of this province, a good part of the work consists of us debating this openly on the floor of the Legislature long enough for it to percolate and sink into the public consciousness. This is not for a minute to suggest that the public is in any way derelict in its duty because it doesn't hang on every word that is said here in the Legislative Assembly of Alberta. Heck, if I were still a member of the general public, I certainly wouldn't be hanging on every word said in this Legislature. Normally I think I would probably turn off about three words into the first government answer to the first question asked in question period because there would be no point in watching since there's never an answer.

Quite frankly, the people of Alberta are busy people. They have lots to do. They have places to go. They have work to do. They have tasks to perform. They have errands to run. They have children to feed. They have aging parents to look after. They have husbands and wives to attend to, girlfriends and boyfriends to court, cars to wash, dogs to walk, cats to feed, many, many things to do, and they elect the 83 of us to do this work on their behalf so that they don't have to pay attention to the minutiae of all this.

As such, because they don't hang on our every word, it sometimes takes a while. It sometimes takes days or even weeks for it to sink in, for the general public to get it that the government is proposing legislation that is going to have a significant impact on their lives. We certainly on this side of the House argue that this piece of legislation is going to have a negative impact on the lives of the people that it's designed to impact.

If we could deal with this legislation in the way that we should be able to deal with this legislation, a couple of things would have been done differently. A couple of things would have happened differently. First of all – and I won't dwell on this because I know others will make this point over the course of the next seven hours – we wouldn't have brought in time allocation. The government would not have brought in time allocation. They would have let this go on long enough so that people could become aware, citizens could become aware of what their elected representatives, who after all are supposed to work for them, are up to and respond accordingly. Who knows? Who knows? The health minister claims that he did 28 days of consultation and implied by that that he learned everything that he'll ever need to know – I guess he skipped kindergarten; I don't know – in those 28 days.

It's entirely possible that if we approach this in the correct way, in the right way, people would become aware of what Bill 26 was all about and would say: "We're okay with it. We're okay with it. Let it pass the way it is." Then we, being servants to them, would do our jobs and do what they requested. Or it could be, Mr. Chair, that they would go: "Hmm, let's see. This is legislation that wants to make it significantly more difficult to organize workers into a union and significantly easier for employers or others who are so inclined to intimidate workers who had already agreed to certification to back off and change their way in order to keep their job." It would take away MERFing, and it would do a number of things that are not in the interests of the people or a significant chunk of the people, and therefore they would say: do not do this. But they can't say don't do what they're not aware is coming down the pipe, and a lot of them aren't aware. So that's one thing: we wouldn't have used time allocation.

But the other thing, Mr. Chair, that I think is really important here,

because I'm noticing a trend, is that the government of Alberta, the governing party in Alberta, would have brought this bill in much earlier in session. I mean, I can't possibly imagine that it took all session to write an 8-page bill when we had Bill 11 – which we've yet to debate; I guess that will come up in the fall – on our desks for many weeks now, and it's the size of a small novel. I really don't think that there was any good reason to hold this up other than a desire on the part of the government to leave the most controversial bill that they have on the Order Paper this spring until the very last minute and then bring it in and ram it through using closure and get it over and done with – signed, sealed, and delivered – before the people of Alberta know what hit them.

Mr. Chairman, earlier today I tabled the appropriate number of copies of 108 letters from constituents of mine arguing that Alberta's labour laws require major changes to encourage fairness to all working people in Alberta. I'm going to read now what that letter says. I will simply choose. I'll leave the name out because I haven't specifically asked this person if she'd like her name entered into the record, but it says:

I . . . a resident of your Constituency, write to you today about my strong belief that Alberta's labour laws require major changes to encourage fairness to all working people in Alberta.

I believe that Alberta's labour laws require at least five significant changes:

The introduction of a process for first-contract arbitration, which would enable working people in newly unionized workplaces to get the union contract to which they are entitled by law without the need for a labour disruption.

Full legal recognition of bargaining rights for public employees, including the right to strike combined with reasonable essential-services legislation.

One labour law for all unionized workers, so that Alberta labour law would treat all working people the same.

Automatic certification of workplaces where more than half of the employees have clearly indicated their desire to be represented by a union by signing a union card.

Legislation outlawing the use of "replacement workers" to break strikes, a measure that will vastly reduce the likelihood of violent labour conflicts.

All these measures have been adopted in other jurisdictions, resulting in a positive and fairer labour relations climate. Alberta's citizens deserve the same protections.

Then it closes:

As a resident of your constituency, I strongly urge the government and the Legislative Assembly to implement and support these changes to our province's antiquated and unfair labour laws. As my MLA, I very much hope that you will lend your voice to the effort to bring Alberta's labour laws into the 21st Century.

**3:40**

You know what? I would be pleased to do so. I do so now. This is the kind of labour relations amendment act we should be debating on the floor of this Legislature, not Bill 26 but this bill. I hear the minister of health chirping away like a little songbird over on the other side of the House yet again. He's been doing that all afternoon, Mr. Chairman. Earlier when I tabled this, he suggested I needed to do my job, and that is precisely what I'm doing. I'm standing up for my constituents, raising their concerns, voicing their concerns in this House, and standing up for fairness and equity for the people of Alberta. I know that that really makes the minister's teeth itch, but, you know, he's just got to get used to disappointment.

Now, that's the kind of amending labour legislation that we should be addressing in this House and should be debating, but we're not. We're debating, instead, a piece of legislation that will prohibit union salting, a practice employed by unions occasionally but not all

that often actually, Mr. Chair, to achieve union certification in non-union workplaces, and prohibit the use of market enhancement recovery funds, or MERFs, used in the construction sector to enhance the wage component of a construction project.

Mr. Chair, as we discussed yesterday during second reading debate and last night, it also designates ambulance attendants for ground ambulance services as essential services and removes their ability to strike or be locked out during labour disputes. I do not have a huge problem with that, nor do very many paramedics that we have talked to. You know what? Fire, police, and ambulance services are all emergency services. Fire and police are already designated as essential services. Ambulance workers of all kinds certainly see themselves as vital in emergency service as police and fire. It only makes sense that if police and fire are essential services, then ambulance services should be as well. The paramedics that we have talked to have certainly said that they are not overly concerned by this change, so neither are we, quite frankly, on that. But the MERFing and salting, on those parts, yeah, we are.

Section 34 of the Labour Relations Code will be amended by section 3 of this Labour Relations Amendment Act if it is approved by this House. This is on certification representation votes in the construction industry. This is a new clause, 34.1, to address salting. An employee can only vote in a certification process for a trade union if they've been employed for at least a 30-day period before their application for certification. It also stipulates that the voter cannot have quit or abandoned their employment. That one, I think, Mr. Chairman, can probably cut both ways because if there is a union certification process under way, it also, as I interpret it, will prevent the employer from magically producing a bunch of people and alleging that they are workers on his site to vote down the certification process, because they will not have been employed for at least a 30-day period either. So mixed feelings on that one.

Not so mixed when you look at section 5, which amends section 52 of the Labour Relations Code by adding a new section (4.1). Subsection (a) of that says: "the date of the expiry of the 90-day period immediately following the date of certification of the trade union." So (4.1) reads like this:

Where a trade union is certified as the bargaining agent for employees who are engaged in work in the construction industry, employees in the bargaining unit may make an application for revocation of the bargaining rights at any time before the earliest of the following:

- (a) the date of the expiry of the 90-day period immediately following the date of the certification of the trade union.

Let's stop and think about that for a moment. We have just had a workplace certified. Assuming that section 34 is amended, the majority of workers having worked there for longer than 30 days have decided they want, they need a union, so they have voted to be certified, to have the trade union certified. Now, within the next 90 days the employer has a clear shot at, shall we say, convincing them that they came to the wrong decision.

We can refer to subsection (a) as the intimidation clause, Mr. Chairman, because it allows employees who voted for certification of a trade union to have 90 days to reconsider their vote. What this does, clearly, is allow an employer that much time to either get rid of the union supporters by laying them off or by convincing them to change their vote. [interjections]

Hon. Member for Calgary-Nose Hill, I'm sure that any time within the next seven hours, after I'm finished, if you would like to jump to your feet and join the debate, you'll have the right to do so. So please hold your comments until then.

You know, subsection (b) also gives employers the option of intimidating or getting rid of union supporters. Subsection (b) reads:

If a collective agreement is entered into between the employer and

the trade union after the date of certification, the date on which a majority of the employees in the bargaining unit confirm that they accept being bound by that collective agreement.

Without this confirmation the collective agreement is not ratified.

Let's look at proposed new section 53.1.

A person is not eligible to vote in a representation vote referred to in section 53(1)(b) in respect of the revocation of the bargaining rights of a trade union with respect to employees and their employer who are engaged in work in the construction industry unless all of the following apply:

- (a) the person was an employee of that employer for at least the 30-day period immediately preceding the date of the application for revocation;
- (b) the person has not quit or abandoned the person's employment between the date of the application for revocation and the date of the vote;
- (c) the person meets any requirements with respect to eligibility to vote established in rules made by the Board pursuant to section 15(4)(a).

This deals with revocation representation votes. It deems that a person is not eligible to vote in the revocation of bargaining rights of a trade union with respect to employees and their employer if they were not an employee of that employer for at least 30 days preceding the date of the application for revocation. So there's really no protection there for the new worker hired on, who believes that he is protected by his membership in a trade union, if he has been there for less than 30 days.

The amendment, of course, that deals with MERFing. This is the new section 148.1, which removes the right of union members to voluntarily agree to have their after-tax income placed into a MERF. No construction contractor can contribute funds to a MERF. This amendment as well as the new section 148.2 effectively places a prohibition on the ability to deduct from wages into a MERF. Other specific prohibitions are that no trade unions shall subsidize bids, tenders, fees, or prices of a construction contractor for any purposes whatsoever that has anything to do with a MERF.

There was much talk in second reading debate here in the House yesterday about the way in which MERFs unfairly skew the construction business, subsidize some contractors, drive up the costs, and so on and so forth. You know, it just seems absolutely incredible that the unionized construction trades, who represent less than 20 per cent of construction employment, have that much clout, yet it was clear in second reading debate yesterday that this government is bound and determined to stamp out even that 20 per cent, it seems. I don't know why. I don't know how 20 per cent or less of a group of people that in itself constitutes only a small constituency within the general population can be such a threat except that maybe that 20 per cent or less is on to a good idea, and good ideas do have a way of spreading unless you can stamp them out utterly. I mean, I can't imagine what other motivation there can be except looking at it in that light.

3:50

Personally, I think that's the wrong way to look at it because there are all kinds of people who are simply quite happy in this province not to be part of a union and are not likely to want to join a union. I don't see very much evidence that anybody in this province is being forced to join a union. I don't see very much evidence that anybody is sort of being bent over a table with their arm twisted behind their back until they yell "Uncle" or "Brother" perhaps and sign their union card. I can only conclude that this is just a bald-faced, anti-union, antilabour piece of labour legislation. It needs serious work, which this side of the House will attempt to give it in the next six hours and 40 minutes by moving amendments. I hope,

although I hold very little confidence, shall I say – confidence is at a low I believe the term is – that government members opposite will listen and endorse those amendments. We will try. We will do the right thing by the working people of Alberta even if the government of Alberta will not.

With that, I think my 20 minutes are just about up, Mr. Chairman. I will take my seat to the thunderous applause of one and allow others to join the debate. Thank you.

**The Deputy Chair:** The hon. Member for Airdrie-Chestermere.

**Mr. Anderson:** Thank you, Mr. Chair. I'm pleased to rise today and give my support to Bill 26, the Labour Relations Amendment Act, 2008. You know, as I've listened to the debate, the important principle to me of this whole debate is choice: the ability of workers to determine whether or not they will join a union, the ability of individual workers to choose whether or not they will have their hard-earned money included in a MERFing fund. It's also about providing the marketplace with choices so that there's a level playing field, so that different construction companies and contractors have more choices with regard to the amount of contracts that they can bid on. It's also about the ability of individual workers to choose to reconsider a decision made by other workers who may have – it does happen – deceitfully retained employment with a contractor for the purpose of turning that contractor into a unionized shop. This law is all about choice, every whit. I support this bill because I think it gives workers, including unionized workers, greater choice.

Clearly, choice is alive and well in Alberta. In workplaces across this province we see unions exercising their rights to organize. There were advertisements that I was just reading the other day in the *Edmonton Journal* – I think it was last week – which encouraged workers to join a particular union. Choice, again, is alive and well. There's nothing in this legislation that hampers unions from organizing or that prohibits unions from organizing. I think I speak for everyone on this side of the House when I say that we support the right of any union to make its case to workers about why union membership is a good cause. I hesitate to use the phrase "a business case," but really that's what it is. You state your case as a union, whether it's better benefits or stronger training programs, a better safety record, or better working conditions, and then you let the workers decide.

These amendments ensure that the people making the choice about unionizing a workplace are people with an ongoing commitment to that workplace. In today's workplaces people change jobs all the time, so we're not talking about the individual or about people who are making an entire career with one company. Surely a month's commitment is a reasonable amount of time to be on a work site before having a say in how that work site changes over the long term. It's just common sense.

For those workers who wish to rethink a decision, these amendments expand the amount of time they can rethink their choice. Again, choice is the key here. Whether it's the salesman at the door or a retailer's money-back guarantee, I think we all appreciate the opportunity to have a look at something we've done or have said and think again about whether we made the right decision.

Presumably, that's why we read legislation three times. It's why we have this committee. It's why we question these things in question period. It's good to have some second thought, some third thought, some fourth thought. That's all this legislation does. It gives workers an opportunity to just think about whether they've made the right choice and to make sure and account for those who

may have been involved in the original vote under deceitful circumstances.

Under this legislation workers will also be given a new element of choice in contributing to MERFs, or market enhancement recovery funds, as they are known. The new mechanism would ensure that only those workers who want to pay into a MERF would make the payments.

These are good amendments. I think we're taking the right steps to rebalancing the workplace in favour of workers and choice. Our labour market has dozens of careers and opportunities to choose from, and I trust Alberta workers and Alberta families to make the choices that are right for themselves. I think that that might be one of the differences, actually, between members of this side of the House and, possibly, that side of the House. We believe that it's the individual, including a union worker, who is best suited to make choices regarding their own good. The opposition seems to believe that union bosses or government or whoever are best positioned to make our decisions for us. Thankfully, we're in Alberta, and the vast majority of workers, unionized and non-unionized, seem to agree with us on this.

Now, I want to address really quickly – well, maybe not so quickly; we've got lots of time, lots and lots of time – the issue of the constitutionality of this legislation. There has been some discussion, and it has been a good debate, actually, about whether this new law might affect our freedom of association or workers' freedom to associate with whom they wish.

Obviously, there's the ambulance worker issue, classifying them as an essential service so they don't necessarily have a right to strike at will. But I think that most here in this House can agree, with the exception of potentially the third party as, predictably, I heard last night, that it is probably a good thing that ambulance workers can't just strike whenever they want.

On the issue of salting and MERFing I cannot see how this restricts the freedom to associate. The salting provision simply says that you need to be there at a work site or at a non-unionized shop 30 days prior to voting on whether or not to unionize. I mean, that's very simple. You know, if you come to Alberta, you have to wait a certain amount of time before you can vote in a provincial election or before there are certain benefits that you can enjoy. There's time allotted before you can vote or before you can enjoy certain benefits of this province. I don't think that in a workplace it should be much different. Thirty days is just to make sure that you actually have a stake, that you're actually there for the reason that you want to work.

The 90-day rule, as we said, the 90-day revocation period just seems to give people an opportunity to have a sober second thought. It doesn't say that the union can't go forward. It doesn't say that it can't be organized. It just gives, again, some extra time to rethink the decision. So the choice of freedom of association still seems to be there.

Now on MERFs. This legislation is not outlawing MERFs. There's nothing in the legislation that does that. I'll reiterate what I said yesterday. In section 148.1 on page 4 of Bill 26 it says in subsection (3):

Nothing in subsection (2) prohibits a construction contractor who is an employer from deducting, in accordance with subsection (4), dues, assessments or other fees from the wages of an employee and remitting those amounts to a trade union or trade union trust or any person acting on behalf of a trade union or trade union trust for the purpose of establishing or maintaining a market enhancement recovery fund.

Then it goes on to state that you cannot force someone to contribute to these MERFs. I see nothing in here that says that you cannot establish a MERF. It just, again, comes back to choice, comes back to freedom of association.

There is no constitutional issue here, in my opinion. There is no limit on freedom of association. This is much-needed legislation, and I will support this legislation for that reason, Mr. Chair.

4:00

**The Deputy Chair:** The hon. Member for Calgary-McCall.

**Mr. Kang:** Thank you, Mr. Chair. I will be going back to the history of unions here a little bit. I think they are being made the devil which we don't know. That's what it is being portrayed as.

Now, the unions go back not 10 years, not 20 years, but they go back hundreds of years. The labour unions have existed in Canada since the early 1800s. There's a record of skilled tradesmen having a union organization in Saint John, New Brunswick, during the War of 1812. The trade unionists say there's significance in the fact that one of the earliest records of a union organization in Canada is found in legislation adopted in Nova Scotia in 1816 that made it very difficult for workers to form unions. The preamble to this act referred to the union activity in Halifax and other parts of the province as being illegal.

Despite this opposition groups of workers in many parts of the country formed their own organizations during the first half of the 1800s. These included printers in Halifax, Montreal, Quebec City, Toronto, and Hamilton, shoemakers in Montreal and Hamilton, carpenters, shipwrights, seamen, stonecutters, blacksmiths, painters, bakers, tailors, and others.

Many tradesmen who came from Britain – and this was a period of considerable immigration – brought with them the traditions of the old British trade union movement. As a result, in these early days of Canadian unionism there was an international relationship with Britain. Gradually, however, the ties between the workers in Canada and those in similar occupations in the United States became closer, and eventually the formal relationship with the British unions disappeared, to be replaced to a considerable extent by a new and closer association with the labour organizations in the United States. This was the beginning of the international trade union movement, which is today an important aspect of the Canadian labour scene.

The early growth of trade unions in Canada was slow, but during the 1800s there were sharp ups and downs in the economy of the country, and these fluctuations were clearly reflected in the growth and the health of the labour movement. The workers looked to the union to protect them against wage cuts rather than seeking increases. The matter of apprenticeship was also a vital issue. Many employers sought to bind apprentices over for a second term in the hope of obtaining help at lower rates than the skilled workers. It is clear that workers suffered from a deep sense of insecurity, and in some groups, at least, there was considerable hesitancy to press with any militancy for better wages or working conditions. For example, the group of printers in Quebec City attempting in 1833 to obtain a wage increase were quick to give assurances that they would not strike and that they would feel a sense of indebtedness for whatever increase was forthcoming.

A key development came in 1872, when printers in Toronto decided to mount a vigorous campaign for the nine-hour workday. They still worked a six-day week, so what they were seeking was a 54-hour week. Most Canadian workers today work a 40-hour week, and some work considerably less. The Toronto printers were part of a general effort to obtain shorter hours, and they were being prompted by what was known as the nine-hour league in many centres. The printers, led by Daniel O'Donoghue, decided to go on strike, and the strike became a matter of considerable public concern in Toronto.

The publishers group was headed by George Brown, editor of the *Globe* and a prominent political figure of the day. Brown had consistently fought the idea of union activity by the printers, and on a previous occasion, in 1854, he had invoked the law of conspiracy to lay charges against some printers who engaged in a dispute with publishers. While the printers were found technically guilty, the judgment of a one-penny fine clearly indicated the court's opinion of the use of this legal technicality. Even though this provided the legal right to organize, workers were still confronted with strong opposition from employers.

This is nothing new, the intimidation, the harassment of workers, and all the other activities against the unions. It is happening today, too. It happened at Lakeside Packers. That's the recent example.

The earlier unions were formed, as a rule, in an effort to meet specific on-the-job problems facing the workers. Each of the unions was a relatively isolated unit, concerned with its own particular problems.

Another organization that made a dramatic appearance on the Canadian labour scene but which subsequently disappeared was the One Big Union. The OBU came into existence about the time of the Winnipeg General Strike of 1919. This is an event which holds an important place in Canadian labour history. Workers in both the building and metal trades were involved, and the issues included the right to bargain collectively and higher wages. The general strike was effective, but the government intervened, arresting some of the leaders and threatening to deport some who had come to Canada from other countries. While the outcome was by no means acceptable to organized labour, those employers in the metal industry, who had previously refused to recognize the union, agreed to accept the principle of collective bargaining.

There has been a struggle all along, for centuries, for the workers to organize and fight for their rights. I think that with this bill we are just turning the clock back, and we will take it back who knows how many years. As we discussed before, there has been labour peace in Alberta and in the construction industry since 1986. I don't know why we are rushing Bill 26 through the House to be brought in to affect the bargaining rights of workers to organize and fight for better work conditions. As has been pointed out, this may lead to conflict with the Charter of Rights and with TILMA, and if this bill is going to be in conflict with the Charter of Rights and TILMA, then it will be open for a legal challenge.

I don't think we should be rushing this bill through. We should do a thorough study on the bill. We have had a history of labour peace, excluding a few, like the one at Lakeside Packers. That was also, I think, one too many, as I said yesterday. With this bill we will be opening for more labour unrest and for more problems in the work industry. It is okay now because the economy is strong and there is an abundance of jobs and a shortage of workers. They are getting treated very well, I believe, but when the times are tough, then we need the unions to protect the rights of the workers. What is happening here? We have labour peace, and nothing is broken. We are trying to fix what is not broken. The bill undermines the rights of the workers of Alberta to organize and to fight for their rights. All the economic gains that we have made with this labour peace, that we have enjoyed so far – I think we will be in trouble with this bill. We're going to see more strikes, more challenges.

#### 4:10

Mr. Chairman, I have worked in non-union shops, as I said before. In order to protect the rights of workers working in the non-union shops, we need the unions to get the workers their fair wages, fair benefits, and fair compensation. Some of the shops, you know, won't even pay overtime after 40 hours. It was a 44-hour week, and then they wanted the workers who worked on flextime.

Those are some of the reasons, I think, that we need some protection for the workers. This bill may erode the protection the workers are going to have.

When I worked in the mines, we had a dispute with the company because the company was asking for rollbacks from the union on the wages and benefits. The union wouldn't agree to this, and we all lost our jobs.

Coming back to Trail, the lead mine, there were foreign workers brought to work in the mines. They were dying of lead poisoning. They had a cemetery right there, right at the mine site. There was no protection for the workers at the time because there were no unions. The poor foreign workers were all buried at the mine site.

The history of the union is to fight for the rights of workers. The workers have been fighting for their rights for hundreds and hundreds of years. With this bill I think we're going to move the clock back and take away some of the rights they have achieved through a struggle of hundreds of years. They may lose all those rights. Not all stakeholders have been consulted on this bill.

Bill 26 is also going to affect affordable housing. Eliminating the use of MERFs by the trade unions will have an effect on the delivery of affordable housing in this province. The reason why MERF funds are used in the first place is that their unions pay their members excellent benefits, such as health, wellness, and pensions. Other associations do not have these benefit packages for their employees, at least not at the same level. That's why MERF funds are used. Because of the benefits, the trade unions' bids would always be higher. In other words, to be competitive with the contractors who do not pay their workers any benefits MERF funds are utilized. This, in turn, is keeping all the costs down. The trade unions are involved in the bid process. In order to be competitive with lower bids, MERF funds are used to secure these projects. However, if the trade unions are unable to use MERF funds to bid on these projects, they will cause a delay in getting the work done quickly for Albertans.

This government talks often about their commitment to a free market. In fact, they spoke about it as the reason why they refused to bring in a temporary rent cap to help Albertans faced with massive rent increases. However, by eliminating the use of MERFs, they are limiting competition, which is the cornerstone of the free market system. Also, by limiting competition, if there are no other bids for the project except for one source, then the price will logically be higher than it would be with competition, so Bill 26 can be viewed as going against the principles of a free market.

Using MERF funds enabled the trade unions to be competitive in the bidding process for affordable housing projects and also contributed to keeping the prices lower. The effect of Bill 26 is that trade unions will be unable to bid competitively or not at all. This will lead to an increase in the prices for affordable housing and delays in getting units built. The government's own affordable housing plan calls for 11,000 units to be built by 2012, and Bill 26 will be a barrier to achieving that goal. Did the government even consider the effects that Bill 26 would have on affordable housing delivery, or did they consider it and decide that a petty act of revenge for television advertisements was more important than keeping Albertans in their homes?

There are also Charter of Rights questions on Bill 26. Can Bill 26 withstand a Charter of Rights challenge? There has been lots of speculation on whether Bill 26 can stand up to a Charter challenge. One fundamental freedom is freedom of association, section 2. Section 1: "Subject only to such reasonable limits prescribed by law as can be demonstrably justified in a free and democratic society." An argument can be made that Bill 26 is an impediment to or breach of section 2 of the Charter, freedom of association. This bill can be

construed as having a negative effect in terms of the ability of people to associate with whomever they want or to join a union if that is their wish.

Section 7 of the Charter states, "Everyone has the right to life, liberty and security of the person and the right not to be deprived thereof except in accordance with the principles of fundamental justice." Bill 26 can be interpreted as contravening this section if members of trade unions are subject to lower wages or reduced pensions or a loss of work as a result of this bill. This can be interpreted as being deprived of the right to a certain quality of life and, as follows, security of the person.

Why are we rushing to bring in such a bill, which will be challenged in the courts? It will not stand in the courts if it's challenged under the Charter of Rights. Section 15: "Every individual is equal before and under the law and has the right to equal protection and equal benefit of the law without discrimination." Bill 26 would be interpreted as treating those in unions and those not in unions differently. Bill 26 would have an unequal application and effect as it would negatively impact those in trade unions and benefit unequally those in open shops. In other words, the equality provision of section 15 of the Charter of Rights could be interpreted as being breached.

Has the government considered that this bill will be subject to a Charter challenge? Has the government considered how this bill is going to stand against TILMA, and is the government prepared to spend millions of taxpayers' dollars defending this piece of legislation before the courts, up to the Supreme Court of Canada? This could potentially take years and millions of dollars for legal opinions. Is the government prepared to spend Albertans' money in this way? As far as I'm concerned, this will be a waste of Albertans' money on a bill which is not going to have any economic effect or any benefit for Albertans.

Thank you.

4:20

**The Deputy Chair:** Edmonton-Strathcona.

**Ms Notley:** Thank you. It is, as it was before, a bit of a disappointment for me to be getting up to speak, I guess at this point now a second time, on this piece of legislation which brings with it so, so, so many negative implications. Nonetheless, I will speak to it because, as you can imagine, we are very much opposed to it.

As a starting point I think what I'd like to do is focus in on the issue of consultation: consultation that preceded the introduction of this bill, consultation around what's actually needed with respect to amendments to our Labour Relations Code and how what those needs are relate to what we actually see in this bill before us today.

I want to start by pointing out that the issue of consultation is not just one of politics. It certainly is, of course, one of politics – and I'll talk about that in a minute – but it actually goes beyond simply being one of politics in that it is also one that is an obligation and, I would argue, a legal obligation of government when engaging in the significant disruption of rights experienced by workers and entities like unions under existing legislation.

Just as a note, I've mentioned in the past about how, you know, certain rights, for instance the right to strike, are internationally protected human rights. I'd like to maybe back up just a little bit to one element of consideration of Alberta's labour laws that was undertaken by the International Labour Organization. Now, the ILO, as most people know, of course, is an arm of the United Nations, and its mandate is to promote equity in terms of the provision of labour rights and standards throughout the world.

In fact, if you were to go to the website of the International

Labour Organization, you would find that they would set out their mission statement as being one where they formulate

international labour standards in the form of Conventions and Recommendations setting minimum standards of basic labour rights: freedom of association, the right to organize, collective bargaining, abolition of forced labour, equality of opportunity and treatment and other standards addressing conditions across the entire spectrum of work-related issues.

Now, Canada has in fact signed on with certain conventions that have been adopted by the International Labour Organization. They haven't signed onto all of them, but one of them that they've signed onto is the freedom of association and the protection of the right to organize convention, No. 87. That particular convention was the subject of some consideration by the International Labour Organization two or three years ago, when a union in this province took a complaint to the ILO around this particular government's actions with respect to restructuring in the health care sector.

Among many of the observations that were made, that were, frankly, not at all something that anyone in this government should be proud of, one of them related to the issue of consultation. In particular, the committee, in the course of reviewing the actions of the government, noted that

where a Government seeks to alter bargaining structures in which it acts directly or indirectly as employer, it is particularly important to follow, before the introduction of legislation, an adequate consultation process conducted in good faith and where social partners should have all the necessary information.

This is direction and recommendation that comes from the committee of experts established through the International Labour Organization where they are applying a convention which this country has signed onto through our federal government, that being convention No. 87. In the course of considering whether this government had followed that convention when they embarked upon their health care restructuring, they noted that particular obligation.

I would suggest that one element at least, if not almost all of the elements, in this act meet the criteria that were discussed and identified in this observation in that in particular with the ambulance drivers we see that this government is now purporting to fundamentally impact – we'll get to the issue of their right to strike – their bargaining unit and their choice of bargaining unit and who they can be in a bargaining unit with. That's a fundamental legislative overriding of their rights to choose their bargaining unit.

To engage in that without consultation of any type with the members impacted by that legislation, with no consultation of any type with the union representing those members, no consultation whatsoever – we know that there has been no consultation because we know from the minister of labour that he has not met with any unions since he has been put into place as the minister of labour – I would suggest that on that most basic issue of consultation this government is already in breach of the International Labour Organization's convention on freedom of association and protection of the right to organize, convention No. 87.

At the end of the day, you know, there are lots of countries out there that frequently and repeatedly fly in the face of human rights standards established through various and sundry associations with the United Nation: Angola, Rwanda, Canada, Alberta. We all do it, so it's not really the end of the world – we can continue to function – but I would suggest that maybe members in this Assembly ought to be a little concerned about the company we're keeping. When it comes to how we approach labour relations issues in this province, we frankly should be ashamed. There are countries that are far, far ahead of us when it comes to these basic rights.

Anyway, that goes back to the issue of consultation. Now, there has been sort of another form of consultation going on for at least the

last six months that I find it difficult to imagine that this government could possibly ignore. That consultation has involved the spontaneous and hopeful acts of citizens in this province through their continued advocacy vis-à-vis the types of changes to the labour code that they believe should be considered and should be introduced in this province.

I'm referring, of course, to the many, many thousands and thousands and thousands of letters that have been tabled, even in the last few weeks, by members of the opposition on behalf of Albertans seeking just and fair amendments to Alberta's Labour Relations Code such that we could bring it to the same standard that exists in other parts of the country. God forbid that we would suggest that we go in that crazy, left-wing, union-loving direction that we bring it to the same standard as what we see in the majority of other provinces in the country, but, hey, we're dreamers here, so what the heck? Anyway, those consultations have in fact been presented to this Assembly, and those consultations called upon this Legislature to bring about a number of changes in the next amendment to the Labour Relations Code. What are some of those changes? Well, those are some of the changes that would work towards ameliorating the very problems that this bill will stand to exaggerate.

4:30

One of the things, of course, that people have been calling for is first contract arbitration. That's actually an element or an amendment that I believe the former minister of labour suggested might even be considered after we saw the unfortunate violence and loss of income and loss of human rights down at the Lakeside Packers strike. It was clearly understood at that point that first contract arbitration might well have assisted in avoiding the many, many negative events that occurred around that particular labour dispute. The point of first contract arbitration, of course, is to dissuade employers from engaging in unfair bargaining tactics or bad-faith bargaining while at the same time engaging in very active efforts and campaigns to undermine the rights of the workers who had just selected the union that was trying to bargain on their behalf.

Many other jurisdictions have introduced provisions which would ensure that where a first collective agreement cannot be imposed after a certain period of time, a basic set of rights will automatically come into play. Some of those rights are things like: you don't get fired for participating in a strike; you have an arbitration system built into your collective agreement so that you have an objective, neutral way to resolve problems at the workplace; dues are paid to the union. Like, the most simple, simple of provisions are imposed to ensure that the employer is compelled to recognize the wishes that have been democratically expressed by their employees in an effort to increase and establish anything even beginning to border on reasonable rights within the workplace.

That's what first contract arbitration does, and that's what Albertans who have spontaneously chosen to offer their opinions to this Legislature have asked for, yet instead we have a bill in front of us that in fact is opening the door and issuing very strong invitations to employers to put even less effort into good-faith bargaining and, instead, put more effort into undermining the lawfully expressed democratic wishes of their employees to join a union and to protect their own rights.

We actually have an example here where this government is quite actively – I assume they hear all these opinions that are being tabled day in, day out by interested and hopeful Albertans. We're all here in the Legislature, so I assume they listen. At the same time this government is embarking in an exact opposite direction to meet the needs of the much more behind-the-scenes objectives or interests that have been communicated to them by folks like the Merit

Contractors Association, I suspect in a much less transparent setting than what we've seen here with the tabling of the letters on behalf of Alberta citizens by members of the opposition.

That, of course, is one of the key things that should be included in this legislation, which would have been had there been any kind of remotely comprehensive or quasi-comprehensive or even passing level of consultation with any of the unions impacted by this piece of legislation.

Now, another issue, frankly, that I would think would have been discussed had there been any consultation around upcoming Labour Relations Code amendments, in particular since these relate to the construction industry, is the whole issue of part 3 of the code and that division of part 3 of the code which is likely in breach of the Constitution and which, as we know, caused a tremendous amount of disruption last summer, in particular in the oil and gas sector. That, of course, is the part of the code which I believe is currently subject to legal challenge. We know they're pretty much a year into that legal challenge, and of course we know that the legal system, as we've discussed here in this Assembly in this session, doesn't work quickly. But we know that there is a challenge already under way that impacts a significant critical portion of that part of the Labour Relations Code that impacts on construction labour relations.

So I find it utterly amazing that we are spending the time and the money to bring about this change to the Labour Relations Code on a couple of issues which this government itself has acknowledged have been floating out there not in any sort of priority way for a good five or six or seven years. In the meantime we have a significant challenge working its way through the court to a much more critical element of the scheme relating to the governance of construction labour relations in this province, and this code doesn't even touch on that issue, and this bill doesn't even touch on those amendments.

Instead, we're doing a little bit of cherry-picking about an issue that has been floating around for years and years and years which very clearly is designed to go after one particular set of unions, who co-incidentally were also involved in a very high-profile expression of their right to free speech in the course of the last provincial election. Interesting, you know; just interesting. Because, again, had there been consultation, it would seem to me that any wise course of action, any government really concerned about improving the labour relations system in the construction labour relations sector would have had to have turned its mind to that portion of the Labour Relations Code which is likely to get rewritten by the courts in the not-too-distant future.

Now, of course, the other thing that many, many people have been talking about and consulting with this government about, notwithstanding their noticing that they've been consulted with, but the consultations that have occurred through the process of sending letters to this Assembly – another thing that has been requested, of course, is that the right to strike be reinstated to all workers in this province. We know that, in fact, whether it be at the International Labour Organization level or whether it be in the courts, the exclusion of the right to strike from essential service workers is something that, as I discussed previously, has been upheld by the courts and has also been upheld by international labour monitors, but in so excluding, there are a couple of conditions around that exclusion.

The first exclusion, of course, is that in excluding the right to strike, there must be a real, comprehensive, and fairly established mechanism for providing for third-party compulsory arbitration for those members who are not given the right to strike. In fact, I do believe that the International Labour Organization has offered some comment on the ultimate structure that's been offered through our



Labour Relations Code and suggested that it really isn't adequate, doesn't go far enough to make up for the rights that have been taken away from those essential service workers.

However, the other issue that exists is that it really must be a question of whether – and I believe the other day one of the ministers on the government side talked about the right to life and talked about the life-threatening consequences that would arise were essential service workers allowed to strike. The International Labour Organization, of course, has offered comment on that, and they've noted that, for instance, janitors in hospitals, if they had a right to strike . . . [Ms Notley's speaking time expired]

Guess I'll have to wait for the next time.

4:40

**The Deputy Chair:** The hon. Member for Edmonton-Gold Bar.

**Mr. MacDonald:** Thank you very much, Mr. Chairman. Certainly, when one looks at Bill 26 and its effect on many different sectors, it's quite surprising and at the same time disappointing that we're looking at, you know, ramming this legislation through and forcing it – literally forcing it – into law without any consultation. Now, I've heard from various members that consultation is not necessarily needed, is not necessarily a good thing, but I would like to bring a couple of things up at this time in committee.

The first thing is the remarks of the hon. minister yesterday. The hon. Minister of Employment and Immigration spoke to this bill at second reading on June 3, 2008. I'm referring to *Hansard*, page 1155. The minister clearly states: "Not only do MERFs lower labour costs for contractors; they are also seen as an alternative to negotiating wage cuts." That's the entire sentence, to be fair. The minister states here that MERFs lower labour costs for contractors. Why we would be dealing with this in Bill 26 is beyond me, Mr. Chairman.

I have a number of points I would like to make. The points are regarding the fund that we have, the cost escalation fund that's in the 2008-2011 capital plan, which is over \$800 million in size. The full \$803 million for the three-year period will remain in the capital account of the province of Alberta until it's allocated to ministries for escalation on specific projects.

Now, the capital plan on page 107 of the fiscal plan for Budget 2008 goes on to say:

[The] approach differs from Budget 2007 where \$1 billion was set aside for cost escalation, but not included in the Capital Plan. The \$1 billion set aside in Budget 2007 was allocated to several major projects such as the South Calgary Health Campus, and the Edmonton Clinic. Cost estimates to complete projects are subject to significant inflationary pressure as many projects are chasing scarce labour and input resources. Cost escalation on previously approved projects uses up available fiscal room, and therefore constrains government's ability to add new projects to the Capital Plan.

Well, my point is that I believe that this government, again, has more money than they have common sense. Could you in light of what's reported in the fiscal plan remove a measure that actually reduces labour costs for contractors? I'm sorry; the government here has it wrong, very wrong.

Now, if we go further along in the fiscal plan, at the same time where we're removing the right to use a MERF fund for certain unions, and we look at the economic outlook on page 121 of the fiscal plan, the government declares: construction costs continue to rise. Alberta construction costs, average of Edmonton and Calgary: there's a chart in here. The source of that is Statistics Canada. It goes through from 2001 to 2007. There was 5 per cent, 4 per cent. Then it bounced up to close to a 10 per cent increase in construction costs in 2004, it dipped a little bit in 2005 to 8 per cent, and then it

went up to over 15 per cent in 2006 and part of 2007. Then it went down to probably 13 per cent.

But the government writes:

Rising prices for both materials and labour, fuelled in part by shortages of workers in Alberta's strong economy, pushed construction costs to new highs in 2007.

Construction costs increased by more than 17% in 2007, but eased to an annualized growth rate of less than 13% by the final quarter of the year.

Now, the government on one hand seems to be concerned about the dramatic increases in construction costs. You've set aside millions of dollars. You've let the construction industry know that you have this money set aside. One of the most effective measures that we have in this province, according to the minister who introduced the bill, is the use of MERF funds to reduce labour costs on construction projects, but you're removing it. It makes no sense. Again, this government has more money than they have common sense.

We look at the effect that Bill 26 may or may not have on affordable housing. When we eliminate the use of MERFs by the trade unions, what effect will this have, if any, on the delivery of affordable housing in the province? The Greater Edmonton Alliance conducted negotiations with the city of Edmonton to get a component of all new developments. All new developments would have some form of affordable housing. The city of Edmonton would then buy these units at a low price and rent those units as affordable housing. For instance, in the development of row housing or condominiums a certain percentage would be designated as affordable and, as I said before, sold to the city.

Now, some trade unions were involved in this process and in the bid process, as I understand it. In order to be competitive with lower bids, MERF funds were used to secure these projects. Some of the work done would be electrical work; some would be plumbing work. However, if these trade unions are unable to use MERF funds to bid on these projects, this will cause a delay in getting these units built quickly for Alberta families who need them desperately. We all know that the margins are thin on these projects that are going to construct these rental units, so why at this time would we eliminate this option or this choice for contractors and developers of these projects?

The Greater Edmonton Alliance has one project on the south side of Edmonton where it is proposed, if everything works out, that there would be 300 units set aside for affordable housing. At Ascot Garden on the north side of the city – I believe it's at 132nd Avenue and 132nd Street – 750 units, Mr. Chairman, would be set aside in this manner. That is the proposal. I don't know if after we pass this bill, the the developers of those projects will be able to count on MERF funding to reduce their costs.

4:50

Now, the reason why MERF funds are used in the first place is that trade unions pay their members excellent benefits such as health and wellness and pensions. The other associations or unions of convenience do not have these benefit packages for their employees, at least not at the same level. Some of them, to be fair, have a benefit package, but it's not the same. That is why MERF funds are used under some circumstances; otherwise, because of the benefits that are paid, of course, the trade union bid would always be higher.

In other words, to be competitive with contractors who do not pay their workers any benefits or who pay reduced benefits, MERF funds are utilized. If MERF funds are not used, then union contractors will be unable to bid on these jobs. This will have two effects. It will impact competition, which would lead to an increase in price, and it will slow the building of those needed units.

Now, I would have been very supportive if this government with

its concern or issues around MERF funds and MERF funding had approached the Competition Bureau to see if this is behaviour that is illegal or somehow is unfair in a competitive market. I don't know if this was done by the government. Hopefully we will have a chance to discuss the role the Competition Bureau could have and should have played before we get to this Bill 26, that is before us this afternoon.

This government talks often about their commitment to the free market. In fact, they spoke about it often as the reason why they refused to bring in a temporary rent cap to help Albertans faced with massive rent increases. However, by eliminating the use of MERF funding, they are limiting competition, which is the cornerstone of the free market system. Also, Mr. Chairman, by limiting competition, if there are no other bids for jobs except for the one source, then the price will logically be higher than it would be with competition, so Bill 26 can be viewed as going against and contrary to the principles of a free market system.

Using MERF funds enabled many trade unions to be competitive in the bidding process for affordable housing projects, and I outlined that. It also contributed to keeping the prices lower. The effect of Bill 26 is that trade unions will be unable to bid competitively or in some cases at all. This will lead to an increase in prices for affordable housing and delays in getting some units built, and I wonder, Mr. Chairman, if in the drafting of this legislation that was considered by the Minister of Employment and Immigration.

If there had been a consultation period with various trade unions, I am certain they would have brought this to the hon. minister's attention. If we are sincere and if we are genuine in our efforts to reduce the number of homeless people and if we want to increase the number of affordable housing units in both Edmonton and Calgary, where it is a significant issue, I think the government should have consulted with many of the unions who use MERF funding.

Now, Mr. Chairman, the government's own affordable housing plan calls for 11,000 units to be built in the next four years – actually, I think it's the next five years – but Bill 26, if we allow it to pass, will be a barrier to achieving that goal. Again, my question to the Minister of Employment and Immigration in committee this afternoon: did the government ever consider the effect that Bill 26 would have on affordable housing delivery, or did they consider it and decide that a petty act of revenge for a television advertising campaign was more important than keeping Albertans in safe, accessible, affordable homes?

Now, I would like to talk a little bit further about the Greater Edmonton Alliance, Mr. Chairman. The Greater Edmonton Alliance is working very hard to develop more affordable housing units in the city, as I said. It's a broad-based organization which works to coalesce, train, and organize the communities of greater Edmonton across religious, labour, ethnic, and neighbourhood lines for the common good. Their primary goal is to develop local leadership and to organize groups to fight for social justice. They strive to hold both public and private power holders accountable for their public responsibilities as well as to initiate actions and programs to solve community, economic, and ecological problems.

The issues that the Greater Edmonton Alliance work on come from within their own institutions and from the concerns of people. The Greater Edmonton Alliance is affiliated with the Industrial Areas Foundation and is directly part of the Industrial Areas Foundation, northwest region, with Portland, Seattle, central Washington, and Spokane. They work very hard. They have the interests of the entire neighbourhood, and they really stick up for the public good and the public interest. If the government is not going to listen to the Official Opposition or members of the third party, I would really appreciate it if they would start a dialogue with the Greater Edmonton Foundation.

You've neglected to start a dialogue with the labour groups since the March 3 election. Perhaps this bill is just an admission that the government feels at this time that in order to form a massive majority, you no longer need the support of organized labour. In the past organized labour, as I said at second reading, has been very sympathetic to this government and the Progressive Conservative Party. I never thought, Mr. Chairman, that I would ever say this, but I miss Dr. Oberg. Dr. Oberg, of course, was supported in his leadership efforts by many of those building trades organizations, many of those unions, and I can just say: we miss him. We miss him a lot.

Now, when we look at the affordable housing issue here, that is one effect. This bill as we see it this afternoon is not what many citizens would like to see in the labour code. I'm getting letter after letter after letter, and they're from constituents, Mr. Chairman. The constituents of Edmonton-Gold Bar have a different view. I've received thousands of letters from constituents on what changes should be made to our Labour Relations Code.

Citizens are writing in, and this is what they have to say. They would like to see at least five significant changes to the labour code; specifically, the introduction of a process for first contract arbitration, which would enable working people in newly unionized workplaces to get the union contract to which they are entitled by law without the need of a labour disruption. If we had this law, there wouldn't have been a lot of action up on top of the escalators at the Shaw Conference Centre I think it was four years ago or three years ago now, when the UFCW was trying to certify that site. That's only one example.

5:00

Citizens from Edmonton-Gold Bar would also like to see the full legal recognition of bargaining rights for public employees, including the right to strike, combined with reasonable essential services legislation. They would also like to see one labour law for all unionized workers so that Alberta labour law would treat all working people the same, Mr. Chairman. The citizens also write in and say that we should have automatic certification of workplaces where more than half of the employees have clearly indicated their desire to be represented by a union by signing a union card and legislation outlawing the use of replacement workers to break strikes, a measure that will vastly reduce the likelihood of violent labour conflicts.

Those are some of the things they would like to see. Thank you, Mr. Chairman.

**The Deputy Chair:** Are there any other members who wish to speak? The hon. Member for Lethbridge-East.

**Ms Pastoor:** Okay. Mr. Chair, again to speak to Bill 26, some of the remarks that I've made I'm probably going to end up repeating, but they are probably worth repeating. However, one of the things that I have heard in the House, and certainly I concur, is that we will all be up very late tonight discussing a bill that should have truly been introduced into the House at least two weeks ago so that we could prevent this marathon debate without actually having had the chance to talk to our constituents or having had the chance to have stakeholders get a hold of us. [interjection] My hon. colleague has suggested that I am using my judgment, and in fact that is why I was elected, because people did think that I would use good judgment. However, my ego isn't quite that big that I think I'm the only one that could make the judgment. So I would like to speak to my constituents, certainly those within the labour group and other people that are affected by this.

I still believe, despite the conversation that I had yesterday in the House with the Minister of International and Intergovernmental Relations, that even if part 5 in TILMA says that the labour agreements are exempt, I just can't see when companies are going back and forth across the border, some union and some not, with the MERFing and the salting that, in fact, these agreements will not come into play, and at some point in time they will end up in the appeal process.

I think it's important that we keep in mind that it's fair and that it's a democratic process to be able to fully debate with knowledge. We must be able to make decisions that are based on knowledge, and it's difficult to have knowledge when you're scrambling at the last minute and when bills have come forward so late.

Actually, I was going to have an amendment asking that we lift the bill off the table and then bring it back in six months to discuss it again, and lo and behold, the Minister of Education found a clause – I believe it's 49 in the Standing Orders – that allowed him to put the question. It effectively cut off two of the amendments that he knew were coming forward. However, I still think the amendment that I would have brought forward would have been a good one. We should be debating this in the fall. It would give us time over the summer to talk to all of those people who are interested in talking to us as well.

We could have lifted it in second, and we still would have had plenty of time. In the fall we would have had the seven hours left for committee. Then we still would have had almost an hour and 50 minutes to go forward in third. So there would have been plenty of time. At least we would have been doing it and coming from a knowledge base as opposed to going on some of the things that certainly we've heard over the last number of years.

Of course, I was assured by the Minister of Education that, in fact, bills would not come forward unless they had already been through the law department of the government. I don't think for a second that their lawyers haven't looked at it. My question is: have they really looked at it in terms of how it's going to be affected under TILMA? There are many questions about the fact that it could leave itself open to a Charter challenge, and then we would be into appeals. As I've mentioned before, this could be long, it could be very timely, and in the end I'm not sure that we would have anything better than if we sat down and had a good debate in the fall.

The other thing is that it could tend to be very, very expensive. I don't think the taxpayers of Alberta are really prepared to pay for a court challenge when it should have been headed off before we even got there. The unemployed lawyers in our province: how I weep for them. How I weep for our poor unemployed lawyers. There certainly would be fewer of them unemployed if we had to go ahead with a Charter challenge. Even to go into an appeal, I'm sure we would not go in without our trusted lawyers at our side. It would also be a question, as I've mentioned, of just how long this process would take. In the meantime I'm not sure that construction projects may not be held up.

So it's too bad that I couldn't bring my amendment forward. I still stand by it, and I think it was a good idea.

We talk about unions, and I think it's like anything else we do – I can use myself, certainly, as an example – that unless somebody is really involved in something, they either don't really understand it or don't care and, therefore, don't sometimes avail themselves of, perhaps, the information or the empathy that they must have to try to walk in another person's shoes. One of the examples that I can use is of people that all of a sudden have to become involved in senior care because they have an aging parent or family member. Up until that point they just would glaze over when you would try to talk to them about seniors' care and how it's neglected and how

we need more staffing, et cetera. Then all of a sudden they're involved, and they care very much.

That was sort of what it was like for me with my union experience. I was a nurse and was working in a union job, but I never was really interested in being a card-carrying member of the union. Now, I did pay my dues, and of course I didn't resent that because even though I wasn't a card-carrying member and involved, I certainly enjoyed all of the benefits that came with what that union had negotiated.

Then I worked for a non-union job. It was quite a bit different when I was working in the non-union job.

**An Hon. Member:** Are you talking about this job?

**Ms Pastoor:** This job is also non-union; you're quite right.

**An Hon. Member:** Great job. Great benefits.

*5:10*

**Ms Pastoor:** Yes. The benefits were certainly much better than I got in my non-union job. However, the non-union job that I worked for didn't have proper scheduling. I actually had a life outside of my work life and sat on the Alberta Students Finance Board. I'm sorry that I can't share this story with the Minister of Education because he and I sat on that board together. Actually, there was a meeting where we would be choosing the chair. We both were probably interested in being the chair. I couldn't get away from my job because the scheduling had only been done a week ahead, and my life worked six months ahead. So I missed that meeting of the Alberta Students Finance Board, and needless to say I was ticked. I was very, very, ticked. So within 24 hours I had the place unionized. The cards were signed . . .

**Some Hon. Members:** Salter.

**Ms Pastoor:** Oh, no. I had worked there for almost three years.

My schedule, needless to say, was not monkeyed with after that day. So I can appreciate the importance of unions and, actually, the importance of protecting the employee, because it really was difficult. We all want to have lives outside of our work lives. We've all got children, we've all got families, and we need that extra time. We have to be able to know at least two or three months in advance, particularly when you work shift work and there's no such thing as weekends, there's no such thing as days, evenings, or nights. They all just sort of blur into one another. There must be protection, particularly for those that we have decided are essential services. These people do not have a choice of striking; therefore, I think it's only fair that they do have some sort of protection and certainly negotiated. So that's my little story about the union from both sides of the fence.

We were talking about the issue of MERFs. Eliminating the use of MERFs by trade unions will have an effect, as has already been mentioned, on affordable housing in the province. One of the things is that using MERFs enabled the trade unions to be competitive in the bidding process for affordable housing projects. Now, when MERFs are put together with trade unions or trade unions come forward with the MERFs and they're working with a contractor and they are bidding, I find that it's probably the same thing as consortiums being put together for P3 projects.

We see more and more in our society where people have to get together because projects are so big and no one company can actually do it unless they're a PCL or a Stantec, one of those huge, big construction companies. But we've got lots and lots of small

construction companies that deserve to have that ability to form consortiums so that many small construction companies are working on large construction projects. I'm not sure that I really see the difference between the union using money to create a consortium in the bidding process and consortiums that will probably get the contracts for the P3 projects. I think it's very important for the bidding process for the affordable housing projects, particularly where MERFs are being used, that we have that and protect that. Of course, this bill would basically do away with that.

It's also contributing to keeping the prices lower. The effect of Bill 26 is that trade unions will be unable to really bid competitively or at all, and it will lead to an increase in prices for affordable housing and delays in getting the units built. Another reason would be because, of course, we know that there is a staffing shortage. We still can bring in temporary foreign workers, but many of them don't have . . .

**Mr. MacDonald:** Salts in those temporary foreign workers at job sites?

**Ms Pastoor:** That is a very good question from my hon. colleague. My heavens, we couldn't be having temporary foreign workers coming in that possibly could be salting within an organization that had hired them. It's a very good question. I'm sure that from now on anyone who's heard me will definitely be double-checking all of their temporary foreign workers to see if they're plants from somewhere, particularly from B.C.

The government's own affordable housing plan calls for 11,000 units to be built by 2012. It would be wonderful if they were able to be built by 2009. However, Bill 26 will be a barrier to achieving that goal. Did the government even consider the effect that Bill 26 would have on affordable housing delivery? Did they consider it? Has there been a lot of thought put into this within, say, the last two years, or is some of this the information that they've gathered from before? I think times have changed, and I don't believe that MERFing really does hurt the construction industry the way the construction industry indicates that it does, and it's not done on that often a basis anyway.

Now I'm back to the Charter challenge, which has been mentioned many, many times. I still think that it's certainly a high, high likelihood that it could happen. One fundamental freedom is the freedom of association. We cannot be deprived, therefore, of it "subject only to such reasonable limits prescribed by law as can be demonstrably justified in a free and democratic society." When we look around the world, I think we have to work very hard to make sure that we truly do keep a free and democratic society. We can still go to the ballot box – although there's certainly 60 per cent that didn't – without somebody standing beside the ballot box with a gun. Those are just very hard-core kinds of freedoms that we enjoy. However, we really have to be able to free ourselves from intimidation and keep democracy as open and transparent as it can be. I'm not sure that this is something that's practised all that much in this province.

An argument could be made that Bill 26 is an impediment or actually even a breach of section 2(d) of the Charter: freedom of association. The bill can be construed as having a negative effect in terms of the ability of people to associate with whomever they want and to join a union if that's their wish.

I would suspect that if there is going to be a Charter challenge, it may well come from the B.C. side once they start coming across our borders and wanting to work back and forth. Actually, section 7 of the Charter states that "everyone has the right to life, liberty and

security of the person and the right not to be deprived thereof except in accordance with the principles of fundamental justice."

We've heard the word "choice" being used. I think that one of my union story examples was that I did have a choice. Now, I did not have a choice of not paying my union dues, but I certainly had the choice of belonging to the union and being a card-carrying member. At that point in time I chose not to, so there was a choice. However, as I said, I also enjoyed the benefits of what other people had fought for.

Although I've been reassured that, yes, the government has had their lawyers looking at this act before they brought it forward, I'd really like to know how much discussion went on in terms of the Charter challenge. As I've said before, I think it's going to cost millions of dollars and employ many, many lawyers, especially if it has to go to the Supreme Court of Canada. This could take years and millions of dollars. I think I've mentioned that many times before.

5:20

The Greater Edmonton Alliance is a broad-based organization which works to coalesce, train, and organize the communities of greater Edmonton across religious, labour, ethnic, class, and neighbourhood lines for the common good. This, I think, represents what is probably the best in Canada. I think we do work well together. We do respect each other. It's actually a part of our heritage. It was something that Lester Pearson, I think, put together in a very succinct way, and we became peacekeepers. I think that as peacekeepers we do exemplify exactly what this Greater Edmonton Alliance organization is trying to do. They want to keep peace. They want everyone to be equal and certainly have equal chances.

I am never really interested in who wins the game. I am always just interested in the fact that the playing field was level for everyone, and the rest of it will take care of itself.

**The Deputy Chair:** The hon. Member for Edmonton-Gold Bar.

**Mr. MacDonald:** Thank you very much, Mr. Chairman. Certainly, as we continue with the debate on Bill 26, one has to consider what other groups who were not consulted think about Alberta's labour laws and what they would like to see occur to improve the labour laws, make them fair for everyone, make them fair for both employers and employees.

I have received a letter from a gentleman by the name of Duane Quinn. Mr. Quinn lives at 90th Street and 105th Avenue. He's requesting, in his opinion, that the Alberta labour code be changed. These are some of the changes suggested by Mr. Quinn. Mr. Quinn's opinion has, I'm disappointed to say, been ignored by the government to date. Mr. Quinn suggests:

- Unions should have a right to Free Collective Bargaining without being forced into groups and other restrictive legislation.

I want to get to more of that later.

- The section of the Code that pertains to the Construction Industry must have major changes or even be eliminated. This would allow Construction Unions to bargain in a Free Collective bargaining environment.

Mr. Quinn is suggesting here that construction unions don't have those rights now.

- The respective section of the code that forces unions into groups before they can commence bargaining must be eliminated from the Code as it is outdated and archaic.
- The legislation that interferes with unions taking a strike vote must be changed to provide unions with the democratic process and not be bound by unfair legislation.

- A union and an employer must be allowed to negotiate a collective agreement with the duration of their choice. (This should be accomplished without interference of archaic legislation that exists in the present Code.)

Mr. Quinn considers that to be archaic. Now, that's his opinion. His opinion has not been sought, to my knowledge, by anyone in the department of labour.

Mr. Quinn also has some opinions and suggestions about division 8. Division 8 certainly was controversial.

- The Division 8 section of the Code must be prevented from being a tool for corporations and governments. This Section is presently being used to undermine the conditions and benefits of Building Trades Unions Collective Agreements.

We all know the history of division 8 and the implementation of division 8 here regarding the CNRL site in the oil sands.

Now, one final change suggested by Mr. Quinn. It says, Mr. Chairman:

- The terms and conditions of a Registered Collective Agreement must apply to all of the construction industry in the province.

Now, this letter I received from Mr. Quinn regarding this matter was copied to the Premier, and I don't know if Mr. Quinn has ever received an answer from the Premier or the staff in his office, but I would be interested to know that.

Now, many members of this Assembly may be unaware, but when we look at the Labour Relations Code, part 3 deals specifically with the construction industry labour relations. There are many different sections to this. This part, of course, applies to employers and employees engaged in the construction industry with respect to work in that industry. There are groups of trade unions listed. There are jurisdictions. There are sectors. Of course, the Lieutenant Governor in Council may make regulations and often does. There are registered employers, organizations. They must file constitutions, and they must outline how their dues are collected.

Division 3 of this part deals with the registration: the application for registration, evidence in support of application. There is also a section in here that deals with inquiries into registration applications.

There is also a section dealing with determining employers affected by the application, the timeliness of applications for registration, appropriate parts for collective bargaining, a grouping of trade unions, which is always contentious, and representation votes. The list goes on here, Mr. Chairman.

Not many people realize that the construction industry is separated out. It's an industry that for many reasons is different. We always have to consider that many of the workers in the construction industry are moving from job to job. They're moving around the province frequently. That has to be considered.

Now, when we look at division 8 and the implications of this, it's my opinion that the implementation of division 8, with the CNRL site, was the start of a deterioration in relations between respective construction unions and this government. There was certainly no need at that time to implement division 8. It certainly hasn't improved conditions for anyone.

In fact, Mr. Chairman, that's the site where two temporary foreign workers unfortunately, tragically lost their lives. They were involved in the construction of a tank farm, and the tanks collapsed around them. Their families in China: I wonder what their opinion is of our labour laws, Mr. Chairman. How do they feel? I know I may be getting off subject talking about the occupational health and safety laws. But I wonder how they feel about this now, families that presumably would be left without fathers, breadwinners.

Now, Mr. Chairman, the consequences of what we do in this Assembly may not be of interest to some members across the way, but certainly we have to consider all the implications and the effects of our labour law in this province.

**The Deputy Chair:** I hesitate to interrupt the hon. member, but according to Standing Order 4(4) the committee stands recessed until 7:30 p.m. We'll be back in committee.

[The committee adjourned at 5:30 p.m.]





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