



Province of Alberta

The 27th Legislature  
Second Session

# Alberta Hansard

Thursday, March 19, 2009

Issue 18

The Honourable Kenneth R. Kowalski, Speaker

# Legislative Assembly of Alberta

## The 27th Legislature

Second 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

Ady, Hon. Cindy, Calgary-Shaw (PC),  
Minister of Tourism, Parks and Recreation  
Allred, Ken, St. Albert (PC)  
Amery, Moe, Calgary-East (PC)  
Anderson, Rob, Airdrie-Chestermere (PC),  
Parliamentary Assistant, Solicitor General and Public Security  
Benito, Carl, Edmonton-Mill Woods (PC)  
Berger, Evan, Livingstone-MacLeod (PC),  
Parliamentary Assistant, Sustainable Resource Development  
Bhardwaj, Naresh, Edmonton-Ellerslie (PC)  
Bhullar, Manmeet Singh, Calgary-Montrose (PC),  
Parliamentary Assistant, Advanced Education  
and Technology  
Blackett, Hon. Lindsay, Calgary-North West (PC),  
Minister of Culture and Community Spirit  
Blakeman, Laurie, Edmonton-Centre (L),  
Deputy Leader of the Official Opposition  
Official Opposition House Leader  
Boutilier, Guy C., Fort McMurray-Wood Buffalo (PC)  
Brown, Dr. Neil, QC, Calgary-Nose Hill (PC)  
Calahasen, Pearl, Lesser Slave Lake (PC)  
Campbell, Robin, West Yellowhead (PC),  
Deputy Government Whip  
Chase, Harry B., Calgary-Varsity (L),  
Official Opposition Whip  
Dallas, Cal, Red Deer-South (PC)  
Danyluk, Hon. Ray, Lac La Biche-St. Paul (PC),  
Minister of Municipal Affairs  
DeLong, Alana, Calgary-Bow (PC)  
Denis, Jonathan, Calgary-Egmont (PC)  
Doerksen, Arno, Strathmore-Brooks (PC)  
Drysdale, Wayne, Grande Prairie-Wapiti (PC)  
Elniski, Doug, Edmonton-Calder (PC)  
Evans, Hon. Iris, Sherwood Park (PC),  
Minister of Finance and Enterprise  
Fawcett, Kyle, Calgary-North Hill (PC)  
Forsyth, Heather, Calgary-Fish Creek (PC)  
Fritz, Hon. Yvonne, Calgary-Cross (PC),  
Minister of Housing and Urban Affairs  
Goudreau, Hon. Hector G., Dunvegan-Central Peace (PC),  
Minister of Employment and Immigration  
Griffiths, Doug, Battle River-Wainwright (PC),  
Parliamentary Assistant, Agriculture and Rural Development  
Groeneveld, Hon. George, Highwood (PC),  
Minister of Agriculture and Rural Development  
Hancock, Hon. Dave, QC, Edmonton-Whitemud (PC),  
Minister of Education, Government House Leader  
Hayden, Hon. Jack, Drumheller-Stettler (PC),  
Minister of Infrastructure  
Hehr, Kent, Calgary-Buffalo (L)  
Horne, Fred, Edmonton-Rutherford (PC)  
Horner, Hon. Doug, Spruce Grove-Sturgeon-St. Albert (PC),  
Minister of Advanced Education and Technology  
Jablonski, Hon. Mary Anne, Red Deer-North (PC),  
Minister of Seniors and Community Supports  
Jacobs, Broyce, Cardston-Taber-Warner (PC)  
Johnson, Jeff, Athabasca-Redwater (PC)  
Johnston, Art, Calgary-Hays (PC)  
Kang, Darshan S., Calgary-McCall (L)  
Klimchuk, Hon. Heather, Edmonton-Glenora (PC),  
Minister of Service Alberta  
Knight, Hon. Mel, Grande Prairie-Smoky (PC),  
Minister of Energy  
Leskiw, Genia, Bonnyville-Cold Lake (PC)  
Liepert, Hon. Ron, Calgary-West (PC),  
Minister of Health and Wellness  
Lindsay, Hon. Fred, Stony Plain (PC),  
Solicitor General and Minister of Public Security  
Lukaszuk, Thomas A., Edmonton-Castle Downs (PC),  
Parliamentary Assistant, Municipal Affairs  
Lund, Ty, Rocky Mountain House (PC)  
MacDonald, Hugh, Edmonton-Gold Bar (L)  
Marz, Richard, Olds-Didsbury-Three Hills (PC)  
Mason, Brian, Edmonton-Highlands-Norwood (NDP),  
Leader of the NDP Opposition  
McFarland, Barry, Little Bow (PC)  
McQueen, Diana, Drayton Valley-Calmar (PC),  
Parliamentary Assistant, Environment  
Morton, Hon. F.L., Foothills-Rocky View (PC),  
Minister of Sustainable Resource Development  
Notley, Rachel, Edmonton-Strathcona (NDP),  
Deputy Leader of the NDP Opposition,  
NDP Opposition House Leader  
Oberle, Frank, Peace River (PC),  
Government Whip  
Olson, Verlyn, QC, Wetaskiwin-Camrose (PC)  
Ouellette, Hon. Luke, Innisfail-Sylvan Lake (PC),  
Minister of Transportation  
Pastoor, Bridget Brennan, Lethbridge-East (L),  
Deputy Official Opposition Whip  
Prins, Ray, Lacombe-Ponoka (PC)  
Quest, Dave, Strathcona (PC)  
Redford, Hon. Alison M., QC, Calgary-Elbow (PC),  
Minister of Justice and Attorney General  
Renner, Hon. Rob, Medicine Hat (PC),  
Minister of Environment, Deputy Government House Leader  
Rodney, Dave, Calgary-Lougheed (PC)  
Rogers, George, Leduc-Beaumont-Devon (PC)  
Sandhu, Peter, Edmonton-Manning (PC)  
Sarich, Janice, Edmonton-Decore (PC),  
Parliamentary Assistant, Education  
Sherman, Dr. Raj, Edmonton-Meadowlark (PC),  
Parliamentary Assistant, Health and Wellness  
Snelgrove, Hon. Lloyd, Vermilion-Lloydminster (PC),  
President of the Treasury Board  
Stelmach, Hon. Ed, Fort Saskatchewan-Vegreville (PC),  
Premier, President of Executive Council  
Stevens, Hon. Ron, QC, Calgary-Glenmore (PC),  
Deputy Premier, Minister of International and  
Intergovernmental Relations  
Swann, Dr. David, Calgary-Mountain View (L),  
Leader of the Official Opposition  
Taft, Dr. Kevin, Edmonton-Riverview (L)  
Tarchuk, Hon. Janis, Banff-Cochrane (PC),  
Minister of Children and Youth Services  
Taylor, Dave, Calgary-Currie (L)  
VanderBurg, George, Whitecourt-St. Anne (PC)  
Vandermeer, Tony, Edmonton-Beverly-Clareview (PC)  
Weadick, Greg, Lethbridge-West (PC)  
Webber, Len, Calgary-Foothills (PC),  
Parliamentary Assistant, Energy  
Woo-Paw, Teresa, Calgary-Mackay (PC)  
Xiao, David H., Edmonton-McClung (PC),  
Parliamentary Assistant, Employment and Immigration  
Zwozdesky, Hon. Gene, Edmonton-Mill Creek (PC),  
Minister of Aboriginal Relations,  
Deputy Government House Leader

### Officers and Officials of the Legislative Assembly

|  |                        |   |                   |
|--|------------------------|---|-------------------|
| Clerk  | W.J. David McNeil      | Senior Parliamentary Counsel              | Shannon Dean      |
| Clerk Assistant/<br>Director of House Services | Louise J. Kamuchik     | Sergeant-at-Arms                          | Brian G. Hodgson  |
| Clerk of <i>Journals</i> /Table Research       | Micheline S. Gravel    | Assistant Sergeant-at-Arms                | J. Ed Richard     |
| Senior Parliamentary Counsel                   | Robert H. Reynolds, QC | Assistant Sergeant-at-Arms                | William C. Semple |
|  |                        | Managing Editor of <i>Alberta Hansard</i> | Liz Sim           |

## Legislative Assembly of Alberta

1:30 p.m.

Thursday, March 19, 2009

[The Speaker in the chair]

### Prayers

**The Speaker:** Good afternoon and welcome.

Let us pray. We confidently ask for strength and encouragement in our service to others. We ask for wisdom to guide us in making good laws and good decisions for the present and future of Alberta. Amen.

Please be seated.

### Statement by the Speaker

#### 20th Anniversary of Members of the Legislative Assembly

**The Speaker:** Hon. members, someone once said that a week in political life might be like a lifetime. On March 20, 1989, two Members of the Alberta Legislative Assembly were elected for the first time and were subsequently re-elected in 1993, 1997, 2001, 2004, and 2008. They have survived six elections and have successfully completed 20 years of lifetimes in this Assembly working on behalf of their constituents and the people of Alberta.

Seven hundred and ninety-one men and women have been elected to serve in Alberta. Twenty were elected to serve six terms, three of whom are currently in this Assembly today. The hon. Member for Little Bow has been elected six times and will reach 20 years of service but not until 2012.

Today we recognize 20 years of service for the MLA for Lesser Slave Lake and the MLA for Rocky Mountain House. I would ask that both please approach the podium, and I would ask that the Premier approach as well.

The hon. Member for Lesser Slave Lake has averaged, believe it or not, a phenomenal 61.15 per cent popular support in her six elections, an incredible number. The hon. Member for Rocky Mountain House has averaged 59.9 per cent electoral support over six elections and is one of several MLAs in the history of Alberta to have received an increasing number of votes in four successive elections. Both have also served very, very well on Executive Council, and both represent incredibly large and diverse constituencies.

The area of Prince Edward Island is 5,640 square kilometres. The riding of Lesser Slave Lake is 70,790 square kilometres, 12.5 times as large. The riding of Rocky Mountain House is 23,188 square kilometres, four times the size of Prince Edward Island. Prince Edward Island has 27 MLAs. Hon. members, just one other interesting point about this: both of these members have averaged 80,000-plus kilometres per year in travel for the last 20 years. If the circumference of the earth is just above 41,000 kilometres, that means that each year for the last 20 years both of them have gone around the world twice. That's 40 times around the world. If you'd been able to average 100 kilometres per hour in your car, which is impossible, that meant that they've spent at least 800 hours per year in their vehicles coming back and forth to Edmonton and then finding their constituents because both represent extremely diverse, sparsely settled constituencies, and then when they find them, they have to work. That's a minimum of 800-plus hours. If they've each worked 50 hours per week, that's 16 weeks. That's four months per year just to and fro, Edmonton to their constituencies and within their constituencies. That is an enormous amount of time that's been devoted in that period.

We have designed a very special 20-year Mace pin to commemorate their 20th anniversary, and I would ask the leader of the government caucus, their leader, the Premier, to present the special pin to these two long-serving caucus members. Premier, you have a choice: you may pin it or present it. It's entirely up to you.

Please join me in thanking these two outstanding Members of the Legislative Assembly. [Standing ovation]

### Introduction of Guests

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

**Mr. VanderBurg:** Thank you, Mr. Speaker. On your behalf I'd like to introduce to you and through you 25 grades 5/6 students from the Covenant Canadian Reformed school, which is located in Neerlandia, in your constituency. They are accompanied this afternoon by their teachers and parent helpers. They are seated in the public and members' galleries this afternoon. I'd ask them to please rise and receive the warm welcome of this Assembly.

**The Speaker:** The hon. Member for Cardston-Taber-Warner.

**Mr. Jacobs:** Thank you, Mr. Speaker. It's a pleasure for me today to rise to introduce to you and through you to all members of this Assembly 12 visitors from Glenwood, Alberta, eight of whom are students of the grade 9 class in that school. They are accompanied by two teachers and two leaders. These students have travelled on a bus that took six hours plus to get here. They've worked really hard since grade 6 to raise money to make this trip, and they're here to have a good time and learn about the Legislature. They're accompanied today by their principal, Mr. Kelly Thomas, and a teacher, Mrs. Crystal Hegedus, and their spouses, Mrs. Kathy Thomas and Mr. Michael Hegedus. I would invite them to rise, please, and receive the warm welcome of this Assembly.

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

**Mr. Quest:** Thank you, Mr. Speaker. It's a pleasure to rise today and introduce to you and through you to this Assembly a group of 87 students that are visiting today from the Strathcona Christian Academy in my constituency. They're here to learn more about our political system and earlier participated in a mock Legislature. They are accompanied by their teachers Alan Foster, Jaime Peters, and Allison Amos, and parent helpers Mr. Neufeld, Mrs. Haas, Mrs. Gill, Mr. Ilkiw, Mr. Koop, Mrs. Williams, Mr. Whiston, Mrs. Kirchner, and Mrs. Stein. They're seated in both galleries, I assume, because there are so many of them, and I would ask if they would all rise and receive the traditional warm welcome of this Assembly.

**The Speaker:** The hon. Minister of Aboriginal Relations.

1:40

**Mr. Zwozdesky:** Thank you very much, Mr. Speaker. It gives me enormous pleasure to rise and introduce six very special guests who are seated in your gallery. They are current and/or former members of the now world-famous Ukrainian Shumka Dancers. Tonight they formally begin their 50th anniversary celebration. I see that they have generously provided a copy of their souvenir program on your desks there, so you're getting a sneak peek at what's going to be handed out tonight.

I'll ask each guest to please rise and remain standing as I call out their names: the current president and an active dancing member, Marco Eugenio; another executive committee member and an active

dancing member, Katrina Baziuk; two former dancers who were members of the original Ukrainian Shumka Dancers group in 1959 – and I had the pleasure of dancing with them, Mr. Speaker, in 1963 – Leo and Mary Zalucky; another member of the original group, who was Shumka's first president and my first Ukrainian dance teacher, Orest Yusyphchuk; and, finally, a man who actually used to work in this building, but now he is the man who is acknowledged as the founder, the founding artistic director, the man who brought it all together, co-ordinated it, and got it all started in 1959 and was also another of my Ukrainian dance teachers, and we're very proud of him, Mr. Chester Kuc.

Please welcome these wonderful individuals from Shumka. Thank you.

**The Speaker:** The hon. Minister of Seniors and Community Supports.

**Mrs. Jablonski:** Thank you, Mr. Speaker. Today it's my pleasure and my privilege to introduce to you and through you to all members of this Assembly some honoured guests who participated in our great announcement earlier today of more funding for affordable supportive living spaces in Alberta. I'd like to ask that my guests rise as I introduce them. Mr. John Pray is the president of Shepherd's Care Foundation in Edmonton, a facility providing Christian care for low-to moderate-income seniors within an aging-in-place environment; Mr. Bill Bartel, vice-chair of Shepherd's Care Foundation; Ms Sharon Read, the president and CEO of Excel Society of Edmonton, a not-for-profit organization that provides both support and advocacy for people with mental, physical, and developmental disabilities in Edmonton and Calgary; and Mrs. Jeannette Vatter, the chair of the Brazeau Seniors Foundation in Drayton Valley, providing supportive housing options that maintain the well-being of seniors in the community. Mr. Speaker, I want to commend each of my guests today and all those they represent in their tireless commitment to affordable supportive living options for Albertans.

As well, from my department I would like to introduce Mr. Dave Arseneault, assistant deputy minister of community support programs and strategic planning division, and Ms Marjory Sutherland, executive director of the supportive living and long-term care branch. Mr. Speaker, as you can see, they're in the members' gallery.

I'd ask that they receive the traditional warm welcome of the Assembly.

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

**Mr. Marz:** Thank you, Mr. Speaker. It's a pleasure today for me to rise and introduce two friends and constituents from the Linden community, Rod and Judy Wiebe. I first met Rod many, many years ago when I was a municipal councillor and Rod was a volunteer with the Kneehill Ambulance Service, where he spent over 20 years volunteering as an ambulance operator for his community. It's a pleasure for me to have them here today. They are seated in the public gallery, and I'd ask them to rise and receive the traditional warm welcome of the Assembly.

**The Speaker:** The hon. Member for Calgary-Nose Hill.

**Dr. Brown:** Merci, M. le Président. Aujourd'hui, en cette occasion des Rendez-vous de la Francophonie, j'ai le plaisir et le privilège de présenter en votre nom, à vous et à l'Assemblée, quelques jeunes leaders de la communauté francophone de l'Alberta. Ils sont assis dans la galerie des députés. Les jeunes francophones se mobilisent

d'adresser des enjeux clés comme le leadership et la participation citoyenne. Je demande à nos invités de se lever pendant que je les présente: Mme Sophie Nolette, présidente de la Francophonie jeunesse de l'Alberta; M. Rhéal Poirier, directeur général; M. Stéphane Doucette-Préville, participant des dialogues jeunesse albertaine avec le Ministre de l'Emploi et de l'Immigration; et Mme Cindy Garneau, directrice générale de la Fédération du sport francophone de l'Alberta. Je vous invite à vous joindre à moi pour leur souhaiter une bienvenue chaleureuse.

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

**Mr. Horne:** Thank you, Mr. Speaker. It's my pleasure to rise today to introduce to you and through you to all members of this Assembly a very special guest. Ms Nancy Beasley Hosker is manager of communications, humanitarian issues, and volunteer resources for the Canadian Red Cross in central and northern Alberta. A former Legislature reporter with the *Edmonton Sun*, Nancy started at the Canadian Red Cross as a volunteer just after the tsunami in southeast Asia in 2004. Like so many people who are drawn to the Red Cross because of its work internationally, she discovered that the organization was very busy right here in Alberta communities doing humanitarian work of great importance. Nancy is seated in the members' gallery, and I'd ask her to now stand and receive the traditional warm welcome of the Assembly.

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

**Dr. Sherman:** Thank you, Mr. Speaker. I'm pleased to introduce to you and to all members of the Assembly two members of my constituency, Céleste and John Zurbrigg. They will be retiring soon after a combined total of 68 years of public service to the government of Alberta and to the people of Alberta in the area of information technology support. Their careers have spanned from the era of mainframe computers that filled a room to the latest technological advances in digital communication.

The Zurbriggs feel fortunate to have worked with so many skilled Albertans. They are grateful for the lasting friendships they have forged, especially because it was through their employment with this province that they met and eventually married. They along with the government of Alberta strongly encourage young Albertans to pursue careers in technology-based fields. Céleste and John are seated in the members' gallery above, and I would ask them to rise and receive the traditional warm welcome of my friends in the Assembly.

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

**Mr. McFarland:** Thank you, Mr. Speaker. I, too, am pleased to introduce to you and through you to members of the Assembly today a family from the Picture Butte area, the Oudshoorn family. John and Deborah are here today with their children. It's the first time that they've been in the building. I don't think they could have picked a nicer day to come here to Edmonton to see some of the neat things that do happen. I would ask that the Oudshoorn family, Kelsey, Danielle, Megan, and Caleb, along with their mom and dad, John and Deborah, rise and receive the traditional warm welcome of the Assembly.

**The Speaker:** The hon. Member for West Yellowhead.

**Mr. Campbell:** Thank you, Mr. Speaker. It's a pleasure to introduce to you and through you to all members of the Assembly 13 constituents of mine who are here today to discuss seniors' issues

and particularly the pharmaceutical plan for seniors. I can't see up there, but I hope they're in the public gallery. I'd ask them to rise when I call their names: Dena Greanya, lodge manager; Deanna Teskey, Lynda and Ron Jonson, Brent Simmonds, Bill Carby, Rose Dutkiwich, Roger and Betty Schneider, Vernon and Elaine Koch, and Eunice Semeniuk from Hinton; and from Jasper Janet Barker. I'd ask everybody to rise and receive the warm welcome.

Thank you, Mr. Speaker.

**The Speaker:** The hon. Member for Leduc-Beaumont-Devon.

**Mr. Rogers:** Thank you, Mr. Speaker. It is my pleasure to rise and introduce to you and through you to all members of the Assembly two members of my constituency although I'm not sure they're here. If they are, I'd like to read into the record Grant and Patti Geldart from Devon. Grant is a councillor for the town of Devon. If they're here, I would ask that they rise and receive the warm welcome of this Assembly.

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

**Ms Blakeman:** Thank you very much, Mr. Speaker. I've invited some guests to join us here today to mark World Water Day. My guests are sitting in the public gallery. Would you rise as I call your name. Joining us from the Council of Canadians we have Kevin Force and Keely Kidner. Lanna Perrin is the communications director of the Sierra Club Canada. Dietlind Bork is a fieldworker for Amnesty International. Mike Mercredi and Peter Cyprien are residents of Fort Chipewyan. Joel French is here from Friends of the Lubicon, and from the University of Alberta Greenpeace chapter Logan McIntosh and Mark Mielke. Would you please join me in welcoming my guests to the Assembly.

### Oral Question Period

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

#### Achievement Bonuses

**Dr. Swann:** Thank you, Mr. Speaker. Twenty three thousand public civil servants, or 80 per cent of the entire civil service, are not eligible for the \$40 million pool of achievement bonus money. It's simply unfair and insulting to Albertans in a time of recession and thousands of job losses that this government gives tens of thousands of dollars to top senior management, who already get a quarter of a million dollar salary or more, a generous pension, and a free car. To the Premier: why won't the Premier cancel this \$40 million in bonuses scheduled for this fiscal year now?

1:50

**Mr. Stelmach:** Mr. Speaker, as I explained yesterday, the \$40 million bonus amount is shared amongst 6,100 people. I can tell you that they do not all have cars provided by the government. The median is about \$5,300. I believe what the member is referring to is the deputy ministers. We have 23 deputy ministers in government that receive part of the bonus structure. This is to bonus those that are outside of the union agreement. Union agreement is one separate entity, and these are people that are out of scope.

**Dr. Swann:** Well, Mr. Speaker, Saskatchewan and Manitoba are both reporting surpluses this year despite the recession, yet here in Alberta this government has spent Alberta right back into another deficit. Why did the Premier and cabinet give bonuses of tens of

thousands of dollars to senior government officials to "reward achievement"? What was the achievement, Mr. Premier?

**Mr. Stelmach:** Mr. Speaker, first of all, I would hope that Manitoba does balance its budget. It receives about \$2 billion annually from the contribution of Alberta to Ottawa, the net contribution. Secondly, all of the tax regimes of both provinces that were quoted by the leader have sales taxes. They also have a much higher tax load, considerably higher, than the province of Alberta. They've got a huge amount of accumulated debt. By the way, they also have Crown corporations that have a lot of debt that doesn't appear on their balance sheet either.

**Dr. Swann:** If these bonuses were actually based on achievement instead of being standardized rewards for loyal senior officials, why is the Premier so quick to cancel them?

**Mr. Stelmach:** Mr. Speaker, I said a few weeks ago that there will be belt-tightening. As for our employees that work for the government that are presently covered by a union contract, we said that we're not going to go and arbitrarily reduce whatever is in the contract in terms of their salary settlements. We will sit down and negotiate if this recession continues this year into next year. On the other hand, we have a group of people that are out of scope that have said: look, things are going to tighten up next year; we will not receive the achievement bonuses. I think that's very laudable of the 6,100 employees.

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

**Dr. Swann:** Thank you, Mr. Speaker. Last year the Deputy Minister of Executive Council received a total pay package of \$460,000, including a generous bonus. The Deputy Minister of Executive Council determines the size of the bonus pool for the government, and yesterday the Premier said that the pool will be \$40 million, to be paid out in June, before summer vacations. To the Premier: how much of an achievement bonus did cabinet allocate the Deputy Minister of Executive Council last year?

**Mr. Stelmach:** Mr. Speaker, all of the bonuses are a matter of record. What had happened back in 1999: there was quite a disparity between senior officials in government and management and some of the other provinces. The previous president of the Executive Council had asked a committee, a small committee – I believe it was chaired by Mr. Eric Newell, and it had Mr. Charlie Fischer on it, and I can't remember the third party member – to review public-sector management salaries, compare them to the private sector, and try to find some balance, and that's what we did.

**Dr. Swann:** Again to the Premier: did the cabinet grade his performance as a quality performance, a superior performance, or an outstanding performance, the last of which would qualify the deputy minister for \$86,000?

**Mr. Stelmach:** Mr. Speaker, given what this government has accomplished over the last couple of years – we have moved more off the back burner; we've dealt with the teacher pension issue; we've dealt with a lot of the issues in Fort McMurray; we've involved cabinet and caucus in so many new policy directions – I think it was a tremendous achievement on behalf of government, and it's also reflected in the deputy ministers and other managers that help deliver the decisions that we make in this Assembly.

**Dr. Swann:** Again to the Premier: does the Premier consider it a conflict of interest for the deputy minister who is setting the \$40 million bonus pool on behalf of the cabinet to also be eligible for the bonus?

**Mr. Stelmach:** No.

**The Speaker:** Third Official Opposition main question. The hon. Member for Edmonton-Gold Bar.

**Mr. MacDonald:** Thank you, Mr. Speaker. The independence and impartiality of senior government officials and the quasi-judicial boards in Alberta is paramount in an open and democratic society, yet senior government officials and members of these quasi-judicial boards are eligible for significant bonuses which, according to the Premier's statements yesterday, are all signed off by cabinet. To the Premier: how can senior members of the civil service be independent and impartial if they are eligible for significant bonuses that are signed off by the cabinet?

**Mr. Stelmach:** Mr. Speaker, I don't know what they're talking about on independence. There's a pool that was established through debate.

**Mr. MacDonald:** You obviously don't know.

**Mr. Stelmach:** Well, if you know, then why are you interrupting my answer? Sorry, but that's the kind of behaviour we have in the House.

During budget deliberations a pool is set aside. There is a process for deciding how bonuses are awarded, again, achievement meaning that we've got to balance the budget. You also have to deliver on the mandates that the Premier, the President of Executive Council, dictates to every ministry. At the end of the day there are also issues that may come up in terms of the performance of the deputies and other managers. That's how the bonuses are decided.

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

**Mr. MacDonald:** Thank you, Mr. Speaker. Again to the Premier: how can the Labour Relations Board be independent and impartial if they are eligible for bonuses of up to 15 per cent on a top salary of over \$200,000 per year if the cabinet is calling the shots on how much of a bonus they get on an annual basis?

**Mr. Stelmach:** Mr. Speaker, the pool is set by the Assembly through budget deliberations, not by cabinet. They'll have an opportunity to debate the issue as the budget is delivered April 7.

**Mr. MacDonald:** That pool has never been debated in this Legislative Assembly, and the Premier knows it.

Again, how can the Appeals Commission for the Workers' Compensation Board be independent and impartial if they, too, are eligible for bonuses of up to 15 per cent of their annual salary when that bonus is being set by your cabinet? How is that independent from the government, and how is that impartial?

**Mr. Stelmach:** Mr. Speaker, once again, the pool is established by the Assembly, and there's a process that we establish in terms of how the bonuses are awarded. It's a system that has worked very well. As I said before, all management, those that were eligible for bonuses, voluntarily said: look, I know we're heading into a very difficult economic year. They've collectively come and said: we

will not be accepting any bonuses; we'll suspend that and try to find as many dollars as we can to balance the needs of Albertans in the next budget.

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

### Nuclear Power

**Mr. Mason:** Thanks very much, Mr. Speaker. This weekend the Energy minister fabulously declared that the nuclear renaissance is here. Well, the minister has shown himself to be quite the Renaissance man, indeed. He appears to be very enlightened, such that he knows something that no one else does. The question is to the minister. Will the minister please tell the House how we can safely dispose of radioactive nuclear waste when even Nobel Prize winners can't figure it out?

**Mr. Knight:** Mr. Speaker, I certainly did indicate that there is a nuclear renaissance, and it is global. I didn't talk about a renaissance in Alberta, but I did say that there is a nuclear renaissance, and it's global. It's here; whether we like it or whether we don't is not the issue. There are a number of jurisdictions around the world that are currently increasing their capacity for nuclear energy. Relative to the treatment of spent fuel, recycling of spent fuel is a technology that's well applied in certain places in the world and certainly is way beyond, obviously, what the member opposite understands.

2:00

**The Speaker:** I need to know how this applies to Alberta.  
The hon. member.

**Mr. Mason:** Thank you very much, Mr. Speaker. My next question will illustrate that.

Stockpiling nuclear waste in the hope that future generations will clean up the mess is not the action of a Renaissance man; indeed, it's right out of the Dark Ages. It is irresponsible and short-sighted. This minister is refusing to release a report that will open up the public debate on this issue. My question is to the minister. Will the minister act like a real Renaissance man and enlighten Albertans with his nuclear report today, before his spin doctors nuke it out of all proportion?

**Mr. Knight:** Mr. Speaker, the preamble, of course, is completely irrelevant to the situation in Alberta. There is no nuclear waste in Alberta, not that I'm aware of, in any event. Relative to what we're doing, I have said on a number of occasions and certainly publicly that we have a task force that has delivered us factual information relative to the proposed application of nuclear generation as it may or may not apply to Alberta. We're continuing with that work.

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

**Mr. Mason:** Thanks very much, Mr. Speaker. Well, it's obvious that this Renaissance man is living in the Dark Ages. Nuclear power is an idea whose half-life has long since expired. Two months ago the Pembina Institute released a report that shows that Alberta can meet its energy needs without nuclear power, but this minister shows no signs of having read it. To the minister: when will you step out of the Dark Ages and admit that nuclear power is too expensive, too dangerous, and too short-sighted to meet Alberta's energy needs?

**Mr. Knight:** Well, Mr. Speaker, again, you know, a lot of kind of innuendo there that would indicate that somehow or another I have

said that nuclear energy is absolutely necessary for the province of Alberta. I've never made any such statement at any point in time. The fact of the matter – it's true – is that we could burn coal in Alberta for the next 200 years and produce all the electrical generation we require. Is that what the member opposite would have us do?

**The Speaker:** The hon. Member for West Yellowhead, followed by the hon. Member for Calgary-Buffalo.

#### Natural Gas Rebates

**Mr. Campbell:** Thank you, Mr. Speaker. It's close to the end of the March and, we sincerely hope, near the end of a very cold winter. Traditionally the end of March also means the end of natural gas rebates. Of course, this year that is notable because the program is scheduled to expire this year. I know many of my constituents are wondering if the program is going to be renewed. My first question is to the Minister of Energy. Can he tell the Assembly if the natural gas rebate program will be renewed?

**Mr. Knight:** Mr. Speaker, as the member is certainly aware, there hasn't been a rebate in two months running because natural gas prices have been so low. That's good for consumers; however, it's tough on the province's bottom line. Given our commitment to encouraging energy efficiency and conservation, we have decided that the natural gas rebate program won't be renewed for the upcoming fiscal year. In the future we will take a look at the program or an alternate form of the program if natural gas prices significantly recover.

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

**Mr. Campbell:** Thank you, Mr. Speaker. My second question is to the Minister of Seniors and Community Supports. Can the minister advise what programs are available to assist those seniors and people with disabilities who may have difficulties paying their heating bills next winter?

**Mrs. Jablonski:** Mr. Speaker, I recognize that seniors and persons with disabilities, especially those with low incomes, may be affected by high energy prices. While our programs don't specifically address utility costs, they provide financial assistance for low-income seniors and persons with disabilities who are in need. These programs are among the best in the country. For seniors this includes a monthly cash benefit through the Alberta seniors' benefit program, and for persons with disability it includes financial and health-related assistance through the AISH program.

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

**Mr. Campbell:** Thank you, Mr. Speaker. My final question goes back to the Minister of Energy. Has the minister considered the impact that not renewing the natural gas rebate program will have on Alberta's agricultural consumers?

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

**Mr. Knight:** Well, thank you, Mr. Speaker. The province certainly does recognize the impact the change will have on agricultural consumers such as greenhouses, irrigation, and grain drying. These consumers account for something less than 10 per cent of the total

rebates that were provided since 2003. We want to ensure that agricultural consumers are aware that the program will not be renewed so that they have time to make appropriate decisions based on their consumption. Agricultural consumers who can select their six-month rebate outside of the winter heating season will have until June 30 to make application for their '08-09 filings.

**The Speaker:** The hon. Member for Calgary-Buffalo, followed by the hon. Member for Strathmore-Brooks.

#### Achievement Bonuses

(continued)

**Mr. Hehr:** Thank you, Mr. Speaker. *Black's Law Dictionary* explains that quasi-judicial actions are valid if there's no abuse of discretion and that they often determine the fundamental rights of citizens. Alberta's quasi-judicial boards work for Albertans, but this independence from government influence is compromised by our bonus schemes. Can the Minister of SRD tell us whether or not the appointees of the Surface Rights Board, the Natural Resources Conservation Board, or the Land Compensation Board are beneficiaries of bonus packages?

**Dr. Morton:** Mr. Speaker, I don't know the answer to that question, so I'll have to check and get back.

**Mr. Hehr:** Well, they are eligible for bonuses.

Given that the chair of the NRCB received \$28,000 in other cash benefits in 2008, which is a bonus, can the minister explain how the chair can be impartial in his decisions when his bonus is tied directly to the minister's approval?

**Dr. Morton:** Mr. Speaker, I think we've heard and seen this movie before, where they impugn the integrity of people working on these arm's-length commissions with absolutely no evidence whatsoever to suggest it. It's, frankly, very irresponsible for a party that said they want to act more responsibly and have a higher tone of debate in this House to make allegations based on purely circumstantial evidence.

**Mr. Hehr:** There are no allegations. We're questioning a bonus structure. Similar bonus structures are in place for other boards under the minister's department. Can the minister explain how the Surface Rights Board can be objective and fair to landowners when they are eligible for achievement bonuses?

**Dr. Morton:** Can the hon. member opposite give one single example of a decision where they weren't objective and fair? The answer is no. He can't.

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

#### Affordable Supportive Living Initiative

**Mr. Doerksen:** Thank you, Mr. Speaker. Alberta has an aging population, one that is going to require varied and specialized services and accommodations to meet the changing needs of seniors. I know that today's announcement of capital funding is related to Alberta's aging demographic. My first question is to the Minister of Seniors and Community Supports. Can you please advise the House how this funding will address the need for more affordable supportive living units in Alberta?

**Mrs. Jablonski:** Mr. Speaker, improving quality, supply, and choice in the continuing care system is a top priority for this government. Proof of this is the over \$119 million in grant funding announced today through the affordable supportive living initiative and the lodge modernization and improvement program. In total this funding will help to build and update more than 3,000 supportive living and lodge units, with 1,153 units through ASLI and 1,992 units through the lodge modernization program.

**Mr. Doerksen:** My second question is for the same minister. That's significant funding, but how does this funding, as large as it is, even make a dent in the demand for this type of housing in Alberta?

**Mrs. Jablonski:** Mr. Speaker, just talk to any person who will move into one of these new, modernized units and ask if their unit will make a difference in their life. The numbers speak for themselves. With this year's funding Alberta has invested \$365 million to develop and update almost 8,000 supportive living and lodge units.

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

**Mr. Doerksen:** Thank you, Mr. Speaker. My final question to the same minister. This is significant funding. Clearly, my constituents and Albertans across the province realize that the need is immediate with regard to this capacity. In reality how soon can they begin construction, and what are some anticipated completion dates for Albertans to move into this new capacity?

**Mrs. Jablonski:** Mr. Speaker, we've got a plan of action that is already under way. With the funding announced today, construction of the projects is expected to begin within nine months. Grant recipients are also expected to complete their projects within two years of receiving the initial payment.

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

### Water Transfers

**Ms Blakeman:** Thank you very much, Mr. Speaker. March 22 is World Water Day, and this year's theme is transboundary freshwater management, focusing on water that crosses over the border to our neighbours in other provinces and territories. My questions are to the Minister of Environment. Since the Water Act does not make it clear that human needs must be the priority in all water allocations, will the government look at amending the act to make it explicit that the needs of people and communities should always come first?

2:10

**The Sergeant-at-Arms:** Order in the gallery! You're not part of these proceedings.

**Mr. Renner:** Mr. Speaker, the issue that the member brings forward is very much part of the discussion that we are about to engage Albertans in with respect to water allocation. I would suggest that if it were so simple to simply say that human needs come first, it could have been done by now. But the fact is: how do you define what are human needs? How do you determine whether human needs include the water that's used for agricultural purposes to feed humans or whether human needs include the water that's used for industrial purposes to employ humans and pay the bills so that humans can exist? I would suggest to the member that that's a very simplistic way of looking at it.

**Ms Blakeman:** I disagree.

To the same minister. The system of – wait for it – first in time, first in right is an archaic throwback and bad management practice. When is this government going to bring their 19th century system into the 21st century and base water allocations on a system of priority needs, not just who got there first?

**Mr. Renner:** Well, Mr. Speaker, I think I answered that question last week when the member asked me about our water allocation process. I indicated to her that we are in the midst, as we speak, of exploring a number of different alternatives, that everything is on the table, and that we will be bringing forward a draft policy for Albertans to comment on later this summer or early in the fall.

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

**Ms Blakeman:** Thank you. To the same minister. This year's World Water Day is highlighting transboundary water management, but in the oil sands we've had two years of untreated human waste dumped into the river, tailings ponds leaking into groundwater, and oil and grease spills. Given all of this what is the minister doing to ensure that we live up to our transboundary commitments to preserve water quality as it moves across the border?

**Mr. Renner:** Well, Mr. Speaker, standards that are established nationally and in some cases internationally are something that we are involved in developing and ensuring that we adhere to those standards. I can assure the hon. member that Alberta lives up to its commitments that we have both interprovincially and internationally.

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

### Affordable Supporting Living Initiative (continued)

**Mr. VanderBurg:** Thank you, Mr. Speaker. Helping seniors, including those that live in rural areas, to stay in their communities is part of the government's continuing care strategy. I appreciate that the government has announced the projects that will be receiving more than \$119 million in total to ensure that Albertans have increased quality, supply, and choice in the continuing care system. My questions are all to the minister of seniors. You've addressed a lot of the need for affordable living units in urban areas, but what about us rurals?

**Mrs. Jablonski:** Mr. Speaker, our plans include seniors and Albertans with disabilities who live in rural areas. In today's announcement there is significant funding for rural facilities. Under the affordable supportive living initiative, known as ASLI, over \$35 million is going to rural areas. More than \$35 million is also going to rural areas from the lodge modernization and improvement program.

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

**Mr. VanderBurg:** Well, thank you, Mr. Speaker. Indeed, this is great news. There's a real need in rural Alberta for affordable supportive living. Will this funding actually translate into a meaningful amount of spaces in rural Alberta?

**Mrs. Jablonski:** Yes. Mr. Speaker, this funding will make a real difference in areas outside of our big cities and towns. In rural



communities 489 new and upgraded spaces are being funded through ASLI, and there is funding for 1,284 spaces under the lodge modernization program. For example, in the member's own constituency the Lac Ste. Anne Foundation will receive more than \$4.5 million in lodge modernization and improvement funding for 60 units at the Pleasant View Lodge in Mayerthorpe.

**Mr. VanderBurg:** Wow. All I can say, Mr. Speaker, is wow. That's a great announcement. You know, I guess I'll ask the minister one final question. What was the criteria used by her department when deciding which projects would be funded? Was it just the MLA?

**Mrs. Jablonski:** No, Mr. Speaker, the MLA was not part of the criteria that we chose to select projects with. The funding was approved on a project-specific basis. Projects were selected based on an assessment of how the proposal complied with the program criteria. This way we ensured that funding went to the project proposals that addressed the greatest needs, and by so doing, we're getting a big bang for our buck in assisting thousands of Alberta seniors and persons with disabilities.

#### Centralized Cytology Lab Service

**Ms Pastoor:** Mr. Speaker, there is a concern in Lethbridge today. In fact, almost as we speak, there is a rally being held. People are concerned about the possibility of the community losing the cytology lab at the Lethbridge regional hospital, one more result of the minister's rushed restructuring of Alberta's health care system. To the minister of health my question is: in this time of high job losses how many staff who currently work in the Lethbridge lab or, in fact, all of those around the province are at risk for loss of employment?

**Mr. Liepert:** Mr. Speaker, you know, this member hears a rumour somewhere, and then I'm supposed to confirm the rumour, and then I'm supposed to say how many employees are potentially affected by this rumour if it ever became true. Well, I don't know about any such rumour. I don't know about any such closing of any labs. So I would suggest the answer is zero.

**Ms Pastoor:** Okay. Well, hypothetically – and I know that's not allowed, but we do know that this conversation is on the table – can the minister ensure that these centralized cytology lab services will not further privatize our health care system, and are they looking outside of Canada for these services under the RFPs that are going out?

**Mr. Liepert:** Well, I can answer similarly to how I just did, Mr. Speaker. She started off by saying that it was hypothetical, so I would suggest that we don't answer hypothetical questions in this Assembly.

**Ms Pastoor:** However, I said I couldn't do that, but we know that the discussion is on the table. That was the part you missed.

We know those RFPs are out there, so clearly something is happening. How can this minister ensure that there will not be an increased risk of errors in the testing because of the high volumes that will be going into centralized labs?

**Mr. Liepert:** Well, Mr. Speaker, this member either is continuing to ask hypothetical questions or she knows something that I don't

know, because I have no knowledge of centralized labs, so I can't answer the question.

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

#### Emergency Wait Times

**Ms Notley:** Thank you, Mr. Speaker. In November sick people had to wait an average of 8.1 hours at the U of A emergency room before they got treatment. Those who needed to be admitted had to wait another 14.5 hours. The story is even worse at the Royal Alex, Grey Nuns, and the Misericordia, where the waits were almost 30 hours. To the minister of health: when will you admit that a day is far too long for a patient to spend in a waiting room or on a stretcher?

**Mr. Liepert:** This member hasn't been paying attention because I've been saying ever since I took this portfolio, Mr. Speaker, that we have an outstanding health care system once you get into it. We have an access problem, and we're working at that.

**Ms Notley:** Well, Mr. Speaker, two weeks ago Dr. Matthew Cooke, credited with solving the ER crisis in the U.K., told Alberta's ER docs that the wait times have been reduced to four hours in the U.K. He also said that there was only one road to that result: building long-term care beds. He described political commitment that involved weekly meetings with the Prime Minister that oversaw the creation of 5,000 new long-term care beds. To the minister: why do you refuse to acknowledge the problem and dedicate a similar level of political skill and commitment to solving the crisis?

**Mr. Liepert:** Well, in her preambles to questions this member rarely gets the facts correct, so I'm not going to assume that what she says is correct in her preamble. What I have said on many occasions, Mr. Speaker, is that there are a number of ways that we need to correct our access problem. One of them is more long-term care facilities. Another way is to provide health care to our seniors in a number of areas. Finally, the third one is to move our EMS, which we're doing in a couple of weeks, to the health care system so we don't have people in emergency waiting so long.

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

**Ms Notley:** Well, thank you, Mr. Speaker. We have 16 people that are here with us today to say that replacing long-term care with assisted living doesn't work. To the same minister: what explanation do you have for these people, who are telling us that your decision to replace long-term care beds with assisted living in Hinton has created nothing but severe hardship for their parents and their families?

2:20

**Mr. Liepert:** Well, Mr. Speaker, the member is incorrect. There are so many facilities around this province that I could send her on a little mission in the break that we've got coming up for the next two weeks. We could identify for her a whole number of facilities, everywhere from Pincher Creek in the south to the Member for Vermilion-Lloydminster's constituency in the east. So I'll sit down after question period with the member. We'll draw out a map where she can spend the next two weeks travelling the province to see that it does work.

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

### Royalty Revenues

**Mr. Johnson:** Thank you, Mr. Speaker. Earlier this week on the radio a popular talk-show host proclaimed that this government keeps changing the royalty framework; four times, he said. Many of my constituents work in the oil and gas industry and are looking for some clarification. My first question is to the Minister of Energy. Is this government continually changing the royalty framework, and was the framework changed with the most recent announcements?

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

**Mr. Knight:** Well, thank you, Mr. Speaker. I think we've made it very clear that the announcement that we made earlier this month is Alberta's response to global economic conditions that are outside of our control. What we've tried to do is use the tools that we have available and introduce measures to encourage new investment by the oil and gas sector that will create jobs for Albertans.

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

**Mr. Johnson:** Thank you, Mr. Speaker. On the same radio show the host echoed a criticism by some industry players. They blame the royalty regime for investment leaving the province. My question is to the same minister. Is the new royalty framework responsible for the current slowdown in Alberta's oil patch?

**Mr. Knight:** Absolutely not, Mr. Speaker. This downturn in drilling activity is not isolated to Alberta. The Petroleum Services Association of Canada has forecast a 21 per cent decrease in drilling across Canada in 2009. There are many reasons for this, chief among them a very depressed price for oil and natural gas and a very tight credit market. Alberta is responding to these very unusual circumstances with timely, targeted, and temporary stimulus.

**Mr. Johnson:** On that point, Mr. Speaker, I have concerned constituents who point out that in Saskatchewan and British Columbia, where those provinces have to contend with the same price of oil and gas that we do, they claim there's no shortage of investment or drilling there. My last question is to the same minister. Can he clarify for my constituents: is it fair to say that these other provinces are active and we are not because of our royalty framework?

**Mr. Knight:** Well, again, Mr. Speaker, no. You have to remember that there was increased drilling activity in Saskatchewan and B.C. long before there were any changes to Alberta's royalty regime. Both of these have some nice resource plays that are emerging there, and people are lining up to get in the game. Cumulatively speaking, these provinces still don't have the same level of drilling activity or energy activity that we have in the province of Alberta.

**The Speaker:** The hon. Member for Calgary-McCall, followed by the hon. Member for Drayton Valley-Calmar.

### Achievement Bonuses

*(continued)*

**Mr. Kang:** Thank you, Mr. Speaker. The generous bonuses that cabinet gives to deputy ministers are not their only perks. Cabinet also gives their senior officials a car at taxpayers' expense. The government has failed to require these cars to be environmentally friendly. To the Minister of Transportation: does the minister think it's good Transportation policy to be subsidizing wasteful, polluting vehicles at taxpayers' expense?

**Mr. Ouellette:** Mr. Speaker, I have to first say that in the Department of Transportation we have a number of professionals that all have degrees to do with engineering. I also have to say that we've just gone through some of the toughest times to draw professional people in because there are all kinds of bonuses out there in private enterprise. We make sure that we have staff that can look after the jobs for Albertans; therefore, sometimes you have to have bonuses for that.

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

**Mr. Kang:** Thank you, Mr. Speaker. What's that got to do with the cars, by the way?

To the Minister of Service Alberta: given that the government scrapped senior officials' bonuses for next year, will the minister be scrapping the car allowances as well?

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

**Mrs. Klimchuk:** Thank you, Mr. Speaker. With regard to the car allowance for ministers, that's something that is certainly up for discussion. Many individuals do not take advantage of that. Many of them use their own vehicles. It's always a balance and what meets the individual member's requirements as a minister.

**Mr. Kang:** To the minister again: is this going to be a permanent change or just for the next year?

**Mr. Snelgrove:** Mr. Speaker, whether on purpose or not, dodging around the fact that corporate human resources is responsible for the bonus and its application – I'm just surprised that they wouldn't know that.

The other thing that they seem to want to infer is that somehow this bonus program is a new thing. Well, I've got news for them and Albertans. It's been on the website for years. It describes all of the categories, all of the percentages, and even the criteria we use to reward bonuses to our civil servants that are working on our behalf. It's really sad that they have taken a bad management bonus scheme in the States and tried somehow to connect that with a good management tool we use as a government.

**The Speaker:** The hon. Member for Drayton Valley-Calmar, followed by the hon. Member for Edmonton-Riverview.

### Bargaining Unit for Paramedics

**Mrs. McQueen:** Thank you, Mr. Speaker. We are all well aware that Alberta's nine regional health authorities will be consolidated to become Alberta Health Services on April 1. Yesterday the province confirmed it will maintain the existing four health care bargaining units. My question is to the Minister of Employment and Immigration. Given the number of e-mails I have received from my paramedics and at least one union calling for the creation of a fifth bargaining unit, how was it determined that four is the magic number?

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

**Mr. Goudreau:** Well, thank you, Mr. Speaker. Earlier this year we initiated some consultation, and we requested some written submissions and met with a number of groups in person. After a lot of discussion and careful review a decision was made to integrate EMS services into one of the four existing health care bargaining units.

I know this is not the decision that some were advocating for, but ultimately we made this decision because it better aligns with government direction to bring EMS services into the health care system and because we've seen it work successfully in two other health regions.

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

**Mrs. McQueen:** Thank you, Mr. Speaker. My second question to the same minister: how do you respond to claims from some that say their views were not considered?

**Mr. Goudreau:** Mr. Speaker, all positions both for and against were well thought out and conveyed. I really appreciated the professionalism as unions advocated for their members and for keeping the discussion around the key issues in this decision. To be clear, some unions like the direction we're heading and some don't. Regardless, I thank all of them for their work that helped us reach this particular decision. Rest assured, Alberta paramedics are world class, and I know all of my colleagues and all Albertans hold them in very high regard.

**Mrs. McQueen:** Finally, to the same minister: how will these changes affect Albertans who might require the assistance of paramedics?

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

**Mr. Goudreau:** Well, thank you, Mr. Speaker. The bottom line is that Albertans won't notice any differences at all. What we're talking about today is bargaining, union representation, and a lot of behind-the-scenes kind of work. When it comes to front-line services and how Albertans can expect to be treated, I'm very confident that ambulance workers will remain the skilled, professional people that they are. If Albertans call 911, an ambulance will come, and a paramedic will help them, just as they always have in the past.

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

### Bitumen Exports

**Dr. Taft:** Thanks, Mr. Speaker. On Monday the Premier told the Assembly that having 70 per cent of bitumen upgraded in Alberta was still the government's goal, but with upgrader construction stalled in Alberta but booming in the U.S., this goal just doesn't seem very realistic. My question is to the Minister of Energy. Can the minister explain how this government hopes to have 70 per cent of upgrading done in Alberta by the year 2015?

**Mr. Knight:** Well, Mr. Speaker, the timeline, of course, is something that, you know, may require some adjustment, and I don't know that it's ever been stated that this would be done by 2015. But what I will say is that certainly as we look forward here – and it's not going to take all that long, I don't believe – we're going to see some changes in the philosophy of some of the major players relative to things like upgrading in the province of Alberta. I think that recently in some of the news media there's been indication that some of the major players that are here now are beginning to take another look at their investments in Alberta.

2:30

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

**Dr. Taft:** Well, thanks, Mr. Speaker. The Premier on Monday did indicate 2015, and speed is crucial with this issue, or we're going to lose this opportunity to the U.S. forever. The whole upgrading industry is being built to shift its centre of gravity away from Alberta towards the United States. To the Minister of Energy. To reach the government's target, a further 800,000 barrels a day of upgrading capacity needs to be built in Alberta in the next six years. It's a breakneck pace of construction. How is it going to happen?

**Mr. Knight:** Well, Mr. Speaker, indeed, I think that the capacity for upgrading in the province of Alberta and the numbers that the hon. member is using may very well be on a course that is going to take longer to achieve, perhaps, than some of the estimates that we've given earlier. However, I do maintain that there is the opportunity here for Albertans to maximize the value, and upgrading is going to certainly be one of the options as we move forward.

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

**Dr. Taft:** Thanks, Mr. Speaker. The minister mentions a change in philosophy. Well, credible senior people in the upgrading industry have quietly told me that the government should use its regulatory muscle to require companies that extract bitumen from Alberta to upgrade it in Alberta. This could be made a condition of approval. To the Minister of Energy: given the surging unemployment in Alberta, will the government consider requiring local upgrading?

**Mr. Knight:** Mr. Speaker, you know, on the situation that we do have here, relative to what we're doing on the regulatory side of this issue, of course, part of the answer to that is in the bitumen royalty in kind that this government has established, and it will move into play in the next couple of years. We're working now with industry players to make sure that the BRIK volumes, the bitumen royalty in kind volumes, that accrue to the province of Alberta will be dealt with and handled here in the province.

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

### Banff Gate Wildlife Corridor

**Ms DeLong:** Thank you very much, Mr. Speaker. Leased public land has recently been sold for a resort in the Canmore area at Banff Gate. Some of my constituents have concerns about the impact on wildlife of this sale. My question is to the Minister of Sustainable Resource Development. What policies is his department using to allow the sale of such land and change the land use in an important wildlife area?

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

**Dr. Morton:** Thank you, Mr. Speaker. This particular resort, Banff Gate, is a collection of about 18 small cabins and a central dining area. It's been on this lease in the Wind Valley since the 1960s. We now have an offer; they've made an offer to purchase it. We have a comprehensive review process for the sale of public lands of this sort. The review was done, and it was determined that the 24 acres that the buildings are already sitting on had no important, significant environmental benefit. The remaining 60 acres, the rest of the lease, is not being sold and will remain part of public lands and managed for purposes of the wildlife corridor.

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

**Ms DeLong:** Thank you, Mr. Speaker. My first supplemental question to the same minister: is the sale expected to have any impact upon the Bow Valley wildlife corridor?

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

**Dr. Morton:** Thank you, Mr. Speaker. We actually think it will enhance the purpose of the wildlife corridor because, as I've just explained, the footprint of the existing recreational lease there is being reduced by almost two-thirds. The 24 acres that the buildings are already on will be still managed for recreational purposes. The other 60 acres now revert and are part of the wildlife corridor.

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

**Ms DeLong:** Thank you, Mr. Speaker. The final question to the same minister: what protection of grizzly bear populations is being made around this site?

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

**Dr. Morton:** Thank you, Mr. Speaker. This is an important area for grizzly bear habitat. It's right adjacent to Banff national park. An important part of the province's grizzly bear recovery program is the BearSmart program. The town of Canmore is one of the most active participants, as it should be, in the BearSmart program. Also, the community of Banff Gate has had a long history of teaching all the visitors and residents there to introduce them to the BearSmart information. People who are there have gone through the course. As I repeat, the 60 acres that are adjacent to the cabin area will continue to be managed for a wildlife corridor, including, of course, grizzlies.

**The Speaker:** The hon. Member for Calgary-Varsity, followed by the hon. Member for Olds-Didsbury-Three Hills.

#### Achievement Bonuses (continued)

**Mr. Chase:** Thank you, Mr. Speaker. In tough economic times governments must make prudent fiscal decisions. However, in the Ministry of Tourism, Perks and Remuneration the minister appears to have not received the memo. It was business as usual, with lucrative bonuses going to top park-survey-ignoring officials. To the minister: given that in the past year you have already handed out \$225,000 in bonuses to top officials, can the minister explain the reasoning behind these perks rather than hiring much-needed conservation officers to properly patrol our parks?

**The Speaker:** The hon. Minister of Tourism, Parks and Recreation.

**Mrs. Ady:** Thank you, Mr. Speaker. This line of questioning has been going on all day. I've heard the answer given several times. If the hon. member is asking me if I think that my department is doing a good job, yes, they are.  
Thank you.

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

**Mr. Chase:** Thanks. That's not the question nor the answer.

Does the minister not think that instead of spending all this money on bonuses, it could have been better spent on repairing aging park infrastructure?

**Mr. Snelgrove:** The hon. members had roughly 70 hours last spring to debate the budget. Now, I'm not trying to suggest that they spent very much of it constructively, but not once do I recall them asking about the bonus structure that has been in place last year, the year before, and for about 10 years. If they have issues on last year's budget, maybe they ought to have thought about that while they were debating the budget, or maybe they ought to think about it going into this year's budget as opposed to waiting because they are still showing the uncanny ability to predict the past.

**Mr. Chase:** Well, the minister opposite is an expert on the past because that's where he's been living for some time. Questions were asked in *Hansard*; answers were not given. Read your *Hansard*, Mr. Minister.

Given that the Minister of Tourism, Parks and Recreation recently spent thousands of additional taxpayer dollars on a survey of Albertans' park priorities, many of which your most highly remunerated officials appear to have ignored, will the minister explain to Albertans why their money was spent on this PR survey in the first place?

**Mrs. Ady:** Well, Mr. Speaker, the hon. member is right: we do consult with Albertans all the time. We are looking at a new park plan as the Premier has given me that responsibility. I would say: stay tuned to when the park plan comes out, and he can see the result of those surveys.

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

#### SuperNet

**Mr. Marz:** Thank you, Mr. Speaker. Rural Albertans are still patiently waiting for access to the SuperNet. I understand that this is now possible using the existing copper lines that are already in place. My question is to the Minister of Service Alberta. If the existing telephone lines can deliver this service, what is the holdup? Why are Albertans still waiting?

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

**Mrs. Klimchuk:** Thank you, Mr. Speaker. As you know, SuperNet was built to connect schools, hospitals, colleges, libraries, and other public institutions to high-speed Internet access, video conferencing, and other services. Now that it has been built, we're looking at ways to expand the service to all Albertans across Alberta. It's important to remember that the SuperNet is like a highway, and the Internet service providers are the roads that connect the individuals. Some Internet service providers are using existent telephone lines to provide dial-up Internet services. As well, copper lines can have limitations.

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

**Mr. Marz:** Thank you, Mr. Speaker. To the same minister: is there anything the government can do to accelerate this process?

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

**Mrs. Klimchuk:** Thank you, Mr. Speaker. The SuperNet has made high-speed Internet access available to more communities than ever, and our goal is to go beyond these communities, most definitely. We are working with our private-sector partners, Bell and Axia, as well as municipalities, the SuperNet service provider council, gas

co-ops, community leaders, and other partners to develop a detailed plan that will achieve our goal. We are exploring ideas every day that will expand the SuperNet in a way that it needs to get out to all Albertans.

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

**Mr. Marz:** Thanks, Mr. Speaker. Again to the same minister: how does the level of service through copper lines compare to that of fibre optics?

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

2:40

**Mrs. Klimchuk:** Thank you, Mr. Speaker. I believe that copper, fibre, and wireless technology can all be used to connect rural Albertans to high-speed Internet. We are continuing to work with all of our partners. It's about leveraging the SuperNet and using it with all the technologies that are out there. In the meantime the SuperNet is doing amazing things for public institutions in the province, and we're committed to making sure it moves ahead, so please stay tuned.

**The Speaker:** Hon. members, that concludes the question period for today. That was 108 questions and responses.

We are going to revert now to the Routine. Please remember that we were in the section of the Routine called Introduction of Guests, and our Standing Order 7(1.1) says that "at 1:50 p.m., the Assembly shall proceed to Oral Question Period with the balance of the daily routine to follow." So that's where we're at. In about 19 minutes from now, though, I'm going to have to rise and ask for unanimous consent to get back to this agenda because we're going to come up against Standing Order 7(7), which says, "At 3 p.m. the items in the ordinary daily routine will be deemed to be concluded and the Speaker shall notify the Assembly." There's no way we are going to get through this Routine by 3 o'clock.

### Introduction of Guests

*(continued)*

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

**Mr. Anderson:** Thank you, Mr. Speaker. It's a pleasure to rise and introduce to you and through you to the hon. members of this Assembly a good friend of mine and an important constituent, Mr. Max Gibb. He's a partner in my constituency's important CrossIron mall development in Balzac, and he's here today with regard to the Balzac mall. Max is a real entrepreneur as well as a water conservation pioneer. The fact is that the new agreement with Rocky View on the water . . .

**Ms Blakeman:** Is this an introduction or a private member's statement?

**The Speaker:** We're having his introduction.

**Mr. Anderson:** Oh, yeah. I just want to say that he has crafted a bill where this new water agreement will actually see a net gain in the water in . . .

**The Speaker:** Yes, but that's not what we do here. Max, stand up. The hon. Member for Edmonton-Highlands-Norwood.

**Mr. Mason:** Thank you very much, Mr. Speaker. I apologize. I had

forgotten about the time of question period, and my guests have departed. I will introduce them the next time they're here.

Thank you.

**The Speaker:** Okay.

Hon. members, in a few seconds from now we'll proceed with a ministerial statement.

### Ministerial Statements

**The Speaker:** The hon. Minister of Culture and Community Spirit.

#### International Day for the Elimination of Racial Discrimination

**Mr. Blackett:** Well, Mr. Speaker, thank you. It's always a pleasure to be able to stand in this Legislature even though it's to commemorate an event I'd rather not have to discuss. On Saturday, March 21, we commemorate the International Day for the Elimination of Racial Discrimination, something I've had to deal with personally before. Growing up in another province, I had a high school teacher tell me that I'd never make it to university, had a university professor telling me that I couldn't have possibly got the mark that I had because of the colour of my skin, that that just wasn't possible.

As a province in a country with a culturally diverse population, inclusiveness and acceptance are pillars of a healthy and vibrant society. The reality is that even in this day and age racial discrimination, unfortunately, exists. While we may not be able to completely rid the world of racism and discrimination, we can recognize this special day and every other day of the year as a celebration of diversity over supremacy, acceptance over rejection.

Communities across our province will be holding different forums, events, and activities to commemorate this auspicious day. One of those meetings, being held in Calgary today, is the Coalition of Municipalities against Racism and Discrimination. The coalition's initiatives call on municipalities from across Canada to be part of a larger international organization, UNESCO, in a coalition of cities to combat racism. I'm proud to say that I was at an event last night with our chief commissioner of the Human Rights Commission. There are 30 municipalities involved in the coalition. Alberta is one of the two provinces with the most municipal members. Those eight Alberta municipalities are Brooks, Calgary, Drayton Valley, Edmonton, Grande Prairie, Lethbridge, the regional municipality of Wood Buffalo, and St. Albert.

Our government's Human Rights and Citizenship Commission is in place to ensure that everyone has the opportunity to participate in all aspects of our society. I'm especially excited with the appointment of our new chief commissioner, the hon. Blair Mason, as he leads the important work as the chief commissioner of the Human Rights Commission as a whole. I'm certain that all my government colleagues echo the sentiment as well.

Through the Alberta human rights, citizenship, and multiculturalism education fund and other partnership programs we're helping to support community organizations and public institutions for education initiatives that foster equality and combat racism and discrimination. Our world has no place for discrimination. What our world does have room for are inclusive open-mindedness, acceptance, and friendship. Mother Teresa summed it up best by saying, "If you judge people, you have no time to love them."

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

**Ms Blakeman:** Thank you very much, Mr. Speaker. It's a pleasure to rise in response to the minister's statement and to join him in

celebrating the International Day for the Elimination of Racial Discrimination. The minister is right to note that Alberta's communities are already hard at work preparing to celebrate the day and our multicultural heritage. I've already been to a few events in Edmonton on this very theme, including the Harmony Brunch, which is organized by the Canadian Multicultural Education Foundation, and the celebrations organized by Changing Together, my very favourite, which is the centre for helping immigrant women participate fully in Canadian society.

Other Edmonton events celebrating this day include Speaking Truth to Power, a series of workshops, films, and art exhibits presented by the Edmonton Immigrant Services Association, and cultural crossroads workplace training and antiracism workshops for adults, both organized by the Northern Alberta Alliance on Race Relations.

In Calgary public libraries will host the Living Library for citizens to engage in conversations with each other, learning about each other's experiences in dealing with racial discrimination, and the bilingual Maple Sugar Festival will promote a multicultural family atmosphere where Albertans will be able to enjoy traditional food and meet people from a wide range of cultures and backgrounds.

That just scratches the surface, Mr. Speaker. Suffice it to say that Albertans understand the importance of eliminating racism. We are, however slowly, learning how to love and respect one another. We are learning that our external differences are meaningless. We are learning, to paraphrase Dr. King, that the colour of our skin is far less important than the content of our character.

This Saturday, March 21, I hope that all Albertans will take some time to reflect on our own prejudices – we all have them – and to rededicate ourselves to the cause of racial harmony. As wonderful a place as Alberta is, I don't think we'll achieve the full measure of our greatness until men, women, and children of all races and sexual orientations enjoy total acceptance from their fellow citizens.

Thank you for the opportunity to comment.

**The Speaker:** Hon. Member for Edmonton-Highlands-Norwood, I suspect that you are requesting unanimous consent to allow your colleague to participate?

**Mr. Mason:** I am indeed, Mr. Speaker.

**The Speaker:** Well, then, we need unanimous consent. Is anyone in the Assembly opposed to allowing the hon. Member for Edmonton-Strathcona to participate in this ministerial statement discussion? If so, say no.

[Unanimous consent granted]

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

**Ms Notley:** Thank you, Mr. Speaker, and thank you to my colleagues in the Assembly. It's a pleasure to rise to speak about the International Day for the Elimination of Racial Discrimination on March 21. It's important that we pause on this day in particular to remember what circumstances surrounded this declaration. On March 21, 1960, in what is now referred to as the Sharpeville massacre, more than 200 African antiapartheid protestors were shot during a peaceful protest. Sixty-seven of those protestors, who did not carry arms and did not threaten public safety, died because of their injuries. They died because the state saw their peaceful act of civil disobedience as a threat to their control and unparalleled power. We must learn from this tragedy.

The fight for equality is, unfortunately, an ongoing one, as it must

be. Political decisions are made every day, sometimes intentionally, very often inadvertently, that give advantages to certain racial groups over others, giving privilege and power to some while taking it away from others. This is a failure in our society, and we must continue to work to fix it.

We urge this government to make the legislative and administrative changes that are necessary to eradicate racism and ensure human rights for all. The authority, the remedial options, and the resources of our Human Rights Commission must be significantly increased. I call on all members of this House to join me in renewing our collective commitment to work with groups such as the Northern Alberta Alliance on Race Relations and Alberta Civil Liberties in working to eliminate racial discrimination in our province.

Thank you.

2:50

## Members' Statements

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

### 50th Anniversary of Ukrainian Shumka Dancers

**Mr. Elniski:** Thank you. It's truly a rare privilege to rise and speak to this Assembly in tribute to Edmonton's world-renowned Ukrainian Shumka Dancers. I am very proud that Shumka is a fixture in my constituency and that I've had the opportunity and privilege to watch both their rehearsals and performances. I was so pleased when some of their current and former dancers were in your gallery, Mr. Speaker, along with their founder and founding artistic director, Mr. Chester Kuc, and that they were introduced earlier. I should add that the hon. Member from Edmonton-Mill Creek is a former Shumka dancer and for 25 years was their composer, conductor, and music director.

Mr. Speaker, Shumka's legacy of accomplishments spans four continents, three generations, and 50 years of dedication and commitment to preserving Ukrainian culture in Canada. Shumka is a household name synonymous with energy, excitement, and artistic excellence. Tonight and tomorrow night Shumka presents their golden jubilee concert at the Jubilee Auditorium, and I will be there along with our Premier, our Minister of Culture and Community Spirit, and several other MLAs to help them celebrate in style.

Mr. Speaker, I would ask that all members join me in recognizing the 50th anniversary of the world-renowned Shumka Dancers of Edmonton, Alberta.

Thank you.

**The Speaker:** I suspect that if we were to ask for unanimous consent to receive a demonstration of dancing by the hon. Minister of Aboriginal Relations, it would be granted. But I'm not going to do that because of the time today, okay?

The hon. Member for Edmonton-Centre.

## Water Management

**Ms Blakeman:** Thank you very much, Mr. Speaker. March 22 is World Water Day. Alberta is blessed with an abundance of fresh water, and that very abundance has perhaps allowed us to take it for granted. The rapid growth of our population and industries has placed serious strains on the supply and cleanliness of Alberta's most precious resource. If we don't figure out how to properly manage our water supply and quickly, Alberta's prosperity and quality of life could be put at risk.

In the recent past we've seen how water from communities such as Red Deer was very nearly diverted to feed the proposed megamall and horse-racing track at Balzac. We've seen how the government's

policy of allowing industry to self-report and self-monitor its emissions has led to contamination of the Athabasca River basin. We've seen toxic tailings ponds and dead birds blackening Alberta's image. There's a moratorium on new allocations from the South Saskatchewan River basin, one of the largest in the province, because of past mismanagement. We've seen the failure of the water for life strategy, which is a good strategy but useless without the funding to make it work. We all need to remember that someone lives downstream. Watch what you dump because water moves, and it carries contaminants right along with it right into the mouths of Albertans.

We have a lot of work to do. We need to map our surface and groundwater resources. We can't make good decisions until we know where all of our water is located and how much of it there is. If we want to protect our water for our future generations, if we want to ensure that our children and grandchildren have access to clean water, then we had better start getting serious about how we manage it. We cannot survive without water. Communities cannot thrive without it. Crops cannot be grown without it. Industry cannot prosper without it.

This administration, this steward of our water supply, must start to make better management decisions, ones that preserve and protect our water supply for all citizens.

Thank you, Mr. Speaker.

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

#### Earth Hour

**Mr. Allred:** Thank you, Mr. Speaker. Next Saturday – not this Saturday but next Saturday – marks the second global celebration of Earth Hour. For those not familiar with this annual event, Earth Hour was started by the World Wildlife Fund and began in Sydney, Australia, in 2007. Last year it was observed in 30 countries, including Canada, with over 10 million Canadians in 150 cities participating. Taking part is simple. People are encouraged to turn off their lights for one hour in support of action against climate change.

This year over 1,500 cities and towns in 80 countries have already committed to show their support for this initiative by turning off the lights between 8:30 and 9:30 p.m. on March 28. Although the energy savings from this action will be significant, the real value of Earth Hour is the awareness it raises. By turning off the lights, people take a moment to consider how they can lessen their impact on the environment both in their homes and their businesses.

I intend to take part, and so does the government of Alberta. All nonessential lights in the Legislature Building and the McDougall Centre will be shut off during the Earth Hour as a symbol of the government of Alberta's commitment to action on climate change and doing our part. Beyond symbolism the government of Alberta has been taking action to green its daily business practices for several years. Since 2005 over 90 per cent of the electricity used by Alberta government buildings has come from green power sources, such as wind and biomass. This has resulted in a reduction of over 200,000 tons of greenhouse gas emissions annually and is the equivalent of taking 42,550 vehicles off the road for one year or replacing 118,000 vehicles with hybrids.

The Alberta government's actions aren't limited to electricity. We continue to see progress as we implement Alberta's 2008 climate change strategy, which includes the largest identified and published greenhouse gas reduction commitment in Canada. We have pledged to reduce emissions by 200 megatonnes by 2050.

Thank you.

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

#### Canadian Red Cross Society Centennial

**Mr. Horne:** Thank you, Mr. Speaker. In 1864 Henry Dunant, a Swiss citizen, asked the following question: "Would it not be possible, in time of peace and quiet, to form relief societies for the purpose of having care given to the wounded in wartime by zealous, devoted and thoroughly qualified volunteers?" This idea led to the founding of the National Red Cross, and I rise today to honour Red Cross Month and the Canadian Red Cross Society, now celebrating its centennial year.

In 1909 Parliament passed the Canadian Red Cross Society Act, which legally established the Red Cross as the corporate body responsible for providing volunteer aid in accordance with the Geneva conventions. The Red Cross was established as a not-for-profit, humanitarian organization dedicated to improving the circumstances of the most vulnerable in Canada and throughout the world.

Mr. Speaker, a disaster can happen to anyone at any time. Here in Alberta a team of 113 volunteers are ready day and night to attend to families and individuals to provide their basic needs after a disaster. These services, including food, clothing, and shelter, are provided for 72 hours after the disaster at no cost. Many Edmontonians, Mr. Speaker, will remember how these same exceptional Albertans responded to 145 disaster calls last year, helping over 500 people, including dozens of families affected by residential fires in the communities of MacEwan in southwest Edmonton and Britannia Gardens in the northwest part of our city.

Every year in western Canada the Red Cross provides short-term loans of clean, safe medical equipment to more than 46,000 people who are recovering from injury, illness, or surgery, and 24 years ago, Mr. Speaker, the Canadian Red Cross implemented RespectED, a world-renowned violence and abuse-prevention program.

On behalf of this House, Mr. Speaker, I would like to congratulate and thank the Canadian Red Cross and especially its Alberta volunteers and staff for over 100 years of dedicated service to this province and our country.

Thank you.

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

#### Lethbridge Accomplishments

**Mr. Weadick:** Thank you, Mr. Speaker. It's always a pleasure to rise and talk about some of the good things happening in Lethbridge, where it's 17 degrees today. Earlier this month the city of Lethbridge teamed up with Lethbridge College to help build a new student residence at the college. The goal is to provide much-needed on-campus housing for students while, at the same time, freeing up housing in Lethbridge for lower income renters. The partnership will help ease the affordable housing crunch in southern Alberta, and I applaud their efforts.

Speaking of Lethbridge College, I'd also like to congratulate the members of the Kodiak women's basketball team, who, as we speak, are competing at the Canadian Colleges Athletic Association national championships in Ste-Foy, Quebec. The Kodiaks led the province during the season with a record of 17 to 1 and were the top-ranked CCAA team in the country. They took the ACAC provincial title on March 7 with a hard-fought match with the Grant MacEwan Griffins. I have every confidence that these young women will do themselves proud and represent our province as true champions. They've shown that hard work, determination, and the right attitude can take you as far as you want to go.

Mr. Speaker, I'm also very happy to report that the first competitive cheerleading team ever to come out of Lethbridge has racked up an impressive first season of their own. The G.S. Lachie middle school cheer squad was formed just this past September, and these girls have already moved to the top of their class in a few short months. After winning two divisional invitational tournaments in February, the girls went on to win the Alberta Cheerleading Association ProCheer Championships in Edmonton this past weekend. The ACA tournament is considered the country's largest cheerleading competition, featuring teams from all over western Canada and beyond.

Mr. Speaker, I'd like to take this opportunity to congratulate both these wonderful Lethbridge teams on their remarkable accomplishments.

Thank you.

**The Speaker:** Hon. members, Standing Order 7(7) says: "At 3 p.m. the items in the ordinary daily routine will be deemed to be concluded and the Speaker shall notify the Assembly." In order to continue to the conclusion of the Routine, we will need the unanimous consent of the Assembly. If an individual is opposed to providing unanimous consent, please say no.

[Unanimous consent granted]

**The Speaker:** Then we'll continue. The hon. Member for Edmonton-Highlands-Norwood.

### 3:00 Water Management

**Mr. Mason:** Thank you very much, Mr. Speaker. In 1993 the United Nations declared March 22 World Water Day to draw attention to the global crisis in water use. Millions of people die needlessly from water-borne diseases. Millions of children do not receive proper education because they must carry water for their families. Droughts and floods, storms and tsunamis take countless lives every year while over a billion people live without proper access to safe water. An additional 1.5 billion people do not have basic sanitation. Even here in Canada many communities, particularly aboriginal ones, have had to boil their water for months at a time. The numbers are staggering.

While so many are in desperate need of clean water, every year Alberta's tar sands projects contaminate billions of litres of fresh water so badly that they cannot be returned to the water cycle. This polluted water is instead held in massive toxic tailings ponds, some of which are perilously close to the Athabasca River. Even worse, studies have shown that an incredible 11 million litres of toxic water leak out of these ponds every day into Alberta's groundwater.

Our water supply is shrinking, our population is growing, and climate change threatens to forever end our luxury of taking water for granted. We can do things differently. We can build dry tailings technology and protect Alberta's wetlands. We can develop a comprehensive and effective strategy to help farms, businesses, and families alike conserve water. We can commit to keeping water in public hands and not selling off our lakes, rivers, and aquifers to the highest bidder.

Albertans are speaking out more and more against irresponsible uses of this precious resource, and if we act now, we can ensure that safe drinking water remains the right of every Albertan.

Thank you, Mr. Speaker.

### Notices of Motions

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

**Ms Notley:** Thank you, Mr. Speaker. Pursuant to Standing Order 15(2) earlier today I provided written notice to your office of my intention to raise a matter of privilege, which I hope I will have the opportunity to present later today.

**The Speaker:** Yes.

The hon. Deputy Government House Leader with respect to written questions and motions for returns.

**Mr. Zwozdesky:** Thank you, Mr. Speaker. I rise pursuant to Standing Order 34(3.1) to advise the House that on Monday, April 6, 2009, we will be accepting written questions 1, 3, 5, 8, 10, 12, 14, 16, and 17, and we will also be dealing with written questions 2, 7, 9, 11, 13, 18, 19, and 20. There being no additional written questions appearing on the Order Paper, there are none to stand and retain their places.

I also wish to give notice that on Monday, April 6, 2009, motions for returns 1, 5, 7, 8, 9, and 20 will be accepted and that 2, 3, 4, 6, 10, 11, 12, 13, 14, 15, 17, 18, and 19 will be dealt with on that day. Other motions for returns shall stand and retain their places on the Order Paper.

### Introduction of Bills

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

#### Bill 204

#### Provincial-Municipal Tax Sharing Act

**Ms Blakeman:** Thank you very much, Mr. Speaker. I request leave to introduce a bill, being Bill 204, the Provincial-Municipal Tax Sharing Act.

This is a bill which I am proposing because municipalities require a stable and predictable level of funding from the government to effectively plan and deliver programs and services, and they have been experiencing, with property tax revenues, fluctuations in municipal funding, which causes uncertainty in the establishment and operation of those same programs and services. The bill is calling for the creation of an account to be established to receive 2.5 per cent of provincial income tax revenue, which would then be distributed to municipalities to make up that funding gap for operating expenses.

Thank you very much, Mr. Speaker.

[Motion carried; Bill 204 read a first time]

### Tabling Returns and Reports

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

**Mr. Hayden:** Thank you, Mr. Speaker. I wish to table five copies of a number of draft amendments with explanatory notes I am considering bringing forward for Bill 19, the Land Assembly Project Area Act. In addition, with your concurrence I am providing copies of the same document for distribution to all members of the Assembly.

Thank you.

**The Speaker:** That will be concurred with, so the pages will circulate those this afternoon.

The hon. Member for Edmonton-Strathcona.

**Ms Notley:** Thank you, Mr. Speaker. I have two tablings. I'd like to table the appropriate number of copies of two recent articles from the *Edmonton Journal* which talk about the dangerously long wait



times in Edmonton hospital emergency rooms and also mentioning that people waiting for long-term care beds are filling acute-care hospital beds that are needed for patients in the emergency room.

I'd also like to table the appropriate number of copies of 10 reports from long-term care workers indicating specific instances of shifts that were short-staffed. These provide examples of residents being left in bed for entire day shifts, missing baths, and receiving meals late.

Thank you.

### Tablings to the Clerk

**The Clerk:** I wish to advise the House that the following document was deposited with the office of the Clerk: on behalf of the hon. Mr. Renner, Minister of Environment, response to Written Question 15, asked for by Ms Notley on March 16, 2009.

### Projected Government Business

**The Speaker:** The Official Opposition House Leader.

**Ms Blakeman:** Thank you very much, Mr. Speaker. Under Standing Order 7(6) I would ask the Government House Leader to please rise and share with us the projected government business for the week commencing April 6.

Thank you.

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

**Mr. Hancock:** Thank you, Mr. Speaker. During the week commencing April 6, of course on Tuesday, April 7, in the afternoon we would, as has been indicated to this House previously, understand that there would be a presentation of a budget by the hon. Minister of Finance and Enterprise. Thus, we would anticipate the normal routine of adjournment after Orders of the Day are called so that the Assembly could be appropriately prepared for the presentation of the budget later that afternoon.

On Wednesday, April 8, we would anticipate response to the Budget Address under the motions that would be on the Order Paper relative to the budget. Normally, that would of course mean the Leader of the Official Opposition and the leader of the third party would have an opportunity to respond to the Budget Address. Time permitting, then, we would look to Committee of the Whole on bills 1, 2, 3, 5, 8, 15, and 18 or such of them as remain in Committee of the Whole at that time or second reading for bills 4, 6, 7, 9, 10 and as per the Order Paper.

On Thursday, April 9, 2009, for third reading bills 1, 2, 3, 5, and 18 and Committee of the Whole on bills 4, 6, 7, 8, and 15 and as per the Order Paper.

**The Speaker:** The hon. Member for Edmonton-Strathcona had delivered to my office this morning prior to 11:30 notification of her desire to rise on a point of privilege. The hon. Member for Edmonton-Strathcona.

### Privilege Rights of the Assembly

**Ms Notley:** Thank you very much, Mr. Speaker. I rise because, as you note, pursuant to Standing Order 15(2) this morning I provided written notice to your office of my intention to raise a matter of the privilege of this Assembly today. In so doing, I refer primarily to 15(1) of Standing Orders, which says simply that a breach of the rights of the Assembly may constitute a question of privilege. It is on the rights of the Assembly that I will be focusing my comments today.

It is my view that the government is attempting to prevent members of this Assembly from fulfilling their responsibility to review legislation or proposed legislation. Through Bill 18, the Trade, Investment and Labour Mobility Agreement Implementation Statutes Amendment Act, 2009, the government seeks to provide to itself the power to rewrite existing or future legislation, a duty which belongs under our constitution to this Assembly. As the bill aims to prevent members of the Assembly from fulfilling their duties as legislators, it is, in my view, thereby a matter of privilege.

I also believe that this is the earliest opportunity for me to make a motion of privilege on this matter. Yesterday the Committee of the Whole defeated amendments to the bill which would have removed that section of the bill, section 5, that provides the executive branch of government with powers which rightly belong to this Assembly.

This is a matter of privilege involving the collective rights and powers of the House. To quote from *Marleau and Montpetit* at page 51, "the House has the authority to invoke privilege where its ability has been obstructed in the execution of its functions." *Maingot* on page 12 defines privilege as "the right, power, and authority of each House of Parliament and of each legislative assembly to perform their constitutional functions."

3:10

Bill 18 shows that it is a matter of government policy that the power to amend legislation, which ought to be the exclusive power of the Assembly, will now also be exercised by the executive without reference to the Assembly. I further believe that this breach of the Assembly's privilege is a matter of contempt. *Erskine May* on page 75 defines contempt as "actions which, while not breaches of any specific privilege, obstruct or impede it," meaning the House, "in the performance of its functions, or are offences against its authority or dignity." *Marleau and Montpetit* concur on page 67: "The House also claims the right to punish, as a contempt, any action which, though not a breach of a specific privilege, tends to obstruct or impede the House in the performance of its functions."

For further information on the subject of regulation-making power and subordinate regulations I consulted the *Principles of Administrative Law*, the 4th edition, by David Jones and Anne de Villars, which states on pages 94 and 95 that while provincial legislatures may delegate certain of their lawmaking powers, quote, the legislative branch cannot delegate such broad powers that effectively it effaces itself.

By providing the government with the power to rewrite any piece of legislation, I believe the scope of regulation-making power in Bill 18 oversteps the boundaries of legality and interferes with the ability of members to fulfill their duties. Indeed, all the hours that we have spent this year debating bills or even since the last election could be for naught were this bill to come into effect. It would essentially allow the executive to render ineffective or moot the legislation which, indeed, we propose to debate even this afternoon, once this particular matter is completed. It calls into question, I would suggest, what or why we are here in the Assembly this afternoon and all other afternoons.

I understand that it is without question a matter of past practice that the executive retains to itself the authority to make regulations, which often define the legislation under which the regulations arise. But section 5 of the proposed Bill 18 would allow that regulatory power to reach back to legislation which we in this House have addressed ourselves and passed. It would also allow the executive branch to reach forward and to undo legislation which we might be discussing today, tomorrow, or in future assemblies of this House.

I think our fundamental ability to do our job as representatives elected by our constituents in the province of Alberta, to come into

this House and to debate and review legislation, is fundamentally and deeply, deeply threatened by this act because of the uncertainty and the scope of the authority that the executive branch attempts to bring upon itself through this piece of legislation. It is for that reason that I rise and ask that you find that this is a breach of privilege of not only my rights as a member of the Assembly but of all members in the Assembly. All their rights are being significantly impinged by this proposed legislation.

Thank you.

**The Speaker:** Hon. member, I'm certainly prepared to hear arguments today and will reserve judgment as to whether or not there's even an opportunity later to hear further arguments, but there will be no judgment provided by the chair today.

The hon. Government House Leader.

**Mr. Hancock:** Thank you, Mr. Speaker. I would submit that there is absolutely no question of privilege being brought by the hon. member, and she has not made any prima facie case for a question of privilege and, in fact, is premature in even addressing the issue.

First of all, Bill 18, which is the act which she alleges to offend her privileges as a member, is still before the House. It's not an enactment of the House. It hasn't been passed. Although one might assume that, being a government bill and having the support of government members, it might pass the House, it certainly hasn't passed the House. So it's not an enactment, and therefore at this stage if there was any question of whether it did breach privilege, it certainly doesn't.

Dealing with the merits of the argument, the hon. member refers to section 5 of the act, which purports to add regulations, section 7. It allows

- (1) the Lieutenant Governor in Council may make regulations in respect of matters relating to the implementation of the Agreement,

that being the TILMA agreement,

that the Minister considers are not provided for or are insufficiently provided for in this Schedule or any enactment.

- (2) A regulation made under subsection (1)
  - (a) may suspend the application of or modify a provision of an Act or regulation or may substitute another provision in place of a provision.

A regulation made under the act is repealed on the earliest of either being brought into force by a statute or the expiration of three years. In subsection (4) a regulation made under subsection (1) is repealed on the earliest of the coming into force of an amendment to a statute that provides for the matter, the coming into force of a regulation that repeals the regulation, or the expiration of three years from the day that the regulation comes into force or is filed. I've précised, obviously, a little bit of the writing there.

What we're talking about is a proposed amendment which would bring into effect an ability under order in council, as we would normally call them, a regulation by the Lieutenant Governor in Council which has been the subject of a previous act of the Legislature, to be able to make that provision for the purposes of implementing the agreement if there are matters which are not provided for or insufficiently provided for in a schedule or an enactment and, in doing so, to make that provision modify a provision of an act or regulation. That's the crux of this whole question.

The question is: does the Legislature have the authority to delegate its legislative authority in certain circumstances? Mr. Speaker, clearly, it does. First of all, I would say that it has that ability because it has done that in the past. Under the Municipal Government Act, for example, which is chapter M-26 of our *Revised Statutes of Alberta 2000*, you'll find in section 603 of that act a

provision that is not identical but very, very close in wording to this particular section. That section, in my experience, has been in that act since the early '90s at least and may even go back further than that. The provision in the Municipal Government Act allows the Lieutenant Governor in Council to make regulations "for any matter that the Minister considers is not provided for or is insufficiently provided for in this Act."

Actually, we can go to *Erskine May*, chapter 23 on page 574, in the first paragraph, the last sentence, where it says, "Consequently, legislative power is often conferred upon the executive by statute, and various arrangements are made for parliamentary scrutiny of its exercise." I'll speak to the parliamentary scrutiny in a moment.

Further down the page, in the last half of the second paragraph:

The justification and advantages of delegated legislation arise from its speed, flexibility and adaptability. Once Parliament has by statute laid down (often in some detail) the principles of a new law, the executive may by means of delegated legislation work out the application of the law in greater detail within these principles, adapting it to fit changing circumstances. Power may even be conferred, by what is known as a "Henry VIII Clause", to amend the statute itself by delegated legislation or to amend other statutes. A principle enacted in a statute may be extended by delegated legislation in a cognate direction.

So *Erskine May* clearly delineates that in certain circumstances for certain purposes – and, obviously, it's not something that one does routinely. But there are certain circumstances even in our own Alberta legislation where this is the case, where the legislative authority has been delegated to the Lieutenant Governor in Council to make a law or change a law for certain purposes limited in scope. That's, in fact, what Bill 18 and the section that the hon. member feels is offensive refers to.

### 3:20

There is an agreement called the TILMA agreement, the trade, investment, and labour mobility agreement, and there was a trade, investment, and labour mobility agreement implementation statute that was passed by this House. I think this is the second amending act, if I'm not incorrect, where basically, as they go through and find the places where there is an inconsistency between what we've agreed to do in the agreement and what the House has now approved, we need to bring our laws into concert, where amendments need to be made. This Bill 18, in fact, is one of those bills which purports to amend the statute to bring our acts into concert with British Columbia, as we've agreed to under the trade, investment, and labour mobility agreement, as has been approved by the House.

For the limited purpose of making sure our statutes are in alignment, as we've agreed to do and as this House has conferred intention to do in a previous statute, we provide under the proposed section 7 a limited authority for the Lieutenant Governor in Council to make changes, to add to the law, or to change a law for the limited purpose of bringing it into line with the agreement, which is approved in principle by another law of the House. In other words, we may have two conflicting laws of the House, and we have a method for resolving that conflict on an interim basis by allowing the Lieutenant Governor in Council to make an amendment, to make a regulation, which would have the effect of amending the law.

The next piece that's very important to that question then is: for a limited period of time. That's not absolutely necessary. Nothing in *Erskine May* or other places suggests that it has to be for a limited purpose and time. But I think we would all agree that for any regulation which purports to change a law, the law itself ought to be changed in due course if for no other reason than for clarity so that it's clear on the face of it what the law of Alberta is for anybody who's reading it. Thus, Bill 18 in its wording provides, as I think I

read, that a regulation made under subsection (1) is repealed on the earliest of the coming into force of the amendment, the coming into force of a regulation that repeals the regulation, or the expiration of three years. It goes on. Again, I've précised that. So it's a time delimited amendment.

Clearly, the Legislature often delegates its legislative authority. Any regulation that's made under an act pursuant to a section of the act which allows the Lieutenant Governor or even sometimes a minister to make a regulation is delegating a legislative authority. Those regulations become law just as if they'd been passed by this House. I would suggest also, because we've done it in the past in this Legislature and because it's acknowledged in *Erskine May* and, in fact, it even has a title which was used in this House previously, a Henry VIII clause, that we're entitled to as a Legislature delegate the authority of the Legislature even to overwrite earlier laws of the Legislature. As a parliamentarian I would say that should be done carefully, that it should be done prudently, that it should be done only in certain circumstances, and there should be a process for limiting that. But it's clearly allowed.

This section in Bill 18 is careful. It's about delegation of the law-making authority within an area of principle already approved by the Legislature; i.e., an agreement to the trade, investment, and labour mobility agreement implementation statute. That's an agreement which we've approved in principle in this House. We've debated it in the past, and we've amended many laws already to create that consistency. This regulation is simply a regulation which will allow a cleanup, if you will, or a correction of something that has been overlooked to date so that we can comply with the April 1 implementation of the agreement, as we agreed to with British Columbia. It does have a review provision in that it has to come back to this House within three years or it expires unless the regulation is otherwise removed.

Clearly, the delegation authority is there. Clearly, in a circumstance where you're delegating an authority to change an act of the House, the authority to do that is there. The limitation on that is there in terms of it having to come back to the House for approval within a period of time. We've had a number of circumstances – a two-year time in the Municipal Government Act, a three-year time in the Animal Health Act, other lengths of time in other acts but a limited period of time – in which that kind of a regulation can exist. Mr. Speaker, I would say then that the other piece that one would want to have – oh, section 610 of the Insurance Act also has a similar provision, if anyone wants to look, and there are a number of other references I could give.

Finally, Mr. Speaker, I would refer you and members of the House to Standing Order 52.03. Standing Order 52.03 reads that a policy field committee, a committee of this Legislature, “may on its own initiative, or at the request of a Minister, review any regulation, amendment to a regulation or prospective regulation within its mandate.” So if any regulation was made under the proposed amendment to Bill 18 that any member of this House wished to have reviewed by a committee of this Legislature and reported back to this Legislature and if they felt that the process of that review was not happening on a timely basis, it would be within their purview to bring it to the appropriate policy field committee to ask for a review of that regulation.

Mr. Speaker, clearly, first of all, there has been no delegation of the authority yet under Bill 18 because Bill 18 hasn't been passed. Secondly, it's entirely within the purview of the Legislature to delegate its authority. Thirdly, there's a limitation proposed in this section, as is consistent with other sections of its sort in other acts of the Alberta Legislature, to provide a timed elimination before such a regulation that's made under that section needs to either be enacted

by the House or it dies. Fourthly, there's a process for review provided for in our standing orders of any regulation that any member of the House wishes to have reviewed by the House. So I would say that there's no breach of any member's privilege. In fact, the House is doing what the House does, which is enact laws and make provision for those things which cannot be foreseen or which have not yet been discovered to be enacted on a timely basis and then reviewed appropriately by the House at an appropriate time.

**The Speaker:** The Official Opposition House Leader.

**Ms Blakeman:** Thank you for the opportunity to bring comment to the motion of privilege brought forward by the Member for Edmonton-Strathcona. A few observations and arguments I'd like to put forward, starting with the argument that this is a bill that is before us and the Chamber can change its mind. I think I agree with the timing in bringing forward the privilege motion now in that an attempt to remove the offending section yesterday clearly was not supported by members of the government caucus, and that was shown in a standing vote. So any attempt to correct that legislation has been blocked by members of the government caucus, and there has been an indication shown by that blocking that government would support it. In fact, it's a government bill, so it's expected the government caucus would support it and pass it, at which point, I would argue, it's too late for us.

I'd like to address a few of the other arguments that have been made. I think that on the Government House Leader's response regarding the Municipal Government Act, the regulatory authority to amend that act is different than what we are speaking about here. There's also a required principle of law that is fleshed out, and there is no principle that is set out in this bill that explains why this would be needed, and the principle clearly is needed. Bill 18 refers to a need to adjust legislation to account for panel decisions under TILMA, but, Mr. Speaker, there is already a wide body of discussion available on various interpretations of TILMA. That to me signals that the government may have a very wide latitude, wider than it should, in being able to amend a very wide section of legislation to fall into conformation with TILMA. That whole agreement is so vague right now that I think it opens the door far too wide.

3:30

I continue to be concerned about the time. There's no reason given for why the government needs to give itself this extraordinary power at this time. I think that it is an extraordinary power. It's done in a very limited fashion. In the other examples that we were able to find where government gave itself such a wide latitude to change legislation, it was very clear to any citizen why it needed to have the Legislature or the Parliament abdicate that responsibility to cabinet; for example, the War Measures Act. We have no explanation beyond a commercial agreement that is what is particularly driving this need for government to be able to change. I would argue that that is not a clear enough reason to be allowing the government to change potentially so many pieces of legislation.

My second great concern is the very wide amount of time that the government is considering here. It is wanting to give itself the authority to go two years back and three years forward – that's a five-year time span, Mr. Speaker – to change every single piece of legislation that exists, because this motion is brought forward under the Government Organization Act, under which all pieces of legislation are organized by the government.

In other places where there has been some sort of time limit given, it has been very specific to the pieces of legislation that may be altered. It gave itself a two-year time limit – that reference is from

British Columbia – but here we have no references to specific pieces of legislation. It is wide open. They can change any piece of legislation that exists, and I would argue that that is too wide a latitude. We have no compelling reason given, we have a very wide time period, and it's unspecified on which acts this would be limited to.

It has already been noted that the House does have the authority to abdicate its responsibility to create laws – we're not talking about regulations; we're talking about laws, acts, statutes – but, I would argue, under very extraordinary circumstances. A commercial agreement would not meet that test, nor would I think that a reasonable person on the street would take it to meet that test.

Finally, the Government House Leader brings up the argument of the policy field committee and that if a member was unhappy with a regulation or wanted additional review for a regulation, they could take that to a policy field committee. But, Mr. Speaker, as I argued many times in negotiations with that very same member, that actually is not an operable suggestion in that every reference to a policy field committee requires a majority vote to either accept by the policy field committee that it would undertake certain work or that the Legislature itself would delegate to the policy field committee to do certain work on its behalf.

All of those require a majority vote. Therefore, it is in the hands of the government given the particular number of seats that are held here; that is, effectively, no member in this House currently that is not a member of government could get a regulation reviewed by a policy field committee without the agreement of government. To say that any member could go and bring this forward and get it reviewed by a policy field committee is simply a specious argument. It is impractical and could not be implemented, which I felt was ultimately the fatal flaw in that whole set-up. But that's an ongoing and different argument.

I am quite disturbed by what has been proposed by the government here, and I believe that it is obstructing both the ability of individual members, particularly those members who are sitting in the opposition, to be able to execute its functions. For a period of possibly five years this member will not be able to be engaged in representing the people that put me here and debating those acts that the government would choose to change. That impinges upon my personal privileges in this House and what I was sent here to do in representing those people. I would also argue that it does that collectively in that the House should not delegate this under these circumstances.

Thank you for the opportunity to raise those comments. Thank you very much, Mr. Speaker.

**The Speaker:** Additional members? The hon. Member for Calgary-Nose Hill on this point of privilege.

**Dr. Brown:** Thank you, Mr. Speaker. The Minister of Education has very eloquently outlined most of the points which I would wish to make, but I wish to make a couple of additional points with respect to the nature of this measure which is being complained of in section 5 of the Trade, Investment and Labour Mobility Agreement Implementation Statutes Amendment Act.

Clearly, the purpose of section 5 is very limited. It's limited to the purpose of facilitating the implementation of a piece of legislation which is in and of itself a very complex piece of legislation. There is no attempt to usurp the general powers of the Assembly. The power, if it were abused and it went beyond what it states in the piece of legislation, may well be cause for complaint. However, the regulation-making power that's being asked for in this particular amendment speaks of: "The Lieutenant Governor in Council may

make regulations in respect of matters relating to the implementation of the Agreement." This agreement is an attempt to bring about free trade between two provinces. It requires certain obligations on the part of each of those sister provinces to comply in order to allow that free trade to happen. As such, it involves literally hundreds of regulations and statutes.

I would submit, Mr. Speaker, that it is clearly impractical to expect that the minister could anticipate all of the particular problems that might arise from time to time in respect of ensuring that there is compliance and free trade with all of those hundreds of statutes and regulations that are present in both of those two provinces. Clearly, it's a temporary measure. It's a measure which will be determined either by bringing forth a remedial measure in the form of a regulation or a statute, which will come before this House again, or it will be taken care of by the passage of the limitation which is provided for in the proposed amendment.

I would therefore argue that there is no usurpation of the powers of this Assembly and that there is no point of privilege.

**The Speaker:** Additional? The hon. Member for Edmonton-Riverview.

**Dr. Taft:** Thank you, Mr. Speaker. I appreciate the opportunity here. I've been listening carefully, and I was listening carefully as a participant in the debate yesterday afternoon. I'm speaking here not as a lawyer but as a parliamentarian. There is a handful of points I would like you to consider in making your judgment and ruling on this privilege.

There are the obvious ones that were made yesterday, which have been addressed and I won't repeat at any great length today: the concern about granting cabinet an authority to overrule legislation, which as a legislator I have great concern with; also the point that it grants cabinet the authority to do that retroactively. So we have two issues there, one going back in time, which really, really is a concerning precedent or a concerning issue for me, and one giving cabinet the authority to overrule legislation.

I have listened to the Member for Calgary-Nose Hill and to the Government House Leader. They were referring to something that I noticed yesterday, which is that this bill spells out that it's proposing to limit – it gives an impression of a limited scope because the changes that can be made have to be limited to the implementation of TILMA, but when you read the TILMA agreement, the scope is absolutely immense, Mr. Speaker. It could touch on all kinds of legislation that we may never have contemplated in here. Just as an example, reading from TILMA, it addresses sustainable development – well, what about water issues, for example? – consumer and environmental protection, and health, safety, and labour standards. And it goes on and on. If you read the agreement, it's actually very, very wide ranging, so I would disagree with the points made by the Member for Calgary-Nose Hill and the Government House Leader that this is somehow limited.

3:40

TILMA could affect everything from laws on transportation to laws on the environment to labour standards to – who knows? There's no meaningful limit provided here. I think that's very, very important to consider. In fact, the points made by the Government House Leader and the Member for Calgary-Nose Hill are specious, I would say. They just don't stand up to examination.

The other concern I would like you to consider, Mr. Speaker, is one of sovereignty. I stand here and we all stand here as citizens of Alberta in the Legislative Assembly of Alberta responsible to the people of Alberta. This is an agreement with another province. I

believe that if we enact it the way it is now, there is a significant risk that we will actually have our sovereignty as a Legislative Assembly subsumed to decisions that may be made in another province. I think that's a very serious precedent.

It would work like this. The government of B.C. through their Legislature comes forward with a bill, a legislation, or a decision that ripples through TILMA to Alberta. Then the government of Alberta through the Lieutenant Governor in Council and without consultation in this Assembly changes a law in Alberta. Who is, then, in charge? Have we not at that point, Mr. Speaker, transferred the sovereignty of this Assembly into the hands of a government of another jurisdiction? I believe that's a significant consideration and, again, a dangerous precedent. It seems entirely plausible to me that that could happen. It could happen on energy. It could happen on transportation. It could happen on all kinds of issues here.

I am concerned with the fact that this reaches back and tries to rewrite history. I'm concerned that this gives cabinet the authority to overwrite the laws of this Assembly. This Assembly routinely delegates to cabinet, but it doesn't give cabinet the right to rewrite laws that, when they were passed, were never considered subject to that risk. It transfers our sovereignty to a Legislature in another jurisdiction. It is for practical purposes with almost unlimited scope because there's hardly an issue that couldn't come under TILMA unless it's explicitly excluded in the appendix.

This is an inclusive agreement – this is not a limiting one – broadly encompassing free trade, so, Mr. Speaker, I think we are dealing with something that's considerably more serious than the House leader or the Member for Calgary-Nose Hill has indicated. I have heard no justification – yesterday there was complete silence from the government on this issue – for this Legislature to take such a drastic step on what is, after all, simply a commercial piece of legislation.

Thank you.

**The Speaker:** Are there additional members?

Well, hon. members, the point of privilege that has been raised by the hon. Member for Edmonton-Strathcona has to do with the privilege of members of this Assembly. This is a very serious matter. We'll be taking it very seriously as well. Today is Thursday, March 19. The House will be going on a little break for a few days. If members would like to add something further to their arguments, provide them to my office by noon of Thursday, March 26 – that's one week from now – in written form. Evaluation will be done and take into care all of this. The chair will be consulting with his Parliamentary Counsel and table officers and will return to this Assembly on Monday, April 6, with a decision.

## Orders of the Day

### Government Bills and Orders Committee of the Whole

[Mr. Cao in the chair]

**The Chair:** The chair shall now call the Committee of the Whole to order.

#### Bill 1

#### Employment Standards (Reservist Leave) Amendment Act, 2009

**The Chair:** Are there any comments or questions? The hon. Minister of Advanced Education and Technology.

**Mr. Horner:** Thank you, Mr. Chairman. A good proportion of our reservists are students, and I was a reservist myself at one time, so

I wanted to get some comments on the record for Bill 1, the Employment Standards (Reservist Leave) Amendment Act, which was formally and eloquently introduced in this House by the Premier.

As a proud member of the Loyal Edmonton Regiment Association and the Royal Canadian Legion I and many fellow Albertans recognize the value and the important sacrifices that members of the military and their families make on a daily basis. These heroes protect and defend our freedom while spreading the strong Canadian ideals of honour, duty, service, and democracy throughout the world. In addition to Canada's full-time personnel all branches of the service are enhanced by the work and dedication of reserves. Of the more than 100 military personnel that have made the ultimate sacrifice during the Afghanistan conflict, more than 10 per cent were Canada's reservists.

When reservists answer the call of duty to serve our great country on active duty, not only do they leave their loving families; they must put careers, postsecondary education, and apprenticeships on hold. I, like many of my fellow members of this Assembly, sincerely hope that this legislation is another key facet in a growing culture of support for reservists and their selfless acts and dedication that is being developed coast-to-coast and in our province.

Mr. Chairman, I met our very own Sergeant-at-Arms some 20 years ago when I started my very short reserve career. His is much longer. He has served more than 35 years as both a reservist and a regular forces member, and he outranked me at that time.

**An Hon. Member:** Still does.

**Mr. Horner:** Still does.

According to statistics, Mr. Chairman, from Alberta Employment and Immigration, approximately 40 per cent of Canadian reservists are also students in our postsecondary system. This act is an impetus. It will create a greater awareness and will encourage more flexibility among our institutions and our employers. While some may not have practices in place now, I expect we will see more institutions and businesses in Alberta taking the lead and looking at ways that they can accommodate and support these transitions.

In the area of postsecondary studies this act provides an opportunity for us to get the discussions with our institutions going on whether they want to look forward to a standard policy or, certainly, consistent practices among the institutions. Under Campus Alberta most postsecondary institutions do have policies that enable all students, not just reservists, to re-enter their studies. However, we may have to have an open door to establishing some synergies throughout the system.

While we look at working with our institutions, we already have in place some strong supports in Alberta for Alberta reservists who are also working to realize their dreams of a postsecondary education. In terms of the financial commitments of reservist students last June significant changes were made to student finance programs to protect reservists who interrupt their full-time studies to serve. Student finance will defer student loans and the interest on those payments to ensure that while their student careers are on hold, they are removed from making those payments. Reservists may also have their interest-free deferral and payment deferral extended. We encourage reservists to discuss these options with counsellors at their respective institutions to learn more about their policies and if any special circumstances are required.

3:50

For apprentices many of the same policies are now in place. The department will not cancel the registration of the apprentice during the normal cancellation process, 18 months of inactivity. The

department will keep the file active and note the situation on the apprentice's file. We encourage apprentices to contact Alberta Advanced Education and Technology if they're being called into active duty so that their placement is waiting for them when they return. If for some reason the department has not been advised in advance, the department will reinstate the registration when the apprentice returns to work.

As demonstrated in Campus Alberta, our province already places strong value on the work and sacrifices of these brave men and women. As they protect our freedom, they should be protected here at home. Those reservists pursuing degrees and diplomas can take comfort in knowing that Campus Alberta will also be there for them with options to choose from a range of programs and learning opportunities. I know from experience as a reservist with the Loyal Edmonton Regiment that it is a great part-time job while you're going to postsecondary. It's also a huge amount of pride in wearing the Canadian uniform while you attend postsecondary.

When you talk to the presidents of the institutions, I've noted from my discussions with those institutions, they note that reservists make great students. Employers, Mr. Chairman, are finding that they make great employees as well. Major Chris Chodan was introduced in this House by the minister not too long ago. I met Major Chodan as well when I was in the Loyal Edmonton Regiment. He was also above me in rank, I might add.

It was mentioned by the hon. members for Edmonton-Gold Bar and, I believe, Edmonton-Strathcona that some employers may be hesitant to hire a reservist. I recall many years ago that I spoke with some of my friends in the regiment about bringing in a bill similar to this. At the time there was a fairly strong concern that a bill such as this might limit a reservist's ability to go out and get employment. I think that the time is now, Mr. Chairman, that the employers have realized that the training in leadership, the training in discipline that one receives a reservist make them a very valued employee and one that every employer would want to have.

Bill 1, the Employment Standards (Reservist Leave) Amendment Act, 2009, further strengthens Alberta's commitment to Canada's reservists and certainly recognizes their invaluable contribution to the way of life that we hold so dear and so close. Today, Mr. Chairman, I stand very much in support of this bill as it proceeds to third reading, and I encourage all of my colleagues to do the same.

**The Chair:** The hon. Minister of Employment and Immigration.

**Mr. Goudreau:** Thank you, Mr. Chair. I'm also very pleased to speak in Committee of the Whole to Bill 1, the Employment Standards (Reservist Leave) Amendment Act, 2009. This bill, if passed, will provide unpaid job-protected leave for military reservists under the Employment Standards Code. At last count there were about 2,500 Albertans enrolled in the reserves. Some are deployed in active missions overseas and can be away for a number of months. Most of them serve on a part-time basis. In fact, about 45 per cent of Canadian reservists maintain either a full-time or part-time civilian job, and another 40 per cent are students, as the hon. member just indicated.

These proposed amendments entitle a reservist to an unpaid job-protected leave while they're deployed to an operation outside of Canada like our current missions in Afghanistan and in Sudan. It would also apply to emergencies within the country such as an ice storm in Quebec or an earthquake in B.C. The proposed legislation also provides the reservist with additional leave to take part in annual training. While this is limited to 20 days each calendar year, leave for overseas operations or domestic emergencies may last as long as necessary.

Currently Alberta is the only province that does not have reservist leave in its legislation. Mr. Chair, this provided us with an opportunity to study the other provinces, determine what works and what doesn't in their jurisdictions, and develop a policy that takes into account the rights and responsibilities of both the employer and the employee.

During second reading a member opposite, while speaking in support of the bill, thought it would be a good idea for government to publicly thank employers, particularly small business owners, for dealing with any disruptions that might come from the proposed reservist's leave, and I think, Mr. Chair, this is a great suggestion. I for one encourage all Members of this Legislative Assembly to make a point of doing just that when they head home to their individual constituencies.

We've done our homework, Mr. Chair. We've taken a close look at similar legislation and worked with the Canadian military. These proposed amendments strike a balance that we believe is fair for both the employer and the reservist. Members of our military, whether they're with the regular forces or the reserves, have long been willing to make tremendous sacrifices. These sacrifices over many decades provide us with the freedom of democracy, the very freedom that we exercise in this House each and every day. These proposed amendments are a small way of extending our gratitude along with the gratitude of all Albertans.

Thank you, Mr. Chair.

**The Chair:** The hon. Member for Edmonton-Riverview.

**Dr. Taft:** Thank you, Mr. Chairman. I'm pleased to stand once again to reiterate our support on this side of the House for this piece of legislation. As we've heard, it is long overdue. It's an important gesture. I myself can think of a handful of friends and neighbours I know who have served in the reserves and have gone to places like Bosnia and Afghanistan at very great risk to their lives, and they've done it for the public good. This is a way for the public to recognize their sacrifice and to make sure that that sacrifice is rewarded and not penalized.

So I would urge all members of this Assembly to support this legislation. I think it's a good idea, and let's get on with it. Thank you.

**The Chair:** Any other hon. member wish to speak on this?

Seeing none, the chair shall call the question.

[The clauses of Bill 1 agreed to]

[Title and preamble agreed to]

**The Chair:** Shall the bill be reported? Are you agreed?

**Hon. Members:** Agreed.

**The Chair:** Opposed? Carried.

## Bill 15

### Dunvegan Hydro Development Act

**The Chair:** The hon. Member for Edmonton-Riverview.

**Dr. Taft:** Thank you, Mr. Chairman. This is a piece of legislation that will facilitate the development of a run-of-river hydro generation facility on the Peace River near Dunvegan. I myself have never seen such a facility in person. You know, I've seen hydro dams, and

I've seen coal-fired plants and nuclear plants and all kinds of ways of generating electricity, but I've never seen this particular run-of-the-river hydro facility. I have read about it somewhat over the years, and I think it's a project that is worth pursuing. We need to look at alternative ways in this province of generating our electricity, ways that have minimal environmental impact. I certainly much prefer this over nuclear power. I think it's interesting that both of these come from the Peace River area. I think there's probably much more to support the wisdom of this kind of technology than of a large nuclear power plant being constructed somewhere in the Peace River area.

I think it's a good idea. I would like to make the point here though, Mr. Chairman, that before we proceed with all kinds of new electrical generating projects like this one, we take a much more systematic, disciplined, and strategic view of energy conservation and, in this case, particularly electricity energy conservation. There are huge gains to be made here. Other jurisdictions have led the way before us on this, and while this project is far enough along that it probably will go ahead regardless of how much electrical energy is conserved, down the road a much more aggressive electrical energy conservation program could pre-empt the need for things like nuclear power up in the Peace Country.

4:00

I would very much like to see a bill like this be linked to a broader strategy from this government that addressed electrical generation and consumption as an entirety and addressed issues not only of supply, which this bill is doing, but also of demand. We've seen very, very little of that from this government. I want to register that that's a real shortcoming of the broader electrical strategy of this government that I would like to see addressed and is not difficult to address.

Actually, it's interesting. The Peace River originates in British Columbia, and we just finished debating a trade agreement with British Columbia. I've often compared British Columbia's farm safety standards to Alberta's. British Columbia also leads the way on demand-side management; in other words, on programs to reduce the demand side of the equation for electrical energy. Maybe we should be looking to B.C. for that as well.

Having said that, Mr. Chairman, this bill, I think, needs to go ahead. I'm not going to propose any amendments. I will note one thing if I can find it in my background notes. Yes, I can. This bill is prepared under the auspices of the Hydro and Electric Energy Act, which requires Executive Council to cause a bill, this particular one, "to be prepared for the authorization of an order of the Alberta Utilities Commission for construction of the hydro development." Under that set of legislation and regulations a panel needs to be struck.

I did note in the background to this that the panel members in this case were Vern Hartwell, Doug Larder, and George Kupfer, and they were appointed jointly by the federal government, by Canada's Environment minister, and by the government of Alberta. I did have questions about the technical knowledge of these panelists on run-of-the-river hydro projects. I would have thought that that was crucial. I know that Vern Hartwell and George Kupfer are both known for their knowledge of municipal government and of organization and that sort of thing, but I wasn't aware that they had any particular knowledge of run-of-the-river hydro projects or of the detailed environmental or other issues that might arise from this project. Now, maybe the third panelist, Mr. Doug Larder, does have that particular expertise. I think it's worth noting for the record that I had some questions around the background and qualifications of these panelists specific to this particular project. If in the course of

later debate the detailed qualifications of those members of the panel were tabled, that would be of interest to me.

Having said that, Mr. Chairman, I fully expect this bill to sail through the Assembly, and I genuinely hope that this is a project that generates vast amounts of clean, low-cost, minimally environmentally invasive electricity for this province on a renewable basis so that it will be in place for lifetimes to come.

Thank you.

**The Chair:** The hon. Minister of Employment and Immigration.

**Mr. Goudreau:** Well, thank you very much, Mr. Chair. It's also my pleasure to speak to Bill 15, the Dunvegan Hydro Development Act. This project is to be located in my constituency a few kilometres west of the historic Dunvegan site and the Dunvegan bridge, that a lot of people are very familiar with.

Mr. Chair, electricity is a facilitator of prosperity. It plays a very essential role in the living standards of Albertans and is an essential input for all of our industry to function and prosper in our province. Our provincial energy strategy is a plan that includes real actions to ensure we achieve clean energy production, positioning Alberta as a leader in energy for decades to come.

Mr. Chair, renewable energy sources are increasingly important pieces of Alberta's energy portfolio and our goal of clean energy production. We support renewable energy development and promote a market for its consumption. Enhancing the capacity of Alberta's electricity system is a key action as we work towards cleaner energy production. Expanding the use of hydroelectric resources creates these opportunities for clean energy production and the reduction of greenhouse gas emissions.

Over the past many years we've shown leadership in renewable energy development through the provincial energy strategy, and I will continue to support projects like hydro facilities. More than 7 per cent of Alberta's electricity generating capacity is hydro. Now, Mr. Chair, Glacier Power's proposed Dunvegan hydroelectric project would add a hundred megawatts to our hydro generating capacity. A hundred megawatts, I'm led to believe, is about the amount of power that's required to supply the city of Grande Prairie, as an example.

This project, as I understand it – and I've seen the plans – is a run-of-the-river facility designed to minimize environmental impacts. Low-impact hydro technology like run of the river gets energy from water flowing naturally downstream without changing or disturbing the downstream water supply, and I think that's an important point to emphasize. Bill 15 will provide the Alberta Utilities Commission the authority to issue a construction and operation order for Glacier Power's proposed hydro facility. A joint provincial-federal regulatory panel did determine that the proposed project is in the public interest, and the passage of Bill 15 would complete the next step in the provincial approval process.

Prior to its December decision the joint panel reviewed extensive evidence submitted by the applicant and intervenors. They called on expert witnesses to testify. The studies that Glacier Power Ltd. conducted were considered by all intervenors and the expert witnesses to be thorough and to have employed the best available modelling and science. Mitigation plans committed to by the applicant along with recommendations from the panel will address the identified impacts. Mr. Chair, I know that the proponents have spent a considerable amount of years studying this particular project, and they did spend a lot of time to make sure that they were using the best models and the best of science that was available to them to make sure that any issues were addressed.

Mr. Chair, aside from my particular support for this Dunvegan

hydro project, this project is also supported by all of our local governments, and Glacier Power Ltd. has basically satisfied the immediately adjacent landowners who originally had concerns about the project. There are still a few downstream concerns from landowners that need to be fully resolved, and those are from residents north of the Tangent area who use the Shaftesbury crossing. They are concerned about the ice formations in the winter, but I'm very confident that the ongoing discussions that are happening as we speak will resolve all of these particular issues.

To wrap up, Mr. Chair, the proposed project will be an economic benefit to the region. By providing local power generation, it will provide employment and revenue and, in my opinion, has certainly no significant adverse effect. I'm confident that this proposal will produce clean, environmentally friendly power for well over a hundred years into the future.

Thank you, Mr. Chair.

4:10

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

**Ms Notley:** Thank you, Mr. Chairman. It's a pleasure to be able to rise and speak to this bill. I did speak to it briefly in second reading and at that point had said that I was unsure about where our support would be, but I have made some effort now to consult with as many people as I can up in that area. It does seem as though it is a proposal which warrants the support of our caucus, and I just want to review that briefly.

It is an area, of course, that's very dear to my heart. I grew up about two miles away from where the proposed dam will be. I went boating on the river, had my first tailgate party on the shores of the river right about there, worked at Dunvegan, the whole thing. You know, I want to make sure that it's all done just so. However, I wish I'd had the chance to go up there to consult with people. I didn't, but I did ask research in our office to call as many people as I could give them names of to inquire about it, and as I say, it does appear as though it enjoys a great deal of consensus in terms of moving forward with it.

Obviously, separate and apart from the community issues, I do want to join with my colleagues in speaking to the very important benefits that come from pursuing environmentally responsible hydroelectric production. We know that those provinces that have a developed hydroelectric system of electricity production are very well placed to address issues with respect to greenhouse gas emissions, and run-of-the-river projects do appear to provide some potential to negate the negative environmental consequences often associated with hydroelectric. There's no question that it's a clean, renewable, ongoing source of energy, so to the degree that we can safely pursue that source, we can't do anything but support it. I do understand that this is based on the notion that the downstream flow will remain unchanged and that to the extent there are ongoing concerns around fish in the river, those would be not impacted.

I understand that the people of Fairview are quite excited about the prospect of new jobs in the area as a result of the construction. I had just basically wanted to raise the one issue that the Member for Dunvegan did mention, which is the issue of the concerns expressed by citizens living close to the Shaftesbury crossing. My understanding is that they are concerned that with the dam going in there, the ability of an ice bridge to be formed during the winter will be compromised. My understanding is that there has been discussion with Glacier Power on funding for an enhanced-capacity ferry that will be able to function effectively during the winter to address ice blocks, as it were, that form on the river so that as a result they are able to cross the river at the Shaftesbury crossing throughout the

year. It is certainly my hope, then – and our support, of course, is premised on the notion – that that commitment will be met and that the concerns of those citizens will be fully addressed. I understand as well that the Duncan's First Nation is also in support of the project in that they see it, again, as an environmentally friendly run-of-the-river renewable energy project.

With that being the case and having assured ourselves that there really appears to be no downside to this – and I certainly hope that I'm correct in that assumption – we will be giving our support to this bill and to the development of this project.

Thank you.

**The Chair:** Does any other hon. member wish to speak on the bill?

[The clauses of Bill 15 agreed to]

[Title and preamble agreed to]

**The Chair:** Shall the bill be reported? Are you agreed?

**Hon. Members:** Agreed.

**The Chair:** Opposed? Carried.

#### **Bill 5 Marketing of Agricultural Products Amendment Act, 2009**

**The Chair:** Does any hon. member wish to speak on the bill? The hon. Member for Battle River-Wainwright.

**Mr. Griffiths:** Thank you, Mr. Chairman. It's my pleasure to rise today in Committee of the Whole to present Bill 5, the Marketing of Agricultural Products Amendment Act, 2009. The proposed amendments are a result of a review of existing legislation and extensive industry consultation that included 20 agricultural boards and commissions, a survey of producers who are not actively engaged in industry organizations, and extensive meetings with other agricultural organizations across Alberta and Canada. The review also included an examination of what changes other jurisdictions, including Australia, the United Kingdom, New Zealand, and the Netherlands, have made to their agricultural industry governance.

The support received at second reading of this bill by the opposition is greatly appreciated, Mr. Chairman. There were some questions that I would like to address, particularly, that were raised by the Member for Edmonton-Highlands-Norwood under the subject of moving reviews and appeals into regulation. The intent of condensing and moving part 5, the reviews and appeals section, of MAP into regulation is twofold. First, the intent is to make the review and appeal process more responsive to the needs of the parties involved. Moving the review and appeal processes into regulation will allow future improvements such as including alternate dispute resolution mechanisms to be made in a timely manner.

Secondly, currently part 5 of the existing act is somewhat confusing as reviews and appeals are included in the same section, and these are two distinct processes. This can cause some difficulties for those people who administer the reviews and appeals process, so the new regulation will separate it into two processes. Agricultural boards and commissions will be consulted on the drafting of the reviews and appeals regulation. Other than clarification, Mr. Chairman, it's anticipated that there will be very little, if any, change from the reviews and appeals process as it stands now.



Regarding the subject of changing the composition of the appeal tribunal, the intent is to move the current process for appointment of the appeal tribunal members from the act to the new regulation. Care is always taken, Mr. Chairman, by the minister and the marketing council alike to respect the independence of the appeal tribunal. There is no plan to have marketing council members serve as appeal tribunal members, and that will be made clear in the regulation. There has actually never ever been any interest from anyone in involving marketing council members in serving two roles.

In regard to the question about involving the Canadian Wheat Board in consultations, many Alberta producer organizations were directly consulted as part of the industry governance review examining this legislation. This legislation is similar to other federal and provincial legislation. There are some early discussions that went on with governments and national producer organizations. Alberta producers representing all commodity groups, including wheat and barley, which are under the Canadian Wheat Board, participated in the industry governance review. For example, the Alberta Soft Wheat Producers Commission were consulted. The Alberta Winter Wheat Producers Commission and the Alberta Barley Commission and their members were just some of the organizations which participated, Mr. Chairman. They all interact with the Canadian Wheat Board, but they're more closely representative of the producers themselves on the ground. All producers that participated in the industry governance review were encouraged to bring forward improvement ideas from all sources.

4:20

Lastly, Bill 5 continues to be legislation for establishing and operating producer commodity organizations. You have to be a producer, whether it's big or small, to vote in the elections of boards and commissions, you have to be a producer in order to get elected, and you have to be a producer to contribute service charges to that organization. During the industry governance review consultation participants asked about the ability to include nonproducers in their organizations. They saw the value in improving collaboration across the value chain and working together to achieve common goals. They saw the value of pulling outside expertise into their organizations. The subject of having nonproducers involved in producer commodity organizations will continue to be a topic of discussion; however, it is not currently in Bill 5. It doesn't include any changes in this area.

There were a couple of points, if I have some time, that I wanted to raise. The Member for Edmonton-Highlands-Norwood had pointed out how five out of the six members of the Wheat Board supported single-desk selling and actually said in *Hansard* that that meant that this government had no understanding whatsoever of what producers in this province wanted. I'd like to point out, Mr. Chairman, that the opposition party, the member over there, doesn't have a single representative from rural Alberta representing any farmers, so perhaps they are the ones that don't have any understanding of agriculture and what can best represent them.

Mr. Chairman, Bill 5, the Marketing of Agricultural Products Amendment Act, 2009, ensures that Alberta producers, regardless of where they're from or what size their farm is, continue to have the ability to govern, to lead, and to support their own industry. Proposed amendments reflect the input of over 1,000 individual

farmers and their respective commodity organizations. These amendments ensure that Alberta producers continue to have the ability to promote and market their products. It supports research in their industry and leads in the development of on-farm safety and animal care practices. These amendments will allow the current act to better serve the needs of our agricultural marketing boards and commissions, which in turn will help farms big or small.

I encourage all members of this House to give their full support to Bill 5. Thank you, Mr. Chairman.

**The Chair:** Are there any other hon. members who wish to speak on the bill?

[The clauses of Bill 5 agreed to]

[Title and preamble agreed to]

**The Chair:** Shall the bill be reported? Are you agreed?

**Hon. Members:** Agreed.

**The Chair:** Opposed? Carried.

The hon. Deputy Government House Leader.

**Mr. Zwozdesky:** Thank you very much, Mr. Chair. I would like to move that we now rise and report Bill 1, the Employment Standards (Reservist Leave) Amendment Act, 2009; Bill 5, the Marketing of Agricultural Products Amendment Act, 2009; and Bill 15, the Dunvegan Hydro Development Act.

[Motion carried]

[The Deputy Speaker in the chair]

**The Deputy Speaker:** The hon. Member for Calgary-Nose Hill.

**Dr. Brown:** Mr. Speaker, the Committee of the Whole has had under consideration certain bills. The committee reports the following bills: Bill 1, Bill 15, and Bill 5.

**The Deputy Speaker:** Does the Assembly concur in the report?

**Hon. Members:** Concur.

**The Deputy Speaker:** Opposed? So ordered.

The hon. Deputy Government House Leader.

**Mr. Zwozdesky:** Thank you very much, Mr. Speaker. On that note, I would like to wish everybody a well-deserved break, working back in the constituencies even more than we have been over the past three weeks, perhaps, just to get caught up.

I would move that in view of the hour we call it 4:30 and, in fact, adjourn until Monday, April 6, at 1:30 p.m.

[Motion carried; the Assembly adjourned at 4:26 p.m. to Monday, April 6, at 1:30 p.m.]



## **Bill Status Report for the 27th Legislature - 2nd Session (2009)**

**Activity to March 19, 2009**

The Bill sponsor's name is in brackets following the Bill title. If it is a money Bill, (\$) will appear between the title and the sponsor's name. Numbers following each Reading refer to Hansard pages where the text of debates is found; dates for each Reading are in brackets following the page numbers. Bills numbered 200 or higher are Private Members' Public Bills. Bills with lower numbers are Government Bills. Bills numbered Pr1, etc., are Private Bills.

\*An asterisk beside a Bill number indicates an amendment was passed to that Bill; the Committee line shows the precise date of the amendment.

The date a Bill comes into force is indicated in square brackets after the date of Royal Assent. If it comes into force "on proclamation," "with exceptions," or "on various dates," please contact Legislative Counsel for details at (780) 427-2217. The chapter number assigned to the Bill is entered immediately following the date the Bill comes into force. SA indicates Statutes of Alberta; this is followed by the year in which it is included in the statutes, and its chapter number. Please note, Private Bills are not assigned a chapter number until the conclusion of the fall sittings.

**1      Employment Standards (Reservist Leave) Amendment Act, 2009 (Stelmach)**

First Reading -- 6 (Feb. 10 aft.)  
Second Reading -- 90-93 (Feb. 17 aft., passed)  
Committee of the Whole -- 503-4 (Mar. 19 aft., passed)

**2      Lobbyists Amendment Act, 2009 (Redford)**

First Reading -- 9 (Feb. 11 aft.)  
Second Reading -- 93-94 (Feb. 17 aft.), 121-23 (Feb. 18 aft.), 212-14 (Mar. 3 aft., passed)

**3      Credit Union Amendment Act, 2009 (Berger)**

First Reading -- 17 (Feb. 11 aft.)  
Second Reading -- 123-24 (Feb. 18 aft.), 202-03 (Mar. 3 aft., passed)

**4      Post-secondary Learning Amendment Act, 2009 (Bhullar)**

First Reading -- 17 (Feb. 11 aft.)  
Second Reading -- 124 (Feb. 18 aft.), 353-56 (Mar. 11 aft., adjourned)

**5      Marketing of Agricultural Products Amendment Act, 2009 (Griffiths)**

First Reading -- 17 (Feb. 11 aft.)  
Second Reading -- 125 (Feb. 18 aft.), 214-15 (Mar. 3 aft., passed)  
Committee of the Whole -- 506-7 (Mar. 19 aft., passed)

**6      Protection of Children Abusing Drugs Amendment Act, 2009 (Forsyth)**

First Reading -- 18 (Feb. 11 aft.)  
Second Reading -- 356-60 (Mar. 11 aft., adjourned)

**7      Public Health Amendment Act, 2009 (Liepert)**

First Reading -- 18 (Feb. 11 aft.)  
Second Reading -- 437-38 (Mar. 17 aft.), 439-40 (Mar. 17 aft., adjourned)

**8      Feeder Associations Guarantee Act (\$) (Groeneveld)**

First Reading -- 18 (Feb. 11 aft.)  
Second Reading -- 203-08 (Mar. 3 aft., passed)

**9      Government Organization Amendment Act, 2009 (Campbell)**

First Reading -- 18 (Feb. 11 aft.)  
Second Reading -- 360-61 (Mar. 11 aft., adjourned)

**10     Supportive Living Accommodation Licensing Act (Dallas)**

First Reading -- 18 (Feb. 11 aft.)  
Second Reading -- 361-62 (Mar. 11 aft., adjourned)

**11     Fisheries (Alberta) Amendment Act, 2009 (VanderBurg)**

First Reading -- 19 (Feb. 11 aft.)  
Second Reading -- 362-63 (Mar. 11 aft., adjourned)

- 12 Surface Rights Amendment Act, 2009 (Berger)**  
First Reading -- 19 (Feb. 11 aft.)  
Second Reading -- 383-85 (Mar. 12 aft., adjourned)
- 13 Justice of the Peace Amendment Act, 2009 (Redford)**  
First Reading -- 19 (Feb. 11 aft.)  
Second Reading -- 385 (Mar. 12 aft., adjourned)
- 14 Carbon Capture and Storage Funding Act (\$) (Knight)**  
First Reading -- 138 (Feb. 19 aft.)  
Second Reading -- 208-10 (Mar. 3 aft., adjourned)
- 15 Dunvegan Hydro Development Act (Oberle)**  
First Reading -- 105-06 (Feb. 18 aft.)  
Second Reading -- 210-11 (Mar. 3 aft., passed)  
Committee of the Whole -- 504-6 (Mar. 19 aft., passed)
- 16 Peace Officer Amendment Act, 2009 (Lindsay)**  
First Reading -- 106 (Feb. 18 aft.)  
Second Reading -- 385-86 (Mar. 12 aft., adjourned)
- 17 Securities Amendment Act, 2009 (Fawcett)**  
First Reading -- 106 (Feb. 18 aft.)  
Second Reading -- 386-87 (Mar. 12 aft., adjourned)
- 18\* Trade, Investment and Labour Mobility Agreement Implementation Statutes Amendment Act, 2009 (Stevens)**  
First Reading -- 161 (Mar. 2 aft.)  
Second Reading -- 211-12 (Mar. 3 aft.), 349-52 (Mar. 11 aft., passed)  
Committee of the Whole -- 381-83 (Mar. 12 aft.), 446-54 (Mar. 17 aft.), 472--81 (Mar. 18 aft.), 482-83 (Mar. 18 aft., adjourned, amendments introduced)
- 19 Land Assembly Project Area Act (Hayden)**  
First Reading -- 161 (Mar. 2 aft.)  
Second Reading -- 438-39 (Mar. 17 aft., adjourned)
- 20 Civil Enforcement Amendment Act, 2009 (Denis)**  
First Reading -- 161 (Mar. 2 aft.)
- 21 Appropriation (Supplementary Supply) Act, 2009 (\$) (Snelgrove)**  
First Reading -- 283 (Mar. 9 aft.)  
Second Reading -- 377-80 (Mar. 12 aft.), 386 (Mar. 12 aft., passed)  
Committee of the Whole -- 440-43, 454 (Mar. 17 aft., passed)  
Third Reading -- 468-71 (Mar. 18 aft.), 481 (Mar. 18 aft., passed)
- 22 Appropriation (Interim Supply) Act, 2009 (\$) (Snelgrove)**  
First Reading -- 344 (Mar. 11 aft.)  
Second Reading -- 380-81 (Mar. 12 aft.), 386 (Mar. 12 aft., passed)  
Committee of the Whole -- 443-46, 454 (Mar. 17 aft., passed)  
Third Reading -- 471-72 (Mar. 18 aft.), 481-82 (Mar. 18 aft., passed)
- 23 Municipal Government Amendment Act, 2009 (Danyluk)**  
First Reading -- 401 (Mar. 16 aft.)
- 24 Animal Health Amendment Act, 2009 (Griffiths)**  
First Reading -- 303 (Mar. 10 aft.)
- 25 Teachers' Pension Plans Amendment Act, 2009 (\$) (Evans)**  
First Reading -- 283 (Mar. 9 aft.)
- 26 Wildlife Amendment Act, 2009 (Mitzel)**  
First Reading -- 303 (Mar. 10 aft.)

- 27 Alberta Research and Innovation Act (\$) (Horner)**  
First Reading -- 466 (Mar. 18 aft.)
- 28 Energy Statutes Amendment Act, 2009 (McFarland)**  
First Reading -- 467 (Mar. 18 aft.)
- 29 Family Law Amendment Act, 2009 (Denis)**  
First Reading -- 401 (Mar. 16 aft.)
- 30 Traffic Safety Amendment Act, 2009 (Drysdale)**  
First Reading -- 401 (Mar. 16 aft.)
- 31 Rules of Court Statutes Amendment Act, 2009 (Denis)**  
First Reading -- 402 (Mar. 16 aft.)
- 32 Alberta Public Agencies Governance Act (Horne)**  
First Reading -- 467 (Mar. 18 aft.)
- 52 Health Information Amendment Act, 2009 (Rogers)**  
First Reading -- 436 (Mar. 17 aft.)  
Second Reading -- 436 (Mar. 17 aft., reinstated), 437 (Mar. 17 aft., referred to Standing Committee on Health)
- 201 Traffic Safety (Vehicles with Unlawfully Possessed Firearms) Amendment Act, 2009 (Hehr)**  
First Reading -- 106 (Feb. 18 aft.)  
Second Reading -- 165-76 (Mar. 2 aft.), 284-86 (Mar. 9 aft., defeated on division)
- 202 Municipal Government (Municipal Auditor General) Amendment Act, 2009 (Johnston)**  
First Reading -- 138 (Feb. 19 aft.)  
Second Reading -- 286-96 (Mar. 9 aft.), 406-08 (Mar. 16 aft., referred to Standing Committee on Community Services)
- 203 Local Authorities Election (Finance and Contribution Disclosure) Amendment Act, 2009 (Johnson)**  
First Reading -- 251-52 (Mar. 5 aft.)  
Second Reading -- 408-16 (Mar. 16 aft., adjourned)
- 204 Provincial-Municipal Tax Sharing Act (Blakeman)**  
First Reading -- 498 (Mar. 19 aft.)
- Pr1 Beverly Anne Cormier Adoption Termination Act (Anderson)**  
First Reading -- 376 (Mar. 12 aft.)
- Pr2 Caritas Health Group Statutes Amendment Act, 2009 (Elniski)**  
First Reading -- 376 (Mar. 12 aft.)
- Pr3 Les Filles de la Sagesse Act Repeal Act (Dallas)**  
First Reading -- 376 (Mar. 12 aft.)

## Table of Contents

Thursday, March 19, 2009

|   |                    |
|---|--------------------|
| Statement by the Speaker  |                    |
| 20th Anniversary of Members of the Legislative Assembly .....           | 485                |
| Introduction of Guests .....  | 485, 495           |
| Oral Question Period  |                    |
| Achievement Bonuses .....   | 487, 489, 492, 494 |
| Nuclear Power .....   | 488                |
| Natural Gas Rebates .....   | 489                |
| Affordable Supportive Living Initiative .....                           | 489, 490           |
| Water Transfers .....   | 490                |
| Centralized Cytology Lab Service .....                                  | 491                |
| Emergency Wait Times .....  | 491                |
| Royalty Revenues .....  | 492                |
| Bargaining Unit for Paramedics .....                                    | 492                |
| Bitumen Exports .....   | 493                |
| Banff Gate Wildlife Corridor .....                                      | 493                |
| SuperNet .....  | 494                |
| Ministerial Statements  |                    |
| International Day for the Elimination of Racial Discrimination .....    | 495                |
| Members' Statements   |                    |
| 50th Anniversary of Ukrainian Shumka Dancers .....                      | 496                |
| Water Management .....  | 496                |
| Earth Hour .....  | 497                |
| Canadian Red Cross Society Centennial .....                             | 497                |
| Lethbridge Accomplishments .....  | 497                |
| Water Management .....  | 498                |
| Notices of Motions .....  | 498                |
| Introduction of Bills   |                    |
| Bill 204 Provincial-Municipal Tax Sharing Act .....                     | 498                |
| Tabling Returns and Reports .....                                       | 498                |
| Tablings to the Clerk .....   | 499                |
| Projected Government Business .....                                     | 499                |
| Privilege   |                    |
| Rights of the Assembly .....  | 499                |
| Government Bills and Orders   |                    |
| Committee of the Whole  |                    |
| Bill 1 Employment Standards (Reservist Leave) Amendment Act, 2009 ..... | 503                |
| Bill 15 Dunvegan Hydro Development Act .....                            | 504                |
| Bill 5 Marketing of Agricultural Products Amendment Act, 2009 .....     | 506                |

**COMMITTEES OF THE LEGISLATIVE ASSEMBLY OF ALBERTA**

**Standing Committee on the Alberta Heritage Savings Trust Fund**

Chair: Mrs. Forsyth

Deputy Chair: Mr. Elniski

|          |        |          |        |
|----------|--------|----------|--------|
| Blakeman | DeLong | Johnston | Vacant |
| Campbell | Denis  | Kang     |        |

**Standing Committee on Community Services**

Chair: Mr. Doerksen

Deputy Chair: Mr. Hehr

|          |          |          |        |
|----------|----------|----------|--------|
| Benito   | Johnson  | Lukaszuk | Rodney |
| Bhardwaj | Johnston | Notley   | Sarich |
| Chase    |          |          |        |

**Standing Committee on the Economy**

Chair: Mr. Campbell

Deputy Chair: Mr. Taylor

|         |           |         |        |
|---------|-----------|---------|--------|
| Allred  | Marz      | Taft    | Xiao   |
| Amery   | McFarland | Weadick | Vacant |
| Bhullar |           |         |        |

**Standing Committee on Health**

Chair: Mr. Horne

Deputy Chair: Ms Pastoor

|         |        |         |            |
|---------|--------|---------|------------|
| Dallas  | Notley | Quest   | Taft       |
| Denis   | Olson  | Sherman | Vandermeer |
| Fawcett |        |         |            |

**Standing Committee on Legislative Offices**

Chair: Mr. Mitzel

Deputy Chair: Mr. Lund

|          |          |           |        |
|----------|----------|-----------|--------|
| Bhullar  | Horne    | MacDonald | Notley |
| Blakeman | Lukaszuk | Marz      | Webber |
| Campbell |          |           |        |

**Special Standing Committee on Members' Services**

Chair: Mr. Kowalski

Deputy Chair: Mr. Oberle

|         |        |        |            |
|---------|--------|--------|------------|
| Elniski | Leskiw | Rogers | VanderBurg |
| Fawcett | Mason  | Taylor | Weadick    |
| Hehr    |        |        |            |

**Standing Committee on Private Bills**

Chair: Dr. Brown

Deputy Chair: Ms Woo-Paw

|          |           |           |        |
|----------|-----------|-----------|--------|
| Allred   | Boutilier | Jacobs    | Rodney |
| Amery    | Calahasen | MacDonald | Sandhu |
| Anderson | Dallas    | McQueen   | Sarich |
| Benito   | Doerksen  | Olson     | Taft   |
| Bhardwaj | Forsyth   | Quest     |        |

**Standing Committee on Privileges and Elections, Standing Orders and Printing**

Chair: Mr. Prins

Deputy Chair: Mr. Hancock

|           |           |         |           |
|-----------|-----------|---------|-----------|
| Amery     | Forsyth   | Mitzel  | Sherman   |
| Berger    | Johnson   | Notley  | Stevens   |
| Calahasen | Leskiw    | Oberle  | Taylor    |
| DeLong    | Liepert   | Pastoor | Zwozdesky |
| Doerksen  | McFarland | Rogers  |           |

**Standing Committee on Public Accounts**

Chair: Mr. MacDonald

Deputy Chair: Mr. Quest

|          |          |         |            |
|----------|----------|---------|------------|
| Benito   | Denis    | Johnson | Sandhu     |
| Bhardwaj | Drysdale | Kang    | Vandermeer |
| Chase    | Fawcett  | Mason   | Woo-Paw    |
| Dallas   | Jacobs   | Olson   |            |

**Standing Committee on Public Safety and Services**

Chair: Mr. VanderBurg

Deputy Chair: Mr. Kang

|           |        |           |         |
|-----------|--------|-----------|---------|
| Anderson  | Cao    | MacDonald | Woo-Paw |
| Brown     | Jacobs | Sandhu    | Vacant  |
| Calahasen |        |           |         |

**Standing Committee on Resources and Environment**

Chair: Mr. Prins

Deputy Chair: Ms Blakeman

|           |           |         |        |
|-----------|-----------|---------|--------|
| Berger    | Griffiths | Mason   | Oberle |
| Boutilier | Hehr      | McQueen | Webber |
| Drysdale  |           |         |        |

If your address is incorrect, please clip on the dotted line, make any changes, and return to the address listed below. To facilitate the update, please attach the last mailing label along with your account number.

Subscriptions  
Legislative Assembly Office  
1001 Legislature Annex  
9718 - 107 Street  
EDMONTON AB T5K 1E4

---

Last mailing label:

Account # \_\_\_\_\_

New information:

Name \_\_\_\_\_

Address \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

---

Subscription information:

Annual subscriptions to the paper copy of *Alberta Hansard* (including annual index) are \$127.50 including GST if mailed once a week or \$94.92 including GST if picked up at the subscription address below or if mailed through the provincial government interdepartmental mail system. Bound volumes are \$121.70 including GST if mailed. Cheques should be made payable to the Minister of Finance.

Price per issue is \$0.75 including GST.

On-line access to *Alberta Hansard* is available through the Internet at [www.assembly.ab.ca](http://www.assembly.ab.ca)

Address subscription inquiries to Subscriptions, Legislative Assembly Office, 1001 Legislature Annex, 9718 - 107 St., EDMONTON AB T5K 1E4, telephone 780.427.1302.

Address other inquiries to Managing Editor, *Alberta Hansard*, 1001 Legislature Annex, 9718 - 107 St., EDMONTON AB T5K 1E4, telephone 780.427.1875.