



Province of Alberta

The 28th Legislature  
First Session

# Alberta Hansard

Tuesday afternoon, December 3, 2013

Issue 77a

The Honourable Gene Zwozdesky, Speaker

**Legislative Assembly of Alberta  
The 28th Legislature**

First Session

Zwozdesky, Hon. Gene, Edmonton-Mill Creek (PC), Speaker  
Rogers, George, Leduc-Beaumont (PC), Deputy Speaker and Chair of Committees  
Jablonski, Mary Anne, Red Deer-North (PC), Deputy Chair of Committees

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Anglin, Joe, Rimbey-Rocky Mountain House-Sundre (W),  
    Official Opposition Whip  
Barnes, Drew, Cypress-Medicine Hat (W)  
Bhardwaj, Naresh, Edmonton-Ellerslie (PC)  
Bhullar, Hon. Manmeet Singh, Calgary-Greenway (PC)  
Bikman, Gary, Cardston-Taber-Warner (W)  
Bilous, Deron, Edmonton-Beverly-Clareview (ND)  
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Campbell, Hon. Robin, West Yellowhead (PC),  
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Casey, Ron, Banff-Cochrane (PC)  
Cusanelli, Christine, Calgary-Currie (PC)  
Dallas, Hon. Cal, Red Deer-South (PC)  
DeLong, Alana, Calgary-Bow (PC)  
Denis, Hon. Jonathan, QC, Calgary-Acadia (PC),  
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Dorward, David C., Edmonton-Gold Bar (PC),  
    Deputy Government Whip  
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Forsyth, Heather, Calgary-Fish Creek (W)  
Fox, Rodney M., Lacombe-Ponoka (W)  
Fraser, Hon. Rick, Calgary-South East (PC)  
Fritz, Yvonne, Calgary-Cross (PC)  
Goudreau, Hector G., Dunvegan-Central Peace-Notley (PC)  
Griffiths, Hon. Doug, Battle River-Wainwright (PC)  
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Kang, Darshan S., Calgary-McCall (AL),  
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Khan, Stephen, St. Albert (PC)  
Klimchuk, Hon. Heather, Edmonton-Glenora (PC)  
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Pastoor, Bridget Brennan, Lethbridge-East (PC)  
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Quadri, Sohail, Edmonton-Mill Woods (PC)  
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    Premier  
Rodney, Hon. Dave, Calgary-Lougheed (PC)  
Rowe, Bruce, Olds-Didsbury-Three Hills (W)  
Sandhu, Peter, Edmonton-Manning (Ind)  
Sarich, Janice, Edmonton-Decore (PC)  
Saskiw, Shayne, Lac La Biche-St. Paul-Two Hills (W),  
    Official Opposition Deputy House Leader  
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Smith, Danielle, Highwood (W),  
    Leader of the Official Opposition  
Starke, Hon. Dr. Richard, Vermilion-Lloydminster (PC)  
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    Official Opposition Deputy Whip  
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Weadick, Hon. Greg, Lethbridge-West (PC)  
Webber, Len, Calgary-Foothills (PC)  
Wilson, Jeff, Calgary-Shaw (W)  
Woo-Paw, Hon. Teresa, Calgary-Northern Hills (PC)  
Xiao, David H., Edmonton-McClung (PC)  
Young, Steve, Edmonton-Riverview (PC),  
    Government Whip

**Party standings:**

Progressive Conservative: 59      Wildrose: 17      Alberta Liberal: 5      New Democrat: 4      Independent: 2

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Robert H. Reynolds, QC, Law Clerk/ Director of Interparliamentary Relations	Fiona Vance, Sessional Parliamentary Counsel	Brian G. Hodgson, Sergeant-at-Arms
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Cal Dallas	Minister of International and Intergovernmental Relations
Jonathan Denis	Minister of Justice and Solicitor General
Wayne Drysdale	Minister of Infrastructure
Kyle Fawcett	Associate Minister of Regional Recovery and Reconstruction for Southwest Alberta
Rick Fraser	Associate Minister of Regional Recovery and Reconstruction for High River
Doug Griffiths	Minister of Municipal Affairs
Dave Hancock	Minister of Human Services
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Doug Horner	President of Treasury Board and Minister of Finance
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Jeff Johnson	Minister of Education
Heather Klimchuk	Minister of Culture
Ric McIver	Minister of Transportation
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Frank Oberle	Associate Minister of Services for Persons with Disabilities
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Dave Rodney	Associate Minister of Wellness
Donald Scott	Associate Minister of Accountability, Transparency and Transformation
Richard Starke	Minister of Tourism, Parks and Recreation
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## STANDING AND SPECIAL COMMITTEES OF THE LEGISLATIVE ASSEMBLY OF ALBERTA

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Deputy Chair: Mr. Fox

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Cao	Pastoor
Donovan	Quadri
Dorward	Rogers
Eggen	Rowe
Hehr	Sarich
Luan	Strankman
McDonald	Xiao

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

Chair: Mr. Khan

Deputy Chair: Mrs. Jablonski

Amery	Eggen
Anderson	Kubinec
Casey	Sherman
Dorward	

### Standing Committee on Families and Communities

Chair: Mr. Quest

Deputy Chair: Mrs. Forsyth

Brown	Leskiw
Cusanelli	Notley
DeLong	Pedersen
Fritz	Swann
Goudreau	Towle
Jablonski	Wilson
Jeneroux	Xiao
Khan	Young

### Standing Committee on Legislative Offices

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### Special Standing Committee on Members' Services

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Deputy Chair: Mr. Young

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Forsyth	McDonald
Fritz	Quest
Kennedy-Glans	Sherman
	Smith

### Standing Committee on Private Bills

Chair: Mr. Xiao

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Barnes	Jablonski
Bhardwaj	Leskiw
Brown	Notley
Cusanelli	Olesen
DeLong	Rowe
Fox	Strankman
Fritz	Swann

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

Chair: Ms Olesen

Deputy Chair: Mr. Lemke

Calahasen	Luan
Cao	McAllister
Casey	Notley
Fritz	Pedersen
Goudreau	Rogers
Hehr	Saskiw
Kennedy-Glans	Towle
Kubinec	Young

### Standing Committee on Public Accounts

Chair: Mr. Anderson

Deputy Chair: Mr. Dorward

Amery	Khan
Anglin	Luan
Bilous	Pastoor
Donovan	Quadri
Fenske	Quest
Hale	Sarich
Hehr	Stier
Jeneroux	Webber

### Standing Committee on Resource Stewardship

Chair: Ms Kennedy-Glans

Deputy Chair: Mr. Anglin

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Barnes	Johnson, L.
Bikman	Khan
Bilous	Kubinec
Blakeman	Lemke
Calahasen	Sandhu
Casey	Stier
Fenske	Webber

## Legislative Assembly of Alberta

1:30 p.m.

Tuesday, December 3, 2013

[The Speaker in the chair]

### Prayers

**The Speaker:** Hon. members, let us pray. As we contemplate and prepare for our deliberations and debates, let us be mindful of the footprints we are creating today and in which others will walk tomorrow. Amen.

Please be seated.

### Introduction of Guests

**The Speaker:** Let us begin with school groups and the hon. Deputy Premier.

**Mr. Lukaszuk:** Well, thank you, Mr. Speaker. Thanks for the honour of always highlighting our schools first. Today with us we have two classes from Lorelei elementary school accompanied by their teachers, Mr. George and Mrs. Aker. I had the pleasure of spending some time with them, and I have to tell you that they are prepared, second to none, when it comes to social studies and government curriculum. Accompanying them today are a number of committed parents: Mrs. Boomer, Mrs. Harrison, Mr. Duggan, Mrs. Yigit, Mr. Abougoush, Mrs. Paquette, and Mrs. Lopez. I would ask the entire classes and parents and teachers to rise and accept the warm welcome of our Assembly today.

**The Speaker:** Are there other school groups?

If not, let us move on to other guests, starting with the Associate Minister of Services for Persons with Disabilities.

**Mr. Oberle:** Thank you, Mr. Speaker. I'm very pleased to introduce to you and through you to all members of the Assembly a number of staff who work for the public service. With us today are staff from the office of the Public Trustee, who manage the assets and finances of vulnerable Albertans on their behalf. There are also some staff here from the ministries of Environment and Sustainable Resource Development, Human Services, Energy, and Health who are part of a leadership group, 25 E.

From the office of the Public Trustee are Nicole Nerenberg, Chad Ganske, Karina Maldonado, Marion Flores, Sharon Baxter, Mandi Al-Awaid, Chris Jesswein, and Taneya Aaron. From the other ministries, the leadership group: Jeff Steinbach, Andrew Schoepf, Irene Pankiw, Taryn Adams, and Brenda Kam. I'd ask them all to rise and receive the traditional warm welcome of the Assembly.

**The Speaker:** The Associate Minister of Wellness, followed by St. Albert.

**Mr. Rodney:** Thank you very much, Mr. Speaker. It is indeed a pleasure to introduce Kelly Olstad, president of the Alberta College of Pharmacists, and Greg Eberhart, registrar of the Alberta College of Pharmacists. Mr. Olstad and Mr. Eberhart are here to support the tabling of the Alberta College of Pharmacists' annual report, which will occur later today. They're in the members' gallery, and I'll ask them to stand as we thank them for advancing pharmacy care here in Alberta.

Thank you, Mr. Speaker.

**Mr. Khan:** Mr. Speaker, I have two introductions today if I may. It's my pleasure to introduce to you and through you residents of my constituency of St. Albert, Shawn and Shelby Bryan. Mr. and Mrs. Bryan moved to the city of St. Albert in August of 2010 from Barrie, Ontario. Shawn is employed as a director at the Alberta Motor Association, and Shelby works at the St. Albert library. The Bryans have three children. Noah is in grade 6; Jackson, in grade 8.

They also have a daughter, whom we in this Assembly are getting to know well. Laura Bryan is new to the Assembly page program this year and is doing an outstanding job on what I believe to be the finest team of legislative pages in the country of Canada. Laura is a grade 12 student at St. Peter the Apostle Catholic high school and serves in a leadership role on student council. Laura is a very well-rounded individual. She's an avid fan of theatre and hockey. We are all very fortunate to have her serving here as a page in the Legislative Assembly of Alberta.

I'd ask that my guests here today please rise and receive the traditional warm welcome of the Assembly.

**The Speaker:** Do you have a second introduction?

**Mr. Khan:** Thank you, Mr. Speaker. It is very much my pleasure to introduce to you and through you Mr. Bill Wilson. For the past 12 years Bill Wilson has been employed with the Alberta pipefitters college. He is currently the director of education. Established by the United Association of Plumbers and Pipefitters local 488 in 2009, the Alberta pipefitters college provides apprenticeship training for steamfitters and pipefitters. Having recently celebrated 100 years, the United Association of Plumbers and Pipefitters local 488 is Alberta's largest construction union local, with over 10,000 members. I'd ask that my guest here today please rise and receive the traditional warm welcome of the Assembly.

**The Speaker:** The hon. Member for Rimbey-Rocky Mountain House-Sundre, followed by the Minister of Culture.

**Mr. Anglin:** Thank you, Mr. Speaker. I rise to introduce to you and through you to this honourable Assembly one of the best legislative assistants that this Assembly has ever seen. Mr. Cody Johnston used to work for a minister on the other side at one time, Mr. Guy Boutilier. He is a resident and a constituent of Fort McMurray-Conklin. This person works not only for three MLAs on this side; he tolerates me, and he has to work for all of these other MLAs. Mr. Johnston is up here, and I would have him stand up.

**The Speaker:** The hon. Minister of Culture, followed by Edmonton-Decore.

**Mrs. Klimchuk:** Thank you, Mr. Speaker. I'm very pleased to introduce to you and through you to this Assembly an outstanding gentleman known best for his ability to secure incredible international exhibits like *Body Worlds*, *Star Wars*, and of course Harry Potter. Mr. George Smith, president and CEO of the Telus World of Science in Edmonton, if you would kindly rise, sir. In his 17 years at its helm George has brought forward many innovative programs, and each one has served to motivate thousands of schoolchildren and adult visitors to higher learning and a lifelong interest in science. I want to commend George for creating an atmosphere at the Telus World of Science that inspires everybody who walks through its doors and for making it his personal mission to accomplish every goal he has set to achieve on that site. Thank you for all of your efforts, George. Please rise and receive the warm welcome.

**The Speaker:** The hon. Member for Edmonton-Decore, followed by Chestermere-Rocky View.

**Mrs. Sarich:** Thank you, Mr. Speaker. It's an honour and privilege for me to rise today to introduce to you and through you to all Members of the Legislative Assembly four very special guests who are seated in the members' gallery. I would ask them to please rise and remain standing as I mention their names. As a former school board trustee with Edmonton Catholic schools it is indeed my distinct pleasure to recognize a former elected colleague, Mr. Ron Zapisocki. He is also a recipient of the prestigious 2013 Hetman award, which was installed on October 6 by the Ukrainian Canadian Congress, Alberta Provincial Council. The Hetman award recognizes the significant volunteer achievements of outstanding Ukrainian Albertans. Ron, thank you for your public service and special heartfelt congratulations on receiving the Hetman award.

Mr. Zapisocki is accompanied this afternoon by his sister, Ms Natalka Smith, now retired after 30 successful years in the nursing profession; in addition, two individuals who supported his award nomination, Mr. Orest Boychuk, president, Ukrainian Catholic Brotherhood of Canada, Edmonton eparchy, and Mr. Ray Lacousta, a friend, colleague, avid volunteer, and artisan. I would now ask that the Assembly please join yours truly to provide my guests with our traditional warm welcome.

Thank you, Mr. Speaker.

**Mr. McAllister:** Mr. Speaker, I'm happy to rise today and introduce a young man that's become very important in my life. My leg. assistant is here today. He is responsible for working with me on the education file, also the advanced education file. He also handles transportation, infrastructure, and municipal affairs. I know I speak on behalf of my colleagues for Cypress-Medicine Hat and Olds-Didsbury-Three Hills when I say that we could not do it without him. Interestingly, the young man is also an actor in his spare time, which I think suits him well for the drama that unfolds in here on a daily basis. He's a great, principled young man. I'm happy to ask Micah Steinke to rise and receive the traditional welcome of this Assembly.

**The Speaker:** Hon. Member for Innisfail-Sylvan Lake, I understand your guests are now here. Please introduce them.

1:40

**Mrs. Towle:** Thank you, Mr. Speaker. Firstly, I'd like to introduce to you and through you to this Assembly Kim MacDougall from Grande Prairie. Kim is a recent graduate of The Women's Campaign School at Yale University and ran for a seat on the Grande Prairie town council in the recent municipal election, coming up just shy of being elected in her first bid for public office. Kim is seated in the public gallery, and I'd ask that she stand and receive the warm welcome of this Assembly.

**The Speaker:** Hon. Member for Edmonton-Highlands-Norwood, I understand that your guests have not yet arrived so we'll go back to the Member for Innisfail-Sylvan Lake. Are they here? Let's go with you, then, and we'll come back.

**Mr. Mason:** Thank you very much, Mr. Speaker. My caucus is advising me that they're there, that they hope that that's them. I'm already up, so I may as well go ahead.

Mr. Speaker, today I'm very pleased to introduce to you and through you to this Assembly my guest and constituent Ian Young. Ian has been an unpaid advocate for disability rights since acquiring a life-changing injury in 2004. Ian is a motivational

speaker who has shared his story across Canada and the U.S. and has addressed the House of Commons in Ottawa in support of an injury prevention strategy. He's a past member of the Alberta brain injury board, currently a member of Edmonton's Advisory Board on Services for Persons with Disabilities, and he recently was appointed to the Alberta Committee of Citizens with Disabilities, which is a consumer-directed organization actively promoting full participation in society for Albertans with disabilities. He also contributes as a columnist to the *Boyle McCauley News*. Accompanying him is Isabel Henderson from the Glenrose rehabilitation hospital. If they are here, I would ask them to please rise and receive the warm traditional welcome of the Assembly.

**The Speaker:** Hon. Member for Innisfail-Sylvan Lake, I had you down for one intro. Do you have a second one?

**Mrs. Towle:** I do.

**The Speaker:** Please proceed.

**Mrs. Towle:** Thank you, Mr. Speaker. I'd like to introduce to you and through you to this Assembly a constituent of mine from Innisfail-Sylvan Lake, Jason Heistad. Jason is a long-time advocate for front-line workers in this province and sits on the executive of the AUPE as the secretary-treasurer. Jason is seated in the public gallery, and I'd like to ask him to rise and receive the traditional warm welcome of this Assembly.

## Members' Statements

**The Speaker:** The hon. Member for St. Albert, followed by the Leader of Her Majesty's Loyal Opposition.

### Plumbers and Pipefitters Union Local 488

**Mr. Khan:** Thank you, Mr. Speaker. I rise to speak today about a remarkable, homegrown, hard-working, and innovative organization, the United Association of Plumbers and Pipefitters union local 488.

Local 488 was founded in Edmonton over 100 years ago by seven local plumbers whose primary objective was to work towards enhancing job site safety and improving worker conditions. Local 488 has grown to become the largest supplier of pipe trades professionals in Canada, representing steamfitters-pipefitters, welders, instrumentation technicians, sprinkler fitters, refrigeration mechanics, pipeline workers, and other specialty crafts.

Local 488 has a storied history. In fact, local 488 played a significant role, Mr. Speaker, in the construction of this very Alberta Legislature.

The good people of local 488 have always been innovators. That spirit of innovation led to the establishment of the Alberta Pipe Trades College in 2009. The Alberta Pipe Trades College provides apprenticeship training and upgrading for their members, the public, and industry and aids Alberta's industry in meeting the growing demand for a skilled labour force. The Alberta Pipe Trades College is a state-of-the-art, 55,000-square-foot, three-storey facility, which is used to train current and future steamfitters and pipefitters. With 14 classrooms, seven shops, and two computer labs the facility has the capacity to train up to 1,400 students a year.

Local 488's core belief in building Alberta extends to philanthropic investment and support for critical community organizations such as the Northern Lights Health Foundation, the Glenrose rehabilitation wing, and the Sturgeon community hospital.

Mr. Speaker, these are just a small sampling of local 488's commitment to family and community.

I would like to extend a heartfelt thanks to local 488 for their hard work and dedication to their craft, for the training and development of one of the best skilled workforces in the world, and lastly, Mr. Speaker, I wish to thank the team at local 488 for their lasting philanthropy in their community and their long-standing belief and commitment to building Alberta.

**The Speaker:** The Leader of the Official Opposition, followed by Edmonton-Gold Bar.

### Seniors' Care in Fort McMurray

**Ms Smith:** Thank you, Mr. Speaker. The ongoing campaign by the residents of Fort McMurray to have a long-term care centre built in their community has taken a bizarre turn. To date there's been precious little progress on the long-promised facility. Despite the city's rapid growth and aging population Fort McMurray has been waiting nearly six years for a seniors' care centre that was promised to them in the 2008 election. While seniors in Fort McMurray move to Grande Prairie and Edmonton to receive the care they need, this government continues to find excuses as to why they haven't made good on their promise.

Enter the latest excuse. If the PCs are to be believed, it is the current Member of Parliament's fault that the facility hasn't been built. This is the latest deflection tactic this government and its supporters are attempting to use, blaming others for their inaction. According to them the local MP hasn't done enough to secure a federally owned plot of land downtown for the facility to be built on.

But there's more to this. The PCs have been rallying support for a far-flung location, far away from downtown and the hospital for reasons that are unclear, the so-called Parsons Creek location, this despite owning their own piece of land right downtown that could have shovels in the ground tomorrow. The current MLAs for the region, both elected as PCs, campaigned on a firm promise to have the facility built at the downtown spot.

Here's where it gets really odd. One of the MLAs is now threatening to pull the funding for the facility altogether if council doesn't agree to Parsons Creek. It's a mess, Mr. Speaker, but here's the bottom line. We've got the PCs blaming the feds for not building a facility they themselves promised while PC MLAs, who campaigned on building it in one location, are now bullying the local council to have it built somewhere else. All of this threatens to wipe out the entire project.

It's time for this government to stop playing the blame game, start listening to the people of Fort McMurray, and get this facility built where the community wants it.

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

### NAIT Centre for Applied Technologies

**Mr. Dorward:** Thank you, Mr. Speaker. Today I want to call attention to a major capital project being built in Edmonton, one that will benefit thousands of Albertans. Our government is committed to building Alberta, and my Alberta includes strategic investments in our postsecondary system. That's why I'm pleased to talk about the many benefits that will come from building the new centre for applied technologies at my alma mater, the Northern Alberta Institute of Technology, better known as NAIT.

Last August our Premier was literally in the driver's seat when the backhoe broke ground on this five-storey, \$294 million

project, the largest infrastructure project in NAIT's history, Mr. Speaker. Our government has invested \$200 million in the overall cost of this project because we know the value this expansion has in such an important institution.

The centre for applied technologies will be a critical campus hub for as many as 5,000 students a day, Mr. Speaker. Five thousand students a day. Alberta can lead the world in innovation, and this will help. It will allow NAIT to increase its enrolment capacity by 50 per cent in health, business, engineering technologies, sustainable building, and environmental management programs.

These are programs that are in demand today in Alberta. These students will help continue to propel Alberta's economy forward. We know our province faces a skill shortage in many areas, and NAIT along with our entire Campus Alberta system is an important part in making sure that we have the workforce that we need. This is an investment in Edmonton and in Alberta's future. SAIT and NAIT were 1 and 2 on the list of the top 50 research colleges in Canada. We're focusing on building Alberta.

Thank you, Mr. Speaker.

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

### Tobacco Legislation

**Ms Cusanelli:** Thank you, Mr. Speaker. I've had many conversations about the meaning of the latest tobacco reduction bills with average Albertans at the local corner store or waiting in the coffee shop lineup. People understand that this legislation is not about limiting rights. It's about taking responsibility as adults for the health of our future, Alberta youth.

At the end of the debate one tenet remains clear, at least to most. The passing of this legislation will impact the alarming statistics with regard to youth smoking. It tells tobacco companies and indeed the whole country that the Alberta government cares about building healthy and safe communities.

Mr. Speaker, I don't need to tell you about our responsibility to the well-being of our youth. No one can deny that we have the highest duty owed to anyone to protect those who have no legal capacity to choose and especially those who cannot help themselves.

**1:50**

I will tell you, Mr. Speaker, that as a principal no one was ever granted access to my students for purposes outside their growth and development. I believe wholeheartedly in my responsibility to protect young people, especially where they cannot protect themselves. Why would any hon. member not vote in favour of our kids and be willing to do something about tobacco companies that seek to sidestep federal law by marketing candylike flavours to youth who are legally not allowed to purchase tobacco? Clearly, this is an effort to sidestep the law, so why be soft on crime?

I don't want to believe that any party has accepted donations from national tobacco companies or that they might be representing the interests of the tobacco company ahead of our children or that anyone honoured with serving the public in this capacity could ever have a hidden agenda. Mr. Speaker, what I do believe is that this legislation is about protecting our children first, not the interests of tobacco companies.

### Oral Question Period

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

### Building Alberta Plan Advertising

**Ms Smith:** Mr. Speaker, today we released an e-mail that shows that the PC Party branded roadside campaign came at the direct order of the Premier. In a September 4 e-mail the Premier's director of operations, Darren Cunningham, stated, "The Premier would like to ensure that building Alberta signage is up and in front of every flood affected road, bridge, school, [and] literally everything on our infrastructure list." [interjections] To the Premier: why did she personally direct her staff to spend time and money plastering self-promotional signage across the province?

**Ms Redford:** Well, Mr. Speaker, in fact, I'll table that e-mail today even. Then we won't have to worry about the leader selectively quoting from it. I want to read another part to it. It says that this will "ensure that folks know that we are going to [rebuild Alberta]." That was after the flood. I was in my constituency, and I was in High River, and people said: we want to have confidence that you're going to rebuild our communities. [interjections] These signs are a commitment of that confidence. This letter also says, "We need a very visible commitment that the government is rebuilding." That was our commitment to Albertans. That's what we're doing. I'll happily table . . .

**The Speaker:** Thank you, hon. Premier.

Hon. members, too many interjections during the leader's question, too many interjections during the Premier's answer. Let's not have a tone like that set for the day this early.

**Ms Smith:** Actually, Mr. Speaker, Albertans want the projects; they don't want the signs.

In Mr. Cunningham's e-mail the politics at play are pretty clear. He says, "I don't care if [a request for proposal] is ready or not . . . The signs are designed. We just need to push these out over the next 7 days to 2 weeks." In other words, get them out before the Premier's leadership review. Why does the Premier think it's okay to personally direct her staff to ignore the RFP process so she could fast-track her self-promotional sign campaign?

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

**Mr. McIver:** Thank you, Mr. Speaker. The hon. member is right about one thing. This Premier and this government said: "We're going to cut red tape. We are not going to wait for process." [interjections] While the Leader of the Opposition said, "Let's go back in the House and talk for a month," this Premier said: "Let's help now. Let's get out. Let's cut our processes. We'll catch up with the paperwork later. We will build Alberta. We will rebuild Alberta. We will help people . . . [interjections]"

### Speaker's Ruling Decorum

**The Speaker:** Hon. members, if you think I'm going to stand here and tolerate that many interjections, that much noise, which takes away time from the House, you have grossly mistaken what I'm about to do. Please, for the second time and, I hope, the final time, let's be respectful of the traditions, and let's be respectful of each other.

Hon. member, your second supplemental. Let's see if we can get through it.

### Building Alberta Plan Advertising (continued)

**Ms Smith:** Well, Mr. Speaker, Mr. Cunningham's e-mail was leaked to us by a public servant whose cover letter stated that the Premier's order was given during the flood and reconstruction effort to, quote: exhausted staff members, many of whom had very few days off and worked very long hours during the flood and recovery. They were basically told that their efforts mean nothing compared with getting these stupid money-wasting signs in place. Unquote. To the Premier: why was she asking our exhausted front-line staff to put up these stupid money-wasting signs?

**Mr. Griffiths:** Mr. Speaker, the events of June 20 were devastating to 30 communities and hundreds of thousands of Albertans. Our front-line staff, our civil servants, people at the community level from one side of the province to the other were always tired and exhausted because we had the most devastating event that has ever hit this province happen. Yet they continued to work because we knew we needed to get the message out to Albertans that we're going to build, but we're also going to rebuild for the sake of this province, for the sake of these communities, and for the sake of those families. We'll continue to do so until we're done.

**The Speaker:** The hon. member. Second main set of questions.

**Ms Smith:** Mr. Speaker, that's not quite the way our public servants see it.

This public servant also estimates it would have cost between \$3,000 and \$4,000 to produce each sign, but the rush edict from the Premier caused the cost to jump to more than \$6,000 per sign. The fact that this government is spending hundreds of thousands of taxpayer dollars to promote their party and their leader is shameful when they have cut programs to vulnerable Albertans such as children in care, seniors, and persons with developmental disabilities. Will the Premier order the PC Party to pay back the money for her self-promotion campaign and reinvest those funds into front-line care, where it belongs?

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

**Mr. Fraser:** Thank you, Mr. Speaker. It's an honour to rise and respond to this question. During the early days of the flood what we saw was complete devastation, not just of homes but of families. I talked to these people, and you know what they said to me? "Assure us that you're going to repair this community. Assure us that you're going to put mitigation in place to protect my family." There was constant dialogue from the Leader of the Opposition to ensure and to protect this community. The Premier made it very clear to put these signs up, to put assurances in place so people could rebuild. That's what they're doing thanks to those signs.

**Ms Smith:** I don't recall ever talking to that minister about the need to put up PC-branded signs.

We know that in addition to signage in flood-affected areas, the Premier went further and actually spent hundreds of thousands of dollars plastering her self-promotional signage at literally every project on the infrastructure list. Again, this is taxpayer money in a time of budget cuts to front-line services. To the Premier. Clearly, she is trying to compensate for her party's poor fundraising results using taxpayer money to pay for her self-promotional sign campaign. Will she direct her PC Party to pay that money back to Alberta taxpayers?



**Ms Redford:** You know, Mr. Speaker, every couple of days I think that the Leader of the Opposition must live in a world of conspiracy theories, and that just proved the point. I know that when I walked through my constituency of Calgary-Elbow, the people who lived in Calgary-Elbow said to me: "What's going to happen to our community? How can we have confidence to build for the future?" I heard that in Medicine Hat. I heard it in Two Hills. I heard it in High River. Putting up these signs shows the commitment that we have as a government to the building Alberta plan and the rebuilding Alberta plan. That is hope, and that is what we . . .

**The Speaker:** The hon. leader. Second supplemental.

**Ms Smith:** Residents of Elbow Park asked the Premier to put up PC-branded signage? I highly doubt it.

Yesterday you ruled that this government was in contempt of the Legislature for the timing of their taxpayer-funded PC blue-and-orange promotional brochure, and, Mr. Speaker, we couldn't agree more. The contempt demonstrated by this government is clear, especially since we now know that the campaign is being politically driven out of the Premier's office by the Premier. To the Premier: does she even care about how much taxpayer money is being spent on all of these Building Alberta signs, brochures, mailings?

**Ms Redford:** Well, Mr. Speaker, we are committed to building Alberta, and we are sharing that opportunity to share that information with Albertans every day that we can. As a government and as Premier and as a cabinet we are proud to say that this is a political process. It was the commitment that we made in the last election, in contrast to the opposition, and we will keep doing that. We will invest in NAIT, we will invest in NorQuest, we will rebuild High River, we will rebuild Medicine hat, and we will rebuild every constituency that was impacted by the flood. That is rebuilding Alberta, and we will continue to do it.

**The Speaker:** Hon. leader, your third main set of questions.

**Ms Smith:** Taxpayer money for political purposes, and this Premier says that she's proud of it.

## 2:00 Seniors' Care in Fort McMurray

**Ms Smith:** Mr. Speaker, seniors' care in Fort McMurray is approaching a critical stage. The community is still without a long-term care centre despite its booming growth and aging population. Seniors are forced to move to either Grande Prairie or Edmonton to receive the care that they need. This is despite promises upon promises upon promises to build a long-term care facility. You may recall that the former member from Fort McMurray challenged his own government on their 2008 promise, but I guess history repeats. To the Premier: why hasn't she kept her word?

**The Speaker:** The hon. Associate Minister of Seniors.

**Mr. VanderBurg:** Thank you, Mr. Speaker. I have to tell you that I'm very committed to the project in Fort McMurray and in every community that we've made announcements. Capacity issues are real. You know, 4 million people, 470,000 seniors, and more are coming: we have to make sure we're ahead of this curve. I'm committed to working with the community, the mayor, and anyone that wants to advance seniors' care in this province.

**Ms Smith:** Mr. Speaker, a political battle has now erupted over this issue. The PC government is attempting to blame Ottawa for its own inaction, but a prominent leader of the community and lifelong PC supporter wrote a scathing open letter to the minister

of accountability. Let me quote. "We supported you, campaigned for you and elected you . . . on the promise of you advocating for a downtown facility. Don't turn your back on us now." She says the province owns the perfect downtown site for the facility right next to the hospital. To the Premier: what is the holdup for building this project on provincial land?

**Mr. VanderBurg:** Mr. Speaker, exactly what the member talked about, building it on provincial land, is what is proposed. The land on the downtown site was federally owned, and we've had nothing but co-operation from the federal MP, from the folks in the mayor's office. This project will get built, and we are committed to it.

**Ms Smith:** Well, Mr. Speaker, today we learned that the minister of accountability has written a letter to the community and informed them that if they don't cave to the government's demands to build this facility on a different site, it, quote, may put the entire provincial funding for the facility at risk. Unquote. Now, we've seen this before, breaking a promise after the election and then bullying the community to keep quiet. To the Premier: when is she going to stop the bullying and the political games and get this project built where the community wants it?

**Mr. VanderBurg:** Again, Mr. Speaker, I've made it very clear that we're committed to this project. The funding is put aside through Treasury. We will work with the community. We will work with the seniors. We will work with the federal government. We'll work with anyone to get the outcome that we're looking for, and that's increased capacity in Fort McMurray.

**The Speaker:** The hon. leader of the Alberta Liberal opposition.

## Public Service Contract Negotiations

**Dr. Sherman:** Thank you, Mr. Speaker. We go from billing Albertans for the Premier's political aspirations to breaking the backs of those Albertans who protect and build Alberta. Earlier this year the Conservative government repeatedly ignored appeals from corrections officers to address safety issues at the new Edmonton Remand Centre. This created dangerous work conditions for both residents and workers. In desperation the corrections officers staged a wildcat strike. Only then were safety issues dealt with. To the Premier: why are you punishing all government workers for the fact that corrections officers exercised their legitimate right not to work in unsafe work conditions?

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

**Mr. Denis:** Thank you very much, Mr. Speaker. I thank this member for his question, but at the same time it is a little bit skinny on the facts. We recognize the legal right to strike, but in that particular instance Alberta Court of Queen's Bench Justice Rooke indicated that in his independent opinion it was an illegal strike and imposed fines upon the union. It also cost the taxpayers \$13 million because of the union's illegal actions. That's not acceptable.

**Dr. Sherman:** Mr. Speaker, the fact is that that minister was in a rush to open it up, moved all the folks over on one weekend. The fact of the matter is that this Premier and her government endangered lives. This Conservative government has stormy relations with all its employees – doctors, teachers, nurses, everybody who works for them, including AUPE workers – so it's not surprising that the union chose arbitration, a right that Premier Lougheed established and which this Premier now wants to take away. It's like slapping someone in the face and then saying: "Hey.

Let's do business." To the Premier: why is your government bargaining in bad faith instead of allowing arbitration to proceed? Is your government's case that weak?

**Ms Redford:** Well, Mr. Speaker, we have great relations with teachers and doctors. In fact, they came to the table and worked with us to ensure that we could continue to have sustainable services in education and health care in the long term. That's what we promised Albertans. You know, we want to have real discussions with the AUPE with respect to negotiations. That's why we've introduced the legislation that we have. Before we introduced this legislation, I had the opportunity to sit down with Guy Smith to ask him whether or not he was prepared to come to the table. He told me that he wasn't. We have a responsibility to ensure that we're supporting public services in this province for all Albertans, and we'll do that.

**Dr. Sherman:** Mr. Speaker, we all know about the bullying of the doctors and the teachers, how those contracts were done. Bullying workers is bad business, Madam Premier. Stripping employees of their rights to arbitration and attacking free speech rights is bad for morale, not to mention a violation of the Canadian Charter of Rights and Freedoms. These attacks on public employees create a toxic work environment, increased stress, illness, sick days, and decreased productivity. Then, of course, there will be the millions in taxpayer dollars spent to defend against a Charter challenge. Anybody with half a brain can tell you that that's no way to run a business or a government. To the Premier: when will your government stop bullying Albertans?

**Mr. Hancock:** Mr. Speaker, it is not bullying to bring good government to Albertans. That's what they've asked for, and that's what they're getting. We made a promise to Albertans with respect to keeping Albertans safe, and strikes in the public service are illegal for a reason. When we found out this spring that the sanctions that were in the act were not sufficient to prevent a strike and keep Albertans safe, we immediately decided that we needed to look at them. We've reviewed it carefully, and we've now brought forward a bill, which will be debated again today with respect to the improved sanctions in that bill, so that Albertans' safety and health will not be put at risk.

**The Speaker:** Thank you.

The hon. leader of the ND opposition.

**Mr. Mason:** Thank you very much, Mr. Speaker. In justifying the draconian Bill 46, which cancels arbitration, this government has stated that only the AUPE had applied for arbitration, not them. But, in fact, documents which I will table later show that this government had agreed to enter arbitration and had even gone so far as to appoint a nominee, had agreed to a chair for the process, and had actually set dates for the hearings. To the Premier: why did you lead Albertans to believe that only the AUPE was interested in arbitration when your government had already fully agreed to the process?

**Mr. Lukaszuk:** Mr. Speaker, we must deal with the facts. The fact is that when one party files for binding arbitration, it is incumbent on the other party to respond, and government has responded. At the same time the Premier was very clear. She has met with the leader of AUPE, and the leader of AUPE knows very well that he has time to come back to the table and negotiate in good faith, much like teachers have and much like doctors have, to negotiate a deal perhaps that's better than what's on the floor of the Legislature right now. Now he has time, till January 31, and I strongly would encourage him to do so.

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

**Mr. Mason:** Thank you very much, Mr. Speaker. Well, like many accounts from the Premier, this is not one that I believe. We know that this government had already assigned legal counsel to the Compulsory Arbitration Board as recently as November and that the Labour Relations Board had received those documents and confirmed the government's attendance at hearings scheduled for February. We know of several other legal documents outlining the process, which the government agreed to but then went back on its word. To the Premier: why would this government, as recently as in November, agree to a legal arbitration process only to unilaterally prevent this process from happening?

**Mr. Lukaszuk:** Mr. Speaker, what the member believes or doesn't believe doesn't make it true or false. Let's deal with another fact. The members of AUPE should also know that even though we're in a process of negotiation, they will continue receiving pay increases based on their grid. I wouldn't want members of AUPE to be misled by the leader of the fourth party that they will not be receiving increases. As a matter of fact, they will be receiving increases on the grid. What we are looking for is to negotiate with AUPE and make sure that the grid doesn't grow beyond Albertans' ability to pay.

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

**Mr. Mason:** Thank you very much, Mr. Speaker. This is not negotiation; this is a stickup. With the introduction of Bill 46 this government has destroyed a reasonable and legal process for contract dispute resolution with the province's workers. Documents show that this government had already agreed to binding arbitration. Instead, this government is ramming through legislation that will impose a contract on January 31. To the Premier: will the Premier admit that in pursuing contract arbitration with AUPE and then pulling the plug by introducing Bill 46, this government has engaged in a classic case of bad-faith bargaining?

**Mr. Lukaszuk:** Mr. Speaker, it isn't a stickup when the leader of the fourth party is shooting blanks. The fact of the matter is that no rights are being limited. All we are doing with one of the bills is updating the legislation. As you know, this act wasn't updated for 20 years. The leader of AUPE said himself that he is willing to go on illegal strikes and that he is willing to pay the fines, quote, unquote, standing on his head. We are making sure that Albertans, vulnerable Albertans, are protected from illegal strikes so that their services can be assured by this government.

**The Speaker:** As hon. members know, bills 45 and 46 on this subject matter are up for discussion again later today and probably tonight as well.

Let's move on now with no preambles, please, starting with Innisfail-Sylvan Lake, followed by Edmonton-Gold Bar.

2:10

#### Sexual Assault on Seniors in Care

**Mrs. Towle:** Thank you, Mr. Speaker. Between 2010 and 2012 more than 60 cases of sexual assault on seniors in care were reported in provincial nursing homes and care facilities. This was documented in the annual protection for persons in care reports. The last annual report was released in July 2012, and the next one was due in July 2013. To the Associate Minister of Seniors: why haven't you publicly released the protection of persons in care annual report for 2013? What are you hiding?

**Mr. VanderBurg:** Well, Mr. Speaker, let me first tell everybody that one case of sexual assault in a seniors' home is not acceptable, whether it's in a facility that we manage in set accommodations or in any seniors' home. When anybody is aware of any situation that endangers the safety of a senior, call the RCMP. Call persons in care. Make a call; don't sit by idly.

**Mrs. Towle:** One would just have to wonder where the report is.

Given that sexual assaults on seniors in care have increased annually since 2010 and given that under the direct leadership of the Minister of Health there were over 30 allegations of sexual assault on seniors in care between April 2011 and March 2012, can the minister tell this House how many sexual assaults on seniors in care happened in 2013?

**Mr. VanderBurg:** Mr. Speaker, what I can say is that every reported case has been investigated and is taken very seriously. The people within our department are very well trained and are very close to this situation and take this issue very seriously, and so does every one of us. The number, whether it's one or whether it's 13, doesn't matter to me. The issue is that it's very serious, and it has to be acted upon very quickly.

**Mrs. Towle:** Does the minister not understand that according to his very own report, every three days a senior in care is assaulted? Where is the report for 2013? Albertans deserve to know.

**Mr. Horne:** Mr. Speaker, what this government understands and what all members should understand is that the complexity of dealing with seniors' issues, particularly those related to cognitive disorders like Alzheimer's disease and dementia, are on the rise. Care facilities all across the country are coping with that issue, with increasing numbers of residents, Alberta more so because of the number of people coming to the province. As the associate minister rightly said, the focus is on learning how to manage these behavioural issues in a care environment. We are leading in that area.

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

#### NorQuest College Expansion

**Mr. Dorward:** Thank you, Mr. Speaker. Today I received 155 letters from students at college Saint-Jean concerned about this government's commitment to postsecondary education. I also attended the announcement of \$170 million for NorQuest College to expand. Budget 2013 was challenging for postsecondary institutions. My question is to the Minister of Enterprise and Advanced Education. Given our government's frozen salaries and cutbacks, how is it possible today that they announced \$170 million for NorQuest College to expand? To the minister: where's this money coming from?

**Mr. Hehr:** They've got a printing press going over there.

**Mr. Lukaszuk:** Well, Mr. Speaker, unlike the Member for Calgary-Buffalo – he thinks that we have a printing press and we print money, and you'd think that from their policies, but no, we don't. The money comes from Albertans' investment. Albertans want to invest in advanced education because Albertans simply know that if Alberta is to move forward, if we are to progress, if we are to live fulfilling lives, and if we are to grow our economy, we need to invest in postsecondary education. One way to do it is to invest in relevant infrastructure.

**Mr. Dorward:** Given the many budget pressures facing the government, surely this project could have waited. Why do it now?

**Mr. Lukaszuk:** Well, Mr. Speaker, unlike other parties in this Chamber we believe that investing in Albertans of today is much better than investing in Albertans of 30 years from now. That is why we're building schools for students today, hospitals for patients today, and seniors' homes for seniors today. If we want to grow, if we want to be ready for 130,000 new Albertans every year, we have to invest in them today, not 30 years from now.

**Mr. Dorward:** Almost everywhere I go in the city, I hear about pressures at postsecondary institutions, and probably across the province it's the same. How sure is this government that the NorQuest expansion is truly needed?

**Mr. Lukaszuk:** Well, Mr. Speaker, NorQuest plays a very important role within Campus Alberta. It is, I would say, a gateway to hope. It is a school where a lot of single parents can resume their postsecondary education later in their life. It is a place where new immigrants can come and learn English as a second language and often convert their skills from back home into our Canadian licensed professions. It is a place that educates not only Edmonton but most of northern Alberta. It is the right type of a college to invest into, and we're proud of it.

**The Speaker:** The hon. Member for Calgary-Fish Creek, followed by Red Deer-North.

#### Home-care Review

**Mrs. Forsyth:** Thank you, Mr. Speaker. Today we are beginning to see the impact of the government's misguided attempts to centralize home-care services. One child watched their father, a stroke patient with loss of function to his body, go several days without home-care providers even showing up. The Health Quality Council is reviewing reporting systems and whether home-care providers are meeting standards but will not be reviewing why seniors are not getting the treatments needed. To the Health minister: will you commit to ensuring that access to home care is included in the Health Quality Council's review? Yes or no?

**Mr. Horne:** Well, Mr. Speaker, I'm very glad that the hon. member is asking about this issue. As a matter of fact, just before question period I spoke to the chief executive officer of Revera, which is one of the new companies that is delivering home care across the province. We take this issue extremely seriously. In addition to the Health Quality Council review, that I talked about yesterday, the Department of Health will be reviewing the capacity, the ability of new providers in the health care system to deliver what they promised to Albertans, which is the highest possible level of home care that we can deliver. If they can't, we will find new providers to replace them.

**The Speaker:** Hon. member, your first supplemental.

**Mrs. Forsyth:** Thank you, Mr. Speaker. Given that Sharon Anderson saw new home-care providers refuse to give her mom meds due to the chaos of the centralization of services, can the minister ensure that the Health Quality Council will review quality of services? Yes or no?

**Mr. Horne:** Mr. Speaker, yes, I can. If the hon. member had listened last week when I talked about this issue, she would know that the Health Quality Council has been asked to review the quality assurance process within the home-care system; in other

words, what the standards are, what the monitoring process is, and how I as the Minister of Health can assure Albertans, based on that information, that the system is operating as intended.

**Mrs. Forsyth:** Thank you.

Given that AHS is trying to find savings off the backs of our most vulnerable in care, who have seen chaos throughout the system, will the Health minister commit the Health Quality Council of Alberta to review home-care funding? Yes or no? And will you make that report public?

**Mr. Horne:** Mr. Speaker, the Health Quality Council, as I said, is looking at quality assurance processes within home care. I want to make very clear that under my watch and under the watch of this government, we do not make decisions about the quality of health care services based on budgetary issues. That is why my department is reviewing the current contracts with home-care providers to determine if, in fact, they can deliver the quality of care that Albertans expect and deserve.

Thank you.

### Shingles

**Mrs. Jablonski:** Mr. Speaker, did you know that if you've had chicken pox, you're among the 90 per cent of all adults who have also had chicken pox and who are now at risk of experiencing the very, very painful condition of shingles? Nearly 1 in 3 people will experience shingles, a common and often debilitating disease that results in a painful, excruciating rash that can lead to depression and anxiety and can also result in a lifelong loss of mobility and independent living. To the Associate Minister of Seniors: is your ministry aware that the economic, physical, and mental costs of shingles can be astronomical and that the . . .

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

**Mr. VanderBurg:** Well, thank you, Mr. Speaker. I thank the member for the question. I'm very aware of the pain and suffering that goes along with having shingles. I'm married to someone that's had it, and I have a very good senior friend that's also had shingles on his head. I've never seen something so painful as that. We're very, very aware of the infection. The Seniors Advisory Council in one of their reports has made it very clear to me that there may be a benefit for the shingles shot as well.

**Mrs. Jablonski:** To the same minister: given that shingles can be prevented through an immunization program that can help reduce the burden of shingles and promote healthy aging, would your ministry consider subsidizing the cost of the shingles vaccine for seniors?

2:20

**Mr. VanderBurg:** Well, again, Mr. Speaker, what I said is that it's an infection that not only hits seniors; it hits younger people as well. Currently there's no single province or territory that provides funding for the shingles vaccine, but there is more and more evidence that I've seen that the immunization does work for a percentage of the population. I know that at the January 2014 meeting of the National Advisory Committee on Immunization it's something that they're discussing.

**Mrs. Jablonski:** To the same minister: since you've mentioned that this vaccine hits people of different ages, would you consider not only subsidizing seniors but people who are in the age group of 50 to 64 years of age, whom it also affects?

**Mr. VanderBurg:** The Minister of Health may want to supplement the answer to this. Clearly, any of the programs that I work with are 65-plus. I do know that it'll be very, very interesting to hear the findings of the advisory committee, that meets in January, because this is a timely topic that ministers across the country are talking about. I had the opportunity to meet with the federal minister and ministers from across the country dealing with seniors issues. This was a matter of great discussion.

**The Speaker:** The hon. Member for Calgary-Mountain View, followed by Edmonton-Strathcona.

### Nursing Service Provision

**Dr. Swann:** Thank you, Mr. Speaker. The Minister of Health is deliberately withholding Alberta Health Services' quarterly one and quarterly two reports because he knows the results are poor. For example, it would likely show that critically ill people are unable to get into the hospital in Medicine Hat while at the same time the Redford Conservatives are cutting registered nursing positions, up to half the nurses in one ward. To the Minister of Health: why at a time of increased seasonal demands and overcapacity in a hospital would you be cutting the number of registered nurses in Medicine Hat?

**Mr. Horne:** Well, Mr. Speaker, I'll be pleased to answer without attributing motive to the hon. member. If he is interested in the demand for nurses in Alberta, I can tell him that today there are a total of 436 vacancies for registered nurses in this province; 152 of them are full-time, and 210 are part-time. So as we've said before and as we'll continue to say, the demand for nurses is only increasing in our province, and their role is only increasing in prominence as well.

**Dr. Swann:** Well, the minister conveniently ignores the role of RNs versus LPNs versus nursing assistants. That is the real issue, Mr. Minister.

Given that nearly two years ago this government pledged \$7 million to Park Place Seniors in Medicine Hat to build 80 seniors' beds and that nothing has been built to date, will the minister see the obvious connection to the lack of seniors care and spaces in this overflowing hospital?

**Mr. VanderBurg:** Mr. Speaker, the issues maybe are not quite tied together. The community and the developer are working on some zoning issues in the community. As I understand it, there's a resolution to that around the corner.

**Dr. Swann:** Well, it sounds familiar. Fort McMurray has gone through the same, it seems.

Finally, to the minister: given reports of continued private home-care failures, when are you going to ensure that state-of-the-art nursing supports are in place both in hospital and out of hospital?

**Mr. Horne:** Well, Mr. Speaker, I've already spoken to the very aggressive measures that the government has taken with respect to ensuring quality in home care in our province. I will say again that no provider that cannot deliver the quality of service that Albertans expect and deserve will be allowed to operate in our province.

Mr. Speaker, with respect to the member's comments around nurses, as a physician I'm sure he would want us to make sure that our valuable registered nurses are serving where their skills are

needed most throughout the system, and that's exactly what we're doing.

**The Speaker:** The hon. Member for Edmonton-Strathcona, followed by Lacombe-Ponoka.

#### **Child and Youth Advocate Investigations**

**Ms Notley:** Thank you, Mr. Speaker. Since 1999 145 children have died in the care of the province, and the vast majority went unreported and uninvestigated. Last Friday the Child and Youth Advocate admitted that if provided with more resources, he could increase the number of investigations he performs. He conceded that with current resources he has to prioritize which cases to investigate despite incomplete information. To the minister: why won't this government put children first and support giving the advocate the resources he needs to investigate every in-care death?

**Mr. Hancock:** Mr. Speaker, the Child and Youth Advocate in this province has a very important mandate as an independent officer of the Legislature to investigate and to advocate where he thinks it's important. He doesn't investigate and advocate where the minister thinks it's important. It's his obligation to determine what needs to be investigated and to investigate it. And it's his obligation to put forward the request for the resources not to the minister, not to the government but to the Legislative Assembly, that he needs to do that job. When he asks for those resources, I assume the committee and the Legislative Assembly will examine that. It's not the Legislative Assembly's job to impose the resources upon him.

**Ms Notley:** I wasn't asking for the Assembly; I was asking for this government to support it.

Given that on Friday our caucus proposed a motion that would have provided enough funding for the advocate to investigate every single in-care death necessary and given that independent experts agree that transparent and complete investigations are critical in the task of improving the quality of child protection in Alberta, will the minister admit that his government is more interested in protecting itself than it is in protecting the children in its care?

**Mr. Hancock:** No, Mr. Speaker. Not at all. This government is very interested in protecting children who need protection, in ensuring that families are strengthened where they need strengthening, in ensuring that families get the assistance they need to overcome any barrier to success. That is what we are very interested in doing. One of the things that our Premier insisted upon when she asked me to take on this portfolio was to move immediately to make an independent Child and Youth Advocate's office. We brought that legislation forward. The Legislature established that office, and it's his job to bring an independent review, and he does.

**Ms Notley:** Well, given, Mr. Speaker, that with the current inadequate funding levels the Child and Youth Advocate has to see into the future and predict which deaths are significant before he actually investigates and given that nobody wants to see another unnecessary death of a child in the care of the province or, as well, the change required to prevent it in the future remaining secret, hidden, and ignored, why won't this minister stop putting politics before children and commit to a full public inquiry?

**Mr. Hancock:** Mr. Speaker, that hon. member knows or should know that this particular minister puts children first each and

every day. This particular government puts the resources in place to assist families when they need it so that children can have that opportunity to maximize their potential. That's actually one of our most important jobs in this government and this Legislature and in this province, and we try to do that each and every day. We learn from the tragic issues that happen. We learn from the tragic deaths. They have been investigated, but we have an independent Child and Youth Advocate who can determine if further investigation is needed in any particular area. It's his job to bring it forward and to do that.

**The Speaker:** The hon. Member for Lacombe-Ponoka, followed by Calgary-Mackay-Nose Hill.

#### **Registry Agent Office Contracting**

**Mr. Fox:** Thank you, Mr. Speaker. This government has introduced a disturbing new trend into how they will pick the new providers of registry services in Alberta. Not only will they compete on strength; now they will have to make an agency opportunity offer, which effectively awards a new registry to the highest bidder. There is already a \$100,000 fee requirement. This sounds like a shakedown. Can the minister assure Albertans that cash offers will be confidential and no friends of the government will have the inside track on how big a bid is needed to win?

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

**Mr. Bhullar:** Thank you, Mr. Speaker. It's quite the question coming from this member. I guess he wants us to give away government assets for free. I know that party over there had an extreme makeover convention just a couple of weeks ago, but I think they are suffering from an identity crisis. What's happening is that they don't know if they should zig or zag, they don't know if up is really up, and they're really forgetting basic principles of conservatism: stick up for the taxpayer first.

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

**Mr. Fox:** Thank you, Mr. Speaker. Given that there's been an unfortunate tradition – and let me use the Ethics Commissioner's famous six words: friends and family of the government – in getting liquor store licences and registry agency licences, Albertans are rightly concerned about the process that might be gained. Will the minister assure all Albertans that no acquaintance, campaign manager, friend, cousin, uncle, or other member of the government family will get insider information on the landing of these contracts?

**Mr. Bhullar:** Mr. Speaker, I'm really glad he talked about friends and family because a lot of members of their friends and family are no longer acceptable to them. So what do they do? They end up having an extreme makeover convention. They try to reinvent themselves. I'd like to tell the hon. member that no matter how many times he stands in front of a mirror and reads a question, Albertans can see through the charade.

2:30

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

**Mr. Fox:** Thank you, Mr. Speaker. Minister, given that registry agents that I've talked to say that these new agency opportunity offers are highly unusual, can the minister explain why people bidding to provide highly important community services are now being asked to essentially grease the palms of government in addition to the traditional public tendering process?

**Mr. Bhullar:** Mr. Speaker, I'd like to congratulate the member on asking a somewhat policy-oriented question. Thank you.

Now, if he will understand something, Mr. Speaker, when the government has an asset that they wish to dispose of such as a piece of real estate, maybe a piece of land, they go to bid. They say: what are you willing to provide for everyday, hard-working Albertans? Longer hours? Cheaper fees? What are you willing to provide the government of Alberta so taxpayers get what is rightfully theirs?

#### Surface Rights Payments to Grazing Lessees

**Dr. Brown:** Mr. Speaker, my questions are for the Minister of Environment and Sustainable Resource Development. On November 21 I asked the minister whether she would consider changing government policy to more equitably share surface rights payments on Crown grazing lands, to which she responded that grazing leaseholders were like property owners in their own private rights and could make private agreements with oil and gas companies. Does the minister not recognize that a grazing lease is different from the title held by Her Majesty for the benefit of all Albertans and that the rights of lessees are precisely those set out in the lease?

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

**Mrs. McQueen:** Well, thank you, Mr. Speaker, and I thank the member for the question. Compensation payable to leaseholders is determined by section 25 of the Surface Rights Act. This section provides direction to the Surface Rights Board in awarding compensation. This criteria applies to both the landowner and the occupant if they are impacted. When oil and gas activities take place on a grazing lease, the leaseholder receives payments based on loss of use, adverse effects, inconvenience, and noise as provided for in the SRA. Compensation is intended to cover damages to the occupant's interest, an amount that reflects actual . . .

**The Speaker:** Hon. member, first supplemental, please.

**Dr. Brown:** Does the minister accept the proposition that she as Her Majesty's trustee of public lands has the obligation to see that they are managed in the best interest of all Albertans?

**Mrs. McQueen:** Well, yes, Mr. Speaker, absolutely. Grazing leaseholders are excellent stewards of the land, and we have agreements with them to ensure they remain excellent land managers. The best interests of Albertans are upheld by being able to fully utilize public lands with grazing leases. As a department ESRD works very hard to ensure that Alberta's public lands are managed in the best interests of the public and of Albertans.

**Dr. Brown:** Mr. Speaker, other provinces – Manitoba and Saskatchewan – and other levels of government here in the province of Alberta, like the MD of Taber and Forty Mile county, have limited surface rights payments to their grazing lessees. Will this minister do the same?

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

**Mrs. McQueen:** Well, thank you, Mr. Speaker. No, I will not. As I answered on November 21, these are private agreements between leaseholders and the companies, and as a government we will continue to respect private agreements. Compensation payments are privately negotiated between the leaseholder and the

company. ESRD does not have records of these agreements, and we should not.

**The Speaker:** The hon. Member for Strathmore-Brooks, followed by Lesser Slave Lake.

#### Oil and Gas Drilling Applications

**Mr. Hale:** Thank you, Mr. Speaker. I'm worried that the Energy minister and this government are not concerned with the impacts of their decisions. Under this government's direction application delays threaten the December drilling season, and the licensee liability rating program is driving junior producers to the brink of bankruptcy. Recently I asked the minister what he was doing about the LLR program, and he said that he was looking into it. Minister, actions speak louder than words. What are you doing to ensure the LLR program doesn't drive junior producers out of business?

**Mr. Hughes:** Well, Mr. Speaker, I actually indicated that I was doing more than looking into it. What I've done is that I've specifically asked the Alberta Energy Regulator to work with affected parties and legal counsel to them, who apparently are involved, and ensure that we take every opportunity to explore ways in which these companies could meet their obligations. This is an important issue. It's important to the future of the province. It's important that we ensure that energy companies look after the liabilities that they have so they're not left to the owners, which are the people of Alberta.

**Mr. Hale:** Given that the licensee liability rating program actually increases taxpayers' liability as well as increases environmental hazards if and when these companies go bankrupt, when will the minister intervene to prevent the unintended consequences of this poorly thought out energy policy from occurring?

**Mr. Hughes:** Well, Mr. Speaker, this topic has been addressed. We worked with industry – with CAPP, with EPAC, with the industry associations – over the course of no less than seven years to build a model so that it can be addressed and dealt with, so that the interests of both those in the energy industry and the citizens of Alberta are appropriately protected for the long haul. It's a tough time, I know. This is one more very difficult element of life that energy producers have to face. But, frankly, there are larger issues at work on behalf of many of these companies than this single regulatory . . .

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

**Mr. Hale:** Interesting.

As has been acknowledged in this House, atrocious delays in processing applications threaten the December drilling season. Given that the estimated backlog of applications might be as high as 7,000 and given that companies have been asked to provide only their top two wells to expedite it, Minister, what are you going to do to make sure the December drilling season isn't lost altogether?

**Mr. Hughes:** Mr. Speaker, I'll do what I've been doing continually for weeks now, and that is to ensure that this system is responsive to the needs of industry. The chair and the CEO of the Alberta Energy Regulator are taking exceptional steps. The numbers that are being thrown around by the hon. member are completely irresponsible and inaccurate by a factor of at least 700 or 800 per cent. The facts are that there's work to be done. People

are working, and they are addressing these issues. They're responding to the needs of industry. We are going to have a winter drilling season in this province, and it's going ahead.

**The Speaker:** The hon. Member for Lesser Slave Lake, followed by Chestermere-Rocky View.

#### Public Tender of Leased Crown Lands

**Ms Calahasen:** Thank you, Mr. Speaker. The sale of government-owned lease land and the impact it has on ranchers who have held the lease for years is a concern because once a lessee starts a process of attempting to purchase land from the Crown, that process cannot be stopped. Once land goes out to the public tender, the lessee risks losing the land altogether in the bidding process. My question is for the Minister of Environment and Sustainable Resource Development. Why do lands have to go to public tender if the leaseholder would like to purchase the lease?

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

**Mrs. McQueen:** Well, thank you, Mr. Speaker, and I thank the member for the question. Certainly, grazing leaseholders and farm development leaseholders in the settled area north of highway 16 have the opportunity to request the sale of up to one section of their leased land. Direct sales are undertaken to ensure that the sale of public land is fair, transparent, and that Albertans are obtaining a fair value for their land. Public tender ensures that all Albertans have an equal opportunity to acquire ownership of public land. The leaseholder is given the opportunity to match the highest bid in the public tender.

**Ms Calahasen:** Mr. Speaker, knowing that the highest bid is accepted, why is it that once the Crown initiates the process of tendering, it cannot be stopped? Why?

**Mrs. McQueen:** Well, Mr. Speaker, the applicant is able to withdraw their application right up until the statutory declaration is signed. The Crown can withdraw from the tendering process up until the leaseholder has signed the statutory declaration. After that point the land is appraised and publicly posted for sale.

**Ms Calahasen:** Again to the same minister: what measures are in place to ensure that leaseholders receive fair compensation for any improvements they have made to their land in the event that they lose their land in public bidding? That's a question they want to know.

**Mrs. McQueen:** Well, Mr. Speaker, that's a great question. Fair compensation is of utmost importance to ensure that Albertans receive fair value for their work. The government may compensate a leaseholder for portions of improvements done within the last five years. Removable improvements are owned by the leaseholder, and land improvements, like clearing and seeding, tame pastures, are owned by the Crown. Leaseholders are made aware of this when a range improvement application is approved.

#### 2:40 Prince of Peace Lutheran School Lease Funding

**Mr. McAllister:** Mr. Speaker, Prince of Peace school is a terrific Christian school in the public system. It's just outside Chestermere. It's a private facility, so the government makes the lease payments, recognizing the great investment and also realizing that, particularly in Rocky View, there is just no other place to put kids. They're bursting at the seams in schools. Now, the government even sent a letter pre-election confirming its

complete commitment to making these payments in full. Postelection another letter arrives. This one says: we can no longer make the payments in full. Why do you continually renege on your promises to Albertans?

**Mr. Lukaszuk:** Well, Mr. Speaker, as you know and as we all know in this House, we are trying to live within our means. As part of this year's budget some very difficult decisions had to be made. [interjections] The Member for Edmonton-Centre will simply not allow me to carry on, but I'll try. Ministers on the front bench have had to make some very difficult decisions. The fact is that it's well known in Alberta that we are very much in support of the choice that's given to parents, having private, charter, Catholic, public, and home-schooling, and we will be working with the private school community as best we can.

**Mr. McAllister:** Mr. Speaker, I will acknowledge that tough decisions have to be made. Let me put it like this. If you took out a mortgage and you signed a contract and then eight months later you called your bank and you said, "Times have changed financially. We can no longer afford to make the full payment," I think we all know how that would go over: not very well. How can the government justify doing the exact same thing to school boards, to parents, and to our kids?

**Mr. Lukaszuk:** Well, Mr. Speaker, here is the irony of it all. It depends whether it's an odd or even day. On certain days the Wildrose opposition will tell us: allow local authorities and school boards to do what they want; they're locally elected; do not interfere. But when they don't like a decision, they say: go in there with a sledgehammer, overturn a decision, and achieve the outcome that we want. The Minister of Education is working with school boards and making sure that private and charter and other schools are accommodated within buildings that already exist and are within our financial means.

**Mr. McAllister:** Mr. Speaker, I think that'll lead me to a completely different question. I think the minister missed the point.

Given that the government signed a contract, gave its word that it would make the payment for this school, then after the election sent another letter and said, "No, we won't make the payment," does the minister not recognize that going back on his word does nothing to ensure the confidence of Albertans and does nothing to stand up for our students in this province?

**Mr. Lukaszuk:** Well, Mr. Speaker, that member may not like that, but contrary to what he likes, Albertans have a great deal of confidence not only in this Minister of Education but also in this government. Albertans know that for decades they have been provided a choice that no other parents in another province in Canada have. They also know that their children achieve some of the best educational outcomes, not only in Canada but in the world. I can assure you that our Minister of Education and our entire caucus will stay committed to those values and will work with school boards, private schools, charter schools, Catholic schools, public schools, and home parents.

**The Speaker:** Thank you, hon. members. The time for Oral Question Period has expired. We did get through 16 main questions, or 96 questions and answers, which is quite good. I'm not sure how we got there, but we did. Part of the reason we got there was because of very short supplementary questions. Edmonton-Gold Bar, exemplary performance in that respect. Calgary-Mackay-Nose Hill, also a good job. Calgary-Fish Creek,

your first supplementary: short, snappy, tight. It's that kind of performance that allows us to get on with the important business and allows more members overall to get up.

### Statement by the Speaker

#### Items Distributed to Members

**The Speaker:** While I'm up, hon. members, I want to take this opportunity to summon your attention to remind you of something that's very important for all of you to be reminded about, and that's regarding the protocol for distributing or making available certain documents and other items to members, to your colleagues in this House. Now, should you as a member want to distribute to members in the Assembly let's call it extraneous materials, materials that are not the property of the House, in other words, or part of the deliberations or debates, such as amendments and that type of thing, those kind of materials require the prior approval of your Speaker.

This a long-standing tradition, and I realize some haven't been here that long, but you should all be reminded that it is a long-standing tradition for you to observe. It is simply not appropriate for any member to request a page to distribute materials without prior approval of the Speaker. This protocol was confirmed in a ruling by my predecessor, hon. Ken Kowalski, in this Assembly on February 23, 2010, which is available at *Alberta Hansard* at pages 247 and 250, mostly the latter.

Some documents to which your Speaker will have given approval for distribution are normally placed on members' desks while other items such as ribbons, pins, brochures, leaflets, and so on can be placed in baskets at either of our two entrance doors to my left and to my right, and then it is up to individual members to decide whether they want to pick up the pin and wear it or pick up the brochure and read it or pick up the ribbon and put it on or whatever. Members have that choice.

We have many good causes that are supported by these kinds of symbols and materials, everything from cancer to MS to education to children to seniors. The list is endless. We have been very accommodating and very lenient in allowing that to take place, and I don't think any of us would want to lose that leniency. Let's remember that this practice of using the baskets will continue. If you have anything else that you want distributed to all other members, you might want to use the mailroom. It gets there just as quickly to all other members.

Similarly, it wouldn't be appropriate for any one of you to walk from desk to desk and put material there. This was tried a few years back, and that was curtailed as well. I only mention that as a friendly reminder.

Please, let's not lose this privilege that we have to share things that we find are important to us or to advertise important events to our colleagues. Let's be mindful of that rule, okay?

Thank you very, very much.

### Members' Statements

(continued)

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

#### Legislative Officer Independence

**Mr. Cao:** Thank you, Mr. Speaker. I wish to inform our Assembly that our all-party Standing Committee on Legislative Offices held meetings on November 28 and 29 to review the officers' 2014

work reports, business plans, and budgets, which were then passed by our committee after a thorough deliberation.

My thanks go to all committee members and the committee clerk, Karen Sawchuk. Also, I wish to thank all the legislative officers and their staff for always doing a great job serving our Albertan public and our Assembly.

These independent, nonpartisan officers are recruited by our Assembly's special all-party select committee in an open competition based on qualification, not on their personal political affiliation. While the legislative officers work for our Assembly, not for the government, and are nonpartisan, they still receive unfair criticism, particularly from some political opposition inside the Chamber and from some media. [interjections]

Former Ethics Commissioner Donald Hamilton said that criticism from these groups can be difficult as the legislative officers believe that their decisions, based on law, much like the judiciary, must speak for themselves.

More recently Bradley Odsen, general counsel for the office of the Ethics Commissioner, stated that allegations of corruption made by some political opposition were not only outrageous to Albertans but also an insult to the integrity of the people who hold these positions. [interjections]

As elected honourable parliamentarians, everyone in this House must stop dragging these independent legislative officers of our Assembly into partisan politics and must recognize their impartiality and independence and give them the respect they deserve.

Thank you, Mr. Speaker.

**The Speaker:** The hon. Member for Calgary-Shaw, without interjections, please.

2:50

#### Foster Parents

**Mr. Wilson:** Thank you, Mr. Speaker. Last week a spotlight was shone directly on some flaws in our child welfare system, and many front-line workers and foster parents felt that we needed to do a better job of highlighting positive stories. I would like the opportunity to do just that and tell you a story about a baby named Corey.

Corey was born in Grande Prairie in February of 1978 to a mother who was 16. She made the courageous choice to put him up for adoption in the hopes of providing him with the best possible home, with the best possible parents, hoping that he would live the best possible life. Like many children who are put up for adoption, that process isn't completed overnight. Corey became a ward of the province and was put into foster care after a few short days in hospital.

As many of us are parents in this House, we know how difficult the first months of an infant's life can be: the erratic sleep patterns, the demanding feeding schedule, the stress of inviting a new child into the home. All across this province every day foster parents are caring for infants, children, and youth and do fantastic work. They give their heart and soul to the well-being of these children, loving them as their own, until permanency can be secured. In Corey's case that took six months.

Well, many of you may know that I, too, was adopted. My parents are two of the finest people in this world, Mr. Speaker. They did not keep it from me that I was adopted, and I will always remember the day that they showed me the paperwork from my adoption, which was accompanied by some handwritten notes. The notes gave advice on how to make me laugh, how to comfort me, how to stop me from crying, what I liked to eat, how I liked to sleep, how I liked to be bathed. It was a fascinating read. The first



sentence in the notes stood out to me, and they are words I will never forget. They read: we called him Corey.

Yes, Mr. Speaker, I am Corey. That was the name my foster parents gave to me for the first six months of my life, and if anyone who is listening was a foster parent of an infant here in 1978 and called him Corey, thank you. [applause] Thank you, members.

To all foster parents, who give selflessly so much of themselves to these kids so that they can have a chance at a normal life, thank you. I and all Albertans owe you a debt of gratitude.

### Notices of Motions

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

**Ms Notley:** Thank you, Mr. Speaker. I rise to give notice that I will be moving the following motion this afternoon:

Be it resolved that pursuant to Standing Order 15(6) the Legislative Assembly refer to the Standing Committee on Privileges and Elections, Standing Orders and Printing the deliberation in consideration of the Speaker's finding yesterday of a prima facie case of breach of privilege and the determination of an appropriate remedy.

Thank you, Mr. Speaker.

**The Speaker:** Thank you.

### Tabling Returns and Reports

**The Speaker:** The hon. Associate Minister of Wellness, followed by Edmonton-Gold Bar.

**Mr. Rodney:** Thank you, Mr. Speaker. I'm very pleased to table the requisite number of copies of the Alberta College of Pharmacists' annual report. The college governs pharmacists, pharmacy technicians, and pharmacies in Alberta to support and protect the public's health and well-being.

Thank you, Mr. Speaker.

**Mr. Dorward:** Mr. Speaker, I have 155 copies of letters to the hon. Thomas Lukaszuk from students at Campus Saint-Jean, very positive, uplifting letters regarding Campus Saint-Jean.

**The Speaker:** The Minister of Justice and Solicitor General, followed by Edmonton-Strathcona.

**Mr. Denis:** Thank you very much, Mr. Speaker. I rise today to table five copies of the Law Society of Alberta's 2012 annual accountability report. Of course, the Law Society is a self-governing body comprised of over 9,000 lawyers in Alberta. I'm pleased to be one of them.

**The Speaker:** The hon. Member for Edmonton-Strathcona, followed by the Government House Leader and the Deputy Premier.

**Ms Notley:** Thank you, Mr. Speaker. Today I would like to table over 1,000 more signatures that I've received in my office from a petition. It calls on this PC government to reverse their harmful cuts to programs for persons with developmental disabilities and to properly support some of Alberta's most vulnerable citizens.

The petition is timely as today marks the International Day of Persons with Disabilities. Today is the day to raise awareness and understanding of those living with disabilities. This PC government's handling of their changes to PDD programming is an example of how Alberta's most vulnerable citizens can't trust their

government to consult them, and I hope that upon reviewing these petitions, the government will conduct itself in a better fashion.

Thank you, Mr. Speaker.

**The Speaker:** The hon. Government House Leader, followed by the Deputy Premier.

**Mr. Hancock:** Thank you, Mr. Speaker. On behalf of the hon. the Premier I'm pleased to table five copies of the e-mail that she referenced in question period today, which indicates that signs were put up for Albertans because they needed a sign of hope, and it was a sign of hope.

**The Speaker:** The hon. Deputy Premier.

**Mr. Lukaszuk:** Well, thank you, Mr. Speaker. In view of the interest among the opposition relevant to government signs that inform Albertans on our progress in building Alberta and building the infrastructure that Albertans want today, I'm tabling the requisite number of copies of signage overview and all the rules and regulations that pertain to where, how, why, and how often these signs will be mounted.

### Speaker's Ruling Motion Out of Order

**The Speaker:** Hon. members, we're now at the section that deals with points of order and points of privilege. I have no points of order so far, so I'll get on with the issue related to the privilege motion.

Hon. members, the hon. Member for Edmonton-Strathcona has provided notice of a motion that she proposes to move under Standing Order 15(6) concerning the ruling that your Speaker made yesterday wherein a prima facie question of privilege was found. This motion, at the outset, is out of order under Standing Order 48 for the reasons outlined by the chair yesterday and reasons that you can find at page 3234 of *Alberta Hansard*. My comments came in response to requests for clarification from the Official Opposition House Leader and also from the Member for Edmonton-Calder. Your chair was very clear, abundantly clear, in ruling that the apology by the Deputy Premier concluded the matter and that any forthcoming motion to pursue this particular point of privilege, such as the one we have before us today, would not be in order. That was made very clear yesterday, and that ended the matter. The chair does not want to engage in any debate on this point.

However, if members are interested in references and authorities, they can refer to a 1993 incident in this Assembly, where Speaker Schumacher ruled on the effect of an apology at pages 463 and 464 of *Alberta Hansard* for September 23, 1993. The chair would also like to update a quotation from Joseph Maingot. His book *Parliamentary Privilege in Canada* was relied upon by Speaker Schumacher and found in his ruling at page 464 of *Alberta Hansard* for that day. That statement is now found on page 267 of the second edition of that book by Maingot, and it states, "An apology by the offending Member will invariably close the matter without the necessity of putting the motion to a vote."

It has been a longstanding tradition that when there is an offence or an impropriety or a point of order or some such thing and the member is asked about it and then chooses to apologize, the House accepts the apology or, in some cases, an apology and a withdrawal, depending on the nature of the point, and that concludes the matter if it is accepted, and that was accepted yesterday.

I will conclude simply with this. The Member for Edmonton-Strathcona's motion is out of order as I've outlined and for the purposes that I've outlined, and the matter concerning the contempt of the Assembly related to the brochure that was the subject of that prima facie question and was produced by the government of Alberta was also concluded in totality yesterday. To repeat myself, what I said at the end of the ruling yesterday you can look up and find on page 3234 of *Alberta Hansard* where I said, "That concludes this matter." That ends it.

The hon. Member for Edmonton-Centre. You're seeking a point of clarification, I assume, are you?

#### Point of Clarification

**Ms Blakeman:** Under 13(2), yes, of course. That's the citation.

**The Speaker:** Yes. Please be brief.

**Ms Blakeman:** I am curious, when I examine the Votes and Proceedings for yesterday and look at the Speaker's ruling that is included in that, if the Speaker could explain, please, why he chose to move directly from the conclusion of his remarks, without allowing anyone else to speak or to rise to be noticed, to inviting someone from the government side to rise and issue a statement. In doing so, the Speaker took away the opportunity for any other member in the House to raise 15(6). So why did he choose to do that?

3:00

**The Speaker:** Thank you, hon. member. It's a good question, and I'm glad you asked it, actually. If you look back at the history of apologies, in every one that I looked at, that has typically ended the matter right then and there. An apology is issued. We judge it for its sincerity, for its intent, for its content. It was a sincere apology, it was accepted, and that ended it. If you look back at the history of even recent cases that have happened here, I followed basically that same procedure.

The hon. leader of the ND opposition.

**Mr. Mason:** Thank you very much, Mr. Speaker. Also a request for more information under 13(2). It has to do with the remedy of the apology. I would ask the Speaker if we ought not consider additional remedies such as requesting the government to cease distribution of the brochure which is in contempt of the House.

**The Speaker:** Hon. members, I can't predict what you might want to do next. I'm simply dealing with what I had as facts and findings at the time that I had to make the ruling. I think I indicated yesterday that we spent collectively close to about 200 hours, so this was not a ruling taken lightly. We doted, literally, on every word in the two sections of the brochure. If you look at that brochure carefully, the first item that's there, you could actually determine it either way, hon. member. I know that some of you are grammarians and would side with me in that regard. I sided on the side that it was sounding like a fait accompli. You could get some clever lawyers who might have argued it equally well on the other side. So that concluded that matter in that way. What you might want to do after this, hon. member, will be totally up to you, but that matter from yesterday is closed.

We'll have one final point of clarification from the hon. Member for Lac La Biche-St. Paul-Two Hills, and hopefully that will be clarification enough.

**Mr. Saskiw:** Very briefly, I'd just like some clarification on the procedure here. My understanding of the rules and the precedents

is that once a prima facie case of privilege or contempt is found, it's actually the Legislative Assembly that decides the appropriate remedy and not you, Mr. Speaker. I'm just asking for clarification.

Thank you.

**The Speaker:** That's why I was grateful that Airdrie rose yesterday immediately after the point, and Edmonton-Calder rose as well. I explained it then, and you're welcome to visit it once again.

I should just maybe draw your attention at the same time, while I'm on my feet, to Standing Order 2 of our Assembly, which states as follows:

Procedure in unprovided cases

2 In all contingencies unprovided for, the question shall be decided by the Speaker and, in making a ruling, the Speaker shall base any decision on the usages and precedents of the Assembly and on parliamentary tradition.

It has always, in my experience and in all the information we saw, been the case that once an apology has been issued and if accepted by the Speaker, that concludes the matter. That's what happened yesterday.

### Orders of the Day

#### Government Bills and Orders Committee of the Whole

[Mr. Rogers in the chair]

**The Chair:** I'd like to call the Committee of the Whole to order.

#### Bill 36

#### Appropriation (Supplementary Supply) Act, 2013 (No. 2)

**The Chair:** I'll recognize the hon. Member for Edmonton-Centre.

**Ms Blakeman:** Thanks very much, Mr. Chair. I appreciate the opportunity to speak in Committee of the Whole to this appropriation bill. Of course, the appropriation bill is actually authorizing the expenditure of the money. The original document that is circulated, which is the supplementary supply estimates, is the wider ranging discussion in which the ministers should be able to stand and explain why they've made certain rulings. I regret that I was not able to be on duty when that was happening, so I do have a few questions that I would like to put on the record.

I do note that the expenditure is about three-quarters of a billion dollars, and most of it, of course, is directed towards recovery from the floods, primarily in southern Alberta but also in Fort McMurray. The first is the money for First Nations homes to be rebuilt, those that were destroyed in the flooding. The question I have is: when can we expect a report or an audit that would be available on this and other monies that are expended on specific purposes? This actually is appearing in the budget for Aboriginal Relations as vote 8.1.

Just generally speaking, Mr. Chair, what the government chose to do was that rather than apportioning money into each department into the area that it was going to be used, they just put an extra vote in every department, vote 8, and that's where they stuck in a lump sum the money that they were giving to the department to deal with related expenses for the flooding. So in this case, we have 8.1, First Nations housing, for \$50 million. I am wondering: what is the auditing process that can be expected from this? We have a separate vote number. I'm expecting that there would be a great deal of attention put on this. When could we expect to see some kind of a comprehensive report back?

In the Department of Agriculture and Rural Development I do note that there was a 4 per cent interest rebate on any loans up to a million dollars for a two-year period to help eligible businesses and not-for-profits and, I think, agricultural producers – oh, there we go; yeah, those three groups – to take out loans to help themselves get back on their feet. Thank you very much to the government for recognizing the role that the not-for-profit sector contributes to our community. We always hear about business. It's a very business-focused government. They want everything done according to business, yet half our province is public sector or not-for-profits or a charitable foundation or of a volunteer focus as well as, in fact, all of the public service which is serving hospitals and schools and all the levels of civil service and a number of other functions. So thank you very much for recognizing the NGOs specifically in that area.

I know that the second piece of what's happening in Ag and Rural Development was loan guarantees. I know that for a number of years the loan guarantees were used frequently by the government, but then they sort of came out of fashion. As far as I know, in the sectors I worked in anyway, all of the loan guarantees were called, and the money was paid back. So I'm wondering if we're embarking on a new season of loan guarantees. Of course, in particular, I'm interested in how the government is going to be monitoring a loan guarantee. Is it just going to become like a floating line of credit, or is it for a specific time and then it would be called in? So another question there in Committee of the Whole.

There is additional money under Education specific to replacing books and materials – thank you very much – which will mean a lot to the schools in that area. I know that most schools struggle to provide enough materials, you know, books, library books, paper, computer floppies – no, not floppies any more – thumb drives and other materials like that. So thank you for recognizing that on behalf of the schools.

3:10

There is also a line to subsidize the school for vacant desks with the assumption that some families would not have been able to remain and have their kids go to the same school, so rather than the school losing money, they are subsidizing it. I am a little curious about that one. I know that in the spring there's a certain amount of money that's allocated to every school board and to every school, and then once you get into September, about the third week in September, the principal has to say: "Okay. This is how many students we actually have." Since the flood took place in June and September has gone by, I'm just wondering how that worked. If they were able to report in September that they had fewer students, is that when the money was allocated? I'm just interested in the timing around that.

Under Environment and Sustainable Resource Development there is an amount of money of \$2 million that is "requested for the 2013 Alberta flood recovery to complete additional studies under the provincial Flood Hazard Identification Program." I would be very interested in hearing where the initial studies are. This is saying "additional studies." Where are the original studies for this? Are they public documents? When can they be obtained? Do you have to fill out a form, or who do I ask to see these?

Additionally, if the \$2 million has been contracted outside, to an outside firm, what does the RFP look like? Also, what are the terms of the contract? I know the government doesn't like to do this, but the public does like you to do this, because the winner of an RFP should be willing to admit, "This is what I'm doing and for what," and have that contract made public. I'd be interested in seeing what that \$2 million contract for additional studies under

the provincial flood hazard identification program actually looks like.

Under Human Services, there is \$66 million for flood recovery for emergency financial assistance. Those were the cards, the . . .

**Mr. Hehr:** Debit cards.

**Ms Blakeman:** . . . debit cards that were distributed to people very quickly, and I think many people found that quite helpful.

The question after the fact, of course, is: how do we audit this? How do we know if the right amount of money was loaded on the cards and got to the right people?

Not that I'm accusing the government of this, but I'll remind the government that when the Auditor General was able to do a systems audit on the BSE money that was also distributed very quickly, no questions asked, just went out to help our farmers, it turned out that our farmers didn't get very much help at all because the system was designed to compensate farmers for every cow that was standing in their lot, on their land at, you know, midnight of a certain day. Of course, the ones that had the most cows standing in their yard were the two largest packing plants in Alberta, and they got paid for every single cow that they had standing there, which was a lot of money. The farmers, of course, who had shipped the cows to them to be slaughtered, didn't get so much money. So did that program accomplish what it was supposed to, which was to be able to help our farmers? Not so much. I'm interested in how we are going to be able to assess whether that emergency money was in fact well spent.

Under the Infrastructure budget there is a supplementary amount of capital, \$5 million, requested for the planning of a community resource centre in High River, and I'm wondering what additional monies are committed over what period of time for further developments. Good to plan. That's great. But they actually need a building to walk into, so what are the timelines around that?

Look at that. No questions at all on Municipal Affairs

In Transportation we have \$23 million and change for improvements to roads and bridges, water management infrastructure, and water and waste-water infrastructure. I hope at some point we will get access to a detailed report of exactly which bridges and roads and water management infrastructure, in fact, this was used on. But thank you very much for recognizing the importance of water and waste-water infrastructure in Bragg Creek.

Okay. One of the things that I did not see in here – and it actually surprised me – was that there was nothing for the Department of Health. The Department of Health is a little bit besieged right now and has been for many years under this government, actually, because it doesn't seem to be able to improve the service delivery of health care although they seem to be able to change the management around on a spectacularly regular level, which is making it very hard.

For example, if you were a union that was negotiating with that management, how would you do that? Every time you went to the table, there would be a different boss there. Do you have to postpone so they've got enough time to get up to speed? Is that the fault of the union, then, that it can't make the arbitration date or what? Just a point.

One of the other things that came to my attention as a result of the Health budget was a wonderful program that was running with a mobile dental clinic. In the end, the government decided not to fund it. This was a partnership with the Alberta Dental Association and College. The program was operational up until

September 30 of this year. Very helpful. I heard from people that just could not say enough positive things about this program.

They basically brought a trailer with a full dental clinic into long-term care facilities, especially those with dementia patients. They could just bring the patient from their room right into the trailer, do all of the dental and denturists' work. Of course, especially for people with dementia, it's very hard to get them to sit in different chairs that they don't know. So it really worked out. It's quite disappointing to find out that the government, in fact, did support the dental college with the purchase of the actual units, which was some \$800,000 and change, but the operational money is about \$285,000 a year, \$2 million over seven years, and that's where the government has withdrawn their support. So a great, great, great program – we already have the machinery for it – and the government can't manage to find that extra money every year.

As a result, those trailers, complete with mobile dental labs, are now parked, and we have a whole bunch of seniors that are not getting dental care, which, as the many physicians in this House will tell you, is an integral part of wellness because if you've got bad teeth – sorry; it's a bit graphic – then you're swallowing bad teeth stuff. That is not helping your digestion, which is going to lead to other problems. So just a part of the funding that I had an opportunity to ask a question about, and I'm glad to be able to put that on the record. I think it was a great program. It certainly helped my constituents and other constituents.

Those are the questions that I have for the supplementary supply budget, which we are now discussing as part of the appropriation process. We're in Committee of the Whole. I'm happy to support the supplementary supply budget this time out. I don't always do that. If there's any opportunity to answer some of my questions, I'd appreciate it.

Thank you very much, Mr. Chair.

**The Chair:** Thank you, hon. member.

Before I recognize the next speaker, might we revert briefly to Introduction of Guests?

[Unanimous consent granted]

### Introduction of Guests (reversion)

**The Chair:** The hon. Member for Edmonton-Highlands-Norwood.

**Mr. Mason:** Thank you very much, Mr. Chair. I have a number of guests, some of whom have departed, I'm afraid. This is my fault. I thought that the hon. Member for Edmonton-Strathcona was sending a note to the chair, and she thought I was sending a note to the chair. I apologize to those that have had to leave.

Today I'm very pleased to introduce to you and through you to this Assembly my guests, who represent thousands of workers in Alberta. They're here today because they're very concerned about the negative implications that Bill 45 and Bill 46 will have on working Albertans. I would ask my guests, if they are still here, to rise as I call their names to receive the traditional warm welcome of the Assembly: Siobhán Vipond, the secretary-treasury of the Alberta Federation of Labour; Jodie Zaplotinsky from the Health Sciences Association of Alberta; Judy Mayer from the Health Sciences Association of Alberta; Carol Chapman, president of CUPE 3550, which represents education support staff in the Edmonton public schools; Gloria Lepine, also from CUPE 3550; Linda Harris from CUPE 3550; Ryan Williams, who is a resident of Edmonton-Strathcona; and Chelsea Taylor Flook, who is with the Prairie chapter of the Sierra Club. I would ask them to now receive the warm welcome of the Assembly.

3:20

### Bill 36 Appropriation (Supplementary Supply) Act, 2013 (No. 2) (continued)

**The Chair:** Okay. Are there other speakers on 36?  
Seeing none, I'll call the question.

[The clauses of Bill 36 agreed to]

[Title and preamble agreed to]

### Bill 46 Public Service Salary Restraint Act

**The Chair:** The hon. President of Treasury Board and Minister of Finance.

**Mr. Horner:** Thank you, Mr. Chair, and thank you to all members who have offered their thoughts on and those who have offered support for Bill 46, the Public Service Salary Restraint Act. This legislation has been described as supporting "government's commitment to living within its means by ensuring sustainability in the compensation of the Alberta public service."

Mr. Chairman, we want to get back to the bargaining table with the Alberta Union of Provincial Employees so we can reach an agreement on pay that is fair to our hard-working public servants and fair to taxpayers. Bill 46 reflects the government's commitment to holding the line on spending to help us balance the budget while meeting Alberta's enormous growth challenges head-on. We must continue to make prudent financial choices. We've been abundantly clear with public-sector unions, including the Alberta Union of Provincial Employees, that we need to hold the line on salaries.

We worked hard with our doctors and teachers on long-term deals that hold wages flat for three years and guarantee stability in education and health care for years to come. MLAs are also setting an example by imposing an additional three-year wage freeze on their own salaries.

The Public Service Salary Restraint Act has been introduced in an effort to reach a negotiated settlement with the union representing our government workers. Reaching a negotiated settlement with the union is our preferred option to reach a deal that is fair to employees and fair to taxpayers. In fact, our most recently tabled offer to the union is more generous than what's provided in the legislation.

Mr. Chair, sustainability in public-sector compensation means paying employees well for the work that they do on behalf of Albertans at a rate that is responsible to Albertans. This is a balance that we want to achieve through Bill 46. The decision to move forward with this legislation was not made easily. I take no glee nor satisfaction in bringing it forward, but government is tasked with making tough decisions.

At this time I would like to address some of the comments we heard during the debate yesterday and last night. I appreciate the comments we heard last night on the role of collective bargaining in labour relations. The collective agreement between the Alberta government and the AUPE expired on March 31, 2013. The government and AUPE negotiated for 12 days before the AUPE left the table. Mediation was held, and no resolution could be reached. AUPE quickly applied for compulsory binding arbitration, a step we have not seen in 30 years.

Again, Mr. Chair, seeking arbitration is the exception to the process, not the norm that we have seen in the past. The government is legally and constitutionally required to engage

AUPE in good faith on workplace issues. We have done that through the collective bargaining process. Collective bargaining has now concluded after 12 days of bargaining and less than two days of mediation, and we are now seeking a negotiated settlement through renewed discussions with the union.

This bill does not interfere with good-faith negotiations. It has been carefully developed, and we are confident that it meets all legal and constitutional requirements. The legislation simply provides a framework to resume negotiations and work together with the union to reach a settlement that is fair to the public servants and to taxpayers, as I said. As you may recall, it was the AUPE who engaged in the five-day illegal strike earlier this year.

Again, we are confident that the legislation is constitutionally sound. Public-sector salaries make up roughly half of the government's total operating budget each year, including the doctors and the nurses, the teachers and postsecondary faculty, and the employees of Alberta's public service. In order to control spending, as Albertans told us they wanted us to do, we've had to bend the curve on salaries. The offer that is on the table right now is consistent with this approach.

We also heard much about fairness during the debate. Ultimately, our public servants are paid fairly and will continue to be paid fairly. The balance we are striving for is to negotiate a long-term agreement that is reasonable and that reflects our government's fiscal restraint policy. We were able to achieve this balance with other groups, enabling government to live within its means and meet Alberta's enormous growth challenges and flood challenges head-on.

As I've stated before, the offer we made most recently to the union was, in fact, better than the settlement included in the legislation. The offer included a four-year agreement, starting in the current year, that provides for salary increases of 0, 0, 1, 1, with an \$875 lump-sum payment in year 2 to all eligible employees.

Other items in the offer include enhanced vacation entitlement and Christmas closure, which would see employees receive extra paid days off during the holidays for the next four years.

Mr. Chair, fairness is valuing the services Albertans rely on and the front-line workers who provide them. We do, and we will continue to ensure that Alberta public service salaries are competitive moving forward.

Mr. Chair, there have been a number of claims made by the opposition which I must take an opportunity to address as well. First, both the Liberal and the Wildrose opposition claim they would repeal the legislation in 2016 and reinstate arbitration rights. This does underscore their complete lack of understanding of this legislation because the bill has no long-term function. Once the provisions of the bill have run their course, it can be repealed by simple proclamation. By 2016 the bill will have already been completed. There will be a new collective agreement in place, and repealing it in 2016 will do nothing to change what will be then be past events. As the bill states very clearly, it only applies to this union and this settlement. Arbitration rights for the AUPE will already be intact for any future deals at that point.

I'd also like to note that claims that government agreed to arbitration are somewhat misleading, Mr. Chair. Compulsory arbitration means just that, compulsory. The government has neither the option to accept nor deny arbitration once the union has chosen to apply.

I also couldn't help but notice that the hon. Member for Airdrie has been using union talking points. It's interesting to me, Mr. Chair, that the hon. member now positions himself as the defender of public service given his party's position as clearly outlined in their alternative budget. This party has been very clear, as it says

here, that they would "hold the line on front-line public sector salaries until the provincial cash deficit is eliminated." It is clear to me, as I'm sure it is to all members of this House, that in order to secure indefinite zeroes from our public sector, this deal would bypass negotiations as well as arbitration. If AUPE is not prepared to take the deal that this government has put on the table, which includes increases, they would certainly be unwilling to accept indefinite zeroes from the Wildrose Alliance.

Mr. Chair, our research shows that our bargaining unit employees at the job rate maximums are generally paid more than comparable employees in other provinces, and they should be. We want to negotiate an agreement that continues to be fair for workers and allows us to continue to live within our means. At the same time, decisions that directly impact the spending of taxpayer dollars and our ability to pay for the services Albertans rely upon need to be made by the government.

We look forward to resuming negotiations and to a counteroffer to ours coming to us and to getting back to the table to talk about a negotiated settlement that is fair for Albertans and fair to our hard-working employees.

With that, Mr. Chair, I will take my seat.

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

**Mr. Bikman:** Thank you, Mr. Chair. This is an interesting bill, and I appreciate the comments of the hon. minister to clarify some points that we haven't really perhaps understood as well as we've needed to, so your comments were appreciated, beneficial, and helpful, I think.

There is an aspect of this that makes the bill itself seem a little prejudicial since it's just targeted at one union. I realize that's the union that's causing you to stay up at night wondering how you're going to balance the budget and hoping that removing the right to arbitration forces them either back to the table to accept what you've already offered or to come back with something very, very close to it. That really is, in a sense, just like holding a gun to their heads, because they know that they don't have a choice. They've got to negotiate because arbitration is now off the table. Something that's been on the books for years, a process that has proven effective for decades is now being removed to force them to sort of bend their will to yours. That seems inappropriate.

3:30

I think Albertans recognize that these are tough times, and I think this union perhaps recognizes it as well. The union's job, naturally, is to get the best deal it can for its members. That's how they can justify the dues that they're taking. I think they've demonstrated that they've been very good at it. In fact, perhaps they're too good at it, and that's what's got you worried.

We've stated in our literature, specifically in Budget 2013: Wildrose Financial Recovery Plan, that we support the work of the public servants and support the empowerment of the front lines. Our approach has always been – and we've stated it clearly – that we'll work collaboratively and respectfully with public-sector unions to hold the line on current overall expenditures on front-line public-sector salaries. This means the Wildrose would also bargain hard to get the fairest possible deal for taxpayers, but the key word here is "bargain."

It seems like the PCs are bargaining with a gun to their heads. They're threatening to pull out the right to arbitration, and in fact you're proposing to pass this act, that will remove that, for the specific purpose of bringing this union and the bargaining agents from the union either to their knees or at least to the table, where they won't have really much choice but to accept what's there.

You say that you want to bring them back to bargain. I'm not sure that this threat is a good endorsement of your sincerity about bargaining.

I believe that this bill is prejudicial, and I think it's unfair to this union. I believe that approving this will not be good for our province in spite of the meagre savings that it may generate. There is lots of waste in the government – we know about that – and as all good businesspeople know, the proper practice is to cut at the top. You trim at the top and then do all you can to enhance the service capability of the front-line workers, especially those that are providing essential services.

With that, Mr. Speaker, I move adjournment of debate.

[Motion to adjourn debate carried]

### Bill 45

#### Public Sector Services Continuation Act

**The Chair:** I'll recognize the first speaker, the hon. Minister of Human Services.

**Mr. Hancock:** Thank you, Mr. Speaker. I just want to make a few comments with respect to Bill 45 in Committee of the Whole to address some of the issues that were raised in second reading. The sole purpose of Bill 45 is to protect Albertans from harm. That has raised a number of issues and concerns in the Legislature, but most of them, quite frankly, are off point. They read into the legislation's intent. [interjection]

**The Chair:** The Minister of Human Services has the floor, hon. member, please.

**Mr. Hancock:** Issues and concerns that have been raised are off point. They read into the legislation an intent that doesn't exist, and they extrapolate from that intent ramifications of the bill that, at best, are extremely unlikely and, in fact, are nonexistent. I want to address some of those.

Violation of the Charter, whether or not the bill represents a violation of our Charter of Rights and Freedoms. Well, first and foremost, Mr. Chairman, I wouldn't bring forward a bill that I believed violated the Charter of Rights and Freedoms. I haven't done that, and I won't do that. In my experience in this House, on the one bill that I thought was a violation of the constitutional provisions, I was the lone person who actually stood against that bill, when I was Minister of Justice and Attorney General. So that is my experience in this House. But you don't have to take my word for it.

Trust me. Before any bill is brought into the House – I was tempted last night, when I heard the hon. leader of the Liberal opposition talking about these contracts, to run in and say: stop the proceedings; we didn't think of that. Sorry. No. Actually, there is pretty thorough review of most aspects before they come to the House. There's a lot of legal work that goes into drafting bills. We do believe that this is very much a constitutional bill.

The fact of the matter is that in this particular bill we do not actually change any of the real provisions of the public-sector services employees act other than the penalty pieces. So the question about constitutionality would've been with respect to the existing public-sector services employees act.

Freedom of association. The Supreme Court has made it clear that the Charter protects the process of collective bargaining that allows employees to make collective representations and have them considered in good faith. Neither the right to strike nor a right to a final dispute resolution mechanism are constitutionally protected. It must be remembered that we're not creating new law

when it comes to illegal strikes. That law has been on the books, as I said, for a number of years. What we're doing is increasing the fines, which have always been a consequence of causing or engaging in an illegal strike.

Freedom of expression. Concerns have been raised that Bill 45 restricts freedom of expression and that it will capture innocent third parties simply for expressing an opinion about an illegal strike. Nothing, Mr. Chairman, could be further from the truth. There is no stated or unstated intention to restrict opinion. The intent is to restrict those with credible power and authority from inciting illegal behaviour. That is against the law. It's against the Criminal Code with respect to inciting a breach of the Criminal Code, and it's against the law here. It must be noted that any charges for doing so brought under the act would have to be approved before the courts. In other words, there's no way you can just say: "Oh. There's somebody that's been talking around the water cooler about inciting a strike. Let's charge them, and let's impose penalties." There's got to be a credible approach towards counselling an illegal act. Government cannot arbitrarily decide that someone is guilty of having incited an illegal strike.

Bill 45 also calls for fines for threatening to strike, and this is seen by some as a restriction on the right to free speech. This provision in Bill 45 exists because with public-sector unions the threat of going on an illegal strike can have a similar if not the same effect as actually engaging in a strike.

I want to give you an example of that, a credible and serious illegal threat that would cause service providers to actually prepare for a strike. Not doing so would be an abandonment of their responsibility to those that they serve. If there were an illegal strike in the health care sector, for example, it could result in things such as the transfer of patients or the cancellation of scheduled services. Those actions have both a personal and an economic effect. The cancellation of services could put the lives of Albertans at risk. Making alternative plans comes at an economic cost and potentially a safety or health cost that should not have to be borne by an individual taxpayer in this province. Again, such a charge brought under this act would have to be approved in court.

In other words, it's not just because somebody, as I think last night somebody said, calls into a late-night talk show and says: we should go on strike. That's not a threat of a strike. A threat of a strike is a real perceived approach, where people got together and actually engaged in a discussion which could have effect.

3:40

One of the provisions of Bill 45 that appears to have caused undue concern is that other persons could be subject to prosecution and fines. This has been seen as extending the legislation to cover all Albertans. Well, such is not the case. In fact, the existing Public Service Employee Relations Act, section 71(3), already has that exact provision in it. Again, it's just a question of what sanction there is for someone engaging. The provision recognizes that there are third parties who could play an active and strategic role in counselling a strike or creating a strike threat. In fact, they could go further. They could essentially bar somebody from complying with the law. In other words, if you were a third party who stopped somebody from going to work when they wanted to go to work, it would be a legal strike.

**Ms Blakeman:** It would be a lockout.

**Mr. Hancock:** Yes, a lockout could be one of those things.

If you stop somebody from doing what they ought to do at law, that could bring you under this section. But, again, it's not a new

section. It's a section that's there already. It's just a question of what the penalty or the sanction is. The scope of this amendment does not extend to ordinary Albertans who are simply expressing an opinion related to either a strike threat or an actual strike.

Seeing Bill 45 as an assault on human rights actually requires a great deal of imagination. Restricting illegal strike behaviour is a legitimate and ongoing public policy objective. Given the potential that an illegal strike represents risk to Albertans, the provisions are fair and include the right of appeal. It's also worth noting that an illegal strike in the public sector can cause a violation of the rights of Albertans to safety and security.

The need for the increased size of the fines has come into question. However, the fines proposed in Bill 45 are in keeping with the current economic reality. The fines are intended to present a strong deterrent to illegal behaviour, which can impact the safety, health, or security of Albertans, based on recent history something which the current fine structure had not achieved.

The peace officers' illegal strike was a short one, but even that short strike caused major disruption and endangered workers, inmates, and the public. Lest I hear an outcry on it, I would say that there are appropriate ways for workers to engage in grievances. No worker in this province has the obligation to work in what they consider to be an unsafe workplace, but there are appropriate ways to bring that forward. I can say to this House that as the minister responsible for occupational health and safety, I have not seen that being brought forward in this instance, so I can't give any credence to the idea that that was a legitimate cause for an illegal act. First of all, there is no legitimate cause for an illegal act, and secondly, if that was something that was of concern to workers, there were other legitimate ways to have it dealt with.

So the intent to prevent public-sector unions from seeking illegal strikes is an accepted part of labour relations activity in Alberta. The fines outlined in the proposed legislation indicate the seriousness with which the government and Albertans treat this issue. The fines are meant to be effective not in penalizing people but in deterring what is an illegal action, which can improperly affect Albertans.

Saying that the provisions in Bill 45 are too high because they're higher than those that can be levied under the Occupational Health and Safety Act is, at best, disingenuous. In no way is it an apples-to-apples comparison. Fines under the Occupational Health and Safety Act relate to a single employee. Penalties under Bill 45 address labour disputes that are potentially much larger in scope, where there is significant harm and risk can arise at multiple locations across the province.

The abatement order provisions in Bill 45 have been positioned as a de facto fine that would serve to cripple unions. Unions can already be liable for damage. The provision in Bill 45 to establish a more effective mechanism that ensures that taxpayers are not on the hook for the results of illegal strikes. Affected parties must prove the damages occurred and that the final financial redress being sought is fair and reasonable and that they were caused as a result of the strike. A union that has been subject to an abatement order will have any funds that have not been used to redress the consequences of an illegal strike returned.

Nothing in Bill 45 will impede a worker's right to refuse unsafe work. The criteria under which work can be refused are clearly established under the occupational health and safety legislation, but there are procedures that must be followed. There must be imminent danger. Site visits from government officials are used to determine the nature and extent of hazard and the appropriate remedy for reducing or eliminating the hazard. In other words, Mr.

Chairman, it can't just be a disagreement with respect to management and workers. There is an independent way to determine whether, in fact, there is a safety hazard.

If affected workers do not agree with the findings, they can appeal the findings or the decision to the Occupational Health and Safety Council. So, Mr. Chairman, a number of issues were raised in second reading, which, as I say, are not actual, real issues. The legislation itself does not create the concept of an illegal strike. It brings in the threat of a strike and counselling, both of which are recognized terms at law with respect to criminal codes and other laws. Both of those terms require proof. They're not charges that can be laid recklessly. They require the consent of the minister before they can be laid. So there are a lot of protective provisions in there.

But the most important part of the act, Mr. Chairman, is to protect Albertans. We haven't had a lot of illegal strikes in this province. We have a good labour relations record overall in this province, and we want to keep it that way. This bill is not an antiunion bill; this is a pro-Alberta bill. This is a bill which basically says that public-sector employees who work in areas where the health and safety of Albertans is put at risk or is at risk cannot strike and have not been able to strike. When somebody engages in illegal action that puts the health and safety of Albertans at risk, then that action ought to be, first of all, deterred in as strong of language as possible, and if the deterrence is not effective, then it should be sanctioned in as strong a manner as possible. That's what Bill 45 does.

**The Chair:** I'll recognize the hon. Member for Edmonton-Beverly-Clareview.

**Mr. Bilous:** Thank you very much, Mr. Chair. I'd like to begin by saying that this is the first opportunity I've had to speak to Bill 45. I still as of yet have not had an opportunity to speak to Bill 46. I think it's important to note the tactic or technique that this government is using in order to stifle debate in this House and ram through legislation, which is a motion of closure. I suspect that there will be another motion coming through on Bill 45 shortly to ensure that this will get rammed through at breakneck speed.

I want to just address a comment that the Minister of Human Services made in regard to Bill 45, trying to allay concerns that the opposition has regarding the application of this bill once it becomes law and the interpretation of this bill, where the minister said – you know, the example that was used last night was if someone phones into a talk show threatening to strike, that that person under this bill could be charged. Now, the interpretation of this bill is that that person could be charged. But what I find interesting is that the minister is trying to provide assurances that that's an example where the person wouldn't get charged. It's not written in the bill. I'd like to ask the minister: where in the bill does it say that in such and such an example a person would be safe from retribution or fines? It doesn't. So I apologize that I cannot take the minister's word at face value, considering it won't be the minister that enforces the law once it becomes law.

Having said that, again, my frustration thus far, and I believe the frustration of all the opposition, on second reading is the fact that this bill had closure on it where – you know, a couple of quick points here. Number one, I know that that is a tool that the government has used in the past. I'd like to point out that it's been used sparingly. But normally when we look at parliamentary procedures here and even in Ottawa, that type of tool is used once a significant number of members have had the opportunity to speak to a reading of a bill and there is democratic debate and a healthy debate as opposed to one or two opposition members

having the opportunity to get up and speak to a bill and then moving immediately into closure.

I think Albertans are quite frustrated that their representatives don't have the opportunity to speak. I'd really like to remind the government that the 87 members in this House represent almost 4 million people. Stifling two-thirds of the opposition or disallowing them to speak to a reading of the bill is effectively silencing a large number of Albertans, and I believe that this government will hear about it. If not through e-mails and social media, they're going to hear about it in the 2016 election.

3:50

I want to move into my second point, Mr. Chair, which is that this bill, Bill 45, is unconstitutional. I find it ironic that this bill is coming from a supposed human rights lawyer, yet the way that this bill is written is in complete violation of our Canadian Charter of Rights and Freedoms. I'd like to read briefly section 2 from the Canadian Charter of Rights and Freedoms, just to remind all members of the Assembly what those rights are, and then I'll explain how this bill is unconstitutional and attacks those rights.

2. Everyone has the following fundamental freedoms:

- (a) freedom of conscience and religion;
- (b) freedom of thought, belief, opinion and expression, including freedom of the press and other media of communication;
- (c) freedom of peaceful assembly; and
- (d) freedom of association.

This bill violates sections 2(b) and 2(d), which, again, are "freedom of thought, belief, opinion and expression, including freedom of the press and other media of communication" and "freedom of association." This bill attacks those freedoms in the sense that not just public-sector workers but all Albertans, any Albertan, can be charged and fined under this bill if there is a threat of a strike or discussion of a strike.

You know, when I first went through this bill, Mr. Chair, it had some very Orwellian undertones to it and causes concern for all Albertans that this government wants to pass into law and enable – I mean, what are they going to introduce next? The thought police, that are going to be chasing people down if they think about a strike as opposed to even talking about it to their friends?

**An Hon. Member:** It's dangerous.

**Mr. Bilous:** Well, it is very dangerous, this type of legislation.

Again, Mr. Chair, this is a direct attack on the fundamental rights and freedoms of all Albertans, not just our friends that work in the public sector. This essentially is a bill that's designed as a gag order to silence workers and to stifle their ability to take action when their health and safety is at risk.

I want to just clarify for many of the members on the other side of the House. Often the wildcat strike that occurred this spring has been cited as an example of why we need this legislation. You know, what's frustrating, Mr. Chair, is that the government has completely misunderstood what had happened back in the spring. I, too, can say that I was on that strike line, speaking to workers about what prompted them, what was the impetus for them going on strike, and the story is quite fascinating.

You've got story after story of workers and employees who worked at the remand, frustrated after numerous attempts of speaking with management, of speaking with the government, of trying to get a hold of the minister to address the issues of their concern for their own health and safety and that of the inmates because of an improperly constructed brand new remand centre. Now, not all of it was improperly constructed, but there were parts of it that posed a direct risk to the staff, workers at the remand,

and also the inmates. As the Member for Edmonton-Centre pointed out, there was glass in this facility that could be smashed with a coffee cup, which poses a huge threat.

Now, Mr. Chair, I also want to bring up the fact that for a number of years I myself worked as a corrections officer at the Edmonton Young Offender Centre, and I can tell you that the people who work in these facilities are not there because of some exorbitant salary or massive amounts of benefits or a pension. They're there because they want to make a difference and because they care. When I worked at the EYOC, I did not feel unsafe in that existing facility. Now, I've been out for quite a few years, so if there are concerns that have come up in the last 15 years, then please excuse me. But my point is that workers in this province need to have the ability and the channels to take their concerns to the appropriate places and that they also be addressed.

Now, the wildcat strike was because of frustration for months and months of being ignored, neglected, pushed aside when they had real, valid concerns. This illegal strike – yes, it was illegal – was their last option, their last straw, to send a message to this deaf government that there were extreme flaws and concerns with the remand centre that were not being addressed. So they did what they were forced to do in order to protect themselves and the inmates in the remand. I just want to say on a side note that I found it quite offensive when a member last night tried to compare a legitimate strike to riots that occurred after a hockey game. I think it's a gross display of ignorance as far as understanding the purpose of the strike and the reason behind the wildcat strike versus young people partying too much and taking celebration or the opposite to an extreme.

I just want to point out, as the Member for Edmonton-Strathcona so eloquently put it last night, to spell out to the members in this Assembly, what illegal strikes have brought not only our public-sector workers but all Albertans and working people that are thankful for a weekend, for an eight-hour workday, for mandatory breaks, for overtime pay, for safety regulations in a workplace, for minimum wage: all of these things are brought to you by our friends in organized labour. I would argue that we would not enjoy those rights, whether you're unionized or non-unionized, anywhere in this province or in this country if men and women didn't stand up and fight for those rights which we now enjoy today.

Mr. Chair, examples of civil disobedience that have moved society forward. Let's look at the example of Rosa Parks. The fact that she refused to go to the back of the bus was the impetus for a movement that did bring some equality to all people in North America regardless of colour.

The fact that there was a period in time not too long ago in our history, Mr. Chair, where women and aboriginal peoples did not have the right to vote: now, do you think that was just handed over because people had clamoured and said, "We deserve the right to vote"? No. They had to take action that at the time was considered civil disobedience in order to gain those rights.

Now, Mr. Chair, I'm sure my time is coming to a close. I never seem to have an issue filling the 15 minutes. The two other issues I just want to talk about are, again, the real purpose of this bill and the fines, the amount of money. There have always been fines for illegal strikes. I would like to make some comparisons between when we have, especially, companies that break the law and their fines within the province of Alberta versus what this government is trying to impose.

The purpose of this bill. Essentially, Mr. Chair, in my view, this is an attack on working people in this province. This is an attack on people's rights. This undermines the rights of workers, of working people, to refuse to work in an unsafe workplace condition.



This as well is a bill designed to create a culture of fear and intimidation. More and more this government is looking like Big Brother, wanting to control, again, not just the actions and words of its citizens. It begs the question of what's next, Mr. Chair.

4:00

I really do need to clarify because this example keeps being brought up by the different ministers as far as how they negotiated a contract with the teachers. There couldn't be a bigger load of hogwash, Mr. Chair. That contract was starting to be negotiated, but when some locals decided this wasn't a good contract, then the government decided to put a gun to their head and legislate the contract. That's not bargaining in good faith. That's not negotiation. That's, well, the actions of this government, where they'll ask, and if you say no, they're just going to ram it down your throat anyway regardless of what you say.

Moving on to the fines in this bill, Mr. Chair, the fines for unions, union reps, and even Albertans are grossly disproportionate to their actions. The fact is that this bill will basically fine – and the intention of this, let's be blunt, is to fine unions into the ground and to break unions.

I mean, the government may say this is about safety. If this was about safety – let's go back to the example of the remand centre – then maybe they would have done something about the genuine concerns that the workers had at the remand centre. Who knows best? It's the people who are in there day in and day out, who are working there and don't want to put their own lives in jeopardy or at risk above and beyond, obviously, the risks of working within a remand centre. But it's not just about the workers, Mr. Chair. It's also about their concern for the safety of the very inmates and people that reside there as well. The fact that we had an example of an incident at the remand centre not two weeks ago: I mean, clearly, these concerns that the workers have put forward are still being ignored, and this government is not taking their concerns legitimately.

I'm going to try to find my notes because I've been all over the place here. We're talking about disproportionate fines, the fact that under Bill 45 – and I believe the Member for Edmonton-Strathcona figured it out – it could be as much as \$2.5 million a day, which is an unbelievable sum of money. I'm not even sure if that number necessarily is accounting for all the individual fines that would go out. Let's compare that to some environmental infractions that have occurred. I mean, first and foremost, in this province they're a slap on the wrist for the most part. They're normally a one-time penalty as opposed to this bill, that would continue to fine Albertans, union members, or unions themselves every day that they're on strike. It's quite a difference between the two.

Mr. Chair, you know, I think Albertans, again, see this bill for what it is. This is an assault on working people, this is an attack on organized labour, and this is a very punitive and heavy-handed bill. I'm not even sure if the minister believes his own words when he says that this isn't a punitive bill. You look at the amount for fines on individuals, on unions, on workers and compare it to other jurisdictions across the country, and Alberta is by far – well, there is no other jurisdiction in the country that is trying to punish and ram into the ground its organized labour. In other parts of this country there is a recognition of the value that these workers bring.

I mean, this brings me to my concluding point, Mr. Chair, and that's that the level of frustration is rising amongst workers in Alberta when they hear this government get up and say one thing and their actions are the opposite. They get up and talk about the value of public-sector workers – our firefighters, our doctors, our

nurses, our health care providers, the folks who stepped up during the floods – and then turn around and beat them down with a bill like this. I mean, it goes beyond a slap in the face. I think the minister may be delusional if he thinks that the workers that make this province tick – they are the reason that Alberta is one of the best provinces to live in. It's because of the workers, and when a government introduces a bill like this, it sends them a message of the opposite.

I mean, in our day and age people are valued, and the level of value is, honestly, often based on one significant factor, on wages. You know, it's insulting to compare the wages we get in this House to many of our public-sector union sisters and brothers and to say that – and I realize this next point is going to Bill 46 – well, we took a 1 per cent freeze, so they should, too. I'm sorry. You're comparing apples to oranges, not apples to apples. If we want to show not only our public-sector friends but workers in this province that we do value them, then . . .

**The Chair:** Thank you, hon. member.

I'll recognize the hon. Minister of Human Services.

**Mr. Hancock:** Thank you, Mr. Chair. I move that we adjourn debate.

[Motion to adjourn debate carried]

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

**Mr. Hancock:** Thank you, Mr. Chair. I would move that that committee rise and report Bill 36 and report progress on bills 45 and 46.

[Motion carried]

[The Deputy Speaker in the chair]

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

**Ms Kennedy-Glans:** Thank you, Mr. Speaker. The Committee of the Whole has had under consideration certain bills and reports the following bill: Bill 36. The committee reports progress on bills 45 and 46. I wish to table copies of all amendments considered by Committee of the Whole on this date for the official records of the Assembly.

**The Deputy Speaker:** Thank you, hon. member.  
Does the Assembly concur in the report?

**Hon. Members:** Concur.

**The Deputy Speaker:** Opposed? That is carried.

## Government Motions

### Time Allocation on Bill 45

50. **Mr. Hancock moved:**  
Be it resolved that when further consideration of Bill 45, Public Sector Services Continuation Act, is resumed, not more than two hours shall be allotted to any further consideration of the bill in Committee of the Whole, at which time every question necessary for the disposal of the bill at this stage shall be put forthwith.

**Mr. Anderson:** Well, Mr. Speaker, it's also my duty to tell the hon. House leader that he's being undemocratic and irresponsible and spitting in the face of democracy in this province. So I'm going to stand up and do that exact thing right now.

These motions are, again, a complete farce. We just saw the farce in action. We saw one speaker get up on these bills in committee, and then without a second thought we saw this House leader adjourn debate to get out of committee and to go back to bring in these government motions. It's just unbelievable. These motions are to make sure that we only have two hours of debate for bills 45, in this case, and 46. That motion will be brought forward soon enough.

4:10

Mr. Speaker, I mean, obviously, I stood up twice yesterday on these same types of motions with regard to second reading. But I ask you: how is it democratic? We're going to be in here for two hours to debate this bill. Bill 45 in particular is a very complex piece of legislation. There's lots involved in it, lots of new pieces in it, with a lack jurisprudence to kind of guide the review boards and courts with regard to things like strike threat and new pieces that they're not used to dealing with and these definitions and so forth. We're taking a whole two hours of our wonderfully productive time to debate this.

For example, we on the Wildrose side have an omnibus amendment, that I'm sure the hon. Member for Cardston-Taber-Warner will be bringing forward. It's a very complex amendment. We had to do it in an omnibus fashion because we're probably only going to get one shot at it and out of respect for the third and fourth parties, who I'm sure have amendments of their own. We're probably only going to be able to have the debate on that one amendment, which contains a lot, virtually five or six pieces in it. We're going to probably give it about 30 to 40 minutes. That's how long we will have to debate a set of amendments that, essentially, amend the bill to protect free speech of individual Albertans and individual workers, public-sector workers. That's the respect that we're giving free speech in this province, 30 to 40 minutes of our time. That's an embarrassment. It's not surprising from this group, but it is an embarrassment.

**Ms Blakeman:** Do you think it's disrespectful?

**Mr. Anderson:** It's very disrespectful of the legislative process, Mr. Speaker.

This is gong show government. This is just not how you run things. If you want to introduce these types of bills, you introduce them at the beginning of session, not at the end of session. You allow proper time for debate on it. You don't sit here till 2 in the morning on second reading of the bill like we did last night. I'm sure we'll be here till probably close to 2 in the morning tonight on all these bills in committee because this is what government does that has no time for opposition to what they want. They don't like opposition, and they try to crush opposition with every tool that they have, even if that means trampling on the democratic rights and free-speech rights of the elected representatives of this Assembly, who will not all have the opportunity to speak to this bill, let alone speak to these amendments, let alone speak at every reading and stage of this process. It's wrong.

Mr. Speaker, I'm glad to inform this Assembly that in 2016 I look very much forward to working with my NDP and Liberal colleagues. However the new government works out – we're not sure, of course, but we're quite confident it will be a new formation – we will work together to make sure to overhaul these ridiculous standing orders that we have that allow for this pillage of democracy and fix it and make sure that we actually have fairness and protect free speech in this Assembly.

I think that Albertans would welcome that change, and I think it would make for better legislation, less mistakes, and it would

better serve the interests of the people of Alberta, Mr. Speaker. I look very much forward to the spring of 2016 in that regard.

**The Deputy Speaker:** Thank you, hon. member.

[The voice vote indicated that Government Motion 50 carried]

[Several members rose calling for a division. The division bell was rung at 4:14 p.m.]

[Ten minutes having elapsed, the Assembly divided]

[The Deputy Speaker in the chair]

For the motion:

Bhardwaj	Horner	Olson
Bhullar	Hughes	Pastoor
Brown	Jansen	Quadri
Calahasen	Kennedy-Glans	Rodney
Cao	Klimchuk	Sarich
Casey	Kubinec	Scott
Cusanelli	Lemke	Starke
Dallas	Leskiw	VanderBurg
Denis	McDonald	Webber
Dorward	McQueen	Woo-Paw
Fenske	Oberle	Xiao
Fritz	Olesen	Young
Hancock		

Against the motion:

Anderson	Fox	Pedersen
Bikman	Hehr	Strankman
Bilous	Mason	Wilson
Blakeman		

Totals: For – 37 Against – 10

[Government Motion 50 carried]

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

**Mr. Hancock:** Thank you, Mr. Speaker. I would suggest that everyone who is coming is here, so I'd respectfully ask for the unanimous consent of the House to shorten the time between bells for any further divisions for the rest of the debate today to one minute.

**The Deputy Speaker:** For the balance of the afternoon?

**Mr. Hancock:** For the balance of the day because we won't be rising out of committee again until later.

**The Deputy Speaker:** For the balance of the day.

**Mr. Anderson:** A point of clarification.

**The Deputy Speaker:** A point of clarification, Member for Airdrie?

**Mr. Anderson:** We might be able to get agreement on this if it's to the 6 o'clock break; otherwise, I doubt we're going to get agreement on that. Is that okay with you, a friendly amendment?

**The Deputy Speaker:** A friendly amendment, hon. Government House Leader, moving that the bells be shortened to one minute for the balance of the afternoon.

[Unanimous consent granted]

## Privilege Opportunity for Debate

**Mr. Mason:** If I may, I would like to again raise a question of privilege with respect to the motion that was just passed by the House.

Mr. Speaker, yesterday I raised a question of privilege, and the Acting Speaker said:

It is obvious to me that the rules of the standing orders were followed, and our standing orders are agreed to by everyone in this House. Our standing orders are what we run the orders of the House through, so I would say that far be it [for] a Speaker to overrule the standing orders that rule this House.

In that case, I would say that there is no point of privilege, and we will proceed.

Today I am not challenging the standing orders of this Assembly as they were approved, although not by everyone in the House, clearly, by the government and have become, in effect, the rules of the House. Rather, what I want to do is raise the question of the government's application of the standing orders; in other words, the way they word the motion and the impact of the motion made under the standing orders rather than the standing orders themselves.

Mr. Speaker, I think that motions 50 and 53 are an improper use of time allocation under Standing Order 21. This improper use of time allocation is a breach of the fundamental right of members to speak in the Assembly. According to *Beauchesne*, section 75, "The privilege of freedom of speech is both the least questioned and the most fundamental right of the Member." *House of Commons Procedure and Practice* on page 89 also states that freedom of speech is the first right of members. "By far, the most important right accorded to Members of the House is the exercise of freedom of speech in parliamentary proceedings."

Last night I rose on a point of privilege in relation to Government Motion 52, which, in my view, was an improper use of time allocation. I cited *Beauchesne*, section 25, page 12, which states that "parliamentary privilege does not go much beyond the right of free speech in the House of Commons and the right of a Member to discharge his duties in the House as a Member." I believe that government motions 50 and 53 are a violation of that basic right. They unnecessarily limit debate on bills 45 and 46, and they curtail the rights of all private members of this Assembly to do our job; namely, to debate government bills introduced for our consideration. I would add that this also denies our constituents their right to be represented in this Assembly.

4:30

Of course, everyone would acknowledge that time allocation is permitted under our standing orders because it is maybe necessary in certain circumstances. That is also the context in which *Beauchesne*, section 77, page 22, must be understood. That section states, "Freedom of speech does not mean that Members have an unlimited or unrestrained right to speak on every issue." Under some pressing circumstances and after a reasonable period of debate the right of members to speak can be limited. However, the right of members to debate cannot be restricted, curtailed, and ultimately prevented by closure motions that appeared on the Order Paper before the debate had even begun.

I note, Mr. Speaker, that notice of government motions 50 and 53 appeared on the Order Paper on Wednesday, November 27, and they were listed under Government Motions on the Order Paper Thursday, November 28. However, at that time second reading debate had not yet commenced on bills 45 and 46, and Committee of the Whole only commenced this afternoon. It's inappropriate and improper, in my view, that motions for closure

would appear on the Order Paper three sitting days prior to the commencement of debate in the committee stage to which the motions refer. In short, it is completely improper to use Standing Order 21 to prematurely and deliberately prevent private members from speaking to bills 45 and 46.

Mr. Speaker, the hon. Member for Edmonton-Beverly-Clareview, from my caucus, was unable to address either of these bills at second reading. Only today in committee was he afforded his first opportunity to speak to the bill, and that applies to many others. When the government applies the standing order in a way that limits debate before there's any clear indication that obstruction is occurring, when they do it in a premeditated fashion, and when they do it for such a short period of time at each stage, they infringe the rights of members of this Assembly to do their job, and that is to debate the bills put before the Assembly. I can't emphasize how much I think this is a critical point for us. If the government wants to use time allocation, if they want to implode...

**An Hon. Member:** They're doing that already.

**Mr. Mason:** I'll save that thought.

If they want to impose limitations on the right to debate, then, in my view, it should be only after a reasonable amount of debate has occurred and there is a clear attempt by the opposition or members to delay the passage of the bill by repeatedly speaking to it. It should not be applied in a way that prevents members who wish to speak to the bill from speaking to it at each stage if they wish to do so.

I would ask that the Speaker rule that the use of Standing Order 21 needs to be applied in a way that does not prevent debate, that does not unreasonably restrict the ability of members to stand in this House and debate bills that are important to them and to their constituents. Only after a reasonable amount of debate has occurred should time allocation be imposed, and the amount of time allowed under time allocation should be sufficient for members who wish to address the bill to have an opportunity to do so.

I can't state how much I am offended by the use of this time allocation under Standing Order 21 by the government in the way that they have done it. They have premeditatedly brought forward these motions, and after only two members have spoken, one government member, who introduced the bill, and one opposition member on the Official Opposition, they then bring forward the motion to close debate, allocating only two hours to that particular stage of debate. Of course, unlike most of the time, when we're not under a time constraint, more government members speak, so the two hours is not two hours allocated to opposition members. In fact, it becomes closer to one hour, perhaps a little bit more.

In 1977 the First Report of the Special Committee on Rights and Immunities of Members stated that freedom of speech is a fundamental right without which [the members] would be hampered in the performance of their duties. It permits them to speak in the House without inhibition, to refer to any matter or express any opinion as they see fit, to say what they feel needs to be said in the furtherance of the national interest and the aspirations of their constituents.

That quote can be found at pages 89 and 90 of *House of Commons Procedure and Practice*. On page 93 of *House of Commons Procedure and Practice* it also states that "this freedom is essential for the effective working of the House."

I am arguing that the work of the House cannot be done properly and effectively when the most fundamental right of members has been breached. We've seen the consequences, Mr. Speaker, after government motions 49 and 52 were invoked last

night. A fraction of the private members of this Assembly were able to speak to bills 45 and 46. It is completely inappropriate to use Standing Order 21 in a way that ensures only three or four opposition members can speak to these bills. That means that throughout three readings only nine or 10 members of the opposition will be able to speak to the bills.

Last night, for instance, the members for Edmonton-Beverly-Clareview and Edmonton-Calder wanted to speak to Bill 45, but Motion 49 prevented them from doing so. Motions 50 and 53 will have the same effect today with respect to Committee of the Whole. There are 28 members of the opposition, Mr. Speaker. It is by any reasonable standard simply inappropriate if only one-third of those members will be permitted to speak at all to bills 45 and 46. It is clearly a breach of their rights as members.

According to *Beauchesne*, section 533, at page 162, "Time allocation is a device for planning the use of time during the various stages of consideration of a bill rather than bringing the debate to an immediate conclusion."

Most importantly, *House of Commons Procedure and Practice* states, starting at page 661, that the history of the development of time allocation provisions in standing orders shows that they were intended as a means of time management, not curtailment of debate.

It is clear, according to the authorities, that time allocation was not intended as a mechanism by which the right of members to speak could be limited arbitrarily by the government of the day. This government is abusing the time allocation mechanism because they know that these bills cannot be passed expeditiously otherwise. The improper use of this standing order infringes upon the rights of members. Mr. Speaker, I'm making this argument not against the standing order itself but, rather, the way it has been used by the government.

Thank you, Mr. Speaker.

**The Deputy Speaker:** Thank you, hon. member.

Hon. members, I'm hesitant to allow this debate to go on for a very long time because a similar matter was ruled on last night in this House. I will afford the Government House Leader a chance to respond as well as one member from each of the opposition parties.

At this time I'll recognize the Member for Airdrie.

**Mr. Anderson:** Thank you, Mr. Speaker. I'd like to rise in support of this point of privilege. This is very serious. Obviously, this member has brought this up. He didn't have the opportunity last night to be as incredibly thorough as he has been today with the citations and so forth.

There is no doubt that the standing orders are being abused here. Our standing orders, the rules of this House, obviously, are determined by the majority in this House. We don't have much of a say at all in the standing orders. We can give input, but at the end of the day we have no say in the matter. We can say that they're the rules of this House. They're the rules of the governing majority, so they can abuse those rules. Nonetheless, we have those rules.

4:40

Let's just say that those rules are in place, and let's pretend for a second that they're fair, which a lot of them are not. As the Member for Edmonton-Highlands-Norwood is saying, he's not taking issue with the time allocation rule itself in the standing orders. He's taking exception to how it's being applied. It's being applied to curtail debate prematurely. It's going against literally

hundreds of years of precedent with regard to free speech in this House.

Let's put it this way, Mr. Speaker. Think about this for a second. What if this Government House Leader brought in a rule that said that from here on out we would have a time allocation of 10 minutes on each bill? Under our standing orders that's allowed. What if he came out and said that we have a time allocation of five minutes? Or one minute? Or 30 seconds? That's allowed under our rules.

Mr. Speaker, if a ruling comes back that this is allowed, you know, I would say, in contradiction of parliamentary tradition literally going back hundreds of years, that I feel we're doing a huge disservice to this House and that we're really embarrassing ourselves, frankly, because literally the standing orders as they are today could absolutely within their rules, within their definition limit debate so much that literally we could have one second of debate on an issue.

Now, one hopes that the House leader wouldn't do something like that, but if you find that two hours are enough, that that doesn't cross the line, then what does cross the line? One hour? I'd like a clarification on that. I'd like a clarification on what extent could this be taken to. Could it be an hour? Could it be half an hour? Could it be 15 minutes? Could it be 10 minutes? Could it be five minutes? Could it be 30 seconds? What is it? We as elected representatives have a right to know just how abused this is going to be, to what extent this rule is going to be used. It's pretty scary.

Mr. Speaker, I would ask that you be judicious and patient in your ruling on this matter. This is a separate point of privilege in that this is a separate — obviously, we're in Committee of the Whole here, so this is different. Sorry; we just did a separate motion on this, but the motion referred to Committee of the Whole and time allocation in Committee of the Whole. I would ask that you please consider this, that we please go back and not just say: "Oh, there have been rulings on this. We live by the standing orders." Yes, we all know that. There's no doubt there are parliamentary precedents, that the House is governed by its standing orders. However, you cannot use your majority to manipulate the standing orders such that you essentially cut off the free speech of others.

I would ask that if you're not going to find a point of privilege here, you at the very least provide this House tomorrow, hopefully, after adequate research has been done, with the line. What is the line? What rights do we have under these standing orders? Thirty seconds? A minute? Five minutes? Ten minutes? Half an hour? An hour? An hour and a half? Two hours? How much? That's a fair question. I know that anybody with any common sense in this House knows that that's a fair question. What's the line?

I think that we're owed in this House an explanation as to what that line is going forward so that we can understand exactly what we're looking at with regard to all of these bills. I agree completely with the point of privilege. I feel that this rule is being manipulated to cut off debate prematurely, and it's unwarranted, sir.

Thank you.

**The Deputy Speaker:** Thank you, hon. member.

I'll recognize the Member for Calgary-Buffalo.

**Mr. Hehr:** Well, thank you, Mr. Speaker. I, too, rise to support the point of privilege brought forward by the member of the fourth party. In my view, the point of privilege is proper, and it is unduly interfering with us as private members to do our sworn duty to bring forward whatever conversations we would like and to have a

full time frame in which to debate the issues of the day. In my view, you need to look at this point of privilege in the entire context in which we find ourselves, the government bringing in closure at this stage of the bill when we as opposition members and, in fact, even government members will be deprived of the opportunity to bring forward arguments in the fashion that we deem reasonable in this House.

Let's face it. I think it's become pretty clear that these bills, Bill 45 and Bill 46, have been the most important bills to be discussed in this House this legislative sitting. They're contentious on a number of fronts. They do radically change the negotiating process that unions and their members have seen, the law of the land over the course of the last 35 years, since 1977, when Lougheed was in power. This is a pretty significant change in our processes, and it affects a great many Albertans. It affects all of us in this room and all of our constituents. In every constituency in this province there are public-sector workers and members of the unions that are affected by bills 45 and 46. We have a right under our rules in this country and in this province to be able to speak on these matters as they are important both for us and for the direction of this province.

I think the hon. member brought up a very important point, and that point is: after a reasonable amount of debate. That's when the standing orders are supposed to be used, after the government has placed a bill on the Order Paper, after it has allowed a certain amount of time for discussion to occur and the government of the day sees the opposition trying to dig in its heels to filibuster a bill, to be difficult about its passing. There's no doubt that had the government put this on the Order Paper on day 1 of the legislative sitting and we were still in this House and, after being here approximately a month, still going through the various channels of debate and presenting amendments and having people discuss these bills in a full and forthright fashion, I can see the government's need and wanting to bring closure to end the session and to get rightful bills passed. Whether they're rightful or not, the government of the day is allowed to pass bills that they see as fit for this province's future direction. That would have been one thing. But that is not what occurred here in this Chamber.

What we saw is that immediately upon bills 45 and 46 being brought to this Legislature, we in the opposition were given notice that time allocation was going to be called. That is, in fact, what has happened at every stage. After the government introduced the bills, one member of the opposition got to get up and speak. The government immediately went to time allocation. They did that in the second reading of both bills, and now they've done it here at the Committee of the Whole stage. Clearly, in no uncertain terms would that in any form or fashion be seen as a reasonable amount of debate. I think you can appreciate that, Mr. Speaker. The operative words: reasonable amount of debate. I don't believe any person in this Legislature or, in fact, any person in this province would consider roughly 30 minutes of debate and closure being called a reasonable amount of debate time. That is what has occurred.

4:50

If you listen to some of the citations given by the hon. member of the fourth party, what the traditions are in both the House of Commons and this Assembly, I believe your ruling has to give context to what that is. The way we've seen these bills introduced in the fashion they have been was meant for the government to limit debate from the outset. The decision was made in the backrooms, by the powers that be, to limit debate. Any way you look at it, Mr. Speaker, that is what a reasonable person would conclude, that these motions were brought in to stifle debate, to

limit opposition responses, to limit the ability for them to consult with their constituents, stakeholders, and the like. In my view, that is the only conclusion that one can draw from this.

I would hope that given the importance of free speech of members in this House, given the importance of the respect you have for this Legislature – in fact, I'd hope most members would, but it doesn't seem to be the case in this matter, that we would respect that ability. Given the importance of these bills, given the way that they were brought in, and giving full context to the words "a reasonable amount of debate," if you could think about that and give us a ruling. I appreciate the comment given by the Official Opposition House Leader: how far are we going to allow the standing orders to take precedence over our elected duty to be able to speak on behalf of our constituents? That's what we're debating here, whether the standing orders take precedence over our ability to do our job as elected officials, to speak on the issues of the day in a reasonable, forthright fashion, our ability to bring forward our points.

Those are my submissions, Mr. Speaker. I know you will give some thought to them, and I'm hopeful that you'll look at this in the context in which this whole situation has arisen. Thank you.

**The Deputy Speaker:** Thank you, hon. member.

The hon. Government House Leader.

**Mr. Hancock:** Well, thank you, Mr. Speaker. Despite the protestations of the member bringing this purported question of privilege, this is exactly the same question of privilege as was raised yesterday and exactly the one that was ruled on. So I would start by indicating that it is really out of order because it's asking for a ruling on the same question of privilege.

Secondly, it seeks to question a decision that's been made by the House. In other words, the hon. member, in bringing it, you know, referred to the passage of the motion that we just actually voted on. The House has already decided on that motion, and it's not in his hands to try and use privilege to overrule a decision of the House.

Mr. Speaker, let's get to the merit of it. Historically in this House; in fact, when I came to this House, we didn't have a concept of time allocation in the standing orders, I don't believe. I stand to be corrected.

**Ms Blakeman:** We had closure.

**Mr. Hancock:** We had closure. Closure was a much more difficult tool with respect to the management of time because it didn't provide for notice. It didn't provide for anything other than a minister standing up and moving that the question be now put. That raised issues of whether enough debate had happened and that sort of thing.

What happened was that the rules of the House evolved to actually remove the provision for closure and bring in a much more sophisticated tool of time allocation, which gave notice, which gave an indication that there was going to be a management of the time allowed relative to the debate on a bill. That's important because people have to know what to expect. Time allocation was actually a fairer way to deal with the question of time management. Now, most often time allocation, as with closure, is used in committee because debate can go on forever in committee. There's no limit to the number of times that a member can speak as long as there's an intervening speaker. But it has also been used in second and in third reading.

Over the course of time since this rule has been in, it's not been used excessively, but it is used in every session on a bill or two

and usually with good purpose. Sometimes, as members opposite have pointed out, it's used when the opposition is being obstructive and not wanting to let a bill through, just engaging in debate for debate's sake. In fact, we've had a number of occasions, one or two a year, where we've sat through the night debating a bill for that reason because there was an objection, and the opposition wasn't going to let go. That's fair. That's one of the roles of opposition, to raise issues and to debate where they see debate. But there's also the question of government and government being able to carry out its agenda subject to the oversight of the Legislature.

The question that's been raised by the opposition – I'm not suggesting it's valid in all the ways that they've raised it – is: how much time do you need to have to appropriately debate a bill and to ensure that the opposition and all members of the House, for that matter, have an opportunity to bring their objections forward? That's, quite frankly, part and parcel. That's the whole purpose of a time allocation motion. It's to give notice of the fact that there will be time allocation and to allow all members of the House to organize their affairs accordingly.

Now, first of all, it's not an expectation in the House that every member will speak to every bill. We would never get any bills done if that was the expectation. That's never been the parliamentary expectation, that every member would speak to every bill. The expectation is that parties will organize themselves. They will have critics. Ministers or a representative on behalf of the minister will bring forward the government's business, and the critics will be the main spokesmen for their parties, and others who have a particular interest in the topic at hand will speak. But we rarely, rarely see where every member of the House would speak to a bill.

It is important that time allocation in our rules be recognized as slightly different from the way it's been developed in other Houses and purposefully so. In our rules you require notice ahead of time. Now, if you take a look at the suggestion that notice cannot be given of time allocation until the bill has actually been debated, that has actually not been the practice of this House and for good reason. We want to make sure that there is fair notice, well in advance of an intention to manage the time on a bill. In some cases that's a question of how much business is left in the session and how we manage the business remaining in the session.

In some cases it's a question of a bill being of such a nature that all of the positions are well known and excessive debate isn't going to change the position of any party. That would be the case here. There's no question where everybody stands on this bill in this House. Going on for 24 hours, going all night tonight in committee isn't going to change that fact. I'm sure we'll have an amendment on the table. I've been advised there'll be an amendment coming forward. Certainly, that will help to focus the debate and allow people to focus their comments on what they feel is important in it, but none of that restricts the ability of any party in this House to get their positions on the table in a fair and open and democratic way.

It may be a fair question going forward to determine how much time is reasonable, but the fact of the matter is that time allocation motions have been used in this House for at least – I'm guessing now; I stand to be corrected – I think, 10 years. They have been used on occasion, not excessively. They have been used with a practice that has the motion being put on notice and being moved at an appropriate time after there has been some debate on the bill, and some debate has ranged, in my experience – and again I stand to be corrected – two to three speakers on a bill, sometimes more

than that, and then moving the time allocation motion. That's what's happening here.

That's what was ruled on last night by the Speaker. That is exactly the same question that's being raised today, Mr. Speaker, and I would ask that you find that there is no question of privilege.

If the Speaker at some point in time wants to raise the issue of how a rule such as this should be put in place, then I would say that that's a fair question to raise. But it's not a question of invoking a question of privilege. There are no privileges that have been revoked in this House today by the legitimate passage of a motion by this House. Members have had a right to speak at second. They've had a right to speak to a certain extent in committee and will have much more time in committee to speak, and they will have a right to come again in third. If they organize themselves properly, most of the members, if that's important, will be able to make sure that every member gets up and speaks to at least one stage of the bill, and I think that that's quite a practical approach. The time that's been allocated is sufficient to allow for that.

There's no question of privilege.

5:00

**The Deputy Speaker:** Thank you, hon. Government House Leader.

Hon. members, the hon. Member for Edmonton-Highlands-Norwood is arguing that there is a breach of his privilege as a member of this House by virtue of the government's use of time allocation under Standing Order 21.

Hon. members, the role of your chair is to ensure that members have the opportunity to debate. I understand the sensitivity, particularly around the topic, and that members are very passionate about that opportunity to debate these pieces of legislation and others. Obviously, that debate has to be consistent with the rules, your rules, of this House, and those are the standing orders. As all members know, it is in the purview of this House to establish its own rules of procedure, and one of those is Standing Order 21. The use of time allocation is permitted under the Assembly's standing orders upon the passage of a motion. I would remind you that Government Motion 50 has just passed. Such a motion has just passed. It is untenable that a *prima facie* case of breach of privilege could arise by the application of the Assembly's own rules.

I would draw your attention, hon. members, to *Parliamentary Privilege in Canada*, the second edition, at page 223. This is under the heading Where the Answer is Contained in Rules or Practice of House.

In deciding whether there is a *prima facie* case, the Speaker excludes any matters that are otherwise properly to be dealt with under the practice or Standing Orders of the House. That is to say, where the answer to the alleged "question of privilege" is contained in the rules or the practice of the House, it would unlikely involve breach of the privileges of Members.

Hon. members, your Speaker does not have the liberty to reinvent the application of the rules, the standing orders, on the fly. These are your rules. Again, I would invite both sides of the House and the House leaders, as Speaker Zwodzesky has done in the past, if it is time that these rules need to be updated, modified, to maybe get together. This might be something that would be appropriately referred to the Standing Committee on Privileges and Elections, Standing Orders and Printing. We do have such a committee, which is at the ready. That committee is able to deal with a question such as revamping of the standing orders.

As such, I find that there is no question of privilege, and the House will now return to Orders of the Day.

### Government Motions

(continued)

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

#### Time Allocation on Bill 46

53. Mr. Hancock moved:

Be it resolved that when further consideration of Bill 46, Public Service Salary Restraint Act, is resumed, not more than two hours shall be allotted to any further consideration of the bill in Committee of the Whole, at which time every question necessary for the disposal of the bill at this stage shall be put forthwith.

**Mr. Hancock:** Thank you, Mr. Speaker. It's my duty to move Government Motion 53. Now, I haven't spoken to these motions before because they, in my view, are self-explanatory and need not have a lot of embellishment. My counterpart from the opposition has spoken to each one, and in the last he was concerned about the whole question that we've just discussed about the amount of time available.

In this case I would indicate that the debate on Bill 46 actually was adjourned by one of his members. They can hardly be put to complain knowing coming forward . . .

**Ms Blakeman:** At your request.

**Mr. Hancock:** No. Not at my request. I had suggested that they might want to adjourn Bill 45 because they wanted some amendments to come forward and that would put them in a place to debate that, but not Bill 46. Bill 46 was a different bill.

So, you know, you can't have it both ways. You can't move adjournment knowing exactly what is going to come next and then complain about what comes next.

**The Deputy Speaker:** Thank you.

I'll recognize the Member for Calgary-Shaw.

**Mr. Wilson:** Thank you, Mr. Speaker. Here we go all over again. You know, it's really interesting to hear the Government House Leader suggest that we're in favour of his closure and time allocation amendment simply because we moved to adjourn. I'll clarify for the House why it is that we needed to do that, and that's simply because at the pace at which these bills are being brought forward, Parliamentary Counsel is having a tough time approving amendments that we want to bring forward. Not only that, there's the fact that we're at time allocation, where we don't have time to actually debate. We have two hours in second reading, now two hours in Committee of the Whole. There's a reason why we needed a little bit of extra time. It just speaks to the disrespect that this government has for the democratic process, and we're witnessing it again and again and again.

It's very, very unfortunate that this is the direction that we're going, and it's very clear why it is that we have the government making motions along this way. They want to limit debate on the amendments. They recognize that this is contentious legislation. They recognize that the longer the debate goes on, the more difficult it is for them because it's negative reporting in the media, it's protests outside the Legislature every single day, and it means that the longer we're here and the longer the opposition pounds

them day in and day out in question period. That's what this is about. They don't want to be here. They want to get out.

Mr. Speaker, we sit fewer days in this House, in this Assembly, than any other province in Canada. Why is that? Because this government wants to ram legislation through as quickly as they possibly can so that they're not held to account and so that they minimize the amount of time that we're here questioning them. [interjection] And I appreciate the hon. Member for Edmonton-Gold Bar constantly interrupting those of us who stand to speak in this House. It brings immense value to the level of debate, and just once I would love for him to stand up and actually speak to a motion or something and be on the record as opposed to just chirping from his chair. It would be very much appreciated, but I expect nothing less after 18 months, and I don't expect it to change moving forward.

Let's ask the question, Mr. Speaker, of why we didn't introduce this legislation earlier. Why was it tabled when it was? Why was it moved with a time allocation motion shortly thereafter? The answer is very simple. It was to protect the Premier during her leadership review. Imagine, had these bills been put to this Assembly and made public prior to that review, the protests that would have been happening in Red Deer by the AUPE. It would have been massive, a massive embarrassment for this government. That's why we're here, that's why we're ramming this down the throats of Albertans, that's why we're doing it without proper consultation, and that's why you're seeing the opposition up in arms and trying to procedurally derail the government's plans to get this thing through. It is ridiculous.

Let's remember, Mr. Speaker, that we are here to debate these issues. Albertans elected an opposition to oppose, to expose, to propose, and we are being limited in our ability to do that. We are being limited in our ability to speak freely in this House. It's a very unfortunate reality that we see the government moving in this direction. You know, I hope that they are open to the amendments that we are bringing forward, and I think that it's a disgrace that we find ourselves here, but it is what it is. What's left to expect?

Thank you.

**The Deputy Speaker:** Thank you, hon. member.

Having heard the motion by the hon. Government House Leader, all those in favour please say aye.

[The voice vote indicated that Government Motion 53 carried]

[Several members rose calling for a division. The division bell was rung at 5:08 p.m.]

[One minute having elapsed, the Assembly divided]

[The Deputy Speaker in the chair]

For the motion:

Bhardwaj	Hancock	Oberle
Brown	Horner	Olesen
Calahasen	Hughes	Pastoor
Cao	Jansen	Quadri
Casey	Kennedy-Glans	Rodney
Cusanelli	Klimchuk	Sarich
Dallas	Kubinec	Scott
Denis	Lemke	Starke
Dorward	Leskiw	VanderBurg
Fenske	McDonald	Woo-Paw
Fritz	McQueen	Xiao

5:10

Against the motion:

Bikman	Hehr	Saskiw
Bilous	Mason	Strankman
Blakeman	Pedersen	Wilson
Fox	Rowe	
Totals:	For – 33	Against – 11

[Government Motion 53 carried]

### Government Bills and Orders Committee of the Whole

[Mr. Rogers in the chair]

#### Bill 45 Public Sector Services Continuation Act (continued)

**The Chair:** I recognize the Member for Cardston-Taber-Warner.

**Mr. Bikman:** Thank you, Mr. Chair. I rise to move an amendment to Bill 45, the Public Sector Services Continuation Act, and I have the requisite number of copies, including the original.

**The Chair:** Thank you, hon. member.

That will be referred to as amendment A1. If we'd just pause for about 30 seconds to circulate, and then I'll recognize you again. Thank you.

Please proceed, hon. member, on amendment A1.

**Mr. Bikman:** Thank you, Mr. Chair. As I said, I move this amendment, which you've now identified as A1.

- A. Section 2(a) is amended by striking out "one or more employees,".
- B. Section 4(4) is amended by striking out "counsel a person to contravene subsection (1) or (2) or".
- C. Section 16 is amended
  - (a) in subsection (1)
    - (i) by striking out "the Minister or a delegate appointed under the regulations" and substituting "the Board";
    - (ii) by striking out "the Minister or delegate" and substituting "the Board";
  - (b) in subsection (4) by striking out "to any reconsideration under section 17 and";
  - (c) in subsection (6) by striking out "to the Board";
  - (d) by striking out subsection (7) and substituting the following:
    - (7) Subject to the right of appeal under subsection (6), where an employee fails to pay an administrative penalty in accordance with the notice of administrative penalty and the regulations, the Board may file a copy of the notice of administrative penalty with the clerk of the Court of Queen's Bench, and on being filed, the notice has the same force and effect and may be enforced as if it were a judgement of the Court.
- D. Section 17 is struck out.
- E. Section 24 is amended
  - (a) in clause (b) by striking out "the Minister or a delegate" and substituting "the Board";
  - (b) in clause (c)
    - (i) by striking out subclauses (i) and (iv);
    - (ii) by striking out subclause (v) and substituting the following:
      - (v) appeals of administrative penalties.

Mr. Chair, this is an important amendment to address some of the shortcomings of this bill, recognizing that the main reason given for the act is to ensure that Albertans receive the essential services they've contracted with AUPE to provide. In other words, no strikes are allowed. Well, they aren't allowed under the current contract either. The implication seems to be that somehow this act will be more binding on the employees of this union than their employment contract.

I'm not sure whether that's insulting or whether that presumes that somehow they were unwilling to abide by the contract and this is necessary to show that we really mean it this time. It's kind of like the way we threaten our kids, saying: this time I really mean it. "Well, how come, mom?" Five times you've already said no, and now you're going to change your mind? The penalties being proposed would certainly be a huge deterrent to strikes or even thoughts of strikes.

The government is counting on Albertans to believe that it's acting in their best interests at the expense of the interests of the public service employees. Well, most of the citizens of our province that I talked with believe in fairness, freedom of expression, the right of association, and the rule of law. They have strong feelings about keeping your word and honouring contracts. They believe in integrity. If you say you're going to do something, you do it. You follow through. They believe their government should have integrity and be held to the same high standard as any other supplier of goods or services. After all, the government has given itself a monopoly on providing some of the essentials of life. That's stewardship.

Is this PC government a good steward? Most of us thought so for a long time, but over the past few years we've been disappointed to see our government acting unilaterally to take away rights. Oh, they don't say that that's what they're doing, but believe me, it is, and the public interest has suffered. Property rights have been eroded through acts like bills 19, 24, 36, and 50. Lots of people, especially in urban areas, thought that property rights were just about the land that farmers use to grow crops and ranchers graze their cattle on. I think the citizens of High River whose homes were broken into and whose property was damaged and seized may have a different view about property rights.

5:20

Let's get back to talking about stewardship for a moment. Some Albertans may think that unions have negotiated wages and benefits more lucrative than those affordable for similar work in the private sector. That may be, but that's not the fault of the union. It has just been doing its job, getting the best deals possible for its members. If you've got a problem with that, with the wages and benefits government employees receive, then your real issue is with the employer, the PC government you kept electing.

How would you like working for someone as whimsical and arbitrary as this PC government? I suspect that it's very stressful, and I know that some of the people who have approached me in the last few days to talk about this were showing serious signs of stress. If you were working for the government, you would know that every time its profligacy gets it into financial trouble, the knee-jerk reaction is to attack your wages, reduce your numbers, and expect you to take on the extra workload that's left. Front-line cuts and firings will continue until morale improves. I wonder what management book recommended that approach.

Wildrose has said many times: this PC government doesn't have a revenue problem; it has a spending problem. Arm's-length analysts agree. Every successful business knows that to survive it has to control its overhead. More companies have failed for not doing this than ever did for running a lean, tight management



team. Trimming at the top and listening to the front-line providers is a sound approach for business and governments.

In fact, in my experience, when business consultants are hired, one of the first things that they do in preparation to advise upper management is to talk to the front-line providers. Listen to them. They're the people that are interacting on a regular basis, every day, with the clients or the customers or the patients that are being treated or served. They'll know. Then when they write up their reports and come back, they sound like geniuses for coming up with such brilliant ideas, when those ideas are always there and available to management if they would just deign to go down and talk to people on the front line.

There was a great little book once called *management by wandering around*, and I recommend it.

**An Hon. Member:** It's a very good book.

**Mr. Bikman:** Yes, it is.

From personal experience I can tell you that when faced with the federal Liberal government's induced oil field depression following the enactment of the infamous national energy program, I really had to scramble. Demand for services and the revenue from the work we were doing dropped dramatically. We had to reduce our fleet from 22 company-owned vehicles and 10 owner-driven trucks to seven company-owned trucks and five lease operators. I asked dispatchers and foremen and other supervisors to go back into the trucks they'd formerly driven.

I was the president, the owner, but I came in early each morning to sweep the office, empty the wastebaskets, clean the restrooms, prepare the truck tickets for the bookkeeper to send to our customers, order parts, road-test new drivers, and do all the dispatching, some of it late into the night or very early in the morning, at all hours, literally. But we maintained our capacity to serve the significantly reduced number of customers that were relying on us.

We retained our people and paid them more than the going rate. How could we afford to do that? Because we trimmed at the top. We involved them in decisions that affected them. We sought their input on ways to work more cost-effectively in solving our customers' problems. In business, in fact in any profession or any practice, including the public service, you only sell or provide two things: solutions and good feelings. Well, I submit to you that the good feelings are going out the door. That's the way businesses survive. They trim at the top. But not this PC government. They will try to tell you otherwise, but the real problem, one of the serious problems, is a bloated bureaucracy.

I'd like to quote from a little essay written by Michael Baumann about bureaucracy.

Bureaucracy... is a portmanteau word combining the French term for desk or office ("bureau") with the ancient Greek word for government or rule ("kratos"). Thus, bureaucracy is "government from the desk," or "rule by office."

Notice that from this conception of governance all living things have effectively been removed. It posits no identifiable living being... No persons are left to speak, to bring order out of chaos, to subdue the earth, or to do so in communion with others. More importantly for the desk dweller, no one is left to answer or to blame.

Have we noticed that as we've talked to the leaders in this House and the ministries? There's no blame.

Instead, government is the function of a nondescript, faceless, nameless office – a deskocracy.

No doubt a real human person sits behind the desk... The desk holder is not a person who, by his or her words, brings wisdom, insight, compassion, creativity, and eloquence to bear

on the task at hand, namely bringing order out of political and social chaos and making the best he or she can of the earth's potential. That's not what happens at... [AHS], or in any bureaucracy I can imagine.

In spite of what the PC government would have you believe, this bill is not about leveling the playing field. It's about coercion. It's about circumventing a system for public service labour peace that has worked well for decades. On those rare occasions when strikes have occurred, they've been handled fairly seamlessly and resolved expeditiously.

Is this just limited to essential services? Will this act and its ugly stepsister, Bill 46, be extended to cover all future negotiations? You can bet your sweet bippy it will. I've checked, and "bippy" is a parliamentary approved word. Once this government abrogates rights, it never gives them back. You'll have to wait till 2016 for a Wildrose government to undo the harm these bills cause, and we will undo it.

No one wants a strike, not the employer or the government, not the union leaders or members, and not the rest of us who rely on a sole supplier – on a sole supplier – for these essential services. I submit to you an interesting fact for your consideration. The negative aspects of monopolies cannot exist in the absence of government action because if service was poor and too much profit was being earned, competitors would be attracted into that market and would improve the service and lower the cost. But that can't happen in a monopoly, and what we have in too many cases, in my opinion, with the government is the creation of monopoly suppliers.

Now, when strikes are held and especially in essential services if that happens, no one wins. I've seen studies that show just how long it takes union members to make up their lost wages. It can be many, many years, and in some cases never. The union has a stewardship responsibility, too. Leaders want the best deal possible from the government. Because the government doesn't have to produce a profit, it isn't spending its own money. In fact, let's be honest here now and acknowledge that the government doesn't have any money of its own. All it has is the taxpayers' money, and because of that, because it's not spending its own money, it's spending from what, in essence, appears to this PC government to be a money tree, where it can go and pluck. In this case, it's plucking it from our pockets, the citizens' pockets, and the corporate pockets.

It rarely negotiates well. The hard stance we're witnessing with bills 45 and 46 is not evidence of good negotiations or enlightened consultations. It's the guy in the ski mask in a dark alley pointing a gun at you, his finger on the trigger, saying: your money or your life. That's not much of a choice, is it? You'll take our offer, or you're out of a job: that's really not much choice. You'll take our offer, or you'll take our offer: that's really what these two bills are about.

The hon. Minister of Treasury told us last night that this was to encourage a return to the bargaining table. That's quite an invitation, isn't it: "Here's your offer. Here's our offer. Take it or else. You can't strike. It's against the current law." If Bills 45 and 46 pass, it will even be illegal, or just about, to think about it, let alone complain out loud over coffee in a conversation that could be construed as counselling or threatening a strike. And you won't be able to appeal to an arbitrator. It's really like negotiating with a bandit, a PC government bandit.

So let's look at the subclauses in this amendment that I've proposed. Part A, only a trade union or officer or representative may be charged with starting a strike threat. Subsection 2(a) allows significant penalties to be brought upon an entire union if a few rogue actors discuss a strike or act on that. To be considered

as real and genuine, threats should have been made by union leaders before stiff penalties are brought down. Part B removes provisions that limit free speech for all Albertans; to suggest that a strike should be done, for example.

5:30

Section 4(4) is a serious restriction on the freedom of speech of all Albertans, not just public-sector workers. A caller to a radio show, lawyers, average Joes on Facebook, guys sitting in a coffee shop venting, and so on should not be fined for saying that a wildcat strike should be conducted. It should be the union leadership's responsibility to make sure the union acts in a legal manner. The public at large should not be muzzled in order to prevent any idea of an illegal strike from being discussed in public or in private. Section 4(4) borders on thought police and is a startling step too far, even for this out-of-touch PC government.

Parts C to E take authority away from the minister or a designate to levy administrative fines and places that authority instead in the Labour Relations Board, so transparency and accountability, expertise that's been assembled on that board. Transparency and accountability from this government: what a novel concept.

Sections 16 and 17. The administrative fine process should be done without political interference. The Labour Relations Board exists to deal with labour issues for both the public and private sectors. The serving of administrative fines should be done through an arm's-length agency, not the minister's office. Administrative penalties are increasingly used by the PC government to circumvent the courts, following a disturbing pattern of attacks on due process that we've seen in other bills.

Section 24. While the minister should not have the authority to serve the administrative penalties, it is reasonable to allow the minister to establish the regulations regarding the contents of notices, service of penalties, and appeals of notices of administrative penalties.

Naturally, employers, the government included, must prepare for the costs of a strike or strike threat regardless of whether the threat comes from union officials or union members. No matter who starts the illegal action, counteractions must be taken at the cost of the taxpayers and should be recoverable.

Now, let me just spend a moment or two dispelling some myths that continue to be presented by the other side, the other side known for half-truths and partial truths. Of course, a partial truth is to convey an untruth, to lead you to an erroneous conclusion that you wouldn't make otherwise if you had the whole story, so let me give you the rest of the story.

As a young, opinionated columnist our leader made a few arguments, but she always believed in the Charter right to freedom of assembly, which permits workers to organize into a union, and she also feels that good-faith bargaining is in the long-term interests of both taxpayers and public-sector employees. The Wildrose and our public-sector employees might not always agree on how much wages should increase, and that's just the reality of government, of the employer-employee relationship. The difference between the Wildrose and the PC Party is that the Wildrose will respect and allow for third-party arbitration to deal with these issues. The PCs will have of course stripped that right from our public-sector employees with Bill 46, the ugly stepsister.

It's no secret that the Wildrose would have asked for a wage freeze through 2014, and we stand by that. The unions know that, the public knows that, and every party in this House knows that. Everybody knows this because that's what we said we'd do. Unlike the PCs, however, we would negotiate in good faith with the unions and not promise the moon, only to pull the rug out from

underneath when our electoral victory and leadership reviews were secured.

If negotiations in good faith did not work out, we would use arbitration, not extinguish the rights of public-sector employees. Do the legal rights of front-line service providers really need to be demolished to balance only a portion of Alberta's books? The most galling thing about this government is not only are they going to war with our public sector and stripping rights away, but when it's all been rammed through, they will still be racking up billions in debt because of billions in waste, inefficiencies, and mismanagement.

Our alternative budget outlined what can be done to solve this problem. The budget can be balanced without cutting the salaries or positions of front-line staff. So let's go with the top 10 ways the Wildrose would balance . . . [Mr. Bikman's speaking time expired] Oh. Boo. You're going to miss that.

**The Chair:** Thank you, hon. member.

I'll recognize the Member for Calgary-Buffalo on amendment A1.

**Mr. Hehr:** Thank you, Mr. Chair. On amendment A1. I must beg some leeway of the chair because I see bills 45, 46, and this amendment all rolled into a whole bunch of thoughts that I have that have come to my attention with this amendment, that I would like to address, but I will do my level best, where I can, to co-ordinate it back to the amendment. Again, at the outset I beg some leeway from the chair.

If we look at the backdrop of how we've gotten here, why we're here, and the like, we can go back to the 2012 election. In my view, at that time you had a Progressive Conservative Party that made bundles of promises to bushels of people. They really reached out, and they really did their best to present a face and a platform that meant we were turning a corner here in Alberta. We were going to have predictable, sustainable funding. We were going to respect workers and embrace the public servants. I believe that the Premier actually went to AUPE and gave a keynote address, saying that former governments of her party had not respected their roles and the good work that they did and the like in this province. That is, I think, a fair characterization of what I saw in the last election.

What I didn't see in the Progressive Conservative government platform was that we were going to take a steamroller, a battering ram, a machine gun to the ability of organized labour, union members, to collectively go about their business and organize their workplace and negotiate with the government fair and reasonable wage addresses. At no point in time did I see anything in the PC platform that said: "We are going to go to war with organized labour. We see workers as being overcompensated. We don't value the work that our public servants do." That is the backdrop here, that we didn't see any of this comment in the Progressive Conservative election campaign.

So when we are presented with bills 45 and 46 in the manner that they are, at the end of a session, with limited debate here in this House, and with, in my view, the draconian measures associated with them, I'm really troubled. This is the biggest assault on the Charter of Rights and Freedoms of Alberta citizens we have seen from this government in a long time. Let's be clear. In my view, bills 45 and 46 together are significant in that they reduce or they eliminate, actually, in this case our Charter of Rights and Freedoms.

Since 1977 in this province an uneasy peace was negotiated when the Conservative government took away the right to strike, but then always the union had the right to go to arbitration, to have

their concern heard by a fair arbiter, where the government presents its case and the union presents its case. With all the context given there, a decision would be made, and that would bind the parties. That process essentially allowed for the collective bargaining process to proceed in a reasonable fashion given that union members no longer had the right to strike. Intervening at that time was the passing of the 1982 Charter of Rights and Freedoms, which in section 2(b) and 2(d) guaranteed, enshrined the right to freedom of expression and freedom of association.

5:40

In Bill 45, in my view, you have a direct assault on freedom of expression. You can see that this bill has done that in that it broadened the definition of the right to strike and, in fact, came up with a new definition of a threat to strike. It curtails or attempts to curtail people talking about workplace issues, the ability to organize, the ability to strike in all forms and fashions that are not limited in the written word of this bill. So when the Government House Leader gets up and says, "By no means can a person calling in to a talk-show host suggest that prison guards go on strike or that other union members go on strike," I take those words with a grain of salt. I read the legislation, and to me it doesn't limit that in any form or fashion. In fact, if you look to the exact wording,

(k) "strike threat" means . . .

(iv) an act or threat to act that could reasonably be perceived as preparation for an employees' strike.

Well, what does that mean? I'm not certain, and I don't think anyone in this House can be certain on what those words mean.

I look at this bill and its overarching fashion, and Bill 45 does in my view attempt to limit freedom of expression. It's an affront to what our Charter of Rights and Freedoms has protected. I listened to some of the amendment and what it was trying to do, and in my view it goes some way to try and straighten out this bill, that is overreaching and unconstitutional, in a form and fashion that may actually be a little bit better.

That said, I'm not certain if anything can save these bills. Bills 45 and 46, in their togetherness, to me are just an abhorrent set of legislation designed to crush the labour movement, crush any reasonable ability for our unions to collectively bargain, to go forward on a good-faith basis, to negotiate a settlement and the like in any fashion that would be permissible under our Charter of Rights and Freedoms.

There's much case law on the books that suggests that these bills will be unconstitutional despite the protestations of government members to the contrary. If you look at the litany of case law that has emerged on the books around the ability of unions – actually, in fact, all citizens in Canada have the ability to form a union and to collectively bargain. By taking away the role of having a final arbiter set an agreement between government and labour unions, this walks away from that principle of freedom of association. It is a direct attack on labour. It's a direct attack on every Albertan's constitutional rights.

In my view, the government should feel a great deal of shame in regard to bringing forward this bill at this time. It has gone a long way to undermine the Canadian Charter of Rights and Freedoms and, in fact, our ability to have any semblance of reasonable work conditions or reasonable negotiated principles in place: principles of natural justice, principles of fairness, and principles that we have agreed on as a society that make sense.

If we turn more closely to Bill 45, as I've stated before, the bill has changed substantially, and it's not merely an updating of the fines and pronouncements that the government can issue in this regard. It's broadened the definition of strike, and it's come up

with, like I said, a new definition of a strike threat that was unknown to me before the presentation of this bill.

In my view, these provisions have made up the second point I'd make, an assault on our freedom of expression. People in this country have long been able to express their beliefs in a free, open, and fair way, whether they be a union member individual or rank-and-file member walking along the streets of Calgary or Edmonton or Leduc, Taber, Bawlf, or wherever you may have it. They should be allowed to discuss these issues in an open and fair manner. The way this legislation is written, I am not so certain that they have that right anymore.

I think I make this point because it goes to the far overreaching nature of this bill. It attempts to take a bulldozer to an ant. It's simply unnecessary. It's an attack against working people and their ability to organize and set their workplace rules and agenda and negotiate a fair and reasonable workday.

I appreciate the Official Opposition doing the good work of an opposition party by trying to put some amendments together to try to limit the power of the government and to try to limit who is, in fact, captured by this bill. Although I haven't quite decided yet, I'm thinking of supporting this amendment, but at the same time I'm not certain if anything can save this bill, and I do not want to encourage the government in any form or fashion by supporting this amendment, by suggesting such a thing, so I'm caught at loggerheads here. That is the problem as I see it.

The penalties far exceed any others that we see throughout jurisdictions in Canada. They, in fact, serve to hobble the labour movement and are draconian and, in my view, do not meet the purpose of what we should strive for in a fair and reasonable work environment here in Alberta.

I think many people have brought up this before. If we look at the fines directed at unions in regard to an illegal strike, should it happen – and I point out that this has been a very minor problem in Alberta's history. I think it's been brought up that there may have been four or five illegal strikes in the last number of years. Largely they've come about as result of the government's failure to communicate, failure to address problems, failure to adequately meet and discuss workplace issues.

I do point out that oftentimes progress is made by working people taking a stand, by saying: we have had enough; we have had enough of workplace conditions that are substandard, workplace conditions that do not respect a safe and healthy work environment. Oftentimes wildcat strikes may emerge through no prodding or poking by anyone, simply people reaching the end of their ropes and seeing no other alternative but to act in this fashion.

I would like to say, just to close, Mr. Chair, that, in my view, bills 45 and 46 in concert are really a dark day for this province and have really marked an attitude by this government that says that we're going to bully and push our way to get whatever results we want. Darn the Charter of Rights and Freedoms. Darn the law of the land as it's been in this province since 1977. We're going to do it regardless of the rights and freedoms that citizens of Alberta have thought to have enjoyed over the course of time.

Nevertheless, those are my comments, Mr. Chair, and I look forward to hearing others.

5:50

**The Chair:** Thank you, hon. member.

I'll recognize the Member for Edmonton-Beverly-Clareview.

**Mr. Bilous:** Thank you very much, Mr. Chair. I rise to address issues within the amendment. I appreciate the hon. member for putting forward this amendment in hope or in an attempt to

improve a deeply flawed bill. I share the same sentiment as the hon. Member for Calgary-Buffalo in that I'm not sure at the moment if I can support an amendment that tries to improve a bill that is flawed, well, not only flawed but, quite frankly, unconstitutional. I have every belief that should this bill pass through this House, it will be challenged and it will be thrown out. The concern here, especially, is the fact that it will take some time to pass through the courts.

As I've risen, Mr. Chair, I want to outline some of the very deep concerns that I and the Alberta NDP share with this bill. I appreciate the amendment's attempt to, in the first section at least, protect the fundamental freedoms of individual Albertans in even having a discussion or mentioning or talking about the possibility of a strike. Moving beyond that, the counsel or suggestion that one Albertan may make to another as far as if they have outrageous working conditions to imply that possibly an illegal strike would be the only method of recourse could land that person a \$500-a-day fine.

As mentioned earlier, Mr. Chair, I'm going to outline as briefly as possible, granted, again, that as the Member for Edmonton-Beverly-Clareview I'm speaking as the elected representative on behalf of 45,000 Albertans. There are New Democrat supporters throughout the province, so really we're looking at a much larger number.

First and foremost, very concisely, I know it's been discussed, the fact that this government is starting to use closure and the motions of closure when it's convenient for them, when they don't want to hear debate in the House on a bill that they know is contentious. You know, they've taken it one step further from introducing night sittings and passing through legislation in the middle of the night to now inducing closure, which severely restricts and limits the ability of the opposition to speak to these pieces of legislation, which is what we were elected for in the first place. I mean, that is undemocratic for a number of reasons.

Moving into this bill, Mr. Chair, the fact is that, you know, this bill is a direct attack and assault on the Canadian Charter of Rights and Freedoms and our fundamental right of freedom of speech and freedom of thought, belief, opinion, and expression. It's quite shocking, quite frankly, that this government would put forward such a bill, that does attack the very freedoms that this government claims that they protect.

Quite frankly, I think that many Albertans, seeing and looking at this bill, have quite clearly come to understand that the Premier in her leadership race was full of promises – and, believe me, there are other words I'd love to use – that she then without a second thought went forward and broke. You know, I find it quite offensive that just a year ago the Premier was invited to the AUPE general convention. Other members of other parties were not able to speak at that convention. There, you know, she went on about working with labour, working with the public sector, and how much this government supports them and appreciates their work and then takes out a big knife and stabs them in the back.

I mean, similar to the floods and all of the public-sector workers, many Albertans are stepping forward, going above and beyond their duty to help other Albertans beyond their scope, and this is how the government then thanks them, with bills 45 and 46, effectively putting a wage freeze on workers who, quite frankly, Mr. Chair, deserve to be paid much more than they currently are, then trying to take a step backwards to, quite frankly, intimidate and induce fear into Albertans and working Albertans by putting a gag order on them if they even want to discuss possible action of a strike. They therefore can be severely punished.

Again, you know, I can't help but look at the dollar amounts that unions, union reps, and even just Albertans can be charged for talking about an illegal strike or threatening. But then we look at the numerous examples of companies in the province who have broken the law, who have polluted an area significantly, and it's a slap on the wrist of a fine compared to this. I mean, it's completely disproportionate. A union being fined \$2.5 million a day, Mr. Chair, is quite absurd.

Something I wanted to touch on earlier is that there are members – and I believe the Minister of Justice and Solicitor General got up and spoke about the wildcat strike at the remand centre and how much it cost the government for that. I think he used a number around \$13 million. Well, I would challenge the minister that if the government had addressed the issues and concerns that the workers at the Edmonton Remand Centre were trying to communicate to them over a number of months, over and over, whether it was written or verbal or even, you know, demonstrating the flaws in the structure of the building and how it put the workers' and the inmates' health and safety at risk, I can tell you, Mr. Chair, that they would have spent considerably less money, fewer taxpayer dollars to ensure that the workers of this province and inmates have a safe working environment.

Quite frankly, Mr. Chair, it's simply misleading to try to stand up and say that it was the union that caused the taxpayers to spend \$13 million. No. It was the decision and, well, quite frankly, this government's inability and unwillingness to listen to real, genuine concerns of Albertans and address those issues, which would have cost far less than what ended up being the final price tag.

Again, let's look at – and I'd love to inform the minister and his colleagues – the facts of what led to that wildcat strike. It was documented, you know, in numerous places, Mr. Chair, that the workers were at their wits' end of trying to communicate to their managers and to this government the real, serious threats that they were facing working in a facility that, quite frankly, was not up to standards. So for some of the workers this was the only recourse . . .

**The Chair:** Hon. member, I hesitate to interrupt you, but it is 6 o'clock. The committee will stand adjourned until 7:30 p.m.

[The committee adjourned at 5:59 p.m.]





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