

Legislative Assembly of Alberta

Title: **Tuesday, March 1, 2005** **1:30 p.m.**

Date: 2005/03/01

[The Mace was on a cushion below the table]

The Sergeant-at-Arms: Order! All rise, please.

[The Clerk read the Royal Proclamation dated February 7, 2005, summoning the Members of the Legislative Assembly of Alberta to convene on this date]

The Clerk: Please be seated.

head: **Entrance of the Lieutenant Governor**

[The Premier, the Clerk, and the Sergeant-at-Arms left the Chamber to attend the Lieutenant Governor]

The Sergeant-at-Arms: Order! All rise, please.
His Honour the Honourable the Lieutenant Governor.

[Preceded by the Sergeant-at-Arms, His Honour the Lieutenant Governor of Alberta, Norman L. Kwong, CM, AOE, his party, the Premier, and the Clerk entered the Chamber. His Honour took his place upon the throne]

His Honour: Ladies and gentlemen, please be seated.

Mr. Stevens (Provincial Secretary): Hon. members, I am commanded by His Honour the Honourable the Lieutenant Governor to inform you that he does not see fit to declare the causes of the summoning of the present Legislature of this province until a Speaker of this Assembly shall have been chosen according to law. He therefore is pleased to retire from this Assembly, to return at a subsequent hour tomorrow to declare the causes of the calling of this Legislature.

The Sergeant-at-Arms: All rise, please.

[Preceded by the Sergeant-at-Arms, the Lieutenant Governor, his party, and the Premier left the Chamber]

head: **Election of a Speaker**

The Clerk: Hon. members, pursuant to the Lieutenant Governor's direction and section 16(1) of the Legislative Assembly Act nominations are invited for the Office of Speaker of this Assembly for the 26th Legislature. Ms Haley.

Ms Haley: Thank you, Mr. Clerk. It's a real honour for me to be able to participate in the Speaker's election for the 26th Legislature of Alberta. With this being our 100th anniversary year as a province, I have been looking into the historical context of various building blocks of our province. Part of that, of course, is the actual election of the Speaker.

The first known Speaker's election was held in 1377 in England. Even the name of the position, Speaker, evolved out of those early days as one designated to speak for the House and represent the House to the Crown. The role became pivotal in times of struggle between the Crown and the House, the essence of which was captured in 1642, when Charles I entered the House to arrest five members for treason. The Speaker refused to give the members'

whereabouts, saying, "I have neither eyes to see, nor tongue to speak in this place, but as the House is pleased to direct me."

It is, in fact, a common myth that Speakers have been executed in the course of carrying out their duties, and while it is true that between 1399 and 1535 nine people who had once held the Office of Speaker were executed or suffered violent deaths, those demises cannot be attributed to the actual act of being the Speaker. They were in fact attributed to other functions in their lives. However, the responsibility still weighed heavily in uncertain times when free speech could not be taken for granted. Our parliamentary system of democracy has evolved over the past 800 years, and the role of Speaker may be slightly less dangerous now but still equally important.

There is a role for government which is represented by the Premier and Executive Council, and there is a role for the Assembly, comprised of all members, most of whom are not part of Executive Council. It is imperative to keep the separation between the two. That is why there is a separate budget for the Legislative Assembly of Alberta. It is also why we have our own Standing Orders, that we ratify in this Chamber, to govern our own behaviour.

There are many books defining how to do things, and one person is vested with the role of interpreting and ruling on issues important to all members. It is in this context that I am very proud to nominate a man who lives and breathes those dusty old books and brings them to life for us here, to the benefit of us all. It is the third time he has willingly put his name forward for this position and the third time I've had the privilege to nominate him. He has brought respect, honour, and dignity to our home away from home here in this Assembly, allowing all of us to function freely and with integrity on behalf of our constituents. He has proven over the past eight years that he is not only good at the job but that he, in fact, loves doing it. I am very proud to nominate my friend and colleague Ken Kowalski, the Member for Barrhead-Morinville-Westlock, to the position of Speaker of the Legislative Assembly of Alberta.

Thank you, Mr. Clerk.

The Clerk: Mr. Kowalski, do you wish to accept the nomination?

Mr. Kowalski: Mr. Clerk, I'd be both honoured and humbled to accept the nomination.

The Clerk: Are there further nominations for the Office of Speaker? I declare, then, the nominations closed, and I further declare that Mr. Ken Kowalski, the Member for Barrhead-Morinville-Westlock, is elected Speaker of the Legislative Assembly for the 26th Legislature. [applause]

[The Speaker, with apparent reluctance, was escorted to the chair by Mr. Klein and Dr. Taft]

The Speaker: Hon. members, it is with the deepest of humility that I thank you all, all members of Alberta's 26th Legislature, for the great honour bestowed upon me today.

As we close the first 100 years of Alberta as a province and embark upon our second centennial, we should all be cognizant of the tremendous responsibility placed upon all of us as Members of this Legislative Assembly. As the future unfolds, I have no doubt that the 26th Legislature will experience momentous events that will define the new Alberta. Your integrity, your honesty, and your transparency will define you as a member of Alberta's Legislative Assembly. You will make a difference.

Thank you again for electing me as your Speaker. To the Member

for Airdrie-Chestermere, thank you for believing in me and thank you for your humbling nomination.

The best to all. Thank you.

[The Sergeant-at-Arms placed the Mace on the table]

head: **Prayers**

The Speaker: I would now invite everyone to stand for the prayer.

Let us pray. To the Almighty, on this day of a new beginning we ask for Your guidance in the responsibility we have undertaken and Your help in fulfilling our duties. As Members of this Legislative Assembly may we faithfully serve all Albertans and, in serving them, serve You. Amen.

Please be seated.

head: **Election of a Deputy Speaker
and Chair of Committees**

The Speaker: Hon. members, pursuant to section 17(1) of the Legislative Assembly Act and Standing Order 55(1)(a) nominations are invited for the office of Deputy Speaker and Chair of Committees of this Assembly for the 26th Legislature. The hon. Mr. Amery.

Mr. Amery: Thank you, Mr. Speaker. Let me be the first one to formally congratulate you on your re-election to the Speaker's chair. I look forward to serving under your inspired guidance for this 26th Legislature.

Secondly, Mr. Speaker, it gives me great pleasure today to put forward the name of the hon. Member for Calgary-McCall for the position of Deputy Speaker. The hon. Member for Calgary-McCall has for many years served you and all members of this House as Deputy Chair of Committees as well as serving on several House committees dedicated to the rights and privileges of all members. All members who have sat before him in this Chamber and Committee of Supply know that he is always a balanced and thoughtful purveyor of the rules and Standing Orders to all members of this House whatever their political stripe.

Mr. Speaker, as we go to place our ballots for Deputy Speaker, it is important that we know more about the candidates who we are electing and the accomplishments and activities that they have undertaken before and while they have been elected to this House.

Mr. Speaker, the hon. Member for Calgary-McCall has been a lifelong advocate of child welfare and community support for children. He has also taught numerous courses at Mount Royal College in Calgary. The hon. member ran and was elected in a by-election in 1995, strongly committed to making a greater contribution to the people of Calgary-McCall and the people of this province. In his first term the hon. member served voluntarily and diligently as the Deputy Chair of Committees whenever he was called upon.

I know, Mr. Speaker, that the hon. member has served in many nonpartisan capacities: as a member of this House, as a vice-chair of the Public Accounts Committee, as a member of the Legislative Review Committee, and on any other committees that he was assigned to. I have the pleasure of sitting with him on the Standing Policy Committee on Health and Community Living and have found his level of commitment and dedication to be second to none.

Mr. Speaker, in closing, I know that by electing the hon. Member for Calgary-McCall to the position of Deputy Speaker, this Assembly will be well served. He will do so in the manner in which he has served us in the past, with a shrewd understanding of the duties and parliamentary responsibilities required in conducting the business of

the House. He will do so in a manner that brings credit to this House and all hon. members, who serve the people of Alberta.

Mr. Speaker, through you I urge all hon. members to support our friend and colleague the hon. Member for Calgary-McCall for Deputy Speaker.

Thank you.

The Speaker: Hon. Member for Calgary-McCall, Mr. Shariff, do you accept the nomination?

Mr. Shariff: With humility and a great sense of pride I accept the nomination.

Mr. Speaker, I also congratulate you on your victory.

The Speaker: The hon. Member for Little Bow, Mr. McFarland.

Mr. McFarland: Thank you, and may I be the second, Mr. Speaker, to extend sincere appreciation for your eloquence and your dedication and also for the words of advice that you gave my electorate during my by-election in 1992. Only you and I would remember what those words were.

I am pleased to present to the Legislative Assembly an individual that I know would be a worthy and capable Deputy Speaker. This MLA has a well-rounded background that suits him to assist you, Mr. Speaker. A former scoutmaster, a minor hockey coach, a small-business owner/operator, he and his wife, Jan, have farmed in central Alberta since 1964. During that time they raised their daughter and son, and their expanded family has now blessed this marriage with three grandchildren, a wonderful gift for a couple who this November will celebrate their 40th year of marriage.

A responsible community person, my colleague served 17 years as a municipal councillor, as many of us in this Assembly have. He also served with the municipal district of Kneehill, as it was known then, as deputy reeve, as reeve, as chair of the central zone of the Alberta Association of Municipal Districts and Counties, and as chair of the reeves' council for the Alberta Association of Municipal Districts and Counties.

Richard Marz was elected to this Assembly in 1997, and I have been fortunate to know and work with him in various capacities since that time. A devoted MLA, in my mind, Richard has chaired a number of committees including the farm assessment review and the labour review committee and served on all other SPC and legislative committees that he's been asked to, and he's done so with vigorous attention. I am confident that his abilities to now assume the role of Deputy Speaker will be made with dignity and with strength.

It's my pleasure, Mr. Speaker, to nominate without reservation Richard Marz, MLA for Olds-Didsbury-Three Hills, for Deputy Speaker, and I encourage all members of our Assembly to support him.

Thank you.

The Speaker: Hon. Member for Olds-Didsbury-Three Hills, Mr. Marz, do you accept the nomination?

Mr. Marz: Mr. Speaker, I would like to thank the Member for Little Bow for his very kind words, and I would accept the nomination with honour and pride.

Thank you.

The Speaker: Hon. members, would there be additional nominations? I declare the nominations closed.

The nominees for the position of Deputy Speaker and Chair of Committees are Mr. Shariff and Mr. Marz.

Voting will commence after the list of nominees is posted in each voting booth and will be conducted by the office of the Clerk.

[The lists of candidates were posted]

The Speaker: Hon. the Premier, perhaps you might begin, followed by the hon. Minister of Environment. Then we'll just go up this row.

Hon. Leader of the Opposition, if you would commence on this side, and then we'll follow with the hon. Member for Calgary-Nose Hill and just go down the row.

[Members voted from 1:55 p.m. to 2:02 p.m.]

The Speaker: Hon. members, have all those who wish to vote voted? Then proceed, Mr. Clerk.

[Ballots were counted from 2:03 p.m. to 2:12 p.m.]

The Speaker: Hon. members, it'll be a couple of minutes before the results come in.

There was one thing we were going to do at the conclusion of the program this afternoon, but I think we'll proceed with it now. I'm going to call on the hon. the Premier, the hon. Mr. Klein.

Centennial Medallions

Mr. Klein: Thank you, Mr. Speaker. [some applause] Thank you very much. Well, Mr. Speaker and colleagues, thank you for that very warm round of applause, and it is nice to be back.

Mr. Speaker, first of all, I want to congratulate you on your acclamation as Speaker. I know you had a hard run.

I would like to congratulate in advance, although we don't know who the victor might be, the Deputy Speaker and Chair of Committees. As well, in advance I would like to congratulate whoever wins the Deputy Chair of Committees. I'm confident that each of them and you, Mr. Speaker, will serve Albertans well in your respective roles.

As Alberta celebrates its 100th anniversary, there will be a number of celebrations and activities throughout the province. There will be celebrations in communities, and service clubs will have celebrations. I know that a number of corporations are planning celebrations. So virtually whole segments of society are developing programs to celebrate Alberta's 100th birthday. These are all people and entities that make this province such a fantastic place in which to live.

As a government we are recognizing centenarians, we are recognizing students, and we are recognizing community leaders and volunteers, just to name a few. I would personally like to add another group to that list, and that is Members of the Legislative Assembly because notwithstanding what we hear on the radios and read in the newspapers and watch on television from time to time, we actually do work. We do very significant work, and we serve the people of this province with a tremendous amount of commitment, pride, and dignity. So I want to add to that list Members of this Legislative Assembly because as legislators the members of this Assembly continue to make important contributions to the lives of all Albertans.

As I announced last September, the government is producing a centennial medallion in honour of Alberta's 100th birthday. Each student from kindergarten to grade 12 will be receiving a commemo-

orative brass medallion. Every Albertan who reaches or has reached the age of 100 in 2005 – and I can't believe how many there are; there are many – will receive a 14-karat gold medallion.

A silver medallion has also been produced to bestow as a commemorative gift to distinguished Albertans and guests visiting Alberta in 2005. Members will receive a supply of these medallions for their distribution. Today, Mr. Speaker, I am pleased to present a silver medallion to each member as a memento for his or her work on behalf of all Albertans during this centennial year.

I would like to note with pride that these medallions were designed by an Alberta artist, as a matter of fact right here in Edmonton, as I understand, and produced, of course, right here in Alberta.

Alberta's centennial should be a great year, and I look forward to working with you, Mr. Speaker, and all Members of this Legislative Assembly to make sure it is.

Thank you.

The Speaker: Leader of the Official Opposition, this is a deviation from what we are doing today, but I suspect that we might interpret the Premier's comments as a ministerial statement, and under our normal rules if the Leader of the Official Opposition wants to make a comment further with respect to the medallion presentation, please proceed.

Dr. Taft: Well, thank you, Mr. Speaker. This is a completely unexpected gesture on the part of the Premier and the government and the Legislative Assembly. I haven't seen the medallion yet, but I'm sure we'll be very interested in them. I appreciate the gesture, and I'm even more excited for the Albertans who will receive the medallion who aren't MLAs, the people who have reached their 100th birthday and the schoolchildren of Alberta, who represent the future of this province. So on behalf of the opposition I thank the government and the Legislative Assembly for this generous gesture.

Thank you.

The Speaker: Hon. members, I would also draw to your attention this pamphlet that we've produced: Page Biographies. These very remarkable young people will be with us for the remainder of this session, and I certainly hope that you will have an opportunity in the ensuing days to basically identify their backgrounds, their names, and some really remarkable things. Do you know the Speaker's page, Matthew? Where is he? There he is, right there. In his biography he's president of a junior achievement company, executive member of the Northern Alberta BMW Club, an owner of an automotive accessories business. He's in high school with honours all the time, and once he leaves us after his successful stay in the Legislative Assembly, he plans on getting into business administration. Remarkable people, all of them.

The Clerk: Mr. Speaker, the number of ballots cast for the position of Deputy Speaker and Chair of Committees, 82; the number of spoiled ballots, zero; the number of votes required to achieve the 50 per cent plus one majority, 42; the member having received the majority of the votes cast, Mr. Richard Marz. Mr. Richard Marz is declared Deputy Speaker and Chair of Committees for the Legislative Assembly of Alberta for the 26th Legislature.

The Speaker: Hon. members, the Legislative Assembly of Alberta has a new Deputy Speaker for its 26th Legislature. We all congratulate the hon. Member for Olds-Didsbury-Three Hills. Mr. Marz, would you like to say a few words?

Mr. Marz: Well, thank you very much. I'd like to thank all the members of the Assembly for entrusting this very important position to me. I'd also like to extend my congratulations to you, Mr. Speaker, on your third term, and it will be indeed an honour and a privilege for me to work side by side with you in serving this Assembly in the 26th Legislature.

Again I would like to thank my friend and colleague from Little Bow for his kind words, and I would also like to thank my friend and colleague from Calgary-McCall for giving us the opportunity to exercise the democratic process in this Assembly.

I guess that about sums it up, Mr. Speaker. Thanks again.

The Speaker: Hon. members, I would ask you to join with me as I say thank you to the hon. Member for Calgary-McCall for very distinguished service in the 25th Legislature of the province of Alberta as Deputy Chair of Committees. Thank you.

head: **Election of a Deputy Chair of Committees**

The Speaker: Hon. members, pursuant to section 17(1) of the Legislative Assembly Act and Standing Order 55(1)(b) nominations are invited for the office of Deputy Chair of Committees for the 26th Legislature. The hon. Member for Wetaskiwin-Camrose.

Mr. Johnson: Thank you, Mr. Speaker. I, too, would like to congratulate you on your election to the Office of Speaker. We have benefited immensely from your expertise in the past, and I look forward to another Legislature with you in the Speaker's chair.

I'd also like to congratulate my colleague from Olds-Didsbury-Three Hills on his election as Deputy Speaker.

It gives me great pleasure to rise today to nominate the Member for Calgary-Fort as the Deputy Chair of Committees for the 26th Legislature. I've come to know this member very well since he was first elected in 1997. We were both elected in the same year. Since that time I have witnessed his dedication to his constituency and to the province of Alberta. He has shown himself to be an ethical, hard-working, effective member of this Legislature. I have no doubt that he would be an impartial adjudicator of House debates, and his enthusiasm for parliamentary democracy would be a benefit to all members of the House. The Chamber would be well served by the Member for Calgary-Fort, and it is an honour to nominate him.

Thank you.

The Speaker: Hon. Member for Calgary-Fort, Mr. Cao, do you accept the nomination?

Mr. Cao: Thank you, Mr. Speaker, and thank you, Member for Wetaskiwin-Camrose, for the nomination. With my personal pledge of hard work, humility, and great honour I'll accept the nomination and seek your support.

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

Mr. Danyluk: Thank you very much, Mr. Speaker. I am honoured to be one of many who are going to congratulate you on your acclamation as Mr. Speaker. Your commitment, knowledge, and leadership are admired and appreciated by all.

I would also like to congratulate the hon. Member for Olds-Didsbury-Three Hills on his appointment as Deputy Speaker. I know that the experience and the challenge will be humbling and trying at times.

It is my honour to stand before you today, Mr. Speaker, and this Assembly to nominate the Member of the Legislative Assembly for Drayton Valley-Calmar. This member was elected to his first term

as the Member of the Legislative Assembly for Drayton Valley-Calmar on March 12, 2001. In addition to his role as MLA he has served as a member of the standing committees on Law and Regulations; Privileges and Elections, Standing Orders and Printing; as well as the Standing Policy Committee on Learning and Employment.

I believe this member will be fair and courteous and will keep good decorum in the House. His knowledge of process and parliamentary procedure will be an asset to this Assembly. He will be an excellent support for our newly elected Speaker and Deputy Speaker. Therefore, I nominate the hon. Member for Drayton Valley-Calmar for election for the Deputy Chair of Committees.

Thank you very much, Mr. Speaker.

The Speaker: Hon. Member for Drayton Valley-Calmar, Reverend Abbott, do you accept the nomination?

Rev. Abbott: Mr. Speaker, let me also congratulate you publicly on your position as well as my seatmate, the hon. Member for Olds-Didsbury-Three Hills, on his election as Deputy Speaker.

Let me thank the Member for Lac La Biche-St. Paul for his gracious nomination, and yes, Mr. Speaker, I do accept.

The Speaker: Hon. members, are there further nominations?

Ms Haley: Mr. Speaker, with great pride I would nominate my friend and colleague Mr. Shiraz Shariff, Member for Calgary-McCall, for this position.

The Speaker: Hon. Member for Calgary-McCall, Mr. Shariff, do you accept the nomination? [some applause]

Mr. Shariff: Thank you very much, colleagues. I hadn't contemplated running for this position. I will put my name forward. I accept.

The Speaker: Hon. members, are there additional nominations? Then I declare the nominations closed.

The nominees for the position of Deputy Chair of Committees are Mr. Cao, Reverend Abbott, and Mr. Shariff.

[The lists of candidates were posted]

The Speaker: Hon. the Premier, would you lead the members on this side and, hon. Dr. Taft, would you lead the members on that side, please?

[Members voted from 2:22 p.m. to 2:29 p.m.]

The Speaker: Have all hon. members who wish to vote voted?

[Ballots were counted from 2:29 p.m. to 2:38 p.m.]

The Clerk: Mr. Speaker, the number of ballots cast for the position of Deputy Chair of Committees, 82; the number of spoiled ballots, zero; the number of votes required to achieve the 50 per cent plus one majority, 42. No candidate has received a majority of the votes cast. Reverend Abbott has received the least number of total votes cast, and Reverend Abbott's name will therefore be excluded from subsequent ballots.

The Speaker: Hon. members, a second ballot will be cast. It'll be just a matter of a minute or so, and then we'll proceed in the same manner as the last.

[The lists of candidates were posted]

The Speaker: Mr. Premier, Mr. Leader of the Official Opposition, please proceed.

[Members voted from 2:41 p.m. to 2:47 p.m.]

The Speaker: Hon. members, have all who wish to do so voted? Then I think, Mr. Clerk, you can proceed.

[Ballots were counted from 2:47 p.m. to 2:54 p.m.]

The Speaker: Hon. members, just a few quick reminders before the proceedings continue. First of all, tomorrow at 3 o'clock. But on Thursday, when we come in at 1:30, we are going to try and do one of those historical pictures of all Members of the Legislative Assembly. There's a window of opportunity for the picture to be taken of about 20 seconds, so would you please be in your chair. If not, we will have to electronically insert you after the fact.

An Hon. Member: And it hurts.

The Speaker: And it hurts, yeah.

Hon. members, I'd just like to draw your attention to the legislative officers who are seated in the Speaker's gallery. For returning members, you'll be familiar with them and know who they are, for new members perhaps not, so I'll just take a moment here to introduce them: first of all, Mr. Don Hamilton, the Ethics Commissioner; Mr. Fred Dunn, the Auditor General; Mr. Brian Fjeldheim, the Chief Electoral Officer; Mr. Gordon Button, the Ombudsman; Mr. Frank Work, the Privacy Commissioner.

The Clerk: Mr. Speaker, the number of ballots cast for the position of Deputy Chair of Committees on the second ballot, 82; the number

of spoiled ballots, one; the number of votes required to achieve the 50 per cent plus one majority, 42; the member having received the majority of votes cast, Mr. Shiraz Shariff. Mr. Shiraz Shariff is the Deputy Chair of Committees of the Legislative Assembly of Alberta for the 26th Legislature.

The Speaker: Congratulations are extended to the Deputy Chair of Committees of the Legislative Assembly of Alberta. Mr. Shariff, would you like to say a few words?

Mr. Shariff: Thank you very much, Mr. Speaker. I'm stuck for words, and you can understand that, but I want to take this opportunity to thank each and every one of you for your confidence in me. I will serve you diligently, fairly, and I'll apply the Standing Orders as I've always done in the past.

I also want to take this opportunity to thank my colleagues the hon. Member for Calgary-East and the hon. Member for Airdrie-Chestermere for nominating me.

I want to congratulate you, Mr. Speaker, on your acclamation and congratulate my colleague from Olds-Didsbury-Three Hills on being elected as the Deputy Speaker. I also want to recognize my two other colleagues, Calgary-Fort and Drayton Valley-Calmar, for letting their names stand for this position.

Thank you very much.

The Speaker: Hon. members, might we have consent to destroy all ballots and documents related to the election of the Speaker, the Deputy Speaker and Chair of Committees, and the Deputy Chair of Committees?

[Unanimous consent granted]

[At 2:58 p.m. the Assembly adjourned to Wednesday at 3 p.m.]

