



**Legislative Assembly
Province of Alberta**

Day 47

(Issued Monday, November 17, 2003
Pursuant to Standing Order 38(4))

ORDER PAPER

Third Session

Twenty-Fifth Legislature

Tuesday, November 18, 2003

Prayers

ROUTINE

O Canada (First sitting day of each week)
Introduction of Visitors
Introduction of Guests
Ministerial Statements
Oral Question Period
Recognitions (Monday and Wednesday)
Members' Statements (Tuesday and Thursday)
Presenting Reports by Standing and Special Committees
Presenting Petitions
Notices of Motions
Introduction of Bills
Tabling Returns and Reports
Tablings to the Clerk
Projected Government Business (Thursday)

ORDERS OF THE DAY

Government Motions

19. Moved by Hon. Mrs. Nelson:

Be it resolved that the Assembly approve in general the business plans and fiscal policies of the Government.

Adjourned debate: Hon. Mr. Hancock

23. Moved by Hon. Mr. Jonson:

Be it resolved that given that the current process of appointing Senators offends Canadians' democratic values, has deprived that House of political legitimacy and efficacy, and has prevented the Senate from being effective in protecting the interests of the provinces of Canada; the Legislative Assembly directs the Government of Alberta to consult with Albertans on reforming the Senate through the following Constitutional amendment, namely by repealing Sections 21 to 34 of the Constitution Act, 1867 and substituting the following:

21(1) The Senate shall consist of elected members called Senators.

(2) Each Province shall be represented in the Senate by 6 Senators.

(3) Each Territory shall be represented in the Senate by 2 Senators.

22(1) Subject to this section, the Senators representing a Province or Territory shall be elected by the electors of that Province or Territory.

(2) The legislature of a Province or of a Territory may make laws relating to the election of Senators representing that Province or Territory, including the method of election and the procedure for the election.

(3) Except in the case of by-elections, and except in the case of the first election held pursuant to this section, the election of one-half of the Senators representing a Province or Territory shall be held in conjunction with the general elections of members of the legislative assembly of the Province or of the Territory.

(4) Except as otherwise provided in subsection (6) and unless the office is sooner vacated, and except in the case of a Senator elected in a by-election, the term of office of a Senator representing a Province or Territory continues until the official announcement of the results of the Senate elections held in conjunction with the second general election in that Province or Territory after the election of that Senator.

(5) The first election held pursuant to this section in each Province or Territory shall be for the election of all the Senators representing that Province or Territory.

(6) The term of office for one half of the Senators elected from each Province and Territory at the first election held pursuant to this section in each Province or Territory continues until the official announcement of the results of the Senate elections held in conjunction with the next general election in that Province or Territory.

(7) In relation to the Senators representing that Province or Territory, the legislature of a Province or of a Territory may make laws establishing which Senators subsection (6) applies to.

23(1) Subject to this section, a person is qualified to be a candidate and to be elected Senator if the person is eligible to be a candidate and to be elected as a member of the House of Commons.

(2) A person is not qualified to be elected as a Senator or to remain a Senator if the person

- (a) is a member of the House of Commons or of the legislative assembly of a Province or of a Territory, or
- (b) is a Minister of the Crown

(3) If any question arises respecting the qualification of a Senator, the question shall be heard and determined by the Senate.

24(1) A Senator may resign his or her seat by delivering a resignation to the Governor General.

(2) When a Senator resigns his or her seat in accordance with subsection (1), the seat immediately becomes vacant.

25(1) A by-election to fill a vacancy in the Senate representation of a Province or Territory need not be called if

- (a) the vacancy occurs during the last year of the legal life of the legislative assembly of the Province or of the Territory, and
- (b) the term of office of the Senator, who vacated that seat would have expired with the announcement of the results of the Senate elections held in conjunction with the next general election in the Province or Territory.

(2) The term of office for a Senator elected at a by-election shall be for the balance of the term of the Senator who vacated the seat.

26 The Senate may establish its own procedure for the election of the Speaker of the Senate and for the conduct of the Senate's business.

27 Subject to section 53, bills proposed to the Parliament of Canada may originate in the Senate equally as in the House of Commons.

28(1) Where a bill is presented to the Senate after being passed by the House of Commons, if the Senate

- (a) votes against passing the bill,
- (b) passes the bill with amendments that are not acceptable to the House of Commons, or
- (c) fails to vote on the bill within 180 days after it is presented to the Senate,

the bill may be brought before the House of Commons and if again passed by the House of Commons, with such amendments made by the Senate as are concurred in by the House, the bill may be presented to the Governor General for assent, and when assented to has the same force and effect as if passed in that form by the Senate.

(2) In a bill presented to the Governor General under this section, the words of enactment shall be amended by striking out any reference to the Senate.

(3) An alteration to a bill to give effect to subsection (2) is deemed not to be an amendment of the bill.

(4) This section does not apply to a bill referred to in section 30.

29 If the Speaker of the Senate or of the House of Commons rules that the subject matter of a bill is wholly or partially within section 94A or 95, the bill may be repassed by the House of Commons under section 28 only if

- (a) the percentage of the members voting who vote to pass the bill is greater than the percentage of Senators voting who voted to reject the bill or pass it with amendments, or
- (b) the Senate fails to vote on the bill within 180 days after it is presented to the Senate.

30 Where a bill is presented to the Senate after being passed by the House of Commons and the Speaker of the Senate or of the House of Commons rules that the bill

- (a) directly affects in any way, including by taxation, the natural resources of a Province,
- (b) authorizes the expenditure of federal funds in areas of provincial jurisdiction under sections 92, 92A and 93,
- (c) is binding on a Province, or
- (d) declares a local work or undertaking to be of the general advantage of Canada or for the advantage of two or more Provinces

if the Senate votes against passing the bill or passes it with amendments not acceptable to the House of Commons no further proceedings may be taken on the bill.

31 Appointments to the Supreme Court of Canada and to the Federal Court of Appeal have no effect until they are ratified by the Senate.

32 No treaty shall be ratified by Canada unless the Senate has authorized Canada to ratify the treaty.

AND BE IT FURTHER RESOLVED THAT,

given that the Constitution establishes Canada as a federal system of government in which the sovereign powers of the Crown are divided between two separate but equal orders of government; and that the federal Parliament is comprised of two Houses: the House of Commons, which is designed to reflect the democratic principle of representation by population, and a Senate, which is designed to reflect the federal nature of Canada; and that Canada is a parliamentary democracy that has constitutionally enshrined the democratic right of every citizen of Canada to vote in an election of members of the House of Commons and of their legislative assembly;

the Legislative Assembly directs the Government of Alberta to initiate discussions with the Government of Canada and the governments of all other Provinces and Territories leading to the reform of the Senate.

Adjourned debate: Hon. Mr. Jonson

Government Bills and Orders

Second Reading

- Bill 33 Insurance Amendment Act, 2003 — Rev. Abbott
Adjourned debate: Dr. Taft
- Bill 36 Environmental Protection and Enhancement Amendment Act, 2003 — Hon. Dr. Taylor
Adjourned debate: Mr. Broda
- Bill 37 Climate Change and Emissions Management Act (\$) — Hon. Dr. Taylor
Adjourned debate: Mr. Broda
- Bill 38 Workers' Compensation Amendment Act, 2003 — Mr. Lougheed
- Bill 41 Alberta Corporate Tax Amendment Act, 2003 — Hon. Mr. Melchin
- Bill 43 Post-secondary Learning Act — Hon. Dr. Oberg
- Bill 44 Personal Information Protection Act — Hon. Mr. Coutts
- Bill 45 Family Law Act — Ms Graham

Committee of the Whole

- Bill 6 Justice Statutes Amendment Act, 2003 — Hon. Mr. Hancock

Written Questions

- WQ15.** Dr. Nicol to ask the Government the following question (Due Day 59):
Why has the number of pheasants released under a lease agreement between the Brooks Pheasant Hatchery and the Pheasants Unlimited, administered by the Department of Infrastructure, not met the 15,000 pheasant release requirement, what are the terms of the lease agreement, and what happens when the lease expires?

Motions Other Than Government Motions

- 511.** Moved by Mr. Johnson (Time remaining: 34 minutes):
Be it resolved that the Legislative Assembly institute an all-party Former Members' Association of the Legislative Assembly to focus on the interests of the membership and the good of parliamentary precinct, history, and process.
Debate adjourned: Mr. Maskell speaking.

512. Mr. MacDonald to propose the following motion:

Be it resolved that the Legislative Assembly urge the Government to strike an all-party committee to study the rising premium rates for automobile insurance, insurance companies hand-picking clients, and increasing insurance claims in the Province.

513. Mr. Cao to propose the following motion:

Be it resolved that the Legislative Assembly urge the Government to implement market basket measures to determine social assistance rates as well as levels of financial assistance for Albertans who are in need.

514. Dr. Taft to propose the following motion:

Be it resolved that the Legislative Assembly urge the Government to bring in new conflicts of interest legislation to set out a code of conduct for elected officials in Alberta beyond purported financial impropriety and that the recommendations of the Tupper Report be taken into account when creating this legislation.

515. Mr. Herard to propose the following motion:

Be it resolved that the Legislative Assembly urge the Government to consider requiring five credits in fine arts as a condition for high school graduation in the Province.

516. Ms DeLong to propose the following motion:

Be it resolved that the Legislative Assembly urge the Government to opt out of the Tax Collection Agreement with the Federal Government and allow the Finance Department the jurisdiction to collect all provincial tax monies.

517. Mr. Bonner to propose the following motion:

Be it resolved that the Legislative Assembly urge the Government to support the banning of nitrous oxide engine modifications on private passenger and commercial vehicles in Alberta.

518. Mr. Strang to propose the following motion:

Be it resolved that the Legislative Assembly urge the Government to develop a tourism levy to be dedicated to tourism advertising for the Province as a whole.

519. Mr. Maskell to propose the following motion:

Be it resolved that the Legislative Assembly urge the Government to take measures to implement a \$500 tax credit for teachers who spend personal funds to purchase classroom supplies.

- 520.** Mr. Mason to propose the following motion:
Be it resolved that the Legislative Assembly urge the Government to phase out the use of surface water and potable groundwater for deep well injection by the energy industry and instead implement the use of alternatives such as carbon dioxide and other pollutants.
- 521.** Mr. Yankowsky to propose the following motion:
Be it resolved that the Legislative Assembly urge the Government to designate square dancing as the official folk dance of Alberta.
- 522.** Mr. McFarland to propose the following motion:
Be it resolved that the Legislative Assembly urge the Government to review existing research on the benefits of increasing the age of majority.
- 523.** Ms Blakeman to propose the following motion:
Be it resolved that the Legislative Assembly urge the Government to develop and implement standards of care for all facilities and group homes for youth, seniors, and disabled persons.
- 524.** Withdrawn.
- 525.** Mr. McClelland to propose the following motion:
Be it resolved that the Legislative Assembly urge the Government to prohibit licensed establishments from selling liquor to women known to be pregnant.
- 526.** Withdrawn.
- 527.** Mr. McFarland to propose the following motion:
Be it resolved that the Legislative Assembly urge the Government to require a total review and financial audit of all charitable not-for-profit organizations with gross incomes exceeding \$100,000.
- 528.** Withdrawn.
- 529.** Mrs. Jablonski to propose the following motion:
Be it resolved that the Legislative Assembly urge the Government to explore means of funding complementary health services such as chiropractic, naturopathy, acupuncture, and massage therapy treatments.
- 530.** Withdrawn.

- 531.** Mr. Rathgeber to propose the following motion:
Be it resolved that the Legislative Assembly urge the Government to consult with Albertans regarding the privatization of the Alberta Treasury Branches.
- 532.** Withdrawn.
- 533.** Withdrawn.
- 534.** Mr. Yankowsky to propose the following motion:
Be it resolved that the Legislative Assembly urge the Government to implement a voluntary marriage preparation course with appropriate incentives to increase awareness of the legal aspects of marriage, child-rearing responsibilities, as well as emotional and financial pressures.
- 535.** Dr. Massey to propose the following motion:
Be it resolved that the Legislative Assembly urge the Government to urge the Federal Government to create a GST exemption category for all school materials purchases and post-secondary textbook purchases.
- 536.** Dr. Pannu to propose the following motion:
Be it resolved that the Legislative Assembly urge the Government, in the interests of fiscal prudence and tax equity, to not proceed with health care premium increases and instead cancel the scheduled reductions in corporate income taxes for fiscal year 2003-04 and subsequent years.
- 537.** Mr. Cao to propose the following motion:
Be it resolved that the Legislative Assembly urge the Government to declare an official annual neighbours week, starting with Canada Day, to promote community spirits and neighbourhood safety in Alberta.
- 538.** Mr. Marz to propose the following motion:
Be it resolved that the Legislative Assembly urge the Government to ensure that needles used in the treatment of diabetes and blood glucose monitoring strips are covered under Alberta Health Care.
- 539.** Withdrawn.
- 540.** Mr. Cenaiko to propose the following motion:
Be it resolved that the Legislative Assembly urge the Government to increase funding for the Community Housing Program.
- 541.** Withdrawn.

- 542.** Withdrawn.
- 543.** Ms DeLong to propose the following motion:
Be it resolved that the Legislative Assembly urge the Government to review the obstacles that prevent full participation by both mothers and fathers in their children's lives.
- 544.** Mr. VanderBurg to propose the following motion:
Be it resolved that the Legislative Assembly urge the Government to improve the outstanding job Alberta libraries have done with limited financial resources by funding the connection and maintenance of the Alberta Supernet to provide first class service to users.
- 545.** Mrs. O'Neill to propose the following motion:
Be it resolved that the Legislative Assembly urge the Government to consider requiring motor vehicles to display both front and rear license plates.
- 546.** Rev. Abbott to propose the following motion:
Be it resolved that the Legislative Assembly urge the Government to take steps to ensure the reduction of automobile insurance fraud in Alberta.
- 547.** Ms Carlson to propose the following motion:
Be it resolved that the Legislative Assembly urge the Government to re-establish the Standing Committee on Laws and Regulations.
- 548.** Mr. MacDonald to propose the following motion:
Be it resolved that the Legislative Assembly urge the Government to install a metering device at each wellhead in the Province to measure the production of oil or gas to ensure Albertans are getting full value for their resources.
- 549.** Ms Carlson to propose the following motion:
Be it resolved that the Legislative Assembly urge the Government to encourage and work with the Federal Government to develop labelling for genetically modified organisms and food products that contain genetically modified organisms.
- 550.** Mr. Horner to propose the following motion:
Be it resolved that the Legislative Assembly urge the Government to initiate, with federal participation, an integrated, comprehensive pilot project, kindergarten through grade 12, for the prevention of substance abuse which would incorporate DARE (Drug Abuse and Resistance Education) and other similar programs into an integrated delivery model for all students.

- 551.** Mr. Lord to propose the following motion:
Be it resolved that the Legislative Assembly urge the Government to study the Earned Income Tax Credit concept as an alternative to raising the minimum wage.
- 552.** Withdrawn.
- 553.** Dr. Nicol to propose the following motion:
Be it resolved that the Legislative Assembly urge the Government to adopt a farm cost of production insurance program to ensure long term sustainability in the agriculture industry and stability for farmers in farm safety net programs.
- 554.** Ms Kryczka to propose the following motion:
Be it resolved that the Legislative Assembly urge the Government to recognize the increasing number of older seniors and those with disabilities in the long term care system who have complex and chronic health care needs, and to work to develop a more appropriate funding formula, one which will enable Regional Health Authorities to adequately fund an enhanced level of long term care.
- 555.** Mr. VanderBurg to propose the following motion:
Be it resolved that the Legislative Assembly urge the Government to re-institute the Provincial Resource Road Program in the Department of Transportation to assist northern development.
- 556.** Mrs. Fritz to propose the following motion:
Be it resolved that the Legislative Assembly urge the Government to work with the Federal Government and municipalities to change federal standards and regulations so that mobile phone base stations, cell phone towers, and antennas are not placed in or within the vicinity of low density residential areas.
- 557.** Mr. Lougheed to propose the following motion:
Be it resolved that the Legislative Assembly urge the Government to provide all Albertans with an annual benefit statement detailing what services and benefits have been paid by Alberta Health and Wellness on their behalf.
- 558.** Mr. Lord to propose the following motion:
Be it resolved that the Legislative Assembly urge the Government to undertake implementation of the appropriate ISO (International Organization for Standardization) standards in order to promote consistency, continual self-improvement, efficiency, and effectiveness of government procedures and processes.
- 559.** Withdrawn.

560. Withdrawn.

561. Withdrawn.

562. Mr. Tannas to propose the following motion:

Be it resolved that the Legislative Assembly urge the Government to strengthen property rights in Alberta so that land may not be taken by Government or its officials without fair compensation.

563. Withdrawn.

564. Withdrawn.

565. Mr. Bonner to propose the following motion:

Be it resolved that the Legislative Assembly urge the Government, in the interest of public safety, to ban the manufacture, sale, and installation of reused, rebuilt, recycled, or re-manufactured air bags in Alberta.

566. Withdrawn.

567. Mr. Vandermeer to propose the following motion:

Be it resolved that the Legislative Assembly urge the Government to implement a school voucher program to assist parents in paying for independent school tuition and to increase choice in education.

568. Mrs. Ady to propose the following motion:

Be it resolved that the Legislative Assembly urge the Government to study the feasibility of developers building schools in newly developed, high growth communities.

569. Mr. Johnson to propose the following motion:

Be it resolved that the Legislative Assembly urge the Government to encourage and provide assistance for youth cultural sports exchange programs to increase awareness and interaction with other cultures around the world.

570. Dr. Taft to propose the following motion:

Be it resolved that the Legislative Assembly urge the Government to prohibit the use of genetic information as a screening device for public and private sector profit and non-profit organizations and agencies.

- 571.** Dr. Massey to propose the following motion:
Be it resolved that the Legislative Assembly urge the Government to establish a funding arrangement between the provincial and local governments, boards, and authorities that would improve the distribution of revenues to communities to carry out their legislated mandate and ensure that an accountability process for this funding arrangement is in place.
- 572.** Rev. Abbott to propose the following motion:
Be it resolved that the Legislative Assembly urge the Government to study ways of reducing automobile insurance premiums for consumers in Alberta.
- 573.** Withdrawn.
- 574.** Withdrawn.
- 575.** Mr. Mason to propose the following motion:
Be it resolved that the Legislative Assembly urge the Government to immediately freeze student tuition at public post-secondary institutions and take meaningful action to address student debt loads.
- 576.** Withdrawn.
- 577.** Ms Graham to propose the following motion:
Be it resolved that the Legislative Assembly urge the Government to work with the private sector to improve the number and quality of technology commercialization opportunities by fostering an entrepreneurial culture in the knowledge sector, improving linkages between innovators and managers, improving management skills, and encouraging market awareness among researchers and scientists.
- 578.** Ms Blakeman to propose the following motion:
Be it resolved that the Legislative Assembly urge the Government to expand the range of service fees covered in subsidized seniors' accommodations so that the standard of 30% of income to pay for basic rent costs includes basic telephone service.
- 579.** Withdrawn.
- 580.** Mr. Amery to propose the following motion:
Be it resolved that the Legislative Assembly urge the Government to institute a policy of labelling alcoholic beverages warning Albertans of the dangers of drinking similar to the health warning on cigarette packaging.

581. Withdrawn.

582. Dr. Pannu to propose the following motion:

Be it resolved that the Legislative Assembly urge the Government to improve education quality by providing local school boards with the necessary funding to reduce average class sizes to 17 students for kindergarten to grade 3 classes.

583. Withdrawn.

584. Withdrawn.

585. Mr. Vandermeer to propose the following motion:

Be it resolved that the Legislative Assembly urge the Government to introduce a Personal Responsibility Act that would place more responsibility on Albertans for their own conduct and also work toward minimizing civil actions.

586. Mr. Masyk to propose the following motion:

Be it resolved that the Legislative Assembly urge the Government to introduce legislation requiring every propane service station in Alberta to charge the same price for propane, irrespective of whether the propane is for a vehicle or a barbeque tank.

Public Bills and Orders Other Than Government Bills and Orders

Second Reading

Bill 208 Occupiers' Liability (Recreational Users) Amendment Act, 2003 —
Mr. Danyluk (Time remaining: 79 minutes)

Adjourned debate: Hon. Mr. Stevens

Bill 209 School (Fees Elimination) Amendment Act, 2003 — Mr. Mason

Bill 210 Dental Care Review Committee Act — Mr. Masyk

Bill 211 Fair Trading (Telemarketing Licence) Amendment Act, 2003 —
Mr. McClelland

Bill 212 Alberta Personal Income Tax (Education Tax Credit) Amendment Act, 2003
— Mr. Vandermeer

Bill 213 Canada Pension Plan Opting Out Act — Mr. Griffiths

Bill 214 Matrimonial Property (Division of Property on Death) Amendment Act,
2003 — Ms Graham

Bill 219 Alberta Commission on the Status of Men Act — Mr. Yankowsky

Third Reading

Bill 206 Traffic Safety (Seizure of Vehicles in Prostitution Related Offences)
Amendment Act, 2003 — Mr. Cenaiko (Due Day 47)

NOTICES

Leave to Introduce a Bill

- Bill 46 Municipal Government Amendment Act, 2003 — Hon. Mr. Boutilier
Bill 47 Tobacco Tax Amendment Act, 2003 (No. 2) — Hon. Mr. Melchin
Bill 48 Alberta Heritage Foundation for Science and Engineering Research
Amendment Act, 2003 — Hon. Mr. Doerksen
Bill 49 Public Lands Amendment Act, 2003 — Mr. Ducharme
Bill 50 Wildlife Amendment Act, 2003 — Mr. Strang
Bill 51 Natural Resources Conservation Board Amendment Act, 2003 —
Mr. VanderBurg
Bill 52 Health Professions Amendment Act, 2003 — Hon. Mr. Mar
Bill 218 Financial Summit Act — Mr. Cao

Written Questions

- WQ16.** Dr. Nicol to ask the Government the following question:
What was the total dollar amount allocated from the Department of
Agriculture, Food and Rural Development to applied research and forage
associations, broken down by the amount given to each association, for the
fiscal year 2002-2003?
- WQ17.** Dr. Nicol to ask the Government the following question:
What were the total costs of division and branch restructuring initiatives
within the Department of Agriculture, Food and Rural Development, broken
down by initiative, for the fiscal year 2002-2003?
- WQ18.** Dr. Nicol to ask the Government the following question:
What was the total dollar amount spent on information technology initiatives
within the Department of Agriculture, Food and Rural Development, broken
down by initiative, for the fiscal year 2002-2003?

WQ19. Ms Blakeman to ask the Government the following question:

In which correctional facilities has the Department of the Solicitor General implemented the recommendations listed in the fatality inquiry of Reginald Grant McLeod for the prevention of drug-related deaths in all of Alberta's correctional facilities?

WQ20. Ms Blakeman to ask the Government the following question:

When will the Department of Justice be establishing statistical measures to determine the number of grandparents that apply to the courts for access rights to their grandchildren; the number that are successful when applying for access; and the number that are unsuccessful when applying for access?

Motions for Returns

MR15. Ms Carlson to propose the following motion:

That an Order of the Assembly do issue for a Return showing:
Any report received by the Government from the Society for the Prevention of Cruelty to Animals in calendar years 2000, 2001 and 2002 regarding the well-being of animals at the Kneehill Animal Control and Rehabilitation Centre Ltd. (GuZoo).

MR16. Ms Carlson to propose the following motion:

Than an Order of the Assembly do issue for a Return showing:
The zoo plan for the Kneehill Animal Control and Rehabilitation Centre Ltd. (GuZoo).

MR17. Ms Blakeman to propose the following motion:

That an Order of the Assembly do issue for a Return showing:
All reports or documents dealing with the consultation process with Albertans over the creation of a single trial court.

MR18. Mr. MacDonald to propose the following motion:

That an Order of the Assembly do issue for a Return showing:
A list of those individuals and organizations that were consulted and provided input on automobile insurance to the Auto Insurance Reform Implementation Team.

**Due Dates Under Standing Order 34(3) for
Written Questions Accepted and Motions for Returns Agreed to**

Day 65 MR14.

Hon. Ken Kowalski,
Speaker

Title: Tuesday, November 18, 2003