



**Legislative Assembly  
Province of Alberta**

No. 11

**VOTES AND PROCEEDINGS**

First Session

Twenty-Third Legislature

---

---

Wednesday, September 15, 1993

The Speaker took the Chair at 1:30 p.m.

**ROUTINE**

**Presenting Petitions**

Mr. Renner, Chairman of the Standing Committee on Private Bills, presented the following petitions for Private Bills:

of Elda Hoervers and Hendrik Jan Antony Hoervers for the Karen Mavis Poor Eagle Adoption Act,

of Ary DeMoor for the Youth Emergency Services Foundation Amendment Act, 1993,

of Donna Kinjo and Brent Craig for the Mosaic College of Canada Act,

of Howard V. Gimbel M.D. for the Gimbel Foundation Act,

of Canadian Union College for the Canadian Union College Amendment Act, 1993,

of the Mennonite Mutual Insurance Co. (Alberta) Ltd. for the Mennonite Mutual Insurance Co. (Alberta) Ltd. Amendment Act, 1993,

of Dymetro Fedechko for the Gerald Edwin Crabbe Adoption Act,

of Allan Rothery for the Michael Calebhorn Rothery Adoption Act,

of Lawrence W. Marshall for the Adrienne Heather Cupido Adoption Act,  
of The King's College for The King's College Amendment Act, 1993,  
of Newman Theological College for the Newman Theological College  
Continuance Act,  
of the First Canadian Insurance Corporation for the First Canadian Insurance  
Corporation Amendment Act, 1993,  
of the Gardner Bible College for the Gardner Bible College Amendment Act,  
1993,  
of Hilary Jackson and Fred R. Jackson for the Benaning Osi Adoption Act,  
of Albert Ludwig and others for the Alberta Seniors' Legislature Act,  
of the TD Trust Company and Central Guaranty Trust Company by its liquidator,  
Deloitte & Touche Inc., for the TD Trust Company and Central Guaranty Trust  
Act, and  
of Dwight I. Bliss and Gerald D. Chipeur for the Canadian Health Assurance  
Corporation Act.

### **Introduction of Bills (First Reading)**

Notice having been given:

Bill 8 School Amendment Act, 1993 – Hon. Mr. Jonson

### **Tabling Returns and Reports**

Hon. Mr. Kowalski, Minister of Economic Development and Tourism, pursuant to the  
Motion Picture Development Act, cM-19.1, s14(2):

Alberta Motion Picture Development Corporation, Annual Report 1991-92  
Sessional Paper 41/93

### **Privilege**

The Speaker made the following ruling:

A question of privilege was raised by the Member for Edmonton-McClung on Tuesday,  
September 14, 1993.

The Chair notes that proper notice of the question of privilege was given pursuant to  
Standing Order 15(2).

The Chair is satisfied that the question was raised at the earliest opportunity pursuant  
to Standing Order 15(6).

The facts giving rise to this question of privilege are these: On Friday, September 10, 1993, an advertisement appeared in the Calgary Herald announcing a "Public Roundtable on Health". The ad was placed by the Alberta Health Planning Secretariat. The ad said:

"Before the meeting, pick up a copy of Our Bill of Health - the-easy-to-read work book being used as a discussion document on health reform. It is available from your local MLA or public health unit."

Members of the public contacted the constituency offices of at least two Opposition Members. Neither office had copies of the work book. The Member for Edmonton-McClung stated that no Opposition constituency offices had copies of the work book or had any knowledge or notice that these work books would be advertised as being available through their offices. The Member further stated that someone at the Alberta Health Planning Secretariat advised that "the book is only available through the constituency offices of Government MLAs and would not be provided to Alberta Liberal MLA constituency offices."

The Member for Edmonton-McClung alleged that this advertisement, coupled with the failure to provide the work books to the Opposition Members, constitutes a breach of privilege on three grounds:

- (1) It put some Members in the position of being asked to fulfill an obligation they could not fulfill because they did not have the work books.
- (2) Government Members were treated differently from Opposition Members.
- (3) It placed some Members in a position where their credibility could be questioned when they were unable to provide the work books to the public.

In the ensuing debate on the question, a number of issues were raised and numerous citations from Beauchesne and Erskine May were offered to the Chair. The matter of a telephone conversation between the Member for Edmonton- McClung and the Minister responsible for the Alberta Health Planning Secretariat was raised.

The Chair is of the opinion that the public is entitled to rely upon ads such as these and where the public is invited to become involved, it would want to become involved on an informed basis. It is certainly true that these events did put some Members in a difficult position in that they could not provide the work books that they were alleged to have. It follows that this could call the credibility of those Members into question. This is a very serious matter and particularly so at a time when all Members of this Assembly are under close scrutiny by the public. These events may well have cast all Members, not just Opposition Members, in a bad light to those members of the public who tried to obtain these work books through the offices of Opposition Members. This is a serious matter.

But is it a breach of privilege or a contempt of the Assembly? The Member for Edmonton-McClung cited Erskine May at page 115 as follows:

Generally speaking, any act or omission which obstructs or impedes either House of Parliament in the performance of its functions, or which obstructs or impedes any Member or officer of such House in the discharge of his duty or which has a tendency directly or indirectly, to produce such results may be treated as a contempt even though there is no precedent of the offence.

The Chair has weighed the matter carefully. In this case, the Members were not obstructed in the discharge of their work as it relates to a "proceeding in Parliament" I refer Honourable Members to the book, *Parliamentary Privilege in Canada*, by Joseph Maingot, at page 200. The work book was part of a process directed at formulating Government policy. The work book is not a parliamentary document nor is it part of a parliamentary proceeding. This distinguishes it from the budget document which was the subject of a previous ruling by the Chair. This alone would be sufficient to dispose of the matter.

However, there is also the question of whether or not the dissemination of this work book could be considered an aspect of "parliamentary duties". The Chair does not propose to comment on this question.

Finally, this incident cannot be said to constitute an act of sufficient severity as to bring Members into disrepute. In the opinion of the Chair, this incident is not sufficient to call into question Members' credibility and thereby impede or obstruct them in discharging their parliamentary duties.

Therefore, it is the ruling of the Chair that a prima facie case of privilege does not exist.

It is only left for the Chair to express its disappointment in the way this all came about. If the work books were advertised to be available in a certain way, it is reasonable to expect that they would be made available to the public in that way. As stated, this kind of incident does not cast any Member in a good light.

The Chair also notes that during the debate on the question of privilege, the Deputy Government House Leader, the Minister of Labour, stated that some Members should not "whine around like a bunch of babies saying `feed me, feed me.'" This is not the level of debate which is expected in this Assembly.

## ORDERS OF THE DAY

### Written Questions

The following Written Question was withdrawn with the unanimous consent of the Assembly:

**Q144.** (Dr. Massey)

What are the Government's projected enrolments at Alberta's colleges, universities and technical institutes for each of the 1993-94, 1994-95, 1995-96, 1996-97, and 1997-98 academic years?

The following Written Questions were accepted:

**Q145.** (Mr. Langevin)

For the period April 1, 1991 to March 31, 1992, what was the total amount in Court fines imposed on those found guilty of poaching?

**Q147.** (Mr. Collingwood)

How many prosecutions were brought before the Courts for infringements of the Clean Air Act and the Clean Water Act between April 1, 1991, and March 31, 1992, and how much revenue was collected for the Province from fines under those prosecutions?

**Q148.** (Mr. Collingwood)

What was the total cost of stocking lakes in Alberta with trout, walleye and yellow perch during the period April 1, 1991, to March 31, 1992, and what was the proportion of this amount that was spent on restocking lakes north of Edmonton?

**Q150.** (Mr. Collingwood)

How many plants were issued licences under the Clean Air Act in each of the years from April 1, 1989, until March 31, 1993; how many of these were monitored by on-site inspections and how many of these inspections were unannounced?

**Q151.** (Mr. Collingwood)

With respect to the landfill cells at the waste facility near Swan Hills that is operated by Alberta Special Waste Management Corporation and Bovar Environmental Services Inc., what volume of leachate has leaked from each of the landfill cells, from commencement of operation until March 31, 1993; what is the chemical composition of this leachate; and what is the cost of repairing or replacing cells x-1, d-1 and d-2, and rehabilitating cell c-1, and how much of this cost is covered by insurance with respect to each cell?

**Q154.** (Mr. Collingwood)

For the period April 1, 1991, to March 31, 1992, and from April 1, 1992 to March 31, 1993, what were the remedial works carried out and how much did the Department of Environmental Protection spend:

- (1) as the provincial share of cleaning up each of the sites in Alberta designated under the National Contaminated Sites Remediation Program; and
- (2) on cleaning up each of the other orphaned sites identified in the Help End Landfill Pollution inventory?

**Q155.** (Mr. Sekulic)

How many Social Assistance files have been closed between the period January 1, 1993, to August 31, 1993, and how many of the files were closed because the client found full time employment, the client was transferred to a student finance board, or the client did not comply with policy?

**Q157.** (Ms Hanson)

How many administrators working in the corporate office of the Department of Family and Social Services have direct employment experience working on the front-line service delivery for the Department and what was the period of time spent working on the front-line?

On the motion that the following Written Question be rejected:

**Q156.** (Mr. Sekulic):

Of the number of Albertans who have had their Social Assistance files closed since January 1, 1993, how many are working full-time, are working part-time, how many are enrolled in a training/education program, how many have left the province, and how many are there whose status is unknown?

A debate followed.

The question being put, the motion was agreed to.

The following Written Questions were ordered to stand:

Q146, Q149, Q152, Q153, Q158, Q199, Q200, Q201.

## **Motions for Returns**

The following Motion was agreed to:

**M179.** Moved by Mr. Kirkland:

That an Order of the Assembly do issue for a Return showing:  
Any and all reports/studies or departmental plans outlining a provincial aviation strategy, as of August 31, 1993.

The following Motions were defeated:

**M178.** Moved by Mr. Kirkland:

That an Order of the Assembly do issue for a Return showing:  
The flight logs and passenger manifests for fixed aircraft and helicopters owned or chartered by the Government between January 1, 1991, to June 30, 1993.

**M182.** Moved by Mr. Wickman:

That an Order of the Assembly do issue for a Return showing:  
Copies of all documents prepared by Alberta Registry Services or on behalf of Alberta Registry Services pertaining to the privatization of services and the costs/benefits achieved by the privatization of such services for the period September 1, 1992 to August 31, 1993.

**M194.** Moved by Ms Hanson

That an Order of the Assembly do issue for a Return showing:  
Copies of all written strategies that document the processes and timelines the Government will be using to implement the recommendations of the Children's Advocate report on Child Welfare.

The following Motions were ordered to stand:

M159, M160, M161, M162, M163, M164, M165, M166, M167, M168, M169, M170, M171, M172, M173, M174, M175, M176, M177, M180, M181, M183, M184, M185, M186, M186, M188, M189, M180, M191, M192, M193, M195, M196, M197, M198, M202, M203, M204.

## Public Bills and Orders Other Than Government Bills and Orders

### Second Reading

On the motion that the following Bill be now read a Second time:

Bill 202 Deficit Elimination Amendment Act, 1993 – Dr. Percy

A debate followed.

Pursuant to Standing Order 8(5)(a)(i) and 8(5)(b), at 4:55 p.m., the Speaker interrupted the proceedings to put the question, which was defeated. The names being called for were taken as follows:

For the motion: 23

Abdurahman	Henry	Sekulic
Beniuk	Hewes	Soetaert
Carlson	Kirkland	Taylor (Redwater)
Chadi	Massey	Van Binsbergen
Decore	Mitchell	Vasseur
Dickson	Nicol	Yankowsky
Germain	Percy	Zwozdesky
Hanson	Sapers	

Against the motion: 46

Ady	Gordon	Oberg
Brassard	Haley	Pham
Burgener	Havelock	Renner
Calahasen	Herard	Severtson
Cardinal	Hierath	Smith
Clegg	Hlady	Sohal
Coutts	Jacques	Stelmach
Dalla-Longa	Jonson	Tannas
Day	Kowalski	Taylor (Cypress-Medicine Hat)
Dinning	Laing	Thurber
Doerksen	Lund	Trynchy
Dunford	Magnus	West
Evans	Mar	White
Fischer	McFarland	Wickman
Forsyth	Mirosh	Woloshyn
Fritz		



On the motion that the following Bill be now read a Second time:

Bill 203 Recall Act – Mr. Dickson

A debate followed.

### **Consideration of His Honour the Lieutenant Governor's Speech**

Pursuant to Standing Order 19(1)(b), at 5:15 p.m., the Speaker interrupted the proceedings to put the question on the amendment to the following motion.

Moved by Mr. Severtson and seconded by Ms Haley:

That an humble address be presented to His Honour the Honourable the Lieutenant Governor as follows:

To His Honour the Honourable Gordon Towers, Lieutenant Governor of the Province of Alberta:

We, Her Majesty's most dutiful and loyal subjects, the Legislative Assembly, now assembled, beg leave to thank Your Honour for the gracious speech Your Honour has been pleased to address to us at the opening of the present session.

The question being put, the amendment was defeated.

### **Public Bills and Orders**

### **Other Than Government Bills and Orders**

#### **Second Reading**

Debate resumed on the motion that the following Bill be now read a Second time:

Bill 203 Recall Act – Mr. Dickson

Ms Burgener moved adjournment of the debate, which was agreed to.

### **Adjournment**

On motion by Hon. Mr. Evans, Deputy Government House Leader, at 5:30 p.m., it was agreed that when the Assembly reconvened at 8:00 p.m. they would be in Committee of Supply, and the Speaker left the Chair.

WEDNESDAY, SEPTEMBER 15, 1993 – 8:00 P.M.

## **Committee of Supply**

(Day 3 of Main Estimates Consideration)

(Assembly in Committee)

And after sometime spent therein, the Acting Speaker resumed the Chair and Mr. Tannas reported as follows:

Mr. Speaker:

The Committee of Supply has had under consideration certain resolutions of the Department of Transportation and Utilities, reports progress thereon, and requests leave to sit again.

The question being put, the report and the request for leave to sit again were agreed to.

## **Adjournment**

On motion by Hon. Mr. Day, Deputy Government House Leader, the Assembly adjourned at 10:08 p.m. until Thursday, September 16, 1993, at 1:30 p.m.

---

---

## **NOTICES**

### **Leave to Introduce a Bill**

- |      |     |  |
|------|-----|--|
| Bill | 6   | Appropriation (Lottery Fund) Interim Supply Act, 1993 – Hon. Mr. Dinning         |
| Bill | Pr1 | Karen Mavis Poor Eagle Adoption Act – Mrs. Hewes                                 |
| Bill | Pr2 | The Youth Emergency Services Foundation Amendment Act, 1993 – Mr. Mitchell       |
| Bill | Pr3 | Mosaic College of Canada Act – Ms Burgener                                       |
| Bill | Pr4 | Gimbel Foundation Act – Mr. Bruseker   |
| Bill | Pr5 | Canadian Union College Amendment Act – Mrs. Gordon                               |
| Bill | Pr6 | Mennonite Mutual Insurance Co. (Alberta) Ltd. Amendment Act, 1993 – Mr. Bruseker |
| Bill | Pr7 | Gerald Edwin Crabbe Adoption Act – Mrs. Hewes                                    |
| Bill | Pr8 | Michael Caleborn Rothery Adoption Act – Mr. Van Binsbergen                       |
| Bill | Pr9 | Adrienne Heather Cupido Adoption Act – Mr. Tannas                                |

Bill Pr10 The King's College Amendment Act, 1993 – Mrs. Hewes  
 Bill Pr11 Newman Theological College Continuance Act – Mr. Woloshyn  
 Bill Pr12 First Canadian Insurance Corporation Amendment Act, 1993 – Mr. Hlady  
 Bill Pr13 Gardner Bible College Amendment Act, 1993 – Mr. Brassard  
 Bill Pr14 Benaning Osi Adoption Act – Ms Leibovici  
 Bill Pr15 Alberta Seniors' Legislature Act – Mr. N. Taylor  
 Bill Pr16 TD Trust Company And Central Guaranty Trust Company Act – Ms Burgener  
 Bill Pr17 Canadian Health Assurance Corporation Act – Mr. Jacques  
 Bill 216 Motor Vehicle Administration Amendment Act, 1993 – Mr. Woloshyn  
 Bill 236 Legal Profession Amendment Act, 1993 – Ms Burgener  
 Bill 241 Public Service Pay Equity Act – Mrs. Soetaert  
 Bill 246 Marketing of Agricultural Products Amendment Act, 1993 – Dr. L. Taylor  
 Bill 247 Police Amendment Act, 1993 – Mrs. Gordon  
 Bill 248 Amusement Amendment Act, 1993 – Mr. Zwozdesky  
 Bill 249 Employment Standards Code Amendment Act, 1993 – Ms Leibovici  
 Bill 250 Legislative Assembly (Annual Election of the Speaker) Amendment Act, 1993 – Mr. Decore  
 Bill 251 Water Resources Amendment Act, 1993 – Mrs. Gordon  
 Bill 252 Fatal Accidents Amendment Act, 1993 – Mr. Dickson  
 Bill 253 Legal Profession Amendment Act, 1993 (No. 1) – Mr. Dickson  
 Bill 254 Alberta Youth Conservation Corps Act – Mr. Collingwood  
 Bill 255 Establishment and Dissolution of Francophone Education Regions Act – Mr. Henry  
 Bill 256 Vulnerable Persons Protection Act – Mr. Tannas  
 Bill 257 Retirement Savings Plan Act – Mr. Hlady  
 Bill 258 Tobacco Control Act – Mr. Lund  
 Bill 259 Labour Relations Code Amendment Act, 1993 – Mr. Doerksen  
 Bill 260 Native Peoples Representation Statutes Amendment Act, 1993 – Mr. N. Taylor  
 Bill 261 Mental Health Amendment Act, 1993 – Mr. Sapers  
 Bill 262 Livestock and Livestock Products Amendment Act, 1993 – Mr. Hierath

Bill	263	Government Open Contract Act – Mr. Chadi
Bill	264	Emblems of Alberta Amendment Act, 1993 – Mr. Lund
Bill	265	Child Welfare Amendment Act, 1993 (No. 1) – Ms Hanson
Bill	266	Alberta Advisory Council on Women's Issues Amendment Act, 1993 – Mrs. Soetaert
Bill	267	Telemarketing Act – Mr. Bruseker
Bill	268	School Amendment Act, 1993 – Mr. Henry
Bill	269	Environmental Ombudsman Act – Mr. Langevin
Bill	270	Motor Vehicle Accident Claims Amendment Act, 1993 – Ms Burgener
Bill	271	Small Power Research and Development Amendment Act, 1993 – Mr. Hlady
Bill	272	Uniform Building Standards Amendment Act, 1993 – Mr. Collingwood
Bill	273	Surface Rights Amendment Act, 1993 – Mr. Stelmach
Bill	274	Volunteer Tax Credit Amendment Act, 1993 – Mr. Havelock

## Government Motions

14. Hon. Mr. Klein to propose the following motion:

Be it resolved that the address in reply to the Speech from the Throne be engrossed and presented to his Honour the Honourable the Lieutenant Governor by such members of the Assembly as are members of the Executive Council.

## Motions for Returns

**M205.** Mr. Collingwood to propose the following motion (Day 28):

That an Order of the Assembly do issue for a Return showing:  
With respect to the campground development situated on the south shore of Burnstick Lake, identified as Miscellaneous Lease Application No. MLL 910167, E1/2 2-35-7 W5M, for which the Letter of Intent-Stage III, under the Commercial Tourism and Receptions Leasing Process, was issued on June 16, 1992:

- (1) the business plan and proposed funding for the campground development;  
and
- (2) memoranda by any of the approving government agencies recommending this site for campground development.

Stanley S. Schumacher,  
Speaker

Title: Wednesday, September 15, 1993