



**Legislative Assembly  
Province of Alberta**

No. 48

**VOTES AND PROCEEDINGS**

Second Session

Twenty-Third Legislature

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Thursday, May 12, 1994

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

**ROUTINE**

**Presenting Petitions**

Mr. Zwozdesky, Hon. Member for Edmonton-Avonmore, presented a petition from Albertans regarding the maintenance of the Grey Nuns Hospital in Mill Woods as a full-service, active hospital.

Mr. Germain, Hon. Member for Fort McMurray, presented a petition from 250 students, kindergarten to grade 8, from the Clearwater School in Fort McMurray, regarding the proposal to close the school.

Ms Calahasen, Hon. Member for Lesser Slave Lake, presented a petition from 22 Slave Lake residents regarding Bill 19, School Amendment Act, 1994.

**Introduction of Bills (First Reading)**

Notice having been given:

Bill 35 Seniors Benefit Act – Hon. Mr. Mar

## **Tabling Returns and Reports**

Mr. Decore, Hon. Leader of the Official Opposition:

Legal opinion, dated May 9, 1994, from A. McBeath, Acting Superintendent of Schools, Edmonton Public Schools, to the Conference Committee, regarding funding for Early Childhood Services

Sessional Paper 1019/94

Letter, dated October 26, 1983, from B. Nicolson, P. Eng., Alberta Environment, Water Resources Management Services, to Peter Hutton, Opron Construction, regarding Paddle River Dam Embankment, Stage II, and Marlyn Holdings

Sessional Paper 1020/94

Letter, dated October 26, 1983, from J.W. Thiessen, P. Eng., Alberta Environment, Water Resources Management Services, to Peter Hutton, Opron Construction, regarding Paddle River Dam Embankment, Stage II, and Urban Bussiere (Exhibit 450, Opron Construction versus Her Majesty The Queen, April 8, 1992)

Sessional Paper 1021/94

Exhibit "D-111", Opron Construction versus Her Majesty The Queen, examination of Jake Thiessen, April 24, 1986

Sessional Paper 1022/94

Mr. Henry, Hon. Member for Edmonton-Centre:

Letter, dated May 12, 1994, from Save Our Students to Members of the Legislative Assembly of Alberta, regarding Bill 19, School Amendment Act, 1994

Sessional Paper 1023/94

## **Oral Question Period**

During Oral Question Period, Dr. Percy, Hon. Member for Edmonton-Whitemud, filed the following:

MBA Business Plan and Fee Structure, Athabasca University Governing Council, February 10, 1994

Sessional Paper 1024/94

During Oral Question Period, Hon. Dr. West, Minister of Municipal Affairs, filed the following:

List of municipal information meetings

Sessional Paper 1025/94

During Oral Question Period, Ms Hanson, Hon. Member for Edmonton-Highlands-Beverly, filed the following:

Procurement and payment to non-employees for personal services, Contracting for Goods, Services and Facilities Section, Family and Social Services, April 1, 1994

Sessional Paper 1026/94

## **Members' Statements**

Dr. Oberg, Hon. Member for Bow Valley, made a statement regarding the International Year of the Family.

Mr. Chadi, Hon. Member for Edmonton-Roper, made a statement regarding the Alberta Heritage Savings Trust Fund.

Mrs. Gordon, Hon. Member for Lacombe-Stettler, made a statement regarding the restructuring of education delivery and school board amalgamation.

## **Projected Government Business**

Pursuant to Standing Order 7(5), Mr. Mitchell, Hon. Opposition House Leader, asked a question pertaining to the order of Government Business to be brought before the Assembly for the following week.

Hon. Mr. Day, Deputy Government House Leader, gave notice of projected Government Business for the week of May 16 to May 19, 1994:

Monday, May 16, 1994	Aft.	- <b>Government Bills and Orders</b>
		<b>Committee of the Whole</b>
		Bill 19, School Amendment Act, 1994
		As per Order Paper
		<b>Second Reading</b>
		As per Order Paper
	Eve.	- <b>Government Bills and Orders</b>
		<b>Committee of the Whole</b>
		As per Order Paper
		<b>Second Reading</b>
		As per Order Paper

Tuesday, May 17, 1994	(4:30 p.m.)	- <b>Government Bills and Orders</b> <b>Committee of the Whole</b> As per Order Paper <b>Second Reading</b> As per Order Paper
	Eve.	- <b>Government Bills and Orders</b> <b>Committee of the Whole</b> As per Order Paper Or <b>Second Reading</b> As per Order Paper
Wednesday, May 18, 1994	Eve.	- <b>Government Bills and Orders</b> <b>Committee of the Whole</b> As per Order Paper Or <b>Second Reading</b> As per Order Paper
Thursday, May 19, 1994	Aft.	- <b>Government Bills and Orders</b> <b>Committee of the Whole</b> As per Order Paper Or <b>Second Reading</b> As per Order Paper

**Speaker's Ruling – Motions Under Standing Order 15(6)**

Before calling the Orders of the Day, the Chair would observe that the Order Paper today is a little bit different than it has been in the past because it contains a new item called Motions under Standing Order 15(6). That is the notice given by the Hon. Leader of the Opposition yesterday. It is the Chair's understanding that it is the desire of both sides of the House that this matter be commenced today by the Hon. Leader of the Opposition presenting the motion of which he gave notice yesterday and having the opportunity of explaining that motion, followed by a desire of the Hon. Government House Leader to make reply.

Because this is a Government day and the Government has made plans for this day, the Chair doesn't feel that the debate should go on a long time. It will proceed on the basis that the Hon. Leader of the Opposition will have a chance to fully explain his motion and the Hon. Government House Leader have the opportunity to reply, at which point the Chair proposes to defer debate until there have been meaningful consultations between both sides as to how they see time being allocated for this. The Chair does feel that because this is not Government business nor is it private business, it is a matter of privilege and therefore important it be concluded in a timely manner within the next week. The Chair will be taking a role in that, but the Chair would say that its first preference is for the parties to work out an agreeable way of concluding the debate on this motion.

Now, the Chair has also had some inquiries from Hon. Members who are associated with the Standing Committee on Privileges and Elections as to their role in this. Of course, it isn't up to the Chair to in any way prevent anybody from participating on any matter that comes before this Assembly, but the Chair would suggest that Hon. Members who are Members of the Committee might consider refraining from entering into the debate on this motion. There's no rule that they must absent themselves from the Assembly; they would probably hear some background and some useful information in the debate. But the Chair is of the view that the perception wouldn't be that great if Members of the Committee got involved in the debate of the instrument that was going to set them to work.

So with those remarks the Chair will call Orders of the Day and then recognize the Hon. Leader of the Opposition to present his motion.

## **ORDERS OF THE DAY**

### **Motions Under Standing Order 15(6)**

**1. Moved by Mr. Decore:**

Be it resolved that the allegation of breach of privilege made by the Deputy Premier and the Minister of Transportation against the Hon. Leader of the Official Opposition on May 4, 1994, be referred to the Standing Committee on Privileges and Elections, Standing Orders and Printing, hereinafter referred to as the Committee, and that adequate financial and human resources be provided to that Committee so that the Hon. Member against whom the allegations have been made can call witnesses, cross-examine witnesses, require the administration of oath thereto, and provide for appropriate legal counsel for the hearing, and further that the Committee determine such further rules and procedures to ensure that the Member is not deprived of the safeguards and privileges which every man enjoys in any court of the land, and further that the matters to be referred to the Committee shall be the following.

- (a) On May 4, 1994, did the Hon. Leader of the Official Opposition breach the privilege of the Deputy Premier by stating the following: Mr. Speaker, the Paddle River scam has disclosed that two Ministers, that one and that one, interfered with contract awarding, interfered with the regular process of awarding contracts?
- (b) On May 4, 1994, did the Hon. Leader of the Official Opposition breach the privilege of the Minister of Transportation by stating the following: Mr. Speaker, the Paddle River scam has disclosed that two Ministers, that one and that one, interfered with contract awarding, interfered with the regular process of awarding contracts?

A debate followed.

Hon. Mr. Day, Government House Leader, moved that the motion be amended as follows:

delete all the words after the words "Be it resolved that the" and insert the following words, - "prima facie case of privilege which was found to exist when the Chair of the Legislative Assembly made its ruling on Wednesday, May 11, 1994, be referred to the Standing Committee on Privileges and Elections, Standing Orders and Printing."

Hon. Mr. Day, Government House Leader, moved adjournment of the debate (on amendment), which was agreed to. The names being called for were taken as follows:

For the motion: 40

Amery	Gordon	Mirosh
Black	Haley	Oberg
Brassard	Havelock	Pham
Burgener	Herard	Renner
Calahasen	Jacques	Severtson
Cardinal	Jonson	Smith
Clegg	Kowalski	Sohal
Coutts	Laing	Stelmach
Day	Lund	Tannas
Dinning	Magnus	Taylor (Cypress-Medicine Hat)
Dunford	Mar	Thurber
Forsyth	McClellan	Trynchy
Friedel	McFarland	Woloshyn
Fritz		

Against the motion: 25

Abdurahman	Hewes	Taylor (Redwater)
Beniuk	Leibovici	Van Binsbergen
Carlson	Massey	Vasseur
Chadi	Mitchell	White
Collingwood	Nicol	Wickman
Dalla-Longa	Percy	Yankowsky
Decore	Sekulic	Zariwny
Dickson	Soetaert	Zwozdesky
Henry		

## **Government Bills and Orders**

### **Second Reading**

The following Bills were read a Second time and referred to Committee of the Whole:

Bill 30 Environmental Protection and Enhancement Amendment Act, 1994 –  
Hon. Mr. Evans

Bill 34 Alberta Housing Act – Mrs. Laing

### **Committee of the Whole**

On motion by Mr. Woloshyn, Acting Government House Leader, the Assembly agreed to resolve itself into Committee of the Whole.

(Assembly in Committee)

And after some time spent therein, the Deputy Speaker resumed the Chair.

The following Bill was reported with some amendments:

Bill 23 Provincial Offences Procedure Amendment Act, 1994 – Mrs. Fritz

Progress was reported on the following Bill:

Bill 31 Municipal Government Act – Mrs. Gordon

Mr. Herard, Acting Chairman of Committee, tabled copies of all amendments considered by the Committee of the Whole this date for the official records of the Assembly.

Amendment to Bill 23 (Hon. Member for Calgary-Buffalo) – Agreed to  
Sessional Paper 671/94

## **Adjournment**

On motion by Mr. Woloshyn, Acting Government House Leader, that it be called 5:30 p.m., the Assembly adjourned at 5:15 p.m. until Monday, May 16, 1994 at 1:30 p.m.

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Stanley S. Schumacher, Q.C.,  
Speaker

Title: Thursday, May 12, 1994