



**Legislative Assembly
Province of Alberta**

No. 48

VOTES AND PROCEEDINGS

Third Session

Twenty-Third Legislature

Tuesday, May 16, 1995

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

Presenting Petitions

Mr. Bruseker, Hon. Member for Calgary-North West, presented a petition from 76 Calgary and area residents regarding maintenance of the Bow/Crow Forest Headquarters in Calgary.

Reading and Receiving Petitions

On request by Mrs. Soetaert, Hon. Member for Spruce Grove-Sturgeon-St. Albert, the following petition was read and received:

We, the undersigned residents of Alberta, petition the Legislative Assembly to urge the Government to de-insure the performance of induced abortion under the Alberta Health Care Insurance Plan Act and use the community-based resources that are already in place that offer positive alternatives to abortion.

On request by Mr. Bruseker, Hon. Member for Calgary-North West, the following petition was read and received:

We, the undersigned residents of Alberta, petition the Legislative Assembly of Alberta to urge the Government to maintain the Bow/Crow Forest Headquarters in Calgary.

On request by Dr. Massey, Hon. Member for Edmonton-Mill Woods, the following petition was read and received:

We, the undersigned residents of Alberta, petition the Legislative Assembly to urge the Government of Alberta to ensure all Alberta school boards provide the opportunity for each eligible child to receive a minimum of 400 hours of Early Childhood Services instruction per year.

We also request the Assembly urge the Government of Alberta to allow Alberta school boards to use money from the Alberta School Foundation Fund to fund 400 hours or more of Early Childhood Services (ECS) determined by the local community, so that there are no ECS user fees for 400 hour programs and so that all Alberta children have an equal opportunity or "level playing field" to succeed and compete in life by having equal access to basic educational resources.

Presenting Reports by Standing and Special Committees

Mr. Dunford, Chairman, Select Standing Committee on the Alberta Heritage Savings Trust Fund Act, pursuant to the Alberta Heritage Savings Trust Fund Act, Standing Order 52 (cA-27, s3(3)):

Report of the Standing Committee on the Alberta Heritage Savings Trust Fund Act, May 1995

Sessional Paper 145/95

Notices of Motions

Pursuant to Standing Order 34(2)(a), Hon. Mrs. Black, Deputy Government House Leader, gave oral notice of the following Written Question and Motions for Returns to be dealt with Wednesday, May 17, 1995:

Written Question: Q233.

Motions for Returns: Stand and retain their places.

Tabling Returns and Reports

Hon. Mr. Klein, Premier, pursuant to the Public Service Act, cP-31, s5(2):

Public Service Commissioner, Annual Report 1994 (Alberta Personnel Administration Office)

Sessional Paper 64/95

Hon. Mr. Thurber, Minister of Municipal Affairs, pursuant to the Public Contributions Act, cP-26, s11(2):

Public Contributions Act, Annual Report 1994

Sessional Paper 123/95

Hon. Mr. Day, Minister of Labour:

Alberta Association, Canadian Institute of Planners, Annual Report 1994-95, May 12, 1995, Red Deer, Alberta

Sessional Paper 1013/95

Mr. Bracko, Hon. Member for St. Albert:

11 letters, undated, from St. Albert students regarding hours of kindergarten instruction

Sessional Paper 1014/95

Ms Abdurahman, Hon. Member for Clover Bar-Fort Saskatchewan:

Letter, dated March 7, 1995, from Francis Grill, Fort Saskatchewan, to Hon. Mr. Jonson, Minister of Education, regarding forced regionalization of educational jurisdictions

Sessional Paper 1015/95

Letter, dated March 21, 1995, from Joanne Heckbert, Fort Saskatchewan, to Ms Abdurahman, Hon. Member for Clover Bar-Fort Saskatchewan, regarding charter schools

Sessional Paper 1016/95

Letter, dated April 20, from Joanne Heckbert, Judy Gaberty and Karen Kjenner, Fort Saskatchewan, to Ms Abdurahman, Hon. Member for Clover Bar-Fort Saskatchewan, regarding a position paper called "Roles and Responsibilities"

Sessional Paper 1017/95

Letter, dated April 20, from Joanne Heckbert, Judy Gaberty and Karen Kjenner, Fort Saskatchewan, to Ms Abdurahman, Hon. Member for Clover Bar-Fort Saskatchewan, regarding equity funding

Sessional Paper 1018/95

Letter, dated March 21, 1995, from Joanne Heckbert, Fort Saskatchewan, to Ms Abdurahman, Hon. Member for Clover Bar-Fort Saskatchewan, regarding achievement testing in Alberta schools

Sessional Paper 1019/95

Mrs. Soetaert, Hon. Member for Spruce Grove-Sturgeon-St. Albert:

T shirt entitled "An Injury to One is an Injury to All", Canadian Union of Public Employees, Edmonton Local 474

Sessional Paper 1020/95

Oral Question Period

During Oral Question Period, Hon. Mr. Ady, Minister of Advanced Education and Career Development, filed the following:

New Faces in the Crowd, Economic and Social Impacts of Immigration,
A Statement by the Economic Council of Canada, 1991

Sessional Paper 1021/95

Into the 21st Century, A Strategy for Immigration and Citizenship, Highlights,
Citizenship and Immigration Canada

Sessional Paper 1022/95

During Oral Question Period, Mrs. Fritz, Hon. Member for Calgary-Cross, filed the following:

A Study of the Level and Nature of Youth Crime and Violence in Calgary,
Fact Sheet, Calgary Police Service

Sessional Paper 1023/95

Members Statements

Mr. Bracko, Hon. Member for St. Albert, made a statement regarding the establishment of the St. Albert Community Band 25 years ago in 1970.

Ms Burgener, Hon. Member for Calgary-Currie, made a statement regarding the commissioning of the frigate HMCS Calgary in Esquimalt, B.C., May 12, 1995.

Ms Abdurahman, Hon. Member for Clover Bar-Fort Saskatchewan, made a statement challenging the accusation of Liberal Party fear-mongering and gave examples of the hurt health care cuts are causing.

ORDERS OF THE DAY

Reports for Consideration by the Assembly

The Speaker ruled that, since Mr. Hierath, Chairman, Standing Committee on Legislative Offices, did not wish to proceed with his motion regarding reports of the Ethics Commissioner, the motion would be removed from the Order Paper.

Mr. Decore, Hon. Member for Edmonton-Glengarry, Hon. Mr. Day, Government House Leader, and Mr. Bruseker, Hon. Official Opposition House Leader, responded to the withdrawal of the motion.

The Speaker observed that senior representatives from both sides of the House should come to some understanding regarding how this item of business can be brought before the Assembly in a timely fashion.

Public Bills and Orders Other Than Government Bills and Orders

Second Reading

The following Bill was read a Second time and referred to Committee of the Whole:

Bill 212 Motor Vehicle Administration Amendment Act, 1995 — Mr. Doerksen

At 3:29 p.m., unanimous consent of the Assembly was granted to proceed to the next order of business.

Motions Other Than Government Motions

511. Moved by Mrs. Forsyth:

Be it resolved that the Legislative Assembly urge the Government to recommend the Alberta Liquor Control Board (ALCB) to suspend the licences of store owners who sell or serve liquor to minors as follows: for a first offence - warning or suspension of up to thirty days for knowingly serving a minor; for a second offence - thirty days suspension; and for a third offence - license cancellation.

Debated continued on the amendment introduced by Mr. Bracko, Hon. Member for St. Albert, on Tuesday, May 9, 1995, which read that the motion be amended by striking out

store owners who sell or serve

and substituting

any person or establishment that sells or serves

The question being put, the amendment was agreed to.

Debate continued on the motion as amended.

Mrs. Fritz, Hon. Member for Calgary-Cross, moved the amended motion be further amended by striking out

knowingly

The question being put, the amendment was agreed to.

The question being put on the motion as amended, the motion was agreed to.

512. Moved by Dr. Oberg:

Be it resolved that the Legislative Assembly urge the Government to more effectively enforce section 64 of the Motor Transport Act so that shippers, as well as carriers, are held responsible for contraventions of this Act.

A debate followed.

The question being put, the motion was defeated.

Reports for Consideration by the Assembly

Further to the earlier advice of the Speaker and on motion by Hon. Mr. Day, Government House Leader, unanimous consent of the Assembly was granted for Mr. Hierath, Chairman, Standing Committee on Legislative Offices, to move the following motion:

Be it resolved that the Legislative Assembly, as required by Section 26(3) of the Conflicts of Interest Act, deal with the reports of the Ethics Commissioner dated April 28, 1993, August 26, 1993, October 28, 1993, November 7, 1994, December 15, 1994 and April 5, 1995 by receiving them.

The question being put, the motion was agreed to.

Government Bills and Orders

Third Reading

On the motion that the following Bill be read a Third time:

Bill 37 School Amendment Act, 1995 — Hon. Mr. Jonson

A debate followed.

The question being put, the motion was agreed to. The names being called for were taken as follows:

For the motion: 36

Ady	Gordon	McFarland
Black	Haley	Mirosh
Brassard	Havelock	Paszkowski
Burgener	Herard	Renner
Calahasen	Hierath	Severtson
Clegg	Hlady	Smith
Day	Jacques	Stelmach
Dinning	Jonson	Taylor (Cypress-Medicine Hat)
Doerksen	Kowalski	Thurber
Forsyth	Laing	Trynchy
Friedel	Langevin	West
Fritz	Magnus	Woloshyn

Against the motion: 19

Abdurahman	Henry	Soetaert
Bracko	Hewes	Taylor (Redwater)
Bruseker	Leibovici	Van Binsbergen
Collingwood	Nicol	Vasseur
Decore	Percy	Wickman
Germain	Sapers	Zwozdesky
Hanson		

The following Bill was read a Third time and passed:

Bill 37 School Amendment Act, 1995 — Hon. Mr. Jonson

Committee of the Whole

According to Order, the Assembly resolved itself into Committee of the Whole.

(Assembly in Committee)

Adjournment

On motion by Hon. Mr. Day, Government House Leader, the Committee recessed at 5:15 p.m. until 8:00 p.m.

TUESDAY, MAY 16, 1995 — 8:00 P.M.

Government Bills and Orders

Committee of the Whole

(Assembly in Committee)

And after some time spent therein the Acting Speaker resumed the Chair.

The following Bill was reported with some amendments:

Bill 33 Franchises Act — Mr. Doerksen

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

Amendment to Bill 33 (Hon. Member for Clover Bar-Fort Saskatchewan) — Agreed to

Sessional Paper 1024/95

Amendment to Bill 33 (Hon. Member for Clover Bar-Fort Saskatchewan) — Defeated

Sessional Paper 1025/95

Amendment to Bill 33 (Hon. Member for Clover Bar-Fort Saskatchewan) — Defeated

Sessional Paper 1026/95

Amendment to Bill 33 (Hon. Member for Clover Bar-Fort Saskatchewan) — Defeated

Sessional Paper 1027/95

Third Reading

The following Bill was read a Third time and passed:

Bill 33 Franchises Act — Mr. Doerksen

Hon. Mr. Day, Government House Leader, requested and received the unanimous consent of the Assembly to waive Standing Order 32(2) to reduce the time between division bells from 10 to 3 minutes for the remainder of this sitting day.

Committee of the Whole

According to Order, the Assembly resolved itself into Committee of the Whole.

(Assembly in Committee)

The following Bill was taken under consideration:

Bill 19 Freedom of Information and Protection of Privacy Amendment Act,
1995 — Hon. Mr. Fischer

A debate followed.

Mr. Dickson, Hon. Member for Calgary-Buffalo, moved the Bill be amended by repealing section 5(a)(iv), clauses (j), (k) and (l).

A debate followed on amendment.

The question being put, the amendment was defeated. The names being called for were taken as follows:

For the amendment: 14

Abdurahman	Leibovici	Sekulic
Beniuk	Mitchell	Soetaert
Bracko	Nicol	Van Binsbergen
Chadi	Percy	Vasseur
Dickson	Sapers	

Against the amendment: 33

Black	Fritz	McFarland
Brassard	Haley	Mirosh
Burgener	Havelock	Paszkowski
Calahasen	Hierath	Renner
Clegg	Hlady	Severtson
Dinning	Jacques	Stelmach
Doerksen	Jonson	Tannas
Dunford	Langevin	Taylor (Cypress-Medicine Hat)
Fischer	Magnus	Trynchy
Forsyth	Mar	West
Friedel	McClellan	Woloshyn

Debate continued.

Mr. Dickson, Hon. Member for Calgary-Buffalo, moved the Bill be amended by deleting section 8 and substituting the following:

- 8** Section 19 is amended by adding the following after subsection (5)
- 19(5.1) Notwithstanding section 19(5), the head of public body may refuse to disclose the reasons for a decision not to prosecute if disclosing these reasons could reasonably be expected to compromise or otherwise impair the Crown's case in a future or related prosecution.
- 19(5.2) When a public body chooses to withhold the reasons for a decision not to prosecute pursuant to section 19(5.1), the head of that public body must not refuse to disclose the reasons to the parties specified in section 19(5) at the termination of all related prosecutions.

A debate followed on amendment.

The question being put, the amendment was defeated. The names being called for were taken as follows:

For the amendment: 14

Abdurahman	Mitchell	Soetaert
Beniuk	Nicol	Van Binsbergen
Bracko	Percy	Vasseur
Chadi	Sapers	Zwozdesky
Dickson	Sekulic	

Against the amendment: 34

Black	Fritz	McClellan
Brassard	Haley	McFarland
Burgener	Havelock	Mirosh
Calahasen	Herard	Paszkowski
Clegg	Hierath	Renner
Day	Hlady	Severtson
Dinning	Jacques	Stelmach
Doerksen	Jonson	Taylor (Cypress-Medicine Hat)
Dunford	Langevin	Trynchy
Fischer	Magnus	West
Forsyth	Mar	Woloshyn
Friedel		

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

Progress was reported on the following Bill:

Bill 19 Freedom of Information and Protection of Privacy Amendment Act,
1995 — Hon. Mr. Fischer

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

Amendment to Bill 19 (Hon. Member for Calgary-Buffalo) — Defeated
Sessional Paper 1028/95

Amendment to Bill 19 (Hon. Member for Calgary-Buffalo) — Defeated
Sessional Paper 1029/95

Amendment to Bill 19 (Hon. Member for Calgary-Buffalo) — Defeated
(on division)
Sessional Paper 1030/95

Amendment to Bill 19 (Hon. Member for Calgary-Buffalo) — Defeated
Sessional Paper 1031/95

Amendment to Bill 19 (Hon. Member for Calgary-Buffalo)— Defeated
(on division)

Sessional Paper 1032/95

On motion by Hon. Mr. Day, Government House Leader, unanimous consent of the Assembly was granted to waive Standing Order 60 for further Committee of the Whole consideration of Bills past the hour of midnight this sitting day.

Second Reading

The following Bill was read a Second time and referred to Committee of the Whole:

Bill 41 Feeder Associations Guarantee Amendment Act — Hon.
Mr. Paszkowski

Committee of the Whole

According to Order and unanimous consent to waive Standing Order 60 having been granted, the Assembly resolved 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:

Bill 41 Feeder Associations Guarantee Amendment Act — Hon.
Mr. Paszkowski

The following Bill was reported with some amendments:

Bill 19 Freedom of Information and Protection of Privacy Amendment Act,
1995 — Hon. Mr. Fischer

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

Amendment to Bill 19 (Hon. Member for Calgary-Buffalo)— Defeated
Sessional Paper 1033/95

Amendment to Bill 19 (Hon. Member for Calgary-Buffalo)— Defeated
Sessional Paper 1034/95

Amendment to Bill 19 (Hon. Member for Calgary-Buffalo)— Defeated
Sessional Paper 1035/95

Amendment to Bill 19 (Hon. Member for Calgary-Buffalo)— Agreed
to

Sessional Paper 1036/95

Third Reading

On motion by Hon. Mr. Day, Government House Leader, unanimous consent of the Assembly was granted to waive Standing Order 73(1) to permit Third Reading consideration of Bill 41, Feeder Associations Guarantee Amendment Act.

The following Bills were read a Third time and passed:

Bill 19 Freedom of Information and Protection of Privacy Amendment Act,
1995 — Hon. Mr. Fischer

Bill 41 Feeder Associations Guarantee Amendment Act — Hon.
Mr. Paszkowski

Adjournment

On motion by Hon. Mr. Day, Government House Leader, and pursuant to Government Motion No. 22, agreed to by the Assembly May 8, 1995, the Assembly adjourned at 1:24 a.m., Wednesday, May 17, 1995.

Title: Tuesday, May 16, 1995