



**Legislative Assembly
Province of Alberta**

No. 40

VOTES AND PROCEEDINGS

Fourth Session

Twenty-Third Legislature

Tuesday, April 30, 1996

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

The Deputy Speaker offered a prayer and a moment of silence was observed in recognition of the death of former Member, Mr. Russell James Whitson, who passed away April 29, 1996. Mr. Whitson represented the constituency of Vermilion, 1955-1959.

Presenting Petitions

Ms Leibovici, Hon. Member for Edmonton-Meadowlark, presented a petition from 177 Albertans urging the Government to insure that there are no more health care cuts in the Capital Health Authority.

Notices of Motions

Pursuant to Standing Order 34(2)(a), Hon. Mrs. Black, Deputy Government House Leader, gave oral notice that the Motions for Returns appearing on tomorrow's Order Paper, Wednesday, May 1, 1996, stand and retain their places.

Mr. Dickson, Hon. Member for Calgary-Buffalo, gave oral notice of his intention to move the following motion under Standing Order 40:

Be it resolved that the Legislative Assembly recognize April 28 to May 4, 1996 as National Information Rights Week and congratulate the organizers of events throughout Alberta designed to focus public attention on this important issue.

Introduction of Bills (First Reading)

Upon recommendation of His Honour the Honourable the Lieutenant Governor and notice having been given:

Bill 41 Water Act — Hon. Mr. Lund

Notice having been given:

Bill 43 Election Amendment Act, 1996 — Mr. Hierath

On motion by Hon. Mr. Day, Government House Leader, the following Bill was placed on the Order Paper under Government Bills and Orders:

Bill 43 Election Amendment Act, 1996 — Mr. Hierath

Tabling Returns and Reports

Hon. Mr. Dinning, Provincial Treasurer, pursuant to the Alberta Municipal Financing Corporation Act, cA-33, s32:

Alberta Municipal Financing Corporation, Annual Report 1995
Sessional Paper 120/96

Hon. Mr. Dinning, Provincial Treasurer, pursuant to the Insurance Act, cI-5, s344(2):

Alberta Automobile Insurance Board, Annual Report 1995
Sessional Paper 130/96

Hon. Mr. Dinning, Provincial Treasurer:

1995 Report of the Audit Committee, Implementation Status of the Alberta Financial Review Commission's Recommendations
Sessional Paper 953/96

Return to Order of the Assembly No. M182 asked for by Dr. Percy on April 17, 1996:

Copies of published documents referenced or prepared by or for the Government between October 1, 1993 and December 31, 1995 with respect to options for replacing the federal Goods and Services Tax (GST) and the implications for Alberta.

Sessional Paper 182/96

Hon. Mr. Cardinal, Minister of Family and Social Services:

Return to Order of the Assembly No. M169 asked for by Ms Hanson on February 28, 1996:

The staff turnover rates in the Child Welfare Division of the Department of Family and Social Services and a breakdown of each of the staffing classifications for the period January 1, 1994 to December 31, 1995.

Sessional Paper 169/96

Return to Order of the Assembly No. M170 asked for by Ms Hanson on February 28, 1996:

A copy of all assessments conducted on the In-home Support Program for Families in Crises within the Department of Family and Social Services including who conducted the assessment, over what time frame, and the type of assessment used, for the period January 1, 1994, to December 31 1995.

Sessional Paper 170/96

Response to Written Question No. Q192 asked by Dr. Nicol on April 24, 1996:

As of December 31, 1995, how many Treaty Indians were employed by the Government and how many were members of a recognized Alberta band?

Sessional Paper 192/96

Hon. Mrs. Mirosh, Minister of Science and Research, on behalf of Hon. Mr. Klein, Premier:

Letter, dated April 30, 1996, from Hon. Mr. Klein, Premier, to Beth Price, Chairman of the Board, Calgary Jewish Centre, and Hal Joffe, Community Relations' Co-chair, Calgary Jewish Community Council, expressing dismay, anger and frustration over the letter bomb received by the Calgary Jewish Centre on April 29, 1996

Sessional Paper 954/96

Dr. Oberg, Hon. Member for Bow Valley:

Letters, variously dated and signed, to Hon. Mrs. McClellan, Minister of Health, and Dr. Oberg, Hon. Member for Bow Valley, urging support for a ban on smoking in government offices

Sessional Paper 955/96

Mr. Dickson, Hon. Member for Calgary-Buffalo:

Letters, variously dated and signed, between the Sexual Assault Centre of Edmonton and the Alberta Council of Women's Shelters; and Mr. Herard, Hon. Member for Calgary-Egmont, regarding Bill 205, Limitation of Actions Act and the impact of the Act on the legal rights of sexual assault victims

Sessional Paper 956/96

Letter, dated April 26, 1996, from William Partridge, Executive Director, Building Owners and Managers Association of Calgary, regarding Bill 24, Individual's Rights Protection Amendment Act, 1996

Sessional Paper 957/96

Fax, dated April 30, 1996, from Lee Research Associates, to Mr. Dickson, Hon. Member for Calgary-Buffalo, regarding Bill 24, Individual's Rights Protection Amendment Act, 1996, and normal Albertans

Sessional Paper 958/96

Letter, dated April 26, 1996, from D. Michael Dobbin, to Hon. Mr. Klein, Premier, regarding human rights laws and normal Albertans

Sessional Paper 959/96

Letter, dated April 24, 1996, from John and Brenda Baker, Calgary, to Hon. Mr. Mar, Minister of Community Development, regarding Bill 24, Individual's Rights Protection Amendment Act, 1996

Sessional Paper 960/96

Letter, dated April 29, 1996, from Richard Bennett, President, Alberta Civil Liberties Association, to the Editor, Calgary Herald, regarding Bill 24, Individual's Rights Protection Amendment Act, 1996, and normal Albertans

Sessional Paper 961/96

Members' Statements

Mrs. Soetaert, Hon. Member for Spruce Grove-Sturgeon-St. Albert, made a statement regarding the grave health risks associated with breast implants.

Ms Burgener, Hon. Member for Calgary-Currie, made a statement regarding the Alberta Student Leadership Conference being held May 26 to 28, 1996 at the University of Calgary.

Mr. Bracko, Hon. Member for St. Albert, made a statement paying tribute to Alberta's educators.

Motions Under Standing Order 40

Mr. Dickson, Hon. Member for Calgary-Buffalo, requested the unanimous consent of the Assembly for consideration of the following motion:

Be it resolved that the Legislative Assembly recognize April 28 to May 4, 1996 as National Information Rights Week and congratulate the organizers of events throughout Alberta designed to focus public attention on this important issue.

Unanimous consent to proceed was not granted.

ORDERS OF THE DAY

Public Bills and Orders Other Than Government Bills and Orders

Committee of the Whole

According to Order, the Assembly resolved itself into Committee of the Whole, and the Deputy Speaker left the Chair.

(Assembly in Committee)

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

The following Bill was reported with some amendments:

Bill 203 Family Dispute Resolution Act — Mr. Yankowsky

Mr. Clegg, Deputy 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.

Amendments to Bill 203 (Hon. Member for Edmonton-Beverly-Belmont) —
Agreed to

Sessional Paper 962/96

Second Reading

On the motion that the following Bill be now read a Second time and referred to Committee of the Whole:

Bill 210 Citizen's Initiative Act — Dr. L. Taylor

A debate followed.

Deputy Speaker's Ruling — Closing Debate

The procedure for considering Private Members' Public Bills is an evolving one, and there are situations which occur that are not necessarily provided for in the 1993 amendments to our Standing Orders on this topic. Standing Order 8(5)(a) provides that the mover of a Private Members' Public Bill at Second reading is entitled to 5 minutes to close debate. Bill 210 was moved by the Hon. Member for Olds-Didsbury on behalf of the Hon. Member for Cypress-Medicine Hat. When the Hon. Member for Cypress-Medicine Hat was able to speak to his Bill, he requested unanimous consent of the Assembly to allow him to close debate. Such consent at that time was not given. The Hon. Member for Cypress-Medicine Hat spoke for 20 minutes and at that time received unanimous consent to take some additional time, which amounted to 3 minutes, and there were subsequent speakers to this debate.

Beauchesne at paragraph 466(2) provides that “should a Member propose a motion on behalf of another Member, a later speech by either will close the debate.” Of course, this Assembly has a specific provision for Private Members' Public Bills allowing the mover 5 minutes to close, which does not appear in the case of the federal House of Commons as given in the previous subparagraph in Beauchesne. As this, then, is an unprovided for contingency, the Chair rules that in the future when a Bill is moved for Second or Third reading by someone other than the sponsor, then a subsequent speech by the sponsor will serve to close debate. Well, we obviously had a speech by the honourable sponsor, and it did not close debate. The sponsor, then, will have to judge the time accordingly. So if the sponsor does not make a speech, then the sponsor or the mover is entitled to make the 5-minute speech to close debate.

Debate continued.

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

For the motion: 28

Abdurahman	Forsyth	Nicol
Beniuk	Germain	Percy
Bracko	Henry	Sekulic
Carlson	Hierath	Soetaert
Chadi	Hlady	Taylor
Collingwood	Kirkland	Van Binsbergen
Day	Kowalski	Vasseur
Decore	Leibovici	Wickman
Dickson	Massey	Zwozdesky
Doerksen		

Against the motion: 33

Black	Gordon	Pham
Brassard	Herard	Renner
Burgener	Jacques	Rostad
Calahasen	Jonson	Severtson
Cardinal	Laing	Shariff
Clegg	Langevin	Smith
Dinning	Magnus	Stelmach
Dunford	McFarland	Thurber
Evans	Mirosh	Trynchy
Fischer	Oberg	Woloshyn
Fritz	Paszkowski	Yankowsky

Motions Other Than Government Motions

509. Moved by Mr. Collingwood:

Be it resolved that the Legislative Assembly urge the Government to conduct a comprehensive review of the policies that govern Kananaskis Country, including the Sub-Regional Integrated Resource Plan, to determine the cumulative impact of all activities, including recreation, oil and gas exploitation, logging and grazing, and in consultation with Albertans, determine acceptable levels for future development that will protect the natural habitat and wildlife populations of the region.

A debate followed.

The question being put, the motion was defeated.

510. Moved by Mrs. Soetaert:

Be it resolved that the Legislative Assembly urge the Government to help eradicate violence against Alberta women through the following initiatives: urging the Federal Government to implement stricter sentencing for abusers; establishing mandatory and continuing education programs for all Provincial Court judges on violence against women; providing 100 percent funding for Alberta women's shelters; providing comprehensive counselling for children and women who are victims of violence as well as the abusers; providing stricter enforcement of restraining orders; undertaking a review of Alberta women's access to the legal system; urging the Federal Government to eliminate extreme drunkenness as a criminal defence; and legislating guidelines to protect the privacy of women's counselling records.

A debate followed.

Ms Burgener, Hon. Member for Calgary-Currie, moved the motion be amended by striking out everything after

through

and substituting

education and prevention initiatives, including the development of appropriate legal strategies, policies and programs in cooperation with the Federal Government.

Debate continued (on amendment).

Pursuant to Standing Order 8(2)(c), debate adjourned, Dr. Nicol speaking.

Private Bills

Unanimous consent of the Assembly was granted to waive Standing Order 8(2)(c) allowing consideration of Private Bills.

The following Bills were read a Third time and passed:

- Bill Pr1 Alberta Wheat Pool Amendment Act, 1996 — Mr. McFarland
- Bill Pr3 Evangel Bible College Act — Mr. Pham
- Bill Pr4 Bethesda Bible College Act — Mr. Decore
- Bill Pr5 Farmers' Union of Alberta Amendment Act, 1996 — Mr. McFarland

Government Bills and Orders

Third Reading

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

- Bill 12 Persons with Developmental Disabilities Foundation Act — Hon. Mr. Cardinal

A debate followed.

Pursuant to Standing Order 4(1), debate adjourned, Mr. Sapers speaking.

The following Bills were read a Third time and passed:

- Bill 7 Municipal Affairs Statutes Amendment and Repeal Act, 1996 — Mr. Severtson
- Bill 8 Alberta Energy and Utilities Board Statutes Amendment Act, 1996 — Hon. Mrs. Black
- Bill 9 Agricultural Societies Amendment Act, 1996 — Mr. Havelock

Adjournment

Pursuant to Standing Order 4(1), the Assembly adjourned at 5:30 p.m. until 8:00 p.m.

TUESDAY, APRIL 30, 1996 — 8:00 P.M.

Government Bills and Orders

Third Reading

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

Bill 20 Fuel Tax Amendment Act, 1996 — Hon. Mr. Dinning

A debate followed.

During debate, Mr. Renner, Hon. Member for Medicine Hat, tabled the following:

Information Circular, Fuel Tax Act, Alberta Treasury Revenue Administration,
September 1987

Sessional Paper 963/96

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

Bill 25 Alberta Corporate Tax Amendment Act, 1996 — Hon. Mr. Dinning

A debate followed.

Mr. Sekulic, Hon. Member for Edmonton-Manning, on behalf of Dr. Percy, Hon. Member for Edmonton-Whitemud, moved the motion be amended by deleting all the words after "that" and substituting the following:

Bill 25, Alberta Corporate Tax Amendment Act, 1996, be not now read a Third time, but that it be read a Third time this day six months hence.

Debate continued (on amendment).

The question being put, the amendment was defeated.

The question being immediately put on the motion for Third reading, the motion was agreed to.

The following Bills were read a Third time and passed:

Bill 12 Persons with Developmental Disabilities Foundation Act — Hon. Mr. Cardinal

Bill 20 Fuel Tax Amendment Act, 1996 — Hon. Mr. Dinning

Bill 21 Financial Institutions Statutes Amendment Act, 1996 — Hon. Mr. Dinning

Bill 25 Alberta Corporate Tax Amendment Act, 1996 — Hon. Mr. Dinning

Bill 27 Public Health Amendment Act, 1996 — Mr. Dunford

Second Reading

On the motion that the following Bill be now read a Second time and referred to Committee of the Whole:

Bill 32 Alberta Heritage Savings Trust Fund Act — Hon. Mr. Dinning

A debate followed.

Hon. Mr. Dinning moved adjournment of the debate, which was agreed to.

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

Bill 30 Health Statutes Amendment Act, 1996 — Dr. Oberg

Adjournment

On motion by Hon. Mr. Evans, Deputy Government House Leader, the Assembly adjourned at 11:25 p.m., until Wednesday, May 1, 1996, at 1:30 p.m.

Title: Tuesday, April 30, 1996