



**Legislative Assembly  
Province of Alberta**

No. 57

## **VOTES AND PROCEEDINGS**

Fourth Session

Twenty-Third Legislature

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Tuesday, August 20, 1996

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

### **Presenting Petitions**

Mr. Dickson, Hon. Member for Calgary-Buffalo, presented a petition from 1,307 Calgarians regarding the Calgary General Hospital remaining open and operational.

Mr. Bracko, Hon. Member for St. Albert, presented a petition from 62 St. Albert High School students regarding the maintenance of Catholic School Boards and opposing the amalgamation of Catholic School Boards and Public School Boards.

Mr. Bruseker, Hon. Member for Calgary-North West, presented a petition from 106 Calgarians regarding the Calgary General Hospital remaining open and operational.

Mr. Dickson, Hon. Member for Calgary-Buffalo, presented a petition from 207 Calgarians regarding the maintenance of a full complement of health services for veterans at the Colonel Belcher Hospital.

## **Reading and Receiving Petitions**

On request by Mr. Zwozdesky, Hon. Member for Edmonton-Avonmore, the following petition was read and received:

We, the undersigned residents of Southern Alberta, petition the Legislative Assembly to urge the Government of Alberta to suspend hospital closures in Calgary, and immediately hold an independent public inquiry on health facilities in the city.

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

We, the undersigned petition the Legislative Assembly of Alberta to urge the Government to maintain Universal Medicare.

On request by Mr. Bracko, Hon. Member for St. Albert, the following petition was read and received:

We, the undersigned, petition the Legislative Assembly of Alberta to urge the Government to maintain operation of the Bow Valley Centre with a 24 hour emergency service.

On request by Mr. Sapers, Hon. Member for Edmonton-Glenora, the following petition was read and received:

We, the undersigned residents of Alberta, petition the Legislative Assembly to urge the Government of Alberta to develop a drug approval process which reflects the rapid evolution of drug therapies in the battle against HIV/AIDS, and which reflects the urgency of health management needs of those living with HIV/AIDS.

## **Notices of Motions**

Pursuant to Standing Order 34(2)(a), Hon. Mrs. Black, Deputy Government House Leader, gave oral notice of the following Written Questions and Motions for Returns to be dealt with Wednesday, August 21, 1996:

Written Questions: Stand and retain their places.

Motions for Returns: 199, 200, 203, 204 and 205.

## Tabling Returns and Reports

Hon. Mr. Jonson, Minister of Health:

Return to Order of the Assembly No. M191 asked for by Mr. Sapers on April 24, 1996:

Copies of all documentation disclosing the amount paid by the Department of Health for any moving expenses incurred by Jane Fulton or by the Department on behalf of Jane Fulton, pursuant to the Public Service Regulations, Chapter C, during the period March 1, 1995 to March 15, 1996.

Sessional Paper (191/96) 1293/96

Alberta College of Optometrists, Annual Report, 1995

Sessional Paper 1294/96

Hon. Mr. Ady, Minister of Advanced Education and Career Development:

Grande Prairie Regional College, Annual Report, 1992-93 and Annual Report, 1993-94

Sessional Paper 1295/96

Grande Prairie Regional College, Annual Report, 1994-95

Sessional Paper 1296/96

Red Deer College, Annual Report, 1993-94

Sessional Paper 1297/96

Fairview College, Annual Report, 1994-95

Sessional Paper 1298/96

Lethbridge Community College, Annual Report, 1994-95

Sessional Paper 1299/96

Northern Alberta Institute of Technology, Annual Report, 1994-95

Sessional Paper 1300/96

Ms Carlson, Hon. Member for Edmonton-Ellerslie:

Letter, dated August 6, 1996, from Dorian Smith, Co-Chair, Glengarry Community & Family Services, Inter Agency Committee on Spousal Abuse of Women, and P. Garrett, Co-Chair, Wings of Providence Society, to Hon. Mr. Evans, Minister of Justice and Attorney General, in support of Bill 214, Victims of Domestic Violence Act, with recommended changes

Sessional Paper 1301/96

Letter, dated August 12, 1996, from Catherine Bunton, Director of Administration and Marketing, The Pastoral Institute of Edmonton, to Ms Hanson, Hon. Member for Edmonton-Highlands-Beverly, in support of Bill 214, Victims of Domestic Violence Act

Sessional Paper 1302/96

Ms Hanson, Hon. Member for Edmonton-Highlands-Beverly:

Letter, dated July 10, 1996, from Barbara Shellian, President, Alberta Association of Registered Nurses, in support of Bill 214, Victims of Domestic Violence Act, with recommended changes

Sessional Paper 1303/96

Letter, dated July 23, 1996, from Joyce Tustian, General Manager, Community & Family Services, Edmonton, Community and Family Services, to Mr. Neil McCrank, Deputy Minister of Justice and Deputy Attorney General, in support of Bill 214, Victims of Domestic Violence Act, with recommended changes

Sessional Paper 1304/96

Mr. Bruseker, Hon. Member for Calgary-North West:

Letter, dated July 24, 1996, from Susan Logan, Manager, Counselling Services, YWCA of Edmonton, to Hon. Mr. Evans, Minister of Justice and Attorney General, in support of Bill 214, Victims of Domestic Violence Act, with recommended changes

Sessional Paper 1305/96

Letter, dated August 3, 1996, from Patricia Bruns to Hon. Mr. Klein, Premier, opposing Bill 214, Victims of Domestic Violence Act

Sessional Paper 1306/96

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

Letter, dated July 31, 1996, from Mr. Dickson, Hon. Member for Calgary-Buffalo, to The Honourable Lawrence MacAuley, Secretary of State for Veterans Affairs, regarding changes in services at the Colonel Belcher Hospital

Sessional Paper 1307/96

Letter, dated August 13, 1996, from Helen Soliman, Social Worker, to Hon. Mr. Evans, Minister of Justice and Attorney General, in support of Bill 214, Victims of Domestic Violence Act, with recommended changes

Sessional Paper 1308/96

Letter, dated August 13, 1996, from Dorothy Clancy to Mr. Zwozdesky, Hon. Member for Edmonton-Avonmore, opposing Bill 214, Victims of Domestic Violence Act

Sessional Paper 1309/96

Mr. Zwozdesky, Hon. Member for Edmonton-Avonmore:

Publication, undated, by Alberta Public Health Association, entitled "Health for All Albertans" regarding illiteracy

Sessional Paper 1310/96

Ms Leibovici, Hon. Member for Edmonton-Meadowlark:

Publication, reprinted from issues February 11-14, 1996, Pittsburgh Post-Gazette, entitled "A Question of Skill" regarding hospital staff

Sessional Paper 1311/96

Publication of E. C. Murphy, Ltd., undated, entitled "Cost-Driven Downsizing in Hospitals"

Sessional Paper 1312/96

Alberta Hansard excerpt, dated February 15, 1996, pp. 53-54, entitled "Licensed Practical Nurses", regarding remarks by Mrs. Fritz, Hon. Member for Calgary-Cross

Sessional Paper 1313/96

Alberta Hansard excerpt, dated February 15, 1996, p. 55, entitled "Licensed Practical Nurses (continued)", regarding remarks by Ms Leibovici, Hon. Member for Edmonton-Meadowlark

Sessional Paper 1314/96

Dr. Percy, Hon. Member for Edmonton-Whitemud:

Letter, dated August 15, 1996, from J. G. Sorenson, Vice-Chairman, and T.A. Cumming, President & CEO, The Alberta Stock Exchange, to Hon. Mr. Klein, Premier, regarding a Canadian Securities Commission Proposal

Sessional Paper 1315/96

## **Members' Statements**

Mr. Wickman, Hon. Member for Edmonton-Rutherford, made a statement regarding nonprofit casino gaming, the importance of independent advisers and the need for regulations to ensure that charities receive maximum benefits.

During his statement, Mr. Wickman filed the following:

Memorandum, undated, from Brenda Chorney, to Derrick Rogusky, regarding concerns about the casino gaming industry in Alberta

Sessional Paper 1316/96

Mr. Dunford, Hon. Member for Lethbridge-West, made a statement regarding the method by which boundaries were determined by the 1995-96 Electoral Boundaries Commission

Mr. Van Binsbergen, Hon. Member for West Yellowhead, made a statement regarding the Government's inequitable distribution of education taxes, particularly in Jasper.

## **Speaker's Ruling — Point of Order - Tabling Documents**

Yesterday, August 19, 1996, the Honourable Minister of Public Works, Supply and Services, raised a point of order. The Honourable Minister covered a few subjects but, in essence, his point of order dealt with alleged duplicate tablings by the Honourable Member for Spruce Grove-Sturgeon-St. Albert. The allegation was that the same letter had been tabled by the Member on March 12, 1996, and was tabled again on August 15, 1996. The Honourable Minister referred to Standing Orders 23(i) and (l). The Chair undertook to review the matter.

After reviewing the documents, the Chair notes that the Honourable Member did table the same document twice. This document is Sessional Paper 713/96 and Sessional Paper 1271/96. This is not, however, the only instance of the same document being tabled twice. The Honourable Member for Sherwood Park tabled a letter on August 14 (Sessional Paper 1214/96) which the Honourable Member for Edmonton-Glenora tabled again the next day (Sessional Paper 1272/96). Clearly this should not be allowed to continue. The Chair has been troubled about the nature of some of the tablings over the last few days and would like to take an opportunity, then, to make some other comments about tablings.

Members will note that our Standing Orders do not elaborate on the issue of tablings except with respect to the number of copies and the place in the daily routine. What Members may not realize is that Alberta has one of the most permissive policies with respect to the tabling of documents but it has not been comprehensively commented on by Speakers perhaps because it has not been used and abused to the extent that it has in the last few days.

Members are reminded of Standing Order 2 which directs the Speaker to rule on unprovided contingencies based on precedent and parliamentary tradition. The Chair would also refer to paragraph 1 of *Beauchesne's* (6th ed.) which lists among the principles of parliamentary law "to secure the transaction of the public business in an orderly manner" and "to preserve order and decorum and prevent an unnecessary waste of time."

In terms of precedents, Speaker Carter was quite firm in various rulings concerning tablings involving correspondence. He ruled that correspondence tabled must be signed and dated (for instance on March 16, 1990; May 1, 1991; June 19, 1989). Some of the tablings that have been presented in the last few days are no more than typewritten messages. A Member should not be able to type out a note to himself or herself and table it. That practice should not be allowed to continue. Members who table such documents will be ruled out of order and the document considered not to have been tabled.

With respect to duplicate tablings, clearly this cannot be allowed to continue. Members must police themselves and be responsible for their actions.

With respect to comments made during tablings, the Chair would remind Members that only the most basic description of the document to be tabled will be allowed. The Chair would refer Members to the Speaker's ruling of April 11, 1995, on this subject. At that time the Speaker made a statement that is worth repeating:

The Chair wishes to avoid a situation where either the volume of tablings or the time spent in the Chamber on tablings becomes such that tablings have to be done through the Clerk's office as is the case in some jurisdictions.

In short, the Chair would call upon all Members to exercise some good judgment about tablings. Members should be aware that they are responsible for what they table in this Assembly. If their tablings offend the practices of the Assembly, they will be held to account. The Chair is concerned that if every tabling has to be scrutinized, then the time for tablings will be such that the practice would have to be seriously reviewed.

While the Chair is commenting on tablings, mention must be made that excerpts from Hansard are not appropriate tablings, as the words contained are in fact on the record and tabling, therefore, is really a redundant action.

## **ORDERS OF THE DAY**

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

#### **Speaker's Statement — Private Members' Bills**

The Chair would like to clarify for Members the order for Private Members' Public Bills today.

The Chair would refer Members to Standing Order 9(1) which states that all items, except Government Bills and Orders, shall be taken up in the order of precedence assigned to each on the Order Paper. Given the evolving nature of this order of business since the Standing Orders were amended in 1993, this is the first time this issue has been addressed by the Chair. Today, under Public Bills and Orders other than Government Bills and Orders, we have Bill 216 with 38 minutes left at second reading and Bill 214 scheduled for Committee of the Whole. The deadline for starting consideration of Bill 214 in Committee of the Whole does not expire under Standing Order 8(5)(c) until tomorrow. Private Member's Bills have, however, come up for consideration prior to the date they are due when the Member has wanted the matter to come up prior to that date. In this instance the issue is really what matter has "precedence". Accordingly, the Chair rules that when debate is continuing on a stage of a Bill or when the Bill is before Committee and the time has not expired and the deadline for consideration of another Bill has not come, then the consideration of that Bill, in this case Bill 216, will be allowed to continue until completion or voted upon. The next order of business, then, would be the Bill that the Member wants taken up early, and in this case it would be Bill 214. So we have before us 216.

## Second Reading

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

Bill 216 Crown Contracts Dispute Resolution Act — Mr. Jacques

A debate followed.

Pursuant to Standing Order 8(2)(b), debate adjourned, Mr. Havelock speaking.

## Motions Other Than Government Motions

**513.** Moved by Mr. Sapers on behalf of Mr. Dickson:

Be it resolved that the Legislative Assembly urge the Government to implement the suggestions contained in reports tabled in the House by the Government and by the Official Opposition concerning improvements to the handling of young offenders in Alberta.

A debate followed.

Pursuant to Standing Order 8(4), the question being put, the motion was defeated. The names being called for were taken as follows:

For the motion: 16

Balsillie	Forsyth	Sekulic
Bracko	Germain	Soetaert
Bruseker	Hanson	Van Binsbergen
Collingwood	Massey	Wickman
Dalla-Longa	Percy	
Dickson	Sapers	

Against the motion: 40

Ady	Havelock	Oberg
Amery	Herard	Paszkowski
Beniuk	Hierath	Pham
Calahasen	Hlady	Renner
Cardinal	Jacques	Rostad
Clegg	Kowalski	Severtson
Dinning	Langevin	Shariff
Dunford	Lund	Smith
Evans	Magnus	Stelmach
Fischer	Mar	Taylor
Friedel	McClellan	Thurber
Fritz	McFarland	West
Gordon	Mirosh	Woloshyn
Haley		



**514.** Moved by Mr. Havelock:

Be it resolved that the Legislative Assembly urge the Government to examine the feasibility of establishing a Legal Services Ombudsman to investigate how complaints about lawyers have been handled.

Pursuant to Standing Order 8(2)(c), debate adjourned, Mr. Dickson speaking.

A debate followed

## **Government Bills and Orders**

### **Committee of the Whole**

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

(Assembly in Committee)

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

The following Bill was reported:

Bill 49 Gas Utilities Amendment Act, 1996 — Mr. Magnus

Progress was reported on the following Bill, with some amendments:

Bill 41 Water Act — Hon. Mr. Lund

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.

Amendment to Bill 41 (Hon. Minister of the Environment) — Agreed to  
Sessional Paper 1317/96

Amendment to Bill 41 (Hon. Member for Sherwood Park) — Debate adjourned  
Sessional Paper 1318/96

## **Adjournment**

On motion by Hon. Mr. Evans, Deputy Government House Leader, that it be called 5:30 p.m., the Assembly adjourned at 5:23 p.m. until 8:00 p.m.

## Government Motions

**24.** Moved by Hon. Mr. Day:

Be it resolved that, when the Assembly adjourns to recess the current Sitting of the Fourth Session of the 23rd Legislature, it shall stand adjourned until a time and date, as determined by the Speaker after consultation with the Lieutenant Governor in Council.

The question being put, the motion was agreed to.

Hon. Mr. Evans, Deputy Government House Leader, requested and received the unanimous consent of the Assembly to waive Standing Order 38(1) to move the following motion:

**25.** Be it resolved that the following changes to the following Committees be approved by the Assembly:

on the Select Standing Committee on Law and Regulations, that Ms. Balsillie replace Mr. Zariwny

on the Select Standing Committee on Private Bills, that Ms. Balsillie replace Dr. Nicol.

The question being put, the motion was agreed to.

## **Committee of Supply** (Day 2 — 1996-97 Supplementary Estimates General Revenue Fund)

According to order, the Assembly resolved itself into Committee of Supply and the Acting Speaker, left the Chair.

(Assembly in Committee)

And after some time spent therein the Acting Speaker resumed the Chair and Mr. Herard reported as follows:

Mr. Speaker:

The Committee of Supply has had under consideration certain resolutions of the 1996-97 Supplementary Supply Estimates General Revenue Fund, reports as follows and requests leave to sit again:

Resolved that a sum not exceeding the following be granted to Her Majesty for the fiscal year ending March 31, 1997, for the Department and purposes indicated:

**Community Development**

Operating expenses	\$6,000,000
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**Health**

Operating expenses	\$20,000,000
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**Transportation and Utilities**

Operating expense	\$10,000,000
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<b>Total 1996-97 Supplementary Supply Estimates</b>	
<b>General Revenue Fund Payments</b>	<b>\$36,000,000</b>

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

**Introduction of Bills**

Unanimous consent of the Assembly was granted to revert to Introduction of Bills.

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

Bill 48 Appropriation (Supplementary Supply) Act, 1996 (No. 2) — Hon. Mr. Dinning

**Government Bills and Orders****Second Reading**

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

Bill 46 Electoral Divisions Act — Hon. Mr. Evans

A debate followed.

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

**Adjournment**

On motion by Hon. Mr. Evans, Deputy Government House Leader, the Assembly adjourned at 10:21 p.m. until Wednesday, August 21, 1996, at 1:30 p.m.

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Title: Tuesday, August 20, 1996