



**Legislative Assembly
Province of Alberta**

No. 36

VOTES AND PROCEEDINGS

First Session

Twenty-Fourth Legislature

Monday, June 16, 1997

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

Presenting Petitions

Mr. Dickson, Hon. Member for Calgary-Buffalo, presented a petition from 9 Calgary residents regarding a reduction in the \$25.00 application fee to access Government records, as legislated under the Freedom of Information and Protection of Privacy Act.

Mr. Dickson, Hon. Member for Calgary-Buffalo, presented a petition from 19 Albertans regarding equitable access to long term care in the publicly funded health care system.

Mr. Dickson, Hon. Member for Calgary-Buffalo, presented a petition from 291 Albertans regarding equitable access to long term care in the publicly funded health care system.

Mrs. Gordon, Hon. Member for Lacombe-Stettler, presented a petition from 3,059 Lacombe and area residents regarding additional long term care beds in Lacombe long term care facilities.

Ms Barrett, Hon. Member for Edmonton-Highlands, presented a petition from 60 Albertans regarding the introduction of legislation to prevent the use of replacement workers during strike action.

Ms Sloan, Hon. Member for Edmonton-Riverview, presented a petition from 24 Calgary residents in opposition to regionalization and privatization of child protection services.

Ms Carlson, Hon. Member for Edmonton-Ellerslie, presented a petition from Mr. Danny Kinal, Principal, St. Clement Catholic Elementary/Junior High School, in opposition to Bill 209, School Amendment Act, 1997.

Dr. Pannu, Hon. Member for Edmonton-Strathcona, presented a petition from 904 Albertans regarding the raising of amounts paid under the Assured Income for the Severely Handicapped (AISH) program.

Introduction of Bills (First Reading)

Hon. Mr. Havelock, Government House Leader, requested and received the unanimous consent of the Assembly to waive Standing Order 38(1)(d).

Standing Order 38(1)(d) having been waived:

Bill 34 Miscellaneous Statutes Amendment Act, 1997 — Hon. Mr. Havelock

Tabling Returns and Reports

Hon. Mr. Lund, Minister of Environmental Protection, pursuant to the Special Waste Management Corporation Act, cS-21.5, s14(1):

Alberta Special Waste Management Corporation, Annual Report 1996
Sessional Paper 467/97

Mr. Bonner, Hon. Member for Edmonton-Glengarry:

Letter, dated June 3, 1997, from Carol Berube, Co-chair, Disenfranchised Widows Action Group (D.W.A.G) - Alberta Chapter, to the Members of the Legislative Assembly, regarding the elimination of Workers' Compensation Board widows' benefits upon remarriage

Sessional Paper 468/97

Mrs. Paul, Hon. Member for Edmonton-Castle Downs:

Petition signed by 784 Albertans opposed to the privatization of Moonshine Provincial Park

Sessional Paper 469/97

Dr. Massey, Hon. Member for Edmonton-Mill Woods:

Memorandum, dated June 13, 1997, from Joan Swain, to Mary MacDonald, as a summary of letters received by the Liberal Caucus, in support for and in opposition to Bill 209, School Amendment Act, 1997

Sessional Paper 470/97

Hon. Mrs. McClellan, Minister of Community Development:

Letter, dated June 16, 1997, from Hon. Mrs. McClellan, Minister of Community Development, to Mr. Al Duerr, Calgary Mayor, regarding the 1997 World Police and Fire Games

Sessional Paper 471/97

Ms Barrett, Hon. Member for Edmonton-Highlands:

Draft Bill 228, Labour Relations Code Amendment Act, 1997, First Session, 24th Legislature, sponsored by Dr. Pannu, dated June 16, 1997

Sessional Paper 472/97

Hon. Mr. Day, Provincial Treasurer:

Offering Circular, dated December 18, 1996, regarding Euro Medium Term Note Programme for the issue of Notes with maturities of up to 15 years, by Merrill Lynch International

Sessional Paper 473/97

Form 18K, Annual Report of the Province of Alberta, For Foreign Governments and Political Subdivisions Thereof, dated March 31, 1996, by the Securities and Exchange Commission, Washington, DC

Sessional Paper 474/97

Securities Registration Prospectus, Province of Alberta, Japanese Yen/Australian Dollar Bonds, First Series (1996), dated November 1996, by Nikko Securities Co. Ltd., with translation by Aoki, Christensen & Nomoto

Sessional Paper 475/97

Response to Written Question No. WQ8 asked for by Mr. Zwozdesky on May 14, 1997:

With respect to the Treasury Department's creation, publication, production, and distribution of the "Alberta Provincial Electoral Division Profile" series of 83 booklets, who initiated this project, what was the total cost for all government departments, how many copies of each booklet were produced, and what was the distribution for those copies?

Sessional Paper 476/97

Return to Order of the Assembly No. MR11 asked for by Mr. Zwozdesky on May 14, 1997:

Copies of each and every receipt issued by the Queen's Printer recording sales of copies of the "Alberta Provincial Electoral Division Profile" series of 83 booklets, profiling each of the province's new electoral divisions.

Sessional Paper 477/97

Return to Order of the Assembly No. MR12 asked for by Mr. Zwozdesky on May 14, 1997:

Copies of all purchase orders issued and invoices received for the printing of the "Alberta Provincial Electoral Division Profile" series of 83 booklets, profiling each of the province's new electoral divisions.

Sessional Paper 478/97

Return to Order of the Assembly No. MR27 asked for by Mr. Zwozdesky on June 4, 1997:

Copies of the Alberta Treasury Branches' management response to the Flynn Report, entitled "Alberta Treasury Branches: General Review and Recommendations for Changes, December 1994," as cited on page 1 of the Mazankowski Report, entitled "Treasury Branches' Working Group Report, February 1995."

Sessional Paper 479/97

Return to Order of the Assembly No. MR28 asked for by Mr. Zwozdesky on June 4, 1997:

Copies of all loan guarantee and amended loan guarantee agreements between the Government and Skimmer Oil Separators Ltd./Cambridge Environmental Systems Inc. from January 1, 1992 to April 30, 1997.

Sessional Paper 480/97

Return to Order of the Assembly No. MR32 asked for by Mr. Zwozdesky on June 4, 1997:

Copies of all studies prepared by or for the Government between January 1, 1993 and April 30, 1997 assessing the feasibility of implementing a flat tax regime in Alberta.

Sessional Paper 481/97

Return to Order of the Assembly No. MR33 asked for by Mr. Zwozdesky on June 11, 1997:

Copies of studies prepared by or for the Government for the period January 1, 1993 to April 30, 1997 evaluating the impact of moving from a tax-on-tax regime to a tax-on-income regime.

Sessional Paper 482/97

Return to Order of the Assembly No. MR34 asked for by Dr. Nicol on June 11, 1997:

Copies of studies prepared by or on behalf of the Government *for the period January 1, 1995 to April 21, 1997 evaluating the level of grain throughput at the Prince Rupert Grain Terminal*

Sessional Paper 483/97

Letter, dated June 5, 1997, from Mr. Peter Valentine, FCA, Auditor General, to Hon. Mr. Day, Provincial Treasurer, reviewing Government policies used to value outstanding loans, guarantees and investments, and in particular the value of the investment in the Alberta Pacific Pulp Mill Project (Al-Pac)

Sessional Paper 484/97

Hon. Mr. Day, Provincial Treasurer, pursuant to the Members of the Legislative Assembly Pension Plan Act, cM-12.5, s4:

Members of the Legislative Assembly Pension Plan, Annual Report 1994-95

Sessional Paper 485/97

Members of the Legislative Assembly Pension Plan, Annual Report 1995-96

Sessional Paper 486/97

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

Letter, dated April 16, 1997, from Nico Wyngaarden, Head, Water Operations Branch, Water Management Division, Department of Environmental Protection, to York Construction Ltd. regarding the completion of the Pat's Creek Storm Drainage Conduit Replacement Project clay dike

Sessional Paper 487/97

Ms Sloan, Hon. Member for Edmonton-Riverview:

Memorandum, dated June 16, 1997, from Ms Sloan, Hon. Member for Edmonton-Riverview, to Hon. Mr. Jonson, Minister of Health, regarding the Capital Health Authority Report's admission waiting times, with attached letter, dated May 30, 1997, from the Capital Health Authority, to Ms Sloan, Hon. Member for Edmonton-Riverview

Sessional Paper 488/97

Hon. Mr. Kowalski, Speaker of the Legislative Assembly, pursuant to the Special Standing Committee on Members' Services decision:

Salaries and Benefits Disclosure Information, Legislative Assembly Office, for the year ended March 31, 1997

Sessional Paper 489/97

Hon. Mr. Smith, Minister of Labour:

Financial Statements, Workers' Compensation Board 1995-96, by KPMG
Chartered Accountants

Sessional Paper 490/97

Ministerial Statements

Hon. Mr. Day, Provincial Treasurer, made a statement regarding the elimination of the net debt in nine years, and the better than expected elimination of the Government's pension liability.

Mr. Zwozdesky, Hon. Member for Edmonton-Mill Creek, commented on the statement.

Speaker's Ruling — Private Members' Public Bills

Honourable Members, the Chair would like to rule on a purported question of privilege raised on Wednesday, June 4, 1997, by the Leader of the New Democrat Opposition concerning the introduction of a Private Member's Bill. The Honourable Member provided the Speaker's office with notice more than 2 hours before the opening of the House that day so the requirements of Standing Order 15(2) were met.

The Chair has real difficulty with determining how the question raised by the Honourable Leader of the third party is one of privilege. In speaking to her question of privilege, the Honourable Leader did not cite any privileges per se that were being violated.

While the Chair does not find that there is a prima facie question of privilege, this is an opportunity to review for all Members the process for Private Members' Bills.

As Members are aware, there is a draw for positions for Private Members' Bills. For this Session, the draw was held on March 27, 1997. A March 21, 1997 memo from Speaker Schumacher to all Members outlined the procedure for the draw and for drafting Private Members' Bills. As the Honourable Leader indicated in speaking to her question of privilege, the Bill draw has existed for some time. The draw took on a different character following the 1993 changes to the Standing Orders. The Chair was intimately involved in those changes which allowed for full and comprehensive consideration of Private Members' Bills. Prior to 1993, Private Members' Bills, if debated at all, received one hour's debate and fell to the bottom of the Order Paper. Now, of course there are time limits for Second and Third readings and Committee consideration. Since the 1993 changes, there have been 12 Private Members' Bills passed by the Assembly, three of which during this session. These changes have given Private Members in the Legislative Assembly of Alberta a unique opportunity to have their Bills considered.

Due to the serious consideration given Private Members' Bills, it is important that they be drafted in order of the draw to ensure fairness. Bills 211-221 have just been introduced in the House. As the Chair indicated last Tuesday, June 10, 1997 prior to introduction of those Bills, Parliamentary Counsel has requested Bill proposals for Bills 222-231. Given her tabling today, it's clear that a proposal was submitted to Parliamentary Counsel. The Chair would remind Members of Standing Order 69 which requires that Private Members' Public Bills be perused by the Speaker and Parliamentary Counsel prior to introduction. Parliamentary Counsel assists Members with the drafting of Private Members' Bills but must act in accordance with the draw.

When Members submit their Bills to Parliamentary Counsel, a version of the Bill with "Draft" across it will be returned to the Member. It is the Chair's understanding that Members have sent out draft Bills for public review with the written proviso on them that they are for discussion purposes only. A Member could, if he or she wished, table the draft version in the Assembly as was done by the Honourable Leader of the New Democrats today.

Since the 1993 changes to the Standing Orders, Private Members' Public Bills have been introduced together. There has been one exception to this practice in the fall of 1995 when the Leader of the Official Opposition introduced Bill 232 out of order. Even if a Member introduced his or her Bill out of order, it would not affect the order in which it was considered. For instance, although Bill 222 may not be introduced until after Bill 228, it would still be considered by the House before Bill 228. To do otherwise would be inconsistent with the purpose and rationale of the draw which, in the Chair's view, works on a fair and equitable basis for all Members.

ORDERS OF THE DAY

Government Bills and Orders

Unanimous consent of the Assembly was granted to waive Standing Order 73(1) to allow Second reading consideration of Bill 34, Miscellaneous Statutes Amendment Act, 1997.

Second Reading

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

Bill 34 Miscellaneous Statutes Amendment Act, 1997 — Hon. Mr. Havelock

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)

The following Bill was taken under consideration:

Bill 33 Alberta Treasury Branches Act — Hon. Mr. Day

Ms Forsyth, Hon. Member for Calgary-Fish Creek, absented herself from the debate and vote on Bill 33, Alberta Treasury Branches Act, pursuant to Standing Order 33 due to a conflict of interest.

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

The following Bills were reported:

Bill 22 Environmental Protection and Enhancement Amendment Act, 1997 — Hon. Mr. Lund

Bill 28 Fuel Tax Amendment Act, 1997 — Mr. Klapstein

Bill 32 Public Sector Pension Plans Amendment Act, 1997 — Hon. Mr. Day

Bill 34 Miscellaneous Statutes Amendment Act, 1997 — Hon. Mr. Havelock

The following Bill was reported with some amendments:

Bill 33 Alberta Treasury Branches Act — Hon. Mr. Day

Mrs. Gordon, 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 28 (Hon. Member for Edmonton-Mill Creek on behalf of the Hon. Member for Edmonton-Ellerslie) — Defeated

Sessional Paper 491/97

Amendment to Bill 32 (Hon. Member for Calgary-Buffalo) — Defeated

Sessional Paper 492/97

Amendment to Bill 32 (Hon. Member for Edmonton-Highlands) — Defeated

Sessional Paper 493/97

Amendment to Bill 33 (Hon. Member for Edmonton-Mill Creek) — Agreed to

Sessional Paper 494/97

Amendment to Bill 33 (Hon. Member for Edmonton-Mill Creek) — Withdrawn by Mr. Zwozdesky, with the unanimous consent of the Committee

Sessional Paper 495/97

Amendment to Bill 33 (Hon. Member for Edmonton-Mill Creek) —
Defeated

Sessional Paper 496/97

Amendment to Bill 33 (Hon. Member for Edmonton-Mill Creek) —
Defeated

Sessional Paper 497/97

Amendment to Bill 33 (Hon. Member for Edmonton-Mill Creek) —
Defeated

Sessional Paper 498/97

Third Reading

Unanimous consent of the Assembly was granted to waive Standing Order 73(1) to allow Third reading consideration of Bill 34, Miscellaneous Statutes Amendment Act, 1997.

The following Bills were read a Third time and passed:

Bill 22 Environmental Protection and Enhancement Amendment Act, 1997 — Hon.
Mr. Lund

Bill 34 Miscellaneous Statutes Amendment Act, 1997 — Hon. Mr. Havelock

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

Bill 28 Fuel Tax Amendment Act, 1997 — Mr. Klapstein

A debate followed.

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

Adjournment

On motion by Hon. Mr. Havelock, Government House Leader, that it be called 5:30 p.m., the Assembly adjourned at 5:18 p.m., until 8:00 p.m.

MONDAY, JUNE 16, 1997 — 8:00 P.M.

Government Bills and Orders

Third Reading

The following Bills were read a Third time and passed:

Bill 28 Fuel Tax Amendment Act, 1997 — Mr. Klapstein

Bill 32 Public Sector Pension Plans Amendment Act, 1997 — Hon. Mr. Day

Bill 33 Alberta Treasury Branches Act — Hon. Mr. Day

Adjournment

Pursuant to Government Motion No. 22 agreed to by the Assembly on June 11, 1997, and on motion by Hon. Mr. Havelock, Government House Leader, the Assembly adjourned at 9:07 p.m.

Hon. Ken Kowalski,
Speaker

Title: Monday, June 16, 1997