



**Legislative Assembly  
Province of Alberta**

No. 49

## **VOTES AND PROCEEDINGS**

Second Session

Twenty-Fourth Legislature

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Wednesday, April 29, 1998

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

### **Presenting Petitions**

Mr. McFarland, Hon. Member for Little Bow, presented a petition from 118 Albertans requesting Senate elections during the municipal elections in October 1998, to ensure an accountable Senate.

Mr. Dickson, Hon. Member for Calgary-Buffalo, presented a petition from 146 Albertans regarding the prohibition of discrimination based on sexual orientation, and expressing opposition to the utilization of the Canadian Charter of Rights and Freedoms' "notwithstanding clause."

Ms Barrett, Hon. Member for Edmonton-Highlands, presented a petition from 46 Edmonton and area residents regarding quality, affordable child care options and expressing opposition regarding the elimination of operating allowances to child care centres.

## **Reading and Receiving Petitions**

On request by Mr. McFarland, Hon. Member for Little Bow, the following petition was read and received:

We, the undersigned citizens of Alberta, draw the attention of the Legislative Assembly of Alberta to the following: that Albertans deserve an accountable Senate; therefore we, the undersigned residents of Alberta, petition the Legislative Assembly to urge the Government to hold Senate elections during the province-wide municipal elections in October 1998.

On request by Mr. Dickson, Hon. Member for Calgary-Buffalo, the following petition was read and received:

We, the undersigned residents of Alberta, petition the Legislative Assembly to urge the Government of Alberta not to pass Bill 37, Health Statutes Amendment Act, 1998.

On request by Mr. Dickson, Hon. Member for Calgary-Buffalo, the following petition was read and received:

We, the undersigned residents of Alberta, petition the Legislative Assembly to urge the Government of Alberta not to pass Bill 37, Health Statutes Amendment Act, 1998.

On request by Mr. Dickson, Hon. Member for Calgary-Buffalo, the following petition was read and received:

We, the undersigned, petition the Legislative Assembly of Alberta to urge the Government to prohibit discrimination on the basis of sexual orientation and commit never to use the “notwithstanding clause,” or any other means, to override the fundamental human rights of Albertans.

On request by Mr. Dickson, Hon. Member for Calgary-Buffalo, the following petition was read and received:

We, the undersigned members of the medical profession and our patients, being residents of the Province of Alberta and of the age of majority, hereby petition the Legislative Assembly to urge the Government of Alberta to refrain from bringing forth to the Legislature for debate and vote thereon a bill that was presented in the last session of the Legislature at its last sitting as Bill 29, Medical Professions Amendment Act, 1997.

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

Whereas we, the undersigned residents of Alberta, believe that education makes sense and that an investment in post-secondary education is an investment in Alberta's future. Therefore we, the undersigned residents of Alberta, petition the Legislative Assembly to urge the Government to support the continued provision of an affordable, high quality post-secondary education system.

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

We, the undersigned residents of Alberta, petition the Legislative Assembly to urge the Government of Alberta to examine and amend the Workers' Compensation Board Act to provide appropriate benefits to those Albertans whose spouses died in work-related accidents, and who subsequently lost their benefits due to remarriage.

On request by Mr. Friedel, Hon. Member for Peace River, the following petition was read and received:

We, the undersigned citizens of Alberta, draw the attention of the Legislative Assembly of Alberta to the following: that Albertans deserve an accountable Senate; therefore we, the undersigned residents of Alberta, petition the Legislative Assembly to urge the Government to hold Senate elections during the province-wide municipal elections in October 1998.

On request by Mr. Friedel, Hon. Member for Peace River, the following petition was read and received:

We, the undersigned members of the medical profession and our patients, being residents of the Province of Alberta and of the age of majority, hereby petition the Legislative Assembly to urge the Government of Alberta to refrain from bringing forth to the Legislature for debate and vote thereon a bill that was presented in the last session of the Legislature at its last sitting as Bill 29, Medical Professions Amendment Act, 1997.

## **Notices of Motions**

Hon. Mr. Havelock, Government House Leader, gave oral notice of the following motion:

Be it resolved that debate on Third Reading of Bill 40, Senatorial Selection Amendment Act, 1998, shall not be further adjourned.

Ms Fritz, Hon. Member for Calgary-Cross, gave oral notice of her intention to introduce the following Bill on Thursday, April 30, 1998:

Bill 47 Protection from Second-hand Smoke in Public Buildings Amendment Act, 1998 — Ms Fritz

## **Introduction of Bills (First Reading)**

Notice having been given:

Bill 237 Endangered Species and Habitats Protection Act — Dr. Pannu

### **Deputy Speaker's Statement — Introduction of Bill 237, Endangered Species and Habitats Protection Act**

The Chair would like to make a brief comment concerning the introduction of Bill 237 by the Honourable Member for Edmonton-Strathcona. As Members are aware, positions for Private Members' Public Bills are determined by a draw. In accordance with the July 15, 1997 draw, Bills 201 to 230 were drafted and introduced in order, with Bill 231 being introduced yesterday. Drafting of Bills after 230 could not occur until after the first thirty Bills were introduced.

This is not the first time that a Private Member's Public Bill has been introduced out of order since the 1993 amendments to the Standing Orders took effect. The Chair would refer Members to the introduction of Bill 232 on October 30, 1995. Introduction of a Private Member's Public Bill, does not, however, move it ahead of other Bills. The Chair would like to reiterate the Speaker's comments from June 16, 1997 in this regard when he said:

“Even if a Member introduced his or her Bill out of order, it would not affect the order in which it was considered... 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.”

## **Tabling Returns and Reports**

Hon. Mr. Klein, Premier:

News release dated April 29, 1998, entitled “Talking with Albertans - Public Consultation in 1997”

Sessional Paper 711/98

Alberta's Participation in Team Canada '98: January 10 to 23, 1998, Mission Report - Mexico, Brazil, Argentina, Chile

Sessional Paper 712/98

Mr. Mitchell, Hon. Member for Edmonton-McClung:

Amendment dated April 27, 1998, regarding Bill 40, Senatorial Selection Amendment Act, 1998, regarding section 29(2.1)(c)

Sessional Paper 713/98

Amendment dated April 28, 1998, regarding Bill 40, Senatorial Selection Amendment Act, 1998, regarding section 3(2) and section 29(2.1)

Sessional Paper 714/98

Amendment dated April 27, 1998, regarding Bill 40, Senatorial Selection Amendment Act, 1998, regarding section 3

Sessional Paper 715/98

Amendment dated April 28, 1998, regarding Bill 40, Senatorial Selection Amendment Act, 1998, regarding section 3(2)

Sessional Paper 716/98

Hon. Mr. Stelmach, Minister of Agriculture, Food and Rural Development:

Office of the Farmers' Advocate of Alberta, Annual Report 1997

Sessional Paper 717/98

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

Letter dated March 20, 1998, from Frank Schoenberger, Reeve, Sturgeon County, to Hon. Mr. Klein, Premier, requesting the redesignation to a primary highway of secondary highway 794, with attached letter dated April 14, 1997, from Jean DeChamplain, Norm Jespersion, and Frank Schoenberger, Reeves, to Hon. Mr. Paszkowski, Minister of Transportation and Utilities

Sessional Paper 718/98

Letter dated April 28, 1998, from Cliff Burns, Morinville resident, requesting improvements to secondary highway 794

Sessional Paper 719/98

Letter dated April 29, 1998, from Solange Price, Morinville resident, to Mrs. Soetaert, Hon. Member for Spruce Grove-Sturgeon-St. Albert, requesting improvements to secondary highway 794 to allow for the redesignation as a primary highway

Sessional Paper 720/98

Letter dated April 29, 1998, from Trudy Wohlgenut, Calahoo resident, to Hon. Mr. Paszkowski, Minister of Transportation and Utilities, requesting improvements to secondary highway 794

Sessional Paper 721/98

Mr. Sapers, Acting "Hon. Leader of the Official Opposition":

Letter dated April 29, 1998, from Mr. Sapers, Acting "Hon. Leader of the Official Opposition," to Dr. Ronald Duhamel, Secretary of State for Science and Technology, expressing support for Alberta's Science and Technology Hotlines and the need for increased funding

Sessional Paper 722/98

Letter dated April 29, 1998, from Mr. Sapers, Acting "Hon. Leader of the Official Opposition," to Hon. Dr. Taylor, Minister Responsible for Science, Research and Information Technology, expressing support for Alberta's Science and Technology Hotlines and the need for increased funding, with attached letter dated April 16, 1998, from Dr. Michael T. Caley, Executive Director, Edmonton Science and Technology Hotline Institute, to Hon. Dr. Taylor, Minister

Responsible for Science, Research and Information Technology  
Sessional Paper 723/98

Letter dated April 15, 1998, from Dr. Michael T. Caley, Executive Director, Edmonton Science and Technology Hotline Institute, to Dr. Ronald Duhamel, Secretary of State for Science and Technology, expressing opposition regarding the collapse of the Former Innovators in the Schools Program, and the Science Culture Canada Program

Sessional Paper 724/98

Letter dated April 29, 1998, from Mr. Sapers, Acting "Hon. Leader of the Official Opposition," to Hon. Mrs. McClellan, Minister of Community Development, requesting the public release of the draft report on gambling compiled by Wynne Resources Ltd.

Sessional Paper 725/98

E-mail message dated April 20, 1998, from William Dascavich to Keith Leal expressing opposition to Bill 37, Health Statutes Amendment Act, 1998

Sessional Paper 726/98

Hon. Mr. Smith, Minister of Labour:

Petroleum Tank Management Association of Alberta, Annual Report 1996  
Sessional Paper 727/98

Hon. Mrs. McClellan, Minister of Community Development:

Information bulletin dated April 29, 1998, entitled "Alberta Library Week, May 3 to 9, 1998"

Sessional Paper 728/98

## **Recognitions**

Ms Kryczka, Hon. Member for Calgary-West: Ann McCaig, Chancellor of the University of Calgary.

Ms Sloan, Hon. Member for Edmonton-Riverview: Community Options, Society for Children and Families, recipient of the Alberta Association for Community Living Award.

Ms O'Neill, Hon. Member for St. Albert: Alberta Library Week, May 3 to 9, 1998, themed "Grow with your library."

Ms Olsen, Hon. Member for Edmonton-Norwood: 25 graduates of St. Alphonsus Elementary School completing the Drug Abuse Resistance Education (D.A.R.E.) program.

Mr. Cao, Hon. Member for Calgary-Fort: Economic contribution of the chemical industry in Alberta.

Dr. Pannu, Hon. Member for Edmonton-Strathcona: Leukemia survivor Lance Relland and his efforts to promote First Nations arts with the Theatre Arts Community Outreach Society.

## **Privilege**

Hon. Mr. Havelock, Government House Leader, indicated his intent to raise a purported point of privilege regarding comments made by Mrs. Soetaert, Hon. Member for Spruce Grove-Sturgeon-St. Albert, during Oral Question Period today.

## **ORDERS OF THE DAY**

### **Written Questions**

The following Written Question was ordered to stand:

WQ97.

### **Motions for Returns**

The following Motion for Returns was accepted:

**MR95.** Moved by Dr. Pannu:

Copies of all documents associated with the contracting out of laundry services, both on site and off site, at the Mitchener Centre in Red Deer, from January 1, 1994 to the present.

The following Motion for Returns was accepted as amended:

**MR96.** Moved by Mr. Zwozdesky:

Copies of the following agreements relating to the Al-Pac Pulp Mill Project: Paper Mill Agreement between the borrowers, dated September 4, 1991; Guarantee Agreement (Paper Mill Commitment), dated September 4, 1991, made by MC Forest Investment Inc. in favour of the Province; Guarantee Agreement (Paper Mill Commitment), dated September 4, 1991, made by Kanzaki Paper in favour of the Province; and Option to Purchase, dated September 4, 1991, made among the borrowers and the Minister of Forestry, Lands and Wildlife and acknowledged by Al-Pac.

Hon. Mr. Lund, Minister of Environmental Protection, moved the motion be amended to read:

*Where consent of the other parties can be obtained, copies of the following agreements relating to the Al-Pac Pulp Mill Project: Paper Mill Agreement between the borrowers, dated September 4, 1991; Guarantee Agreement (Paper Mill Commitment), dated September 4, 1991, made by Mitsubishi Corporation in favour of the Province; Guarantee Agreement (Paper Mill Commitment), dated September 4, 1991, made by Kanzaki Paper Mfg. Co. Ltd. in favour of the Province; and Option to Purchase, dated September 4, 1991, made among the borrowers and the Minister of Forestry, Lands and Wildlife and acknowledged by Al-Pac.*

The following Motion for Returns was rejected:

**MR94.** Moved by Dr. Pannu:

Copies of all documents, studies, reports, projections, or analyses from each Ministry from January 1, 1992 to the present supporting the Government's conclusion that it would be to the taxpayers' advantage to provide most Government computing services through outsourcing by privatization or contracting out.

The following Motion for Returns was ordered to stand:

MR98.

## **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 Mr. Shariff, Acting Speaker, assumed the Chair.

The following Bill was reported with some amendments:

Bill 212 Amusements Amendment Act, 1998 — Ms Fritz

Mrs. Gordon, Deputy Chairman of Committees, tabled copies of the amendment considered by the Committee of the Whole on this date for the official records of the Assembly.

Amendment to Bill 212 (Hon. Member for Calgary-Cross) — Agreed to  
Sessional Paper 729/98



## **Second Reading**

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

Bill 215 Highway Traffic Amendment Act, 1998 — Mr. Broda

### **Committee of the Whole**

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

(Assembly in Committee)

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

The following Bill was reported with some amendments:

Bill 213 School (Computer Instruction) Amendment Act, 1998 — Mrs. Gordon

Mr. Shariff, Acting Chairman of Committees, tabled copies of the amendment considered by the Committee of the Whole on this date for the official records of the Assembly.

Amendment to Bill 213 (Hon. Member for Lacombe-Stettler) — Agreed to  
Sessional Paper 730/98

## **Third Reading**

The following Bill was read a Third time and passed:

Bill 212 Amusements Amendment Act, 1998 — Ms Fritz

On motion by Hon. Mr. Havelock, Government House Leader, unanimous consent of the Assembly was granted to waive Standing Order 8(5)(d) to permit Third reading consideration of Bill 213, School (Computer Instruction) Amendment Act, 1998.

The following Bill was read a Third time and passed:

Bill 213 School (Computer Instruction) Amendment Act, 1998 — Mrs. Gordon

## **Adjournment**

On motion by Hon. Mr. Havelock, Government House Leader, it was agreed at 5:23 p.m. that when the Assembly reconvened at 8:00 p.m. it would be in Committee of the Whole, and the Deputy Speaker left the Chair.

WEDNESDAY, APRIL 29, 1998 — 8:00 P.M.

## **Government Bills and Orders**

### **Committee of the Whole**

(Assembly in Committee)

And after some time spent therein Mr. Herard, Acting Speaker, assumed the Chair.

Progress was reported on the following Bills:

Bill 38 Public Health Amendment Act, 1998 — Hon. Mr. Jonson

Bill 40 Senatorial Selection Amendment Act, 1998 — Hon. Mr. Hancock

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 38 (Introduced by the Hon. Member for Calgary-Buffalo on April 27, 1998) — Debate adjourned

Sessional Paper 731/98

Amendment to Bill 40 (Hon. Member for Edmonton-McClung) — Debate adjourned

Sessional Paper 732/98

### **Committee of the Whole**

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

(Assembly in Committee)

The following Bill was taken under consideration:

Bill 40 Senatorial Selection Amendment Act, 1998 — Hon. Mr. Hancock

**30.** Hon. Mr. Havelock moved the following motion:

Be it resolved that further consideration of any or all of the resolutions, clauses, sections or titles of Bill 40, Senatorial Selection Amendment Act, 1998, shall, when called, be the first business of the Committee and shall not be further postponed.

The question being put, with Mrs. Gordon in the Chair, the motion was agreed to. The names being called for were taken as follows:

For the motion: 35

Amery	Havelock	Melchin
Black	Herard	O'Neill
Boutilier	Hlady	Oberg
Cao	Jacques	Paszkowski
Clegg	Jonson	Pham
Coutts	Klapstein	Renner
Ducharme	Laing	Severtson
Fischer	Langevin	Shariff
Fritz	Lund	Strang
Graham	Magnus	Thurber
Haley	McClellan	Woloshyn
Hancock	McFarland	

Against the motion: 12

Bonner	MacDonald	Sapers
Dickson	Mitchell	Sloan
Gibbons	Nicol	Soetaert
Leibovici	Olsen	Zwozdesky

A debate followed.

Pursuant to Government Motion 30 and Standing Order 21(2), at 12:00 a.m., the question was immediately put on the amendment to Bill 40, Senatorial Selection Amendment Act, 1998, as found in Sessional Paper 736/98, which was defeated.

Pursuant to Government Motion 30 and Standing Order 21(2), at 12:00 a.m., the question was immediately put on the remaining clauses of Bill 40, Senatorial Selection Amendment Act, 1998, which was agreed to.

Pursuant to Government Motion 30 and Standing Order 21(2), at 12:01 a.m., the question was immediately put on the title and preamble to Bill 40, Senatorial Selection Amendment Act, 1998, which was agreed to.

Pursuant to Government Motion 30 and Standing Order 21(2), at 12:01 a.m., the question was immediately put that Bill 40, Senatorial Selection Amendment Act, 1998, be reported, which was agreed to.

And after some time spent therein Mr. Shariff, Acting Speaker, assumed the Chair.

The following Bill was reported with some amendments:

Bill 40 Senatorial Selection Amendment Act, 1998 — Hon. Mr. Hancock

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 40 (Introduced by the Hon. Member for Edmonton-McClung on April 29, 1998) — Defeated

Sessional Paper 733/98

Amendment to Bill 40 (Hon. Member for Edmonton-McClung) — Agreed to

Sessional Paper 734/98

Amendment to Bill 40 (Hon. Member for Edmonton-McClung) — Defeated

Sessional Paper 735/98

Amendment to Bill 40 (Hon. Member for Edmonton-McClung) — Defeated

Sessional Paper 736/98

### **Third Reading**

The following Bill was read a Third time and passed:

Bill 40 Senatorial Selection Amendment Act, 1998 — Hon. Mr. Hancock

### **Adjournment**

Pursuant to Government Motion 7 agreed to by the Assembly on February 3, 1998, and on motion by Hon. Mr. Havelock, Government House Leader, the Assembly adjourned at 12:42 a.m.

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Hon. Ken Kowalski,  
Speaker

Title: Wednesday, April 29, 1998