



**Legislative Assembly
Province of Alberta**

No. 50

VOTES AND PROCEEDINGS

Second Session

Twenty-Fourth Legislature

Monday, November 16, 1998

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

The Speaker offered a prayer and a moment of silence was observed in recognition of the death of former Member, Dr. John Walker, Hon. Member for Macleod, 1975 to 1979, who passed away on June 5, 1998.

Introduction of New Member

The Speaker announced that he had received from the Chief Electoral Officer of Alberta the report of the Returning Officer for the constituency of Edmonton-McClung containing the results of the by-election conducted on June 17, 1998 in the constituency and the said report further showed that Nancy J. MacBeth was duly elected as the Member for Edmonton-McClung.

Mrs. MacBeth joined Mr. Sapers, Hon. Official Opposition House Leader, at the Bar and was then escorted to the Mace. Mr. Sapers presented Mrs. MacBeth to the Speaker and the Hon. Leader of the Official Opposition took her seat in the Assembly.

Presenting Petitions

Mr. Dickson, Hon. Member for Calgary-Buffalo, presented a petition from 117 Albertans expressing opposition to Bill 37, Health Statutes Amendment Act, 1998.

Ms Carlson, Hon. Member for Edmonton-Ellerslie, presented a petition from 91 Albertans expressing opposition to Bill 37, Health Statutes Amendment Act, 1998.

Ms Olsen, Hon. Member for Edmonton-Norwood, presented a petition from 96 Albertans expressing opposition to Bill 37, Health Statutes Amendment Act, 1998.

Mr. MacDonald, Hon. Member for Edmonton-Gold Bar, presented a petition from 100 Albertans expressing opposition to Bill 37, Health Statutes Amendment Act, 1998.

Ms Paul, Hon. Member for Edmonton-Castle Downs, presented a petition from 96 Albertans expressing opposition to Bill 37, Health Statutes Amendment Act, 1998.

Ms Sloan, Hon. Member for Edmonton-Riverview, presented a petition from 86 Albertans expressing opposition to Bill 37, Health Statutes Amendment Act, 1998.

Dr. Massey, Hon. Member for Edmonton-Mill Woods, presented a petition from 96 Albertans expressing opposition to Bill 37, Health Statutes Amendment Act, 1998.

Ms Blakeman, Hon. Member for Edmonton-Centre, presented a petition from 96 Albertans expressing opposition to Bill 37, Health Statutes Amendment Act, 1998.

Mr. White, Hon. Member for Edmonton-Calder, presented a petition from 86 Albertans expressing opposition to Bill 37, Health Statutes Amendment Act, 1998.

Mr. Bonner, Hon. Member for Edmonton-Glengarry, presented a petition from 75 Albertans expressing opposition to Bill 37, Health Statutes Amendment Act, 1998.

Mr. Sapers, Hon. Member for Edmonton-Glenora, presented a petition from 105 Albertans expressing opposition to Bill 37, Health Statutes Amendment Act, 1998.

Ms Leibovici, Hon. Member for Edmonton-Meadowlark, presented a petition from 112 Albertans expressing opposition to Bill 37, Health Statutes Amendment Act, 1998.

Mr. Wickman, Hon. Member for Edmonton-Rutherford, presented a petition from 83 Albertans expressing opposition to Bill 37, Health Statutes Amendment Act, 1998.

Reading and Receiving Petitions

On request by Ms Barrett, Hon. Member for Edmonton-Highlands, the following petition was read and received:

We, the undersigned residents of Alberta, petition the Legislative Assembly to urge the Government of Alberta to support quality, affordable child care options for all Alberta families, regardless of income. We also petition the Legislative Assembly to urge the Government to reverse its decision eliminating operating allowances to child care centres and to instead bring forth a funding formula which will enhance quality child care and keep daycare fees affordable for low income and middle income families.

On request by Dr. Nicol, Hon. Member for Lethbridge-East, 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.

Presenting Reports by Standing and Special Committees

Mr. Langevin, Chairman, Select Standing Committee on Legislative Offices, presented the following report:

Report of the Select Special Chief Electoral Officer Search Committee recommending the appointment of Mr. O. Brian Fjeldheim as Chief Electoral Officer of Alberta, September 9, 1998

Sessional Paper 737/98

Notices of Motions

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

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

On the Special Standing Committee on Members' Services, that Mr. Gibbons replace Ms Olsen

On the Select Standing Committee on Legislative Offices, that Ms Olsen replace Mr. Sapers

On the Select Standing Committee on Public Accounts, that Mr. Sapers replace Mr. Zwozdesky

On the Select Standing Committee on Alberta Heritage Savings Trust Fund, that Mr. Bonner replace Mr. Zwozdesky

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

Be it resolved that the Legislative Assembly concur in the Report of the Select Special Chief Electoral Officer Search Committee and recommend that Mr. O. Brian Fjeldheim be appointed as Chief Electoral Officer for the Province Alberta.

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

Be it resolved that, when the Assembly adjourns to recess the Fall sitting of the Second Session of the 24th Legislature, it shall stand adjourned until a time and date, as determined by the Speaker after consultation with the Lieutenant Governor in Council.

Pursuant to Standing Order 15(2), Hon. Mr. Paszkowski, Minister of Transportation and Utilities, gave oral notice of his intention to raise a purported question of privilege following Oral Question Period today arising from the comments made by Mrs. Soetaert, Hon. Member for Spruce Grove-Sturgeon-St. Albert, during Oral Question Period on April 29, 1998.

Mrs. MacBeth, Hon. Leader of the Official Opposition, gave oral notice of her intention to move, pursuant to Standing Order 30, that the Assembly adjourn to discuss a matter of urgent importance, namely Government interference in the management and operations of the Alberta Treasury Branches and the role of the Executive Council and its Members in the management and operations of the Alberta Treasury Branches.

Mrs. MacBeth, Hon. Leader of the Official Opposition, gave oral notice of her intention to move the following motion under Standing Order 40:

Be it resolved that this Assembly recognize the urgent need for a broad public debate on the future of private, for-profit hospitals in the province of Alberta prior to any legislation being passed which enables these institutions.

Dr. Pannu, Hon. Member for Edmonton-Strathcona, gave oral notice of his intention to move, pursuant to Standing Order 30, that the Assembly adjourn to discuss a matter of urgent importance, namely that the Legislative Assembly ask the Members' Services Committee to amend the Order No. MSC 5/98 to ensure that any Member leaving elected office receives either the transition allowance or benefits under the former MLA Pension Plan, but not both.

Ms Barrett, Hon. Member for Edmonton-Highlands, gave oral notice of her intention to move the following motion under Standing Order 40:

Be it resolved that the Legislative Assembly urge the Government to postpone further consideration of Bill 37 until after the Health Summit planned for early 1999.

Mrs. MacBeth, Hon. Leader of the Official Opposition, gave oral notice of her intention to request the unanimous consent of the Assembly to move the following motion:

Be it resolved that this Assembly waive the provisions of Standing Orders 38 and 39 so that the following motion can be made:

Be it resolved that this Assembly adjourn the ordinary business of the Assembly until Monday, November 23, 1998 or such other time that the Premier can attend.

Introduction of Bills (First Reading)

Oral notice having been given Wednesday, April 29, 1998:

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

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

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

Tabling Returns and Reports

Hon. Mr. Havelock, Minister of Justice and Attorney General:

Alberta Law Enforcement Review Board, Annual Report 1997
Sessional Paper 738/98

Hon. Mr. Havelock, Minister of Justice and Attorney General, pursuant to the Legal Profession Act, cL-9.1, s5(4):

Law Society of Alberta, Annual Report 1997
Sessional Paper 739/98

Hon. Mrs. McClellan, Minister of Community Development:

News release dated November 16, 1998, entitled “AADAC spreads the word about National Addictions Awareness Week”
Sessional Paper 740/98

Information bulletin dated November 16, 1998, entitled “Albertans urged to celebrate diversity on International Day for Tolerance”
Sessional Paper 741/98

Handbook for Canada’s Physical Activity Guide to Healthy Active Living, published by Health Canada and CSEP (Canadian Society for Exercise Physiology)
Sessional Paper 742/98

News release dated November 16, 1998, entitled “Alberta art to be celebrated at Legislature”
Sessional Paper 743/98

Hon. Mr. Stelmach, Minister of Agriculture, Food and Rural Development, pursuant to the Agriculture Financial Services Act, cA-12.5, s14(2):

Agriculture Financial Services Corporation, Annual Report 1997-98
Sessional Paper 744/98

Hon. Mrs. Nelson, Minister of Economic Development, pursuant to the Racing Corporation Act, cR-1.5, s10(2):

Alberta Racing Commission, Thirty-fourth Annual Report April 1, 1996 to October 31, 1996

Sessional Paper 745/98

Alberta Racing Corporation, Annual Review 1997

Sessional Paper 746/98

Hon. Mrs. Nelson, Minister of Economic Development, pursuant to the Alberta Opportunity Fund Act, cA-34, s15(6):

Alberta Opportunity Company (AOC), Annual Report 1997-98 entitled "Turning Opportunity Into Enterprise"

Sessional Paper 747/98

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

Letter dated November 5, 1998, from Dr. and Mrs. de Jongh, to Hon. Mr. Jonson, Minister of Health, expressing opposition to Bill 37, Health Statutes Amendment Act, 1998

Sessional Paper 748/98

Hon. Mr. Paszkowski, Minister of Transportation and Utilities:

Highway 794 Traffic Survey dated October 28, 1998, prepared by the Morinville Highway Patrol

Sessional Paper 749/98

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

Letter dated October 9, 1998, from Mr. Dickson, Hon. Member for Calgary-Buffalo, to Hon. Mr. Jonson, Minister of Health, requesting the appointment of an all-party panel and public consultations regarding Bill 37, Health Statutes Amendment Act, 1998; and reply received from Hon. Mr. Jonson, Minister of Health, dated October 28, 1998

Sessional Paper 750/98

3 amendments, undated, regarding Bill 37, Health Statutes Amendment Act, 1998

Sessional Paper 751/98

10 letters from Albertans to Hon. Mr. Klein, Premier, and Hon. Mr. Jonson, Minister of Health, expressing opposition to Bill 37, Health Statutes Amendment Act, 1998

Sessional Paper 752/98

Mr. Langevin, Chairman, Select Standing Committee on Legislative Offices, pursuant to the Election Act, c E-2, s4(3):

Report of the Chief Electoral Officer on the Edmonton-McClung By-election held Wednesday, June 17, 1998

Sessional Paper 753/98

Mr. Langevin, Chairman, Select Standing Committee on Legislative Offices, pursuant to the Auditor General Act, cA-49, s19(4):

Auditor General of Alberta, Annual Report 1997-98

Sessional Paper 754/98

Ms Carlson, Hon. Member for Edmonton-Ellerslie:

9 letters from Albertans to Hon. Mr. Klein, Premier, and Hon. Mr. Jonson, Minister of Health, expressing opposition to Bill 37, Health Statutes Amendment Act, 1998

Sessional Paper 755/98

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

Letter dated November 10, 1998, from Jo Bishop to Hon. Mr. Jonson, Minister of Health, expressing opposition to Bill 37, Health Statutes Amendment Act, 1998

Sessional Paper 756/98

Ms Olsen, Hon. Member for Edmonton-Norwood:

Supreme Court of Canada Decision No. 25866 between Marie Sarah Eurig, as Executor of the estate of Donald Valentine Eurig and the Registrar of the Ontario Court (General Division), and the Attorney General of Ontario

Sessional Paper 757/98

Ms Blakeman, Hon. Member for Edmonton-Centre:

2 postcards entitled "Please defeat Bill 219, I am in favour of local bargaining, retaining the right to strike, and retaining principals' right to be represented in collective bargaining"

Sessional Paper 758/98

Mr. Sapers, Hon. Member for Edmonton-Glenora:

15 letters from Albertans to Hon. Mr. Klein, Premier, and Hon. Mr. Jonson, Minister of Health, expressing opposition to Bill 37, Health Statutes Amendment Act, 1998

Sessional Paper 759/98

Transcript of an AUPE (Alberta Union of Provincial Employees) convention speech given by Charles Relland on November 7, 1998, expressing opposition to Bill 37, Health Statutes Amendment Act, 1998

Sessional Paper 760/98

Court of Queen's Bench of Alberta, Judicial District of Edmonton, in the matter of Alberta Treasury Branches and West Edmonton Mall, Statement of Claim, dated August 25, 1998

Sessional Paper 761/98

Court of Queen's Bench of Alberta, Judicial District of Edmonton, in the matter of Alberta Treasury Branches and West Edmonton Mall, Affidavit of Paulina Hiebert, dated August 24, 1998

Sessional Paper 762/98

Court of Queen's Bench of Alberta, Judicial District of Edmonton, in the matter of Alberta Treasury Branches and West Edmonton Mall, Affidavit of Martin H. Walrath, dated November 6, 1998

Sessional Paper 763/98

Ms Sloan, Hon. Member for Edmonton-Riverview:

11 letters from Albertans to Hon. Mr. Klein, Premier, and Hon. Mr. Jonson, Minister of Health, expressing opposition to Bill 37, Health Statutes Amendment Act, 1998

Sessional Paper 764/98

Hon. Mr. Kowalski, Speaker of the Legislative Assembly:

Memorandum dated November 12, 1998, from Mr. Broda, Hon. Member for Redwater, to Hon. Mr. Kowalski, Speaker of the Legislative Assembly, requesting that Bill 215, Highway Traffic Amendment Act, 1998, be considered by Committee of the Whole on Wednesday, November 18, 1998

Sessional Paper 765/98

Hon. Mr. Kowalski, Speaker of the Legislative Assembly, pursuant to the Legislative Assembly Act, cL-10.1, s19(5):

Members' Services Order 1/98, Constituency Services Amendment Order (No. 2), dated October 5, 1998, Special Select Standing Committee on Members' Services

Sessional Paper 766/98

Members' Services Order 2/98, Executive Council Salaries Amendment Order (No. 3), dated October 5, 1998, Special Select Standing Committee on Members' Services

Sessional Paper 767/98

Members' Services Order 3/98, Members' Allowances Amendment Order (No. 4), dated October 5, 1998, Special Select Standing Committee on Members' Services

Sessional Paper 768/98

Members' Services Order 4/98, Members' Committee Allowances Amendment Order (No. 2), dated October 5, 1998, Special Select Standing Committee on Members' Services

Sessional Paper 769/98

Members' Services Order 5/98, Members' Allowances Amendment Order (No. 5), dated October 5, 1998, Special Select Standing Committee on Members' Services

Sessional Paper 770/98

Members' Services Order 6/98, Constituency Services Amendment Order (No. 3), dated October 5, 1998, Special Select Standing Committee on Members' Services

Sessional Paper 771/98

Hon. Mr. Kowalski, Speaker of the Legislative Assembly, pursuant to the Conflicts of Interest Act, cC-22-1, s44(2):

Ethics Commissioner, Annual Report 1997-98

Sessional Paper 772/98

Hon. Mr. Kowalski, Speaker of the Legislative Assembly, pursuant to the Election Finances and Contributions Disclosures Act, cE-3, s3(2):

Twenty-first Annual Report of the Chief Electoral Officer: The Election Finances and Contributions Disclosure Act for the Calendar Year 1997

Sessional Paper 773/98

Hon. Mr. Kowalski, Speaker of the Legislative Assembly, pursuant to the Freedom of Information and Protection of Privacy Act, cF-18.5, s61(2):

Office of the Information and Privacy Commissioner, Annual Report 1997-98

Sessional Paper 774/98

Ministerial Statements

Hon. Mr. Klein, Premier, made a statement welcoming Mrs. MacBeth as the new Hon. Leader of the Official Opposition to the Legislative Assembly.

Ms Barrett, Hon. Leader of the New Democrats, also made a statement congratulating Mrs. MacBeth, Hon. Leader of the Official Opposition.

Mrs. MacBeth commented on the statements.

Speaker's Statement — Role of the Speaker, Sub Judice Rule and House Procedures

Reflections have been made about the role of the Speaker in presiding over proceedings or questions that may come before this Assembly. These statements have been of great concern as this Speaker's foremost priority since being elected to this position on April 14, 1997, has been to promote and maintain the dignity and respect of this Office in order to serve Members and the people of Alberta. It is a basic tenet that the Speaker is to be impartial in carrying out the duties of the Office. This principle is so fundamental to the Office of the Speaker and the operation of an Assembly that persons inside or outside the House who directly or indirectly question the actions or impartiality of the Speaker may be the subject of a question of privilege. Members may refer to Beauchesne's (6th edition) at paragraph 168, Erskine May (21st edition) at pages 180-181, and Maingot's Parliamentary Privilege in Canada (2nd edition) at page 253. Speaker King of the British House of Commons went so far as to state on December 10, 1970:

The bedrock of this House is allegiance not so much to the individual in the Chair as the sound wisdom, the procedure, customs and courtesies of which he is the guardian and the exponent.

The time-honoured conventions surrounding the Office mandate the neutrality of the Speaker. For instance, the Speaker may not participate in debates in the House or be asked questions. Questions are directed to Ministers of the Government in their current portfolios and cannot be asked of a Member who is no longer a Minister relating to that person's term of office. The Speaker only votes when there is a tie and then only in accordance with well-established precedents which preclude an expression of opinion upon the merits of a question.

It should be pointed out that when this Speaker was elected by this House on April 14, 1997, it was known that he had served as a Member of Executive Council from May 8, 1986 until October 20, 1994. It is hardly unusual to have a former Cabinet Minister as Speaker. Members may recall that Speakers Jeanne Sauvé and John Fraser, the first Speaker in the federal House of Commons to be elected by free vote, both became Speaker after they had been Cabinet Ministers. In the United Kingdom Parliament, several Speakers were former Cabinet Ministers such as Speaker Selwyn Lloyd who became Speaker in 1971, and who had been Foreign Secretary during the Suez Crisis and Chancellor of the Exchequer.

The Chair has scoured the authorities in Canada and abroad for rulings by Speakers on when and if they should absent themselves from the Chair. The research has found that there is no established parliamentary rule that requires a Speaker, even a former Cabinet Minister, to absent himself or herself from presiding over the business of the House. Speakers in other jurisdictions have even presided over Motions directly relating to their conduct in the Chair.

It is the Chair's role to apply the rules that have been established by Members themselves in the Standing Orders, by the practices of the Assembly and, in the last resort, by the authorities such as Beauchesne's and Erskine May. The Chair would like to review some of those rules that govern Question Period. The Speaker's attention has been drawn to the application of the rules on preambles. There is no discretion here. House Leaders by their agreement of April 30, 1997 agreed that succinct preambles were allowed to main questions but that there were to be no preambles for supplementaries. Preambles and questions must comply with the rules concerning debate found in Standing Order 23 and paragraphs 403 to 420 of Beauchesne's; and must not contain unparliamentary language.

Several Members have advised that among the matters raised this afternoon will be one concerning Alberta Treasury Branches and West Edmonton Mall. Such matters may be affected by the rule against raising matters that are before the courts or sub judice. Unlike some jurisdictions, the Legislative Assembly of the Province of Alberta has a specific Standing Order concerning matters that are sub judice. The Chair would like to remind Members that the wording of Standing Order 23(g) was amended by the Assembly on February 14, 1995 based on the Report of the Select Special Committee on Parliamentary Reform which was concurred in by the Assembly on November 8, 1993. Several current members of the Assembly including the Hon. Provincial Treasurer (Chair), Hon. Minister of Health, Hon. Minister of Advanced Education and Career Development, Honourable Member for Peace River and the Honourable Member for Calgary-Bow served on this all-party committee which also included four Members of the Official Opposition. Given the changes in the wording of Standing Order 23(g), decisions of previous Speakers especially with respect to court actions involving Principal Trust in the late 1980s are of little assistance because, at that time, the sub judice rule was broader in scope.

This Standing Order now reads, with respect to civil as opposed to criminal matters, that:

A member will be called to order by the Speaker if, in the Speaker's opinion, that member:

SO 23 (g) refers to any matter pending in court or before a judge for judicial determination...

(ii) of a civil nature that has been set down for a trial or notice of motion filed, as in an injunction proceeding until judgment or from the date of filing a notice of appeal until judgment by an appellate court,

where there is probability of prejudice to any party but where there is any doubt as to prejudice, the rule should be in favour of the debate.

The action by Alberta Treasury Branches against West Edmonton Mall has not, to the Chair's knowledge, been set down for trial. However, it is the Chair's understanding that there have been Notices of Motion filed in this action. Once again, to the Chair's knowledge these applications have not been heard but the sub judice rule is triggered as soon as a Notice of Motion has been filed.

It is extraordinarily difficult for the Chair to know how debate in the House would prejudice those proceedings.

The Chair would like to remind Members that the duty of the Chair in applying the sub judice rule is to balance the interests of free speech in the House against the possible prejudice that may occur to any of the parties in the litigation. As the House of Commons Special Committee on Rights and Immunities of Members reported in 1977:

The Chair is seldom in possession of the necessary information to determine whether or not prejudicial effect is likely.

In its 1993 Report, the Alberta Select Special Committee on Parliamentary Reform also recognized this problem when it noted in appendix "A" to the Report in applying the rule that:

"It is clear that the final decision as to whether to allow discussion must rest with the Chair. However, all Members should share responsibility. Members should exercise restraint in referring to particular cases or inquiries. A member who feels that there is a risk of prejudice should raise the issue. Ministers, who may have more immediate information on a case or may be in a better position to judge whether a risk of prejudice exists should similarly raise the point when necessary."

It is difficult for the Chair to know what questions would have a prejudicial effect on the litigation. Accordingly, in determining whether a matter is sub judice or not, the Chair must rely upon Members and Ministers who have greater information about the legal actions and the possible prejudicial effect of a question or answer. Members are referred to paragraphs 505 to 511 of Beauchesne's (6th edition).

Finally, the Chair would like to caution Members about making references to persons outside the House who are unable to reply and would refer to paragraph 493 of Beauchesne's (6th edition).

Oral Question Period

During Oral Question Period, Mrs. MacBeth, Hon. Leader of the Official Opposition, tabled the following:

Response to Written Question No. WQ149 (Sessional Paper 149/95, 23rd Legislature, 3rd Session), regarding private Magnetic Resonance Imaging (MRI) clinics

Sessional Paper 775/98

Recognitions

Ms Graham, Hon. Member for Calgary-Lougheed: Jack Perraton, Calgary Citizen of the Year and University of Calgary Chancellor.

Ms Blakeman, Hon. Member for Edmonton-Centre: Del Marlowe, Flare Volunteer Award recipient.

Ms O'Neill, Hon. Member for St. Albert: Dr. Donald Stanley and Mr. Sandy Mactaggart, Alberta Order of Excellence inductees.

Mrs. Soetaert, Hon. Member for Spruce Grove-Sturgeon-St. Albert: J. J. Nearing Catholic Elementary School.

Mr. Hlady, Hon. Member for Calgary-Mountain View: Harley Hotchkiss, Alberta Order of Excellence inductee.

Ms Leibovici, Hon. Member for Edmonton-Meadowlark: Elmwood Elementary School environmental efforts.

Mr. Stevens, Hon. Member for Calgary-Glenmore: Aron Eichler and Sidney Cyngiser, holocaust survivors.

Point of Order

During a point of order, Mrs. MacBeth, Hon. Leader of the Official Opposition, tabled the following:

Fiscal overview presentation fact sheet, undated, entitled "Health Expenditures in Relation to Other Program Expenditures: Constant Dollars Per Capita Index"
Sessional Paper 776/98

Health Information Division, Health Canada, fact sheet dated February 1994, entitled "Figure 4: Average Annual Percent Change in Real Per Capita Health Spending, Canada and the Provinces/Territories, 1987-1991"
Sessional Paper 777/98

Privilege

Oral notice having been given earlier today, Monday, November 16, 1998, and pursuant to Standing Order 15, Hon. Mr. Paszkowski, Minister of Transportation and Utilities, raised a purported question of privilege regarding comments made by Mrs. Soetaert, Hon. Member for Spruce Grove-Sturgeon-St. Albert, during Oral Question Period on April 29, 1998.

Written notice having been given April 30, 1998, Hon. Mr. Havelock, Government House Leader, also raised a purported question of privilege regarding comments made by Mrs. Soetaert, Hon. Member for Spruce Grove-Sturgeon-St. Albert, during Oral Question Period on April 29, 1998.

The Speaker heard from Mr. Sapers, Official Opposition House Leader. He then advised the Assembly he would take the matter under advisement and rule on the purported question of privilege shortly.

Motion for Adjournment for an Emergency Debate

Mrs. MacBeth, Hon. Leader of the Official Opposition, requested leave to move, pursuant to Standing Order 30, that the Assembly adjourn to discuss a matter of urgent public importance, namely Government interference in the management and operations of the Alberta Treasury Branches and the role of the Executive Council and its Members in the management and operations of the Alberta Treasury Branches.

A debate followed on urgency.

The Deputy Speaker ruled that the request for leave was not in order.

Motions Under Standing Order 40

Mrs. MacBeth, Hon. Leader of the Official Opposition, requested the unanimous consent of the Assembly for consideration of the following motion:

Be it resolved that this Assembly recognize the urgent need for a broad public debate on the future of private, for-profit hospitals in the province of Alberta prior to any legislation being passed which enables these institutions.

Unanimous consent to proceed was not granted.

Motion for Adjournment for an Emergency Debate

Dr. Pannu, Hon. Member for Edmonton-Strathcona, requested leave to move, pursuant to Standing Order 30, that the Assembly adjourn to discuss a matter of urgent public importance, namely that the Legislative Assembly ask the Members' Services Committee to amend the Order No. MSC 5/98 to ensure that any Member leaving elected office receives either the transition allowance or benefits under the former MLA Pension Plan, but not both.

A debate followed on urgency.

The Deputy Speaker ruled that the request for leave was not in order.

Motions Under Standing Order 40

Ms Barrett, Hon. Member for Edmonton-Highlands, requested the unanimous consent of the Assembly for consideration of the following motion:

Be it resolved that the Legislative Assembly urge the Government to postpone further consideration of Bill 37 until after the Health Summit planned for early 1999.

Unanimous consent to proceed was not granted.

Motion for Adjournment

Mrs. MacBeth, Hon. Leader of the Official Opposition, requested the unanimous consent of the Assembly to move the following motion:

Be it resolved that this Assembly waive the provisions of Standing Orders 38 and 39 so that the following motion can be made:

Be it resolved that this Assembly adjourn the ordinary business of the Assembly until Monday, November 23, 1998 or such other time that the Premier can attend.

Unanimous consent to proceed was not granted.

ORDERS OF THE DAY

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)

Adjournment

The Committee recessed at 5:26 until 8:00 p.m.

MONDAY, NOVEMBER 16, 1998 — 8:00 P.M.

Government Bills and Orders

Committee of the Whole

(Assembly in Committee)

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

Progress was reported on the following Bill:

Bill 37 Health Statutes Amendment Act, 1998 — Hon. Mr. Jonson

Mr. Shariff, Acting 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 37 (Hon. Minister of Health) — Debate adjourned
Sessional Paper 778/98

Sub-amendment to the Amendment to Bill 37 introduced by the Hon. Minister of Health (Hon. Member for Edmonton-Highlands) — Debate adjourned

Sessional Paper 779/98

Adjournment

On motion by Hon. Mr. Havelock, Government House Leader, the Assembly adjourned at 9:02 p.m. until Tuesday, November 17, 1998, at 1:30 p.m.

Hon. Ken Kowalski,
Speaker

Title: Monday, November 16, 1998