



**Legislative Assembly
Province of Alberta**

No. 52

VOTES AND PROCEEDINGS

Third Session

Twenty-Fourth Legislature

Monday, November 22, 1999

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

Presenting Petitions

Ms Blakeman, Hon. Member for Edmonton-Centre, presented a petition from 175 Edmonton and area residents requesting the freezing of tuition and institutional fees and an increase in post-secondary education support.

Dr. Massey, Hon. Member for Edmonton-Mill Woods, presented a petition from 588 Albertans regarding increased funding for public and separate schools to levels which will cover increased costs.

Mrs. Soetaert, Hon. Member for Spruce Grove-Sturgeon-St. Albert, presented a petition from 200 Albertans requesting an independent public inquiry of the Workers' Compensation Act including an examination of the operations of the WCB (Workers' Compensation Board), the Appeals Commission, and the criteria for appointments to the Board.

Mr. Bonner, Hon. Member for Edmonton-Glengarry, presented a petition from 140 Albertans requesting an independent public inquiry of the Workers' Compensation Act including an examination of the operations of the WCB (Workers' Compensation Board), the Appeals Commission, and the criteria for appointments to the Board.

Mr. MacDonald, Hon. Member for Edmonton-Gold Bar, presented a petition from 160 Albertans requesting an independent public inquiry of the Workers' Compensation Act including an examination of the operations of the WCB (Workers' Compensation Board), the Appeals Commission, and the criteria for appointments to the Board.

Dr. Pannu, Hon. Member for Edmonton-Strathcona, presented a petition from 148 Albertans requesting the introduction of legislation banning the establishment of private for-profit hospitals.

Dr. Pannu, Hon. Member for Edmonton-Strathcona, presented a petition from 1,304 Albertans requesting a public inquiry into the operation of the Workers' Compensation Board.

Ms Barrett, Hon. Member for Edmonton-Highlands, presented a petition from 161 Albertans requesting the introduction of legislation banning the establishment of private for-profit hospitals.

Ms Leibovici, Hon. Member for Edmonton-Meadowlark, presented a petition from 140 Albertans requesting an independent public inquiry of the Workers' Compensation Act including an examination of the operations of the WCB (Workers' Compensation Board), the Appeals Commission, and the criteria for appointments to the Board.

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, hereby petition the Legislative Assembly to urge the Government to introduce a Bill banning the establishment of private, for-profit hospitals to ensure that the integrity of public, universal health care may be maintained.

On request by Dr. Pannu, Hon. Member for Edmonton-Strathcona, the following petition was read and received:

We, the undersigned, urge the Legislative Assembly to freeze tuition and institutional fees and increase support in the foundation of post-secondary education.

On request by Dr. Pannu, Hon. Member for Edmonton-Strathcona, the following petition was read and received:

We, the undersigned residents of Alberta, petition the Legislative Assembly to:

1. strongly condemn racism and all other forms of discrimination;
2. sensitize and educate its own officers and members to human rights;
3. urge the Government to include the Universal Declaration of Human Rights; Alberta Human Rights, Citizenship and Multiculturalism Act; and other related materials in the school curriculum; and
4. take other necessary steps to promote human rights in Alberta.

On request by Dr. Pannu, Hon. Member for Edmonton-Strathcona, the following petition was read and received:

We, the undersigned residents of Alberta, hereby petition the Legislative Assembly to urge the Government to introduce a Bill banning the establishment of private, for-profit hospitals to ensure that the integrity of public, universal health care may be maintained.

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

We, the undersigned, urge the Legislative Assembly to freeze tuition and institutional fees and increase support in the foundation of post-secondary education.

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

We, the undersigned, urge the Legislative Assembly to freeze tuition and institutional fees and increase support in the foundation of post-secondary education.

On request by Mrs. Sloan, Hon. Member for Edmonton-Riverview, the following petition was read and received:

We, the undersigned, urge the Legislative Assembly to freeze tuition and institutional fees and increase support in the foundation of post-secondary education.

Tabling Returns and Reports

Hon. Mr. Hancock, Minister of Justice and Attorney General, pursuant to the Legal Profession Act, cL-9.1, s120(2):

Alberta Law Foundation, 26th Annual Report 1998-99
Sessional Paper 1027/99

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

Law Society of Alberta, Annual Report 1998
Sessional Paper 1028/99

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

Alberta Law Enforcement Review Board, Annual Report 1998
Sessional Paper 1029/99

Hon. Mr. Dunford, Minister of Human Resources and Employment:

Response to Written Question No. WQ47 asked for by Mrs. Sloan on March 24, 1999:

What statistics and standards were used to determine that 80% of participants in employment and training initiatives are either off welfare or working and receiving a supplement to their earnings, as outlined in the 1997-98 Family and Social Services Annual Report?

Sessional Paper 1030/99

Response to Written Question No. WQ63 asked for by Mrs. Sloan on March 24, 1999:

What are the medical protocols at the Herb Jamieson-Hope Mission Single Men's Hostel?

Sessional Paper 1031/99

Ms Carlson, Hon. Member for Edmonton-Ellerslie:

2 letters dated August 25, 1999 and July 30, 1999, from Wendy Adams and Caroline Wieser to Hon. Mr. Mar, Minister of Environmental Protection, expressing concerns regarding Bill 15, Natural Heritage Act, and requesting public consultations before proceeding with the Bill

Sessional Paper 1032/99

49 letters dated August 13, 1999, from Albertans to Hon. Mr. Klein, Premier, and the Director of Northern East Slope Region, Alberta Environment Regulatory Approvals Centre, expressing concerns regarding Smoky River Coals extension of Pit B2 (12 letters), protection of the Bighorn Country (13 letters), protection of Chinchaga (11 letters), and protection of Alberta's Foothills Natural Region (13 letters)

Sessional Paper 1033/99

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

Letter dated September 13, 1999, from Roy and Vi Adolf, as parents of a person with developmental disabilities, to Mrs. Soetaert, Hon. Member for Spruce Grove-Sturgeon-St. Albert, requesting a reconsideration of proposed changes affecting the quality of life for AISH (Assured Income for the Severely Handicapped) recipients

Sessional Paper 1034/99

Dr. Nicol, Hon. Member for Lethbridge-East:

Letter dated September 27, 1999, from Joanne Moore to Dr. Nicol, Hon. Member for Lethbridge-East, with attached 31 signatures expressing support for chiropractic care and massage therapy as pain reduction methods for people with chronic pain such as fibromyalgia and arthritis, and requesting these services to be fully covered by Alberta Health Care

Sessional Paper 1035/99

Hon. Mrs. Nelson, Minister of Government Services:

Real Estate Council of Alberta, Annual Report July 1, 1998 - June 30, 1999
Sessional Paper 1036/99

Ms Leibovici, Hon. Member for Edmonton-Meadowlark:

E-mail dated August 31, 1999, from William Dascavich to Mrs. MacBeth, Hon. Leader of the Official Opposition, with attached letter dated August 26, 1999, from Marie Dmytriw, Recording Secretary, to Hon. Mr. Jonson, Minister of Health and Wellness, advising of a resolution passed unanimously at a meeting of District Four of the Alberta Council on Aging, August 25, 1999, relating to the public funding of public long-term care or assisted living facilities

Sessional Paper 1037/99

Letter dated October 24, 1999, from Mrs. Janet Wilson, Chairperson, Afton School Council, to Ms Leibovici, Hon. Member for Edmonton-Meadowlark, expressing concern regarding the present lack of funding for education

Sessional Paper 1038/99

Letter dated September 1, 1999, from Mayor Carol Trider, Village of Vilna; Emile Pelletier, Deputy Mayor; and Ray Melendez-Duke, Councilor, to Vilna residents, rural Albertan communities, and elected officials expressing disappointment with the closure of Our Lady's Health Centre, with attached factsheet

Sessional Paper 1039/99

Ms Barrett, Hon. Member for Edmonton-Highlands:

Article dated November 20, 1999, entitled "HRG Health Resource Group, Inc., and NAFTA (North America Free Trade Agreement)" submitted by Colleen Fuller

Sessional Paper 1040/99

Mr. Wickman, Hon. Member for Edmonton-Rutherford:

Letter dated October 6, 1999, from Inky Mark, M.P. (Member of Parliament) and Chief Opposition Critic of Canadian Heritage, to registered Canadian charities regarding Private Member's Bill C-312 "An Act to Amend the Income Tax Act" based on registered charities and not-for-profit groups deserving the same tax credit advantage to raise money as federal political parties, with attached petition form

Sessional Paper 1041/99

Letter dated November 18, 1999, from M. Gordon Inglis to Hon. Mr. Klein, Premier, expressing opposition to the proposed changes to the Health Act which incorporate health care privatization initiatives such as allowing private hospitals

Sessional Paper 1042/99

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

Article dated November 21, 1999, entitled "Public Disclosure of Contracts with Private Health Providers: Section 15 Freedom of Information and Protection of Privacy Act ("FOIP Act"), prepared by Mr. Dickson, FOIP Critic, with attached background schedules

Sessional Paper 1043/99

Article dated June 1999, entitled "Understanding the Health Care Needs of Canadian Immigrants: Report Submitted to the Prairie Centre for Excellence on Immigration and Integration," prepared by David E. Young, Denise L. Spitzer, and Florence Pang

Sessional Paper 1044/99

Letter dated November 5, 1999, from Elizabeth Denham, Information and Privacy Coordinator, to Mr. Dickson, Hon. Member for Calgary-Buffalo, in response to a request for the opinion survey and report on the perception of interpretation needs of CRHA (Calgary Regional Health Authority), with attached related materials

Sessional Paper 1045/99

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

Fax dated November 17, 1999, from Don Mayne to Hon. Mr. Klein, Premier, expressing opposition to private, for-profit hospitals and clinics in Alberta

Sessional Paper 1046/99

ASTech Awards 1999: Alberta Science and Technology Leadership Awards, 10th Annual Gala Program

Sessional Paper 1047/99

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

Letter dated October 13, 1999, from Allan P. Jobson to Hon. Mr. Dunford, Minister of Human Resources and Employment, with attached documentation (evidence package 3) regarding a WCB (Workers' Compensation Board) claim

Sessional Paper 1048/99

Ms Blakeman, Hon. Member for Edmonton-Centre:

5 letters dated June 28, 1999, from Pumphouse Theatres Society Board of Directors, to Mr. Dickson, Hon. Member for Calgary-Buffalo, expressing concern regarding the level of arts funding in Alberta and requesting a 50% funding increase to the Alberta Foundation for the Arts

Sessional Paper 1049/99

Mrs. Sloan, Hon. Member for Edmonton-Riverview:

Growing Up: Applying Alberta's Advantage to Children, Submission to Alberta Children's Forum by Mrs. Sloan, Hon. Member for Edmonton-Riverview, dated October 1999

Sessional Paper 1050/99

Toronto Report Card on Children 1999, produced by Toronto Children's Services
Sessional Paper 1051/99

Mr. MacDonald, Hon. Member for Edmonton-Gold Bar:

Letter dated October 19, 1999, from Pierre Stephane Salerno to Hon. Dr. Oberg, Minister of Learning, requesting a refund of a payment made for a math and sciences textbook purchased for his daughter Sandra

Sessional Paper 1052/99

Letter dated September 21, 1999, from Cam McDonald, Nursing Instructor, Grant MacEwan Community College, to Hon. Dr. Oberg, Minister of Learning, expressing concern regarding time spent fund raising by school councils and a possible solution if schools were granted the ability to staff photoradar under the control of policing authorities

Sessional Paper 1053/99

Mr. White, Hon. Member for Edmonton-Calder:

Giving Away...The Alberta Advantage: Are Albertans Receiving Maximum Revenue From Our Oil and Gas?, report produced by the Parkland Institute, Edmonton, Alberta, dated November 1999

Sessional Paper 1054/99

Hon. Mr. Klein, Premier:

Globe and Mail newspaper article dated November 19, 1999, entitled "Why we need a dose of private medicine: Alberta's small step a giant leap for Canada, says former head of OMA (Ontario Medical Association)," written by William Orovan

Sessional Paper 1055/99

Recognitions

Mr. Sapers, Hon. Member for Edmonton-Glenora: ASTech Awards 1999 - Alberta Science and Technology Leadership Awards, 10th Annual celebration held October 22, 1999 in Calgary.

Mrs. Burgener, Hon. Member for Calgary-Currie: opening of the Beaulieu Gardens on the site of the Lougheed residence in downtown Calgary, September 12, 1999.

Dr. Massey, Hon. Member for Edmonton-Mill Woods: Alberta College and Technical Institute Students' Executive Council (ACTISEC) November 18, 1999 rally to raise awareness of rising tuition costs.

Mr. Dickson, Hon. Member for Calgary-Buffalo: Calgary Reads: An Early Literacy Initiative, a community project developed by the Junior League of Calgary in collaboration with the Calgary Board of Education.

Speaker's Ruling — Question of Privilege Raised by the Member for Edmonton-Strathcona

Last Wednesday, November 17, 1999, the honourable Member for Edmonton Strathcona raised a purported question of privilege under Standing Order 15(5). The event giving rise to this question of privilege occurred sometime just before the noon hour that day. Therefore, the two hour written requirement of Standing Order 15(2) could not be met. The Chair finds that this matter was raised at the earliest opportunity.

The event, as described by the Member for Edmonton Strathcona, was that a replacement reporter for the Calgary Herald was escorted in the Legislature Building by a person the Member calls "a bodyguard". The purported question of privilege is that the person's presence in the Legislature Building somehow breached the privileges of the Assembly or is a contempt of the House.

As the Chair understands the matter, the Government House Leader, who is also the Minister of Justice and Attorney General and responsible for the security staff of the Building as distinct from the Assembly, indicated that when the security staff were advised of the "bodyguard's" presence, they advised that individual that it was not appropriate to be performing his duties in the Building and he left.

The responsibility for the security of the Building does not lie with the Speaker but the Department of Justice and Attorney General. The Assembly's jurisdiction is over the precincts which includes part of the Legislature Building and the Legislature Annex. However, it is important to observe that, as Joseph Maingot states in *Parliamentary Privilege in Canada* (2nd edition) at p. 171, "It is the function of the precincts that is "sacred" and not its location."

The Chair wants to make very clear that the individual did not enter the Assembly, but only the Building, and to the Chair's knowledge, there was no effect on the proceedings of the Assembly.

The Chair notes that this is an interesting twist on what may be seen as a more familiar purported question of privilege where someone is denied access to the Legislature Building. Perhaps if this person had been denied access to the Building, instead of being admitted, someone might be making just that case. To the Chair's knowledge, usually Legislatures and Parliaments do not come under criticism for allowing people in.

In any event, there is no right to have access to either the Building, security for which is provided by a branch of the Department of Justice and Attorney General, or the galleries of the Assembly. In this case, the admission of the individual to the Building was in keeping with normal practices. While no one has a right to enter this or any other public building, the tendency is to allow admission whenever possible.

If the Chair may be allowed to express a view, and keeping in mind that the Chair does not exercise authority over the Building security, only the Assembly and its precincts, it is the Chair's profound hope that the presence of any visitor in this Building is not ever intended or perceived as being intimidating or threatening. The Chair points out that, in this case, there is no evidence that the individual in question threatened or assaulted anyone.

Whether the person was refused or granted admission to the Building is not a prima facie question of privilege. In the Chair's view, it is likely only where a Member or an Officer of the Assembly is denied access to the precincts that a valid question of privilege would arise. Accordingly, there are no further proceedings on this matter.

ORDERS OF THE DAY

Government Bills and Orders

Third Reading

The following Bill was read a Third time and passed:

Bill 42 Alberta Stock Exchange Restructuring Act — Mr. Hlady

Second Reading

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

Bill 41 Regulated Accounting Profession Act — Mr. Melchin

A debate followed.

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

Third Reading

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

Bill 7 Alberta Health Care Insurance Amendment Act, 1999 — Hon. Mr. Jonson

A debate followed.

Dr. Nicol moved adjournment of the debate, which was agreed to.

Adjournment

On motion by Hon. Mr. Hancock, Government House Leader, the Assembly adjourned at 5:29 p.m. until 8:00 p.m.

MONDAY, NOVEMBER 22, 1999 — 8:00 P.M.

Second Reading

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

Bill 44 Insurance Statutes Amendment Act, 1999 — Ms Graham

A debate followed.

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

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

Bill 43 Fiscal Responsibility Amendment Act, 1999 — Hon. Mr. Day

A debate followed.

Mr. Clegg 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 41 Regulated Accounting Profession Act — Mr. Melchin

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

Bill 40 Health Information Act — Ms Graham

A debate followed.

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

Adjournment

On motion by Hon. Mr. Hancock, Government House Leader, the Assembly adjourned at 10:10 p.m. until Tuesday, November 23, 1999, at 1:30 p.m.

Hon. Ken Kowalski,
Speaker

Title: Monday, November 22, 1999