



**Legislative Assembly
Province of Alberta**

No. 54

VOTES AND PROCEEDINGS

Third Session

Twenty-Fifth Legislature

Monday, December 1, 2003

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

Speaker's Statement

Members are aware of the difficulties experienced with the Chamber sound system on Thursday afternoon which resulted in no sound being available to our TV broadcast on Access TV, to our Internet video and audio services nor to the loudspeaker system throughout the Legislature Building and Annex.

In light of the uncertainty as to the ability to repair the sound system before the start of House business today, Alberta Infrastructure has worked diligently with Assembly staff over the past three days to implement a backup sound system for the balance of the Fall sitting. Members will note the microphones on each desk and the speakers at the corners of the Chamber.

I can advise that the existing sound system has been repaired and we begin operations today using that system with the capability to switch to the backup system if necessary. This would require a five minute recess and would only be declared if necessary.

I want to thank the staff of Hansard who had the onerous task of producing the Hansard issue on your desk today using the sound recording from the ambient microphones in the Chamber. I also want to thank the Minister and staff of Alberta Infrastructure who spent the weekend working on this solution.

Recognitions

Mr. Ouellette, Hon. Member for Innisfail-Sylvan Lake: Duane Daines, an Alberta cowboy who was paralyzed in 1995, recently awarded the Outstanding Ambassador Red Carpet Award by the Canadian Paraplegic Association, and 2003 inductee into the Alberta Sports Hall of Fame

Mr. Maskell, Hon. Member for Edmonton-Meadowlark: Glen Huser, recipient of the 2003 Governor General's Literary Award in children's literature for his novel entitled "Stitches"

Ms Blakeman, Hon. Member for Edmonton-Centre: World AIDS (Acquired Immune Deficiency Syndrome) Day, December 1, 2003

Mr. Masyk, Hon. Member for Edmonton-Norwood: Red Hetchler, Edmonton minor hockey volunteer for 40 years

Mr. Lord, Hon. Member for Calgary-Currie: City of Calgary on being the only city in the world to be certified with the environmental management standard ISO 14000

Dr. Massey, Hon. Member for Edmonton-Mill Woods: Coalition of the Council of Alberta University Students and the Alberta College and Technical Institute Students' Executive Council for their lobbying efforts to improve Bill 43, Post-secondary Learning Act

Ms Kryczka, Hon. Member for Calgary-West: Kelsey Armstrong of Calgary, recipient of a Rutherford Scholar Award given to the top ten Alexander Rutherford scholarship recipients in Alberta

Presenting Petitions

Dr. Pannu, Hon. Member for Edmonton-Strathcona, presented a petition from 57 Edmonton residents requesting the Government reinstate paying for repairs to privately owned equipment such as scooters and power wheelchairs.

Mr. Mason, Hon. Member for Edmonton-Highlands, presented a petition from 325 Albertans requesting the Government return to a regulated electricity system, reduce power bills, and develop a program to assist Albertans in improving energy efficiency.

Introduction of Bills (First Reading)

Notice having been given:

Bill 55 Farm Implement Amendment Act, 2003 — Mr. Marz

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

Bill 55 Farm Implement Amendment Act, 2003 — Mr. Marz

Tabling Returns and Reports

Ms Carlson, Hon. Member for Edmonton-Ellerslie:

Letter dated October 27, 2003, from Lawrence Cowan, General Manager, Bar C Ranch Resort, to Hon. Mr. Klein, Premier, expressing opposition to a logging project planned for an area near the Bar C Ranch Resort, with associated attachments

Sessional Paper 839/2003

7 e-mail messages from Albertans to several Members of the Legislative Assembly and Ray Andrews, Operations Manager, Kananaskis Country, Alberta Community Development, expressing concern regarding proposed development in the Evan-Thomas Provincial Recreation Area

Sessional Paper 840/2003

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

6 recent letters from registered nurses in Calgary and Edmonton to Ms Fritz, Hon. Member for Calgary-Cross, Mr. Hlady, Hon. Member for Calgary-Mountain View, and Mr. Hutton, Hon. Member for Edmonton-Glenora, expressing concern regarding the current contract negotiations between the Provincial Health Authorities of Alberta and the United Nurses of Alberta

Sessional Paper 841/2003

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

E-mail message dated November 21, 2003, from Roberta Allen, Kevyn Cormac, Erin Mackenzie-Wahlberg, Leah Henderson, and Kristin Tinge to Mr. Bonner, Hon. Member for Edmonton-Glengarry, concerning a request by Legislature Security on the evening of November 21, 2003 to leave the Legislature grounds while performing a sacred pagan ceremony

Sessional Paper 842/2003

Letter dated October 16, 2003, from registered nurse Gail Peterson of Wainwright to Mr. Griffiths, Hon. Member for Wainwright, expressing concern regarding the health care system, the current contract negotiations between the Provincial Health Authorities of Alberta and the United Nurses of Alberta, and in particular the recommendation granting the Provincial Health Authorities the ability to reassign nurses to different facilities

Sessional Paper 843/2003

Dr. Taft, Hon. Member for Edmonton-Riverview:

4 recent letters from registered nurses Lori Deverdenne, Alan Besecker, Linda Brockman, and Dianne Vinet, all of Edmonton, to Hon. Mr. Hancock, Minister of Justice and Attorney General, expressing concern regarding the current contract negotiations between the Provincial Health Authorities of Alberta and the United Nurses of Alberta

Sessional Paper 844/2003

Ms Blakeman, Hon. Member for Edmonton-Centre:

2 recent letters from registered nurses Barb Heinz and Lisa Hein, both of Grande Prairie, to Mr. Graydon, Hon. Member for Grande Prairie-Wapiti, and 1 recent letter from registered nurse Tanice Olson of Calgary to Mr. Herard, Hon. Member for Calgary-Egmont, expressing concern regarding the current contract negotiations between the Provincial Health Authorities of Alberta and the United Nurses of Alberta

Sessional Paper 845/2003

Mr. Lord, Hon. Member for Calgary-Currie:

The Ibogaine Dossier web page containing an index regarding 18-Methoxycoronaridine - Synthetic iboga alkaloid congener

Sessional Paper 846/2003

The Ibogaine Dossier web page containing an index regarding ibogaine research

Sessional Paper 847/2003

The Ibogaine Dossier web page containing a document, undated, entitled "The Ibogaine Bibliography"

Sessional Paper 848/2003

Dr. Pannu, Hon. Member for Edmonton-Strathcona:

Letter, undated, from Pauline Knittle of Edmonton to Hon. Mr. Mar, Minister of Health and Wellness, expressing concern regarding recent policy decisions made by the Government surrounding seniors' benefits

Sessional Paper 849/2003

Letter dated November 12, 2003, from Catherine Ripley, Whitemud Coalition of Schools, to Dr. Pannu, Hon. Member for Edmonton-Strathcona, summarizing the Coalition's response to the Learning Commission Report, with attached report dated November 2003, entitled "A Quest for Quality Education - Go for it! Endorsing the Learning Commission Report and Moving Forward" prepared by the Whitemud Coalition of Schools

Sessional Paper 850/2003

Mr. Mason, Hon. Member for Edmonton-Highlands:

Letter to the Editor dated November 18, 2003, from Art Macklin, CWB (Canadian Wheat Board) Director for District 1, encouraging the Government to develop a positive proposal on grain marketing for the Canadian Wheat Board
Sessional Paper 851/2003

E-mail message dated November 25, 2003, from Clarence Huibers of Edmonton to Dr. Pannu, Hon. Member for Edmonton-Strathcona, expressing concern regarding electricity deregulation and the rising cost of utilities as they affect seniors with limited incomes
Sessional Paper 852/2003

ORDERS OF THE DAY

Written Questions

The following Written Questions were ordered to stand:

WQ16, WQ17, WQ18, WQ19, WQ20, WQ21, WQ22, WQ23, WQ24, WQ25, WQ26, WQ27, WQ28, WQ29, WQ30.

Motions for Returns

The following Motions for Returns were ordered to stand:

MR15, MR16, MR17, MR18, MR19, MR20, MR21, MR22, MR23, MR24, MR25, MR26, MR27, MR28, MR29, MR30, MR31, MR32, MR33, MR34, MR35.

Speaker's Statement - Private Members' Business

Honourable Members, before proceeding to consideration of Private Members' business, the Chair would like to advise Members as to the order of Bills for this afternoon.

The Member for Lac La Biche - St. Paul had requested early consideration of Bill 208 in Committee of the Whole in a memorandum to the Speaker tabled in the Assembly November 19, 2003. On Wednesday, November 26, 2003 the Chair tabled another memorandum from the same Member requesting that Bill 208 be given early consideration at Third Reading stage if it passes Committee of the Whole.

The practice that has been followed is that a Member may request early consideration of his or her Bill by writing to the Chair so that the letter can be tabled at least one sitting day before the Bill in question is to be considered. The Bill which is the subject of the request will be considered after debate is concluded on the Bill then before the Assembly or the Committee assuming that no other Bills have reached their due dates under Standing Order 8(5).

This was the practice that the Chair outlined on November 27, 2001 at pages 1284-1285 of Alberta Hansard for that day.

In this case, there are no other Bills that must come up for consideration, however, the Member sponsoring Bill 209 is anxiously awaiting the opportunity to debate the principles of the Bill at Second Reading.

The Chair would like to indicate that the only direction is found in Standing Order 9(1) which says that Private Members' Public Bills should be taken up in order of precedence.

In order to maintain some certainty, the Chair finds that Bill 208 will proceed to Committee, and if passed then proceed to Third Reading today.

In an effort to ensure that the system is fair and equitable to all Members, the Chair would welcome suggestions by Members and their House Leaders over the winter on this issue of early consideration of Private Members' Public Bills so that a policy could be put in place for the Spring 2004 Session, one that would be very clear at the initiation of the Session.

The Chair's view is that a Member should not be able to request early consideration of his or her Bill at the next stage until it has passed the previous stage. If that was the rule, then the Member for Lac La Biche-St. Paul would not have been able to request early consideration at Committee of the Whole until his Bill had passed Second Reading.

In closing, the Chair wants to note that the Legislative Assembly of Alberta has, since 1993, been a leader among Legislatures in allowing for consideration of Private Members' business. The Chair recognizes that improvements can always be made and looks forward to receiving suggestions about changes to the procedure.

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 Speaker left the Chair.

(Assembly in Committee)

During consideration of Bill 208, Occupiers' Liability (Recreational Users) Amendment Act, 2003, Mr. Broda, Hon. Member for Redwater, requested the unanimous consent of the Committee to extend his speaking time.

Unanimous consent to proceed was not granted.

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

The following Bill was reported:

Bill 208 Occupiers' Liability (Recreational Users) Amendment Act, 2003 —
Mr. Danyluk

Third Reading

The following Bill was read a Third time and passed:

Bill 208 Occupiers' Liability (Recreational Users) Amendment Act, 2003 —
Mr. Danyluk

Second Reading

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

Bill 209 School (Fees Elimination) Amendment Act, 2003 — Dr. Massey on behalf
of Mr. Mason

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

Adjournment

On motion by Hon. Mr. Zwozdesky, Deputy Government House Leader, that it be
called 5:30 p.m., the Assembly adjourned at 5:28 p.m. until 8:00 p.m.

MONDAY, DECEMBER 1, 2003 — 8:00 P.M.

Motions Other Than Government Motions

512. Moved by Mr. MacDonald:

Be it resolved that the Legislative Assembly urge the Government to strike an
all-party committee to study the rising premium rates for automobile insurance,
insurance companies hand-picking clients, and increasing insurance claims in
the Province.

A debate followed.

The question being put, the motion was defeated. With Mr. Tannas in the Chair, the
names being called for were taken as follows:

For the motion: 4

Blakeman
MacDonald

Mason

Taft

Against the motion: 36

Abbott	Herard	Melchin
Ady	Horner	O'Neill
Amery	Hutton	Ouellette
Broda	Johnson	Snelgrove
Cao	Jonson	Stelmach
Cenaiko	Klapstein	Stevens
DeLong	Lord	Strang
Ducharme	Lougheed	Tarchuk
Evans	Lukaszuk	Taylor
Forsyth	Lund	VanderBurg
Friedel	Masyk	Vandermeer
Graydon	McClelland	Zwozdesky

513. Moved by Mr. Cao:

Be it resolved that the Legislative Assembly urge the Government to implement market basket measures to determine social assistance rates as well as levels of financial assistance for Albertans who are in need.

Pursuant to Standing Order 8(3), debate adjourned, Mr. Cao speaking.

Government Motions

27. Moved by Hon. Mr. Zwozdesky on behalf of Hon. Mr. Hancock:

Be it resolved that the Legislative Assembly confirm the appointment by the Lieutenant Governor in Council of Mr. G.B. (Gord) Button as Ombudsman and concur in the Report - Part 2 of the Select Special Ethics Commissioner and Ombudsman Search Committee.

The question being put, the motion was agreed to.

28. Moved by Hon. Mr. Zwozdesky on behalf of Hon. Mr. Hancock:

Be it resolved that, when the Assembly adjourns to recess the Fall Sitting of the Third Session of the 25th 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.

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)

The following Bill was taken under consideration:

Bill 54 Appropriation (Supplementary Supply) Act, 2003 (No. 2) (\$) — Hon. Mrs. Nelson

Pursuant to Standing Order 61(4), at 10:45 p.m., the Chair interrupted the proceedings and immediately put the question on the Appropriation Bill standing on the Order Paper referred to Committee of the Whole.

The Deputy Speaker resumed the Chair.

The following Bill was reported:

Bill 54 Appropriation (Supplementary Supply) Act, 2003 (No. 2) (\$) — Hon. Mrs. Nelson

The following Bill was reported with some amendments:

Bill 44 Personal Information Protection Act — Hon. Mr. Coutts

Progress was reported on the following Bill:

Bill 50 Wildlife Amendment Act, 2003 — Mr. Strang

Mr. Lougheed, Acting Chair of Committees, tabled copies of all amendments considered by Committee of the Whole on this date for the official records of the Assembly.

Amendment to Bill 44 (introduced by the Hon. Minister of Government Services on November 25, 2003) — Agreed to
Sessional Paper 853/2003

Amendment to Bill 44 (Hon. Member for Edmonton-Highlands) — Defeated
Sessional Paper 854/2003

Amendment to Bill 44 (Hon. Member for Edmonton-Gold Bar) — Agreed to
to
Sessional Paper 855/2003

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, the Deputy Speaker resumed the Chair.

The following Bills were reported:

Bill 50 Wildlife Amendment Act, 2003 — Mr. Strang

Bill 51 Natural Resources Conservation Board Amendment Act, 2003 —
Mr. VanderBurg

Mr. Lougheed, Acting Chair of Committees, tabled copies of all amendments considered by Committee of the Whole on this date for the official records of the Assembly.

Amendment to Bill 51 (Hon. Member for Edmonton-Riverview) —
Defeated

Sessional Paper 856/2003

Amendment to Bill 51 (Hon. Member for Edmonton-Gold Bar) — Defeated
Sessional Paper 857/2003

Adjournment

On motion by Hon. Mr. Zwozdesky, Deputy Government House Leader, the Assembly adjourned at 11:35 p.m. until Tuesday, December 2, 2003, at 1:30 p.m.

Hon. Ken Kowalski,
Speaker

Title: Monday, December 1, 2003