



**Legislative Assembly
Province of Alberta**

No. 55

VOTES AND PROCEEDINGS

Third Session

Twenty-Fifth Legislature

Tuesday, December 2, 2003

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

Members' Statements

Mr. Jacobs, Hon. Member for Cardston-Taber-Warner, made a statement regarding the 2001 Southern Alberta Water Sharing Group, recipient of the National Water and Energy Conservation Award, presented by the Irrigation Association.

Mr. Lukaszuk, Hon. Member for Edmonton-Castle Downs, made a statement regarding the success of the education system in Alberta, recently highlighted in a book entitled "Making Schools Work" and the interest shown in Alberta's education system by Dick Riordan, Secretary for Education, California

Ms Blakeman, Hon. Member for Edmonton-Centre, made a statement regarding Government funding cuts to numerous seniors' programs.

Mr. Danyluk, Hon. Member for Lac La Biche-St. Paul, made a statement regarding a visit from a Japanese delegation to learn about the services and support in Alberta for adults with developmental disabilities.

Presenting Petitions

Dr. Pannu, Hon. Member for Edmonton-Strathcona, presented a petition from 1,267 Albertans requesting the Government return to a regulated electricity system, reduce power bills, and develop a program to assist Albertans in improving energy efficiency.

Mr. Mason, Hon. Member for Edmonton-Highlands, presented a petition from 694 Albertans requesting the Government's support to establish the Chinchaga wilderness as a protected area.

Introduction of Bills (First Reading)

Notice having been given:

Bill 56 Alberta Court of Justice Act — Hon. Mr. Hancock

Bill 57 Miscellaneous Statutes Amendment Act, 2003 (No. 2) — Hon. Mr. Hancock

Tabling Returns and Reports

Hon. Dr. Taylor, Minister of Environment:

Compliance Assessment and Enforcement Initiatives, Annual Report, April 1, 2002 to March 31, 2003

Sessional Paper 858/2003

Hon. Mr. Coutts, Minister of Government Services:

Alberta Vital Statistics, Annual Review 2001

Sessional Paper 859/2003

Hon. Mr. Coutts, Minister of Government Services, pursuant to the Freedom of Information and Protection of Privacy Act, cF-25, s86:

Freedom of Information and Protection of Privacy, Annual Report 2002-2003

Sessional Paper 860/2003

Hon. Mr. Dunford, Minister of Human Resources and Employment, pursuant to the Workers' Compensation Act, cW-15, s93(5)(6):

Workers' Compensation Board - Alberta, 2002 Annual Report

Sessional Paper 861/2003

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

Consulting Engineers of Alberta, 2002-2003 Annual Report

Sessional Paper 862/2003

Hon. Mr. Dunford, Minister of Human Resources and Employment, pursuant to the Regulated Forestry Profession Act, cR-13, s4:

College of Alberta Professional Foresters, Annual Report 2002-03

Sessional Paper 863/2003

Hon. Mr. Dunford, Minister of Human Resources and Employment, pursuant to the Engineering, Geological and Geophysical Professions Act, cE-11, s12(4):

Association of Professional Engineers, Geologists and Geophysicists of Alberta (APEGGA), Annual Report 2002-2003

Sessional Paper 864/2003

Mr. Lougheed, Hon. Member for Clover Bar-Fort Saskatchewan, pursuant to the Premier's Council on the Status of Persons With Disabilities Act, cP-21, s7(2):

Premier's Council on the Status of Persons With Disabilities, 2003 Annual Report
Sessional Paper 865/2003

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

4 InnoVisions Canada web page articles and studies relating to jobs and telework
Sessional Paper 866/2003

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

Letter, undated, from T. Gerling of Edmonton to Mr. McClelland, Hon. Member for Edmonton-Rutherford, expressing several concerns and making recommendations regarding the final report of the Learning Commission
Sessional Paper 867/2003

Dr. Nicol, Hon. Leader of the Official Opposition:

Copy of a petition signed by 1,102 Albertans requesting Bill 43, Post-secondary Learning Act be amended to include a tuition fee policy and urging the Government to regulate tuition levels in a manner consistent with the principles of affordability and accessibility

Sessional Paper 868/2003

18 recent letters from grade six students at Wilson Middle School in Lethbridge to Hon. Mr. Klein, Premier, and Dr. Nicol, Hon. Leader of the Official Opposition, expressing concern regarding large class sizes and text book shortages

Sessional Paper 869/2003

Letter, undated, from Judy Nygaard, R.N., of Medicine Hat to Dr. Nicol, Hon. Leader of the Official Opposition, expressing concern regarding the current contract negotiations between the Provincial Health Authorities of Alberta and the United Nurses of Alberta

Sessional Paper 870/2003

Program from the Korean Veterans Association of Canada, Lethbridge Chinook Unit #53 and the Korean Community of Lethbridge, Cease Fire Korea, 50th Anniversary, held on October 25, 2003

Sessional Paper 871/2003

Ms Carlson, Hon. Member for Edmonton-Ellerslie:

Treaty 8 First Nations of Alberta motion 01-11-28-03 rejecting and opposing Bill C-49

Sessional Paper 872/2003

E-mail message dated November 20, 2003, from Peter and Barbara Sherrington to Toby Lobreau, Liberal Caucus Researcher, expressing opposition to further development in the Evan-Thomas Provincial Recreation Area

Sessional Paper 873/2003

E-mail message dated November 5, 2003, from Richard S. Soley of Cochrane to Dr. Nicol, Hon. Leader of the Official Opposition, expressing concern regarding clear cut logging in the Ghost Waiparous area

Sessional Paper 874/2003

E-mail message dated November 19, 2003, from Richard S. Soley of Cochrane to Toby Lobreau, Liberal Caucus Researcher, expressing concern that the Ghost Waiparous area has been destroyed by recreational users

Sessional Paper 875/2003

E-mail message dated January 26, 2003, from Robert and Priscilla Janes expressing concern regarding further development in the Evan-Thomas Provincial Recreation Area

Sessional Paper 876/2003

Letter dated May 26, 2003, from the Alberta Fish and Game Association to Hon. Mrs. McClellan, Minister of Agriculture, Food and Rural Development, expressing concern regarding the possible infection of wildlife with chronic wasting disease and requesting the Government take action to reduce the risk

Sessional Paper 877/2003

E-mail message dated February 14, 2003, from Steve Temchuk of Calgary to Ray Andrews, Operations Manager, Parks and Protected Areas, Alberta Community Development, outlining the benefits of the Evan-Thomas Provincial Recreation Area and requesting that the area be given provincial park status

Sessional Paper 878/2003

E-mail message dated February 16, 2003, from Doug Engh to Ms Carlson, Hon. Member for Edmonton-Ellerslie, and Dr. Pannu, Hon. Member for Edmonton-Strathcona, attaching the text of a letter sent to Hon. Mr. Klein, Premier, and Hon. Mr. Zwozdesky, Minister of Community Development, expressing opposition to the draft management plan for the Evan-Thomas Provincial Recreation Area

Sessional Paper 879/2003

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

Letter dated October 31, 2003, from Beverley L. Carter of Edmonton to Dr. Massey, Hon. Member for Edmonton-Mill Woods, expressing opposition to the proposed \$4,000 cap for auto accident victims and an increase in auto insurance rates

Sessional Paper 880/2003

3 recent letters from registered nurses Patricia Fraser, Anne Harris, and Beryl Scott, all of Edmonton, to Dr. Massey, Hon. Member for Edmonton-Mill Woods, and Hon. Mr. Mar, Minister of Health and Wellness, expressing concern regarding a nursing shortage and the current contract negotiations between the Provincial Health Authorities of Alberta and the United Nurses of Alberta

Sessional Paper 881/2003

Letter dated November 26, 2003, from Orvis Bambush of Edmonton to Dr. Massey, Hon. Member for Edmonton-Mill Woods, with three related attachments, expressing opposition to an excessive increase in property rent at the Cooking Lake Airport

Sessional Paper 882/2003

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

Letter dated October 10, 2003, from Heidi Lawton of Ponoka to Hon. Mr. Jonson, Minister of International and Intergovernmental Relations, expressing concern regarding the current contract negotiations between the Provincial Health Authorities of Alberta and the United Nurses of Alberta, with attached Edmonton Journal article dated October 8, 2003, entitled "Nurses' deal a return to the days of slavery" and Ponoka News article dated October 6, 2003, entitled "Jonson draws on experience"

Sessional Paper 883/2003

Letter dated October 8, 2003, from Vivian McCarthy, R.N., of Camrose to Mr. Johnson, Hon. Member for Wetaskiwin-Camrose, expressing concern regarding the current contract negotiations between the Provincial Health Authorities of Alberta and the United Nurses of Alberta

Sessional Paper 884/2003

Ms Blakeman, Hon. Member for Edmonton-Centre:

2 recent letters from registered nurses Leo De Leon and Mecana Tsang, and letter dated October 31, 2003, from Carmen Vervoorst, all of Edmonton, expressing concern regarding the current contract negotiations between the Provincial Health Authorities of Alberta and the United Nurses of Alberta

Sessional Paper 885/2003

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

3 recent letters from registered nurses Elsie Shaw of Lac La Biche, Shelley Dick of Airdrie, and Shirley Larochelle-Revoy of Irricana, to Dr. Taft, Hon. Member for Edmonton-Riverview, expressing concern regarding the nursing shortage and the current contract negotiations between the Provincial Health Authorities of Alberta and the United Nurses of Alberta

Sessional Paper 886/2003

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

Letter dated November 6, 2003, from Julia Rowe of Edmonton to Mr. Bonner, Hon. Member for Edmonton-Glengarry, expressing concern regarding the current contract negotiations between the Provincial Health Authorities of Alberta and the United Nurses of Alberta

Sessional Paper 887/2003

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

Letter dated October 15, 2003, from Joyce Pickard, Haysboro Seniors Resources Group, to Hon. Mr. Klein, Premier, expressing concern regarding the effect the 40% increase in long-term care fees has on seniors

Sessional Paper 888/2003

Letter dated September 9, 2003, from Dr. Brian Staples, Chair, Seniors' Action and Liaison Team, to Hon. Mr. Mar, Minister of Health and Wellness, expressing concern regarding the rise in costs to seniors and other patients who reside in nursing homes

Sessional Paper 889/2003

2 letters dated October 23 and October 24, 2003, from Brian George Fozzard of Calgary to Hon. Mr. Klein, Premier, expressing concern regarding the Government's proposal to charge low-income Albertans a fee to stay in an overnight shelter

Sessional Paper 890/2003

ORDERS OF THE DAY

Government Bills and Orders

Third Reading

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

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

A debate followed.

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

Second Reading

The following Bills were read a Second time and referred to Committee of the Whole:

Bill 46 Municipal Government Amendment Act, 2003 — Hon. Mr. Boutilier

Bill 52 Health Professions Amendment Act, 2003 — Hon. Mr. Mar

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

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 53 Insurance Amendment Act, 2003 (No. 2) — Mr. Renner

A debate followed.

Mr. MacDonald, Hon. Member for Edmonton-Gold Bar, moved the Bill be amended in section 17 in the proposed section 661.1 by adding the following after subsection (1):

(1.1) Effective January 1, 2004, premiums of an insured are rolled back 15%.

(1.2) The Lieutenant Governor in Council may make an order respecting the roll-back mandated under subsection (1.1).

(1.3) Subsections (3) to (7) apply to an order made under subsection (1.2).

A debated followed on the amendment.

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

For the motion: 5

Blakeman	MacDonald	Taft
Carlson	Pannu	

Against the motion: 37

Abbott	Hancock	McClelland
Ady	Herard	Melchin
Boutilier	Hlady	Oberg
Broda	Horner	O'Neill
Calahasen	Jacobs	Rathgeber
Cao	Johnson	Renner
Cenaiko	Jonson	Stelmach
Danyluk	Knight	Strang
DeLong	Lord	Taylor
Doerksen	Lougheed	VanderBurg
Goudreau	Magnus	Woloshyn
Griffiths	Marz	Zwozdesky
Haley		

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

Progress was reported on the following Bill:

Bill 53 Insurance Amendment Act, 2003 (No. 2) — Mr. Renner

Mr. Loughheed, 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 53 (Hon. Member for Medicine Hat) — Agreed to
Sessional Paper 891/2003

Amendment to Bill 53 (Hon. Member for Edmonton-Gold Bar) — Defeated
on division

Sessional Paper 892/2003

Amendment to Bill 53 (Hon. Member for Edmonton-Gold Bar) — Agreed
to

Sessional Paper 893/2003

Adjournment

Pursuant to Standing Order 4(3), the Acting Speaker adjourned the Assembly at 5:30 p.m. until 8:00 p.m.

TUESDAY, DECEMBER 2, 2003 — 8:00 P.M.

Government Bills and Orders

Third Reading

The following Bills were read a Third time and passed:

Bill 47 Tobacco Tax Amendment Act, 2003 (No. 2) — Hon. Mr. Melchin

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

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)

During Committee of the Whole consideration of Bill 53, Insurance Amendment Act, 2003 (No. 2), Ms Carlson, Official Opposition House Leader, requested the unanimous consent of the Assembly to waive Standing Order 32(2.1) to reduce the time between division bells from ten minutes to one minute.

Unanimous consent was not granted.

During Committee of the Whole consideration of Bill 53, Insurance Amendment Act, 2003 (No. 2), Hon. Mr. Hancock, Government House Leader, requested and received the unanimous consent of the Assembly to waive Standing Order 32(2.1) to reduce the time between division bells from ten minutes to one minute.

The following Bill was taken under consideration:

Bill 53 Insurance Amendment Act, 2003 (No. 2) — Mr. Renner

A debate followed.

Mr. MacDonald, Hon. Member for Edmonton-Gold Bar, moved the Bill be amended in section 15:

- a. in the proposed section 656 by adding the following after subsection (2):
(2.1) Geographic location must not be a factor in determining premiums for basic coverage.
- b. in the proposed section 660 by adding the following after subsection (2):
(2.1) No insurer may use geographic location as a factor in determining premiums for additional coverage.

A debate followed on the amendment.

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

For the amendment: 6

Blakeman	Carlson	Mason
Bonner	MacDonald	Massey

Against the amendment: 32

Abbott	Dunford	Magnus
Ady	Goudreau	Marz
Amery	Griffiths	McClelland
Boutilier	Hancock	Melchin
Broda	Hlady	Oberg
Calahasen	Horner	Renner
Cenaiko	Jacobs	Snelgrove
Danyluk	Knight	Strang
DeLong	Kryczka	Taylor
Doerksen	Lord	VanderBurg
Ducharme	Lund	

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

The following Bill was reported with some amendments:

Bill 53 Insurance Amendment Act, 2003 (No. 2) — Mr. Renner

Mr. Snelgrove, 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 53 (Hon. Member for Edmonton-Ellerslie on behalf of
Hon. Member for Edmonton-Gold Bar) — Defeated
Sessional Paper 894/2003

Amendment to Bill 53 (Hon. Member for Edmonton-Highlands) —
Defeated
Sessional Paper 895/2003

Amendment to Bill 53 (Hon. Member for Edmonton-Gold Bar) — Defeated
Sessional Paper 896/2003

Amendment to Bill 53 (Hon. Member for Edmonton-Highlands) —
Defeated
Sessional Paper 897/2003

Amendment to Bill 53 (Hon. Member for Edmonton-Ellerslie on behalf of
Hon. Member for Edmonton-Gold Bar) — Defeated
Sessional Paper 898/2003

Amendment to Bill 53 (Hon. Member for Edmonton-Highlands) —
Defeated
Sessional Paper 899/2003

Amendment to Bill 53 (Hon. Member for Edmonton-Gold Bar) — Defeated
on division
Sessional Paper 900/2003

Amendment to Bill 53 (Hon. Member for Edmonton-Highlands) —
Defeated
Sessional Paper 901/2003

Adjournment

On motion by Hon. Mr. Hancock, Government House Leader, the Assembly adjourned at 12:37 a.m. Wednesday, December 3, 2003, until 1:30 p.m.

Hon. Ken Kowalski,
Speaker

Title: Tuesday, December 2, 2003