



**Legislative Assembly
Province of Alberta**

No. 56

VOTES AND PROCEEDINGS

Third Session

Twenty-Fifth Legislature

Wednesday, December 3, 2003

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

Deputy Speaker's Statement - Pages of the Legislative Assembly

On behalf of the Speaker and Members, Mr. Tannas, Deputy Speaker, presented the Pages with a Christmas gift in recognition of their tireless efforts.

Recognitions

Mr. Renner, Hon. Member for Medicine Hat: International Volunteer Day for Economic and Social Development, December 5, 2003

Mr. Graydon, Hon. Member for Grande Prairie-Wapiti: His Worship Wayne Ayling, Mayor of Grande Prairie, recipient of a Dr. Gary MacPherson Award presented by the Premier's Council on the Status of Persons with Disabilities on December 3, 2003 in Edmonton

Ms Graham, Hon. Member for Calgary-Lougheed: Michael O'Reilly, President, Thibodeau's Centre for Hearing Health and Communication, recipient of a Dr. Gary MacPherson Award presented by the Premier's Council on the Status of Persons with Disabilities on December 3, 2003 in Edmonton

Ms Blakeman, Hon. Member for Edmonton-Centre: National Day of Remembrance and Action on Violence Against Women, December 6, 2003

Mr. Lord, Hon. Member for Calgary-Currie: Steven Kesler, small business owner in the Marda Loop area of Calgary, on his recent retirement

Mr. Marz, Hon. Member for Olds-Didsbury-Three Hills: Clarence Peters, recipient of the Pioneer of Rodeo Award presented by the Calgary Stampede Board

Mr. Mason, Hon. Member for Edmonton-Highlands: National Day of Remembrance and Action on Violence Against Women, December 6, 2003

Presenting Petitions

Ms DeLong, Hon. Member for Calgary-Bow, presented a petition from 59 Albertans requesting the Government establish a provincially subsidized monthly transit pass program for low income Albertans.

Dr. Pannu, Hon. Member for Edmonton-Strathcona, presented a petition from 2,319 Albertans requesting the Government's support to establish the Chinchaga wilderness as a protected area.

Mr. Mason, Hon. Member for Edmonton-Highlands, presented a petition from 277 Albertans requesting the Government introduce legislation declaring a moratorium on future expansion of confined feeding operations and proposing existing operations be phased out within the next 3 years.

Tabling Returns and Reports

Hon. Mrs. McClellan, Minister of Agriculture, Food and Rural Development, pursuant to the Marketing of Agricultural Products Act, cM-4, s14(2):

Alberta Agricultural Products Marketing Council, Annual Report, 2001-2002
Sessional Paper 902/2003

Hon. Mrs. McClellan, Minister of Agriculture, Food and Rural Development:

Alberta Grain Commission, Annual Report to the Minister 2002-2003
Sessional Paper 903/2003

Program from the Alberta Order of Excellence Investiture Ceremony held October 16, 2003 in Edmonton

Sessional Paper 904/2003

Hon. Mr. Dunford, Minister of Human Resources and Employment, pursuant to the Regulated Accounting Profession Act, cR-12, s25(2):

Certified General Accountants Association of Alberta, 2003 Annual Report
Sessional Paper 905/2003

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

Appeals Commission for Alberta Workers' Compensation, Annual Report
2001-2003

Sessional Paper 906/2003

Hon. Mr. Dunford, Minister of Human Resources and Employment, pursuant to the
Land Surveyors Act, cL-3, s9(4):

Alberta Land Surveyors' Association, Report of Proceedings of the Ninety-fourth
Annual General Meeting held April 25-26, 2003 in Calgary

Sessional Paper 907/2003

Hon. Mr. Dunford, Minister of Human Resources and Employment, pursuant to the
Regulated Accounting Profession Act, cR-12, s25(2):

Institute of Chartered Accountants of Alberta, Annual Report 2003

Sessional Paper 908/2003

Hon. Mr. Zwozdesky, Minister of Community Development:

Information bulletin dated December 3, 2003, entitled "Albertans Recognize
International Day of Disabled Persons" prepared by Alberta Community
Development and the Premier's Council on the Status of Persons with Disabilities

Sessional Paper 909/2003

Program from the International Day of Disabled Persons celebration held
December 3, 2003 in Edmonton

Sessional Paper 910/2003

Ms Blakeman, Hon. Member for Edmonton-Centre:

7 recent letters from Alberta registered nurses to Hon. Mr. Klein, Premier,
expressing concern regarding 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 911/2003

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

11 recent letters from Alberta registered nurses to Hon. Mr. Mar, Minister of
Health and Wellness, expressing concern regarding 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 912/2003

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

Letter dated November 12, 2003, from the Riverbend Elementary Parents' Society to Dr. Massey, Hon. Member for Edmonton-Mill Woods, and 132 letters from parents of students at Riverbend Elementary School to Sir/Madam, all expressing concern regarding the negative effect of education funding cutbacks at their school

Sessional Paper 913/2003

Copies of 22 postcards signed by Albertans expressing concern regarding education funding and class size

Sessional Paper 914/2003

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

3 recent letters from registered nurses Pauline Worsfold of Edmonton, and Darlene Gruumann and Linda Slusarenko, both of Sherwood Park, to Mr. Lougheed, Hon. Member for Clover Bar-Fort Saskatchewan, expressing concern regarding 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 915/2003

5 recent letters from Alberta registered nurses to Hon. Mr. Kowalski, Member for Barrhead-Westlock, expressing concern regarding 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 916/2003

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

3 letters, the first dated November 25, 2003, from Vic and Marie Newman, The Berry Inn Bed and Breakfast to Michael Bruni, General Counsel, Alberta Energy and Utilities Board, the second dated November 23, 2003, from Shirley McFall to Michael Bruni, General Counsel, Alberta Energy and Utilities Board, and the third dated November 30, 2003, from Marion McFall to Hon. Mr. Klein, Premier, disagreeing with the Alberta Energy and Utilities Board's decision to allow the drilling of sweet gas wells by Tempest Energy Corporation in the Beaverhill Lake Field

Sessional Paper 917/2003

Letter dated November 11, 2003, from George E. Gardiner, past President, Central Alberta Council on Aging, to Hon. Mr. Klein, Premier, attaching the results of an August 2003 telephone survey of the Council's members and other seniors living in central Alberta conducted by the Board of Directors, Central Alberta Council on Aging

Sessional Paper 918/2003

ORDERS OF THE DAY

Government Bills and Orders

Second Reading

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

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

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

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)

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

The following Bills were reported:

Bill 48 Alberta Heritage Foundation for Science and Engineering Research Amendment Act, 2003 — Hon. Mr. Doerksen

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

Third Reading

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

Bill 43 Post-secondary Learning Act — Hon. Dr. Oberg

A debate followed.

During debate, Dr. Pannu, Hon. Member for Edmonton-Strathcona, tabled the following:

Report dated September 2003, entitled “Alberta Bill 43: Post-Secondary Learning Act, Analysis” prepared by Satya Brata Das and K.J. (Ken) Chapman, Cambridge Strategies Incorporated

Sessional Paper 919/2003

Dr. Pannu, Hon. Member for Edmonton-Strathcona, on behalf of Mr. Mason, Hon. Member for Edmonton-Highlands, moved that the motion be amended by deleting all the words after “that” and substituting the following:

Bill 43, Post-secondary Learning Act, be not now read a Third time because the Legislative Assembly believes that it provides for tuition fees to escalate beyond the means of post-secondary students.

A debate followed on the amendment.

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

For the motion: 3

Bonner	Massey	Pannu
--------	--------	-------

Against the motion: 34

Amery	Griffiths	Mar
Calahasen	Haley	Marz
Cao	Hancock	Maskell
Coutts	Hlady	McClellan
DeLong	Hutton	Oberg
Doerksen	Jablonski	Pham
Dunford	Jacobs	Rathgeber
Fritz	Klapstein	Tannas
Gordon	Knight	Taylor
Goudreau	Kryczka	Woloshyn
Graham	Magnus	Yankowsky
Graydon		

The following Bills were read a Third time and passed:

- Bill 44 Personal Information Protection Act — Hon. Mr. Coutts
- Bill 48 Alberta Heritage Foundation for Science and Engineering Research Amendment Act, 2003 — Hon. Mr. Doerksen
- Bill 50 Wildlife Amendment Act, 2003 — Mr. Strang
- Bill 51 Natural Resources Conservation Board Amendment Act, 2003 — Mr. VanderBurg

Adjournment

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

WEDNESDAY, DECEMBER 3, 2003 — 8:00 P.M.

Government Bills and Orders

Committee of the Whole

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

(Assembly in Committee)

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

The following Bills were reported:

Bill 38 Workers' Compensation Amendment Act, 2003 — Mr. Lougheed

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

Unanimous Consent

Hon. Mr. Hancock, Government House Leader, requested and received the unanimous consent of the Assembly to waive Standing Order 73(2) allowing for Third Reading consideration of the following Bill:

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

Third Reading

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

Bill 49 Public Lands Amendment Act, 2003 — Mr. Ducharme

A debate followed.

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

For the motion: 35

Amery	Griffiths	Nelson
Boutilier	Hancock	Oberg
Cao	Hlady	O'Neill
Cenaiko	Hutton	Ouellette
Coutts	Jablonski	Pham
DeLong	Jacobs	Rathgeber
Doerksen	Knight	Renner
Ducharme	Kryczka	Smith
Dunford	Magnus	Snelgrove
Fritz	Marz	Taylor
Goudreau	Maskell	Yankowsky
Graham	McClellan	

Against the motion: 4

Blakeman	Mason	Taft
MacDonald		

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

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

Mr. Mason, Hon. Member for Edmonton-Highlands, moved that the motion be amended by deleting all the words after “that” and substituting the following:

Bill 53, Insurance Amendment Act, 2003 (No. 2) Act, be not now read a Third time because the Bill discriminates against Alberta drivers based on geographic location.

A debate followed on the amendment.

During debate on the amendment, Ms Blakeman, Hon. Member for Edmonton-Centre, requested and received the unanimous consent of the Assembly to waive Standing Order 32(2) to reduce the time between division bells from ten minutes to one minute.

Debate continued 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: 4

Blakeman	Mason	Taft
MacDonald		

Against the motion: 34

Amery	Griffiths	Maskell
Boutilier	Hancock	McClellan
Calahasen	Hlady	Nelson
Cao	Horner	Oberg
Coutts	Hutton	O'Neill
DeLong	Jablonski	Pham
Doerksen	Jacobs	Renner
Ducharme	Knight	Smith
Dunford	Kryczka	Taylor
Fritz	Magnus	Yankowsky
Goudreau	Marz	Zwozdesky
Graham		

Debate continued on the main motion.

Mr. MacDonald, Hon. Member for Edmonton-Gold Bar, moved that the motion be amended by deleting all the words after “that” and substituting the following:

Bill 53, Insurance Amendment Act, 2003 (No. 2) Act, be not now read a Third time but that it be recommitted to Committee of the Whole for the purpose of reconsidering sections 6 and 13.

A debate followed on the amendment.

The question being put, the amendment was defeated.

The question for Third Reading of Bill 53, Insurance Amendment Act, 2003 (No. 2) being put, the motion was agreed to.

The following Bills were read a Third time and passed:

- Bill 38 Workers' Compensation Amendment Act, 2003 — Hon. Mr. Dunford on behalf of Mr. Lougheed
- Bill 43 Post-secondary Learning Act — Hon. Dr. Oberg
- Bill 45 Family Law Act — Ms Graham
- Bill 46 Municipal Government Amendment Act, 2003 — Hon. Mr. Hancock on behalf of Hon. Mr. Boutilier
- Bill 49 Public Lands Amendment Act, 2003 — Mr. Ducharme
- Bill 52 Health Professions Amendment Act, 2003 — Hon. Mr. Hancock on behalf of Hon. Mr. Mar
- Bill 53 Insurance Amendment Act, 2003 (No. 2) — Mr. Renner
- Bill 55 Farm Implement Amendment Act, 2003 — Mr. Marz
- Bill 57 Miscellaneous Statutes Amendment Act, 2003 (No. 2) — Hon. Mr. Hancock

Adjournment

Pursuant to Government Motion 28 agreed to by the Assembly on December 1, 2003, and on motion by Hon. Mr. Hancock, Government House Leader, the Assembly adjourned at 11:57 p.m.

Hon. Ken Kowalski,
Speaker

Title: Wednesday, December 3, 2003