



**Legislative Assembly
Province of Alberta**

No. 16

VOTES AND PROCEEDINGS

Fourth Session

Twenty-Fifth Legislature

Monday, March 15, 2004

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

Recognitions

Mr. Goudreau, Hon. Member for Dunvegan: Aidon Girvan, Willie King, and Alex Girvan, recipients of a Rescue Commendation Award from the Lifesaving Society, Alberta and Northwest Territories

Mr. Lukaszuk, Hon. Member for Edmonton-Castle Downs: Condolences to the people of Spain on the loss of 200 lives due to terrorist bombings in Madrid, Spain on March 11, 2004

Mr. Lougheed, Hon. Member for Clover Bar-Fort Saskatchewan: 72 Alberta athletes and 28 support team members for their successes at the Special Olympics Canada Winter Games held in Charlottetown, Prince Edward Island, February 16-21, 2004

Mr. MacDonald, Hon. Member for Edmonton-Gold Bar: Alberta beef consumers for their support of the beef industry after a single case of BSE (bovine spongiform encephalopathy) was confirmed in Alberta

Mr. Johnson, Hon. Member for Wetaskiwin-Camrose: Recent opening of a new school building for Clear Vista School in Wetaskiwin

Mr. Magnus, Hon. Member for Calgary-North Hill: EMS (emergency medical services) worker Toni Ingram and RCMP (Royal Canadian Mounted Police) Constable Jeff Fox for their support and assistance to Mr. Magnus after he was in an automobile accident on Highway 2 near Leduc on March 7, 2004

Mr. Bonner, Hon. Member for Edmonton-Glengarry: Yellow Ribbon Gala Benefit Dinner hosted by the Military Family Resource Centre on March 13, 2004

Presenting Petitions

Dr. Pannu, Hon. Member for Edmonton-Strathcona, presented a petition from 176 Albertans requesting the Government invest a portion of the multi-billion dollar budget surplus to properly fund education, thereby avoiding layoffs of teachers and staff, ballooning class sizes, program cuts, and closure of schools.

Notices of Motions

Mr. MacDonald, Hon. Member for Edmonton-Gold Bar, gave oral notice of his intention to move the following motion under Standing Order 40:

Be it resolved that the Legislative Assembly urge the Government to establish a series of public debates surrounding automobile insurance which would include the disclosure of future Government plans to implement the new automobile insurance system, industry comments and all objections, any reports which would assist the public to fully understand the changes to automobile insurance in Alberta, the KPMG report on automobile insurance, the letter to the Deputy Minister of Finance from George Cooke, and all polls dealing with automobile insurance conducted by the Government since January 1, 2002.

Introduction of Bills (First Reading)

Notice having been given:

Bill 21 Child Welfare Amendment Act, 2004 — Mr. Cenaiko

Bill 22 Election Statutes Amendment Act, 2004 — Hon. Mr. Hancock

Bill 23 Fuel Tax Amendment Act, 2004 — Hon. Mr. Melchin

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

Bill 21 Child Welfare Amendment Act, 2004 — Mr. Cenaiko

Tabling Returns and Reports

Hon. Dr. Taylor, Minister of Environment:

Report dated March 2004, entitled “Key Actions to Date” concerning climate change, prepared by Alberta Environment

Sessional Paper 127/2004

Hon. Mrs. Nelson, Minister of Finance, on behalf of Hon. Mrs. McClellan, Minister of Agriculture, Food and Rural Development:

Letter dated March 12, 2004, from Bryan D. Walton, Vice President, Western Region, Canadian Council of Grocery Distributors, to Hon. Mrs. McClellan, Minister of Agriculture, Food and Rural Development, offering comments regarding the report entitled “Review of Pricing in the Beef Industry” released March 11, 2004

Sessional Paper 128/2004

Mr. Strang, Hon. Member for West Yellowhead:

20 letters dated January 13, 2004, from fire fighters and EMS (emergency medical services) workers, Town of Grande Cache, and 23 recent letters from fire fighters and EMS workers, Hinton Fire Department, to Mr. Strang, Hon. Member for West Yellowhead, asking Mr. Strang to support Bill 207, Traffic Safety (Emergency Vehicle) Amendment Act, 2004

Sessional Paper 129/2004

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

Letter dated March 4, 2004, from Tammy Calhoun, Chairperson, R.B. Bennett School Council, to Hon. Dr. Oberg, Minister of Learning, with associated attachments, containing a number of requests concerning the establishment of a Calgary inner city public school board and a Calgary suburban public school board

Sessional Paper 130/2004

Mrs. Jablonski, Hon. Member for Red Deer-North:

Copies of 134 letters, undated, unaddressed, from Albertans requesting support from Members of the Legislative Assembly to establish legislation prohibiting smoking in all public places and workplaces

Sessional Paper 131/2004

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

2 Thompson’s World Insurance News articles dated December 15, 2003, entitled “Government risking destruction of industry, insurer says” and “Bill passed but not proclaimed” regarding Bill 53, Insurance Amendment Act, 2003 (No. 2)

Sessional Paper 132/2004

Dr. Massey, Hon. Interim Leader of the Official Opposition:

Letter dated March 15, 2004, from Dr. Massey, Hon. Interim Leader of the Official Opposition, to Randy Ferbey congratulating Mr. Ferbey and his team members, Marcel Rocque, Scott Pfiefer, and Dave Nedohin, for their record breaking fourth appearance at the Nokia Brier 2004 held in Saskatoon, Saskatchewan, March 6-14, 2004, and their outstanding efforts and sportsman-like behaviour during the event

Sessional Paper 133/2004

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

Brochure entitled "Seniors' View - Your Guide to Alberta's Legislature" outlining a new educational outreach program tailored to seniors

Sessional Paper 134/2004

Tablings to the Clerk

Clerk of the Assembly on behalf of Hon. Dr. Oberg, Minister of Learning, pursuant to the Advanced Education Foundations Act, cA-5, s16(2):

Arctic Institute of North America, Audited Financial Statements for the year ended March 31, 2003

Sessional Paper 135/2004

Public Post-Secondary Institutions, Audited Financial Statements, Public Colleges and Technical Institutes - For the Year Ended June 30, 2002, Universities and Banff Centre for Continuing Education - For the Year Ended March 31, 2003

Sessional Paper 136/2004

School Jurisdictions, Audited Financial Statements, for the Year Ended August 31, 2002, Section 1, ABC Charter Public School Society to Evergreen Catholic Separate Regional No. 2

Sessional Paper 137/2004

School Jurisdictions, Audited Financial Statements, for the Year Ended August 31, 2002, Section 2, Foothills School Division No. 38 to Moberly Hall School Society

Sessional Paper 138/2004

School Jurisdictions, Audited Financial Statements, for the Year Ended August 31, 2002, Section 3, New Horizons Charter School Society to Wolf Creek School Division No. 72

Sessional Paper 139/2004

Clerk of the Assembly on behalf of Hon. Dr. Oberg, Minister of Learning, pursuant to the Apprenticeship and Industry Training Act, cA-42, s6(2):

Alberta Apprenticeship and Industry Training Board, 2002-2003 Annual Report

Sessional Paper 140/2004

Clerk of the Assembly on behalf of Hon. Dr. Oberg, Minister of Learning, pursuant to the Government Accountability Act, cG-7, s3, s13:

Alberta Learning, 2003-2006 Business Plan

Sessional Paper 141/2004

Clerk of the Assembly on behalf of Hon. Dr. Oberg, Minister of Learning, pursuant to the Teaching Profession Act, cT-2, s15(2):

Alberta Teachers' Association, 2002 Annual Report

Sessional Paper 142/2004

Motions Under Standing Order 40

Mr. MacDonald, Hon. Member for Edmonton-Gold Bar, requested the unanimous consent of the Assembly for consideration of the following motion:

Be it resolved that the Legislative Assembly urge the Government to establish a series of public debates surrounding automobile insurance which would include the disclosure of future Government plans to implement the new automobile insurance system, industry comments and all objections, any reports which would assist the public to fully understand the changes to automobile insurance in Alberta, the KPMG report on automobile insurance, the letter to the Deputy Minister of Finance from George Cooke, and all polls dealing with automobile insurance conducted by the Government since January 1, 2002.

Unanimous consent to proceed was not granted.

ORDERS OF THE DAY

Written Questions

The following Written Questions were accepted:

WQ2. Moved by Mr. MacDonald:

What public consultation on coalbed methane development in Alberta is currently underway?

WQ6. Moved by Mr. MacDonald:

What is the total dollar amount of public property lost due to theft in the Department of Energy for the 2002-2003 fiscal year?

WQ7. Moved by Mr. MacDonald:

What is the total dollar amount of public property lost due to theft in the Department of Government Services for the 2002-2003 fiscal year?

- WQ8.** Moved by Mr. MacDonald:
What is the total dollar amount of public property lost due to theft in the Department of Human Resources and Employment for the 2002-2003 fiscal year?
- WQ11.** Moved by Mr. MacDonald:
What is the total dollar amount of royalty credits that has been dispensed under the Carbon Dioxide Project Royalty Credit Program for the period May 16, 2003 to February 17, 2004?
- WQ13.** Moved by Mr. MacDonald:
What is the total dollar amount of royalty reductions under the Enhanced Recovery of Oil Royalty Reduction Regulation from April 1, 2002 to March 31, 2003?
- WQ14.** Moved by Mr. MacDonald:
What is the number of oil and gas companies that were eligible for royalty reductions under the Enhanced Recovery of Oil Royalty Reduction Regulation between April 1, 2002 and March 31, 2003?
- WQ16.** Moved by Mr. MacDonald:
What is the total budget for the Utilities Consumer Advocate for the 2003-2004 fiscal year?
- WQ17.** Moved by Mr. MacDonald:
What is the total cost of the 2003 report from the Advisory Council on Electricity?
- WQ18.** Moved by Mr. MacDonald:
What is the total cost of the 2002 report from the Advisory Council on Electricity?
- WQ19.** Moved by Dr. Nicol on behalf of Dr. Taft:
What measures has the Government taken to implement the Auditor General's recommendation that the Department of Health and Wellness improve its control processes for ensuring accountability for conditional grants?
- WQ20.** Moved by Dr. Nicol on behalf of Ms Carlson:
What is the total dollar amount of public property lost due to theft in the Department of Sustainable Resource Development for the 2002-2003 fiscal year?

- WQ21.** Moved by Dr. Nicol on behalf of Ms Carlson:
What is the total dollar amount of public property lost due to theft in the Department of Revenue for the 2002-2003 fiscal year?
- WQ22.** Moved by Dr. Nicol on behalf of Ms Carlson:
What is the total dollar amount of public property lost due to theft in the Department of International and Intergovernmental Relations for the 2002-2003 fiscal year?
- WQ23.** Moved by Dr. Nicol on behalf of Ms Carlson:
What is the total dollar amount of public property lost due to theft in the Department of Finance for the 2002-2003 fiscal year?
- WQ24.** Moved by Dr. Nicol on behalf of Ms Carlson:
What is the total dollar amount of public property lost due to theft in the Department of Environment for the 2002-2003 fiscal year?
- WQ25.** Moved by Dr. Pannu:
As of April 1, 2003, what was the total number of employer health care premium accounts and the total number of individual/family health care premium accounts, and of the individual/family accounts, what percentage were seniors' accounts?
- WQ26.** Moved by Dr. Pannu:
For each of the fiscal years 2001-02, 2002-03, and April 1, 2003 to February 17, 2004, what is the total number of health care premium accounts that were in arrears that were forwarded to collections agencies and what was the total value of these accounts for each of these years?
- WQ27.** Moved by Dr. Pannu:
For each of the fiscal years 2001-02, 2002-03, and April 1, 2003 to February 17, 2004, what is the average length of time between a collection agency receiving a health care premium account that is in arrears and the payment of those arrears in full?
- WQ32.** Moved by Dr. Nicol on behalf of Ms Blakeman:
In which correctional facilities has the Department of the Solicitor General implemented the recommendations listed in the fatality inquiry of Reginald Grant McLeod for the prevention of drug related deaths in all of Alberta's Corrections Facilities?

The following Written Question was accepted as amended:

WQ3. Moved by Mr. MacDonald on behalf of Ms Carlson:

What is the total number of orphaned wells, pipelines, and facilities in provincial parks and protected areas broken down by category as “abandoned,” “decontaminated,” and “reclaimed?”

Hon. Mr. Zwozdesky, Minister of Community Development, moved the motion be amended to read:

What is the total number of *active, capped, abandoned, and* orphaned wells, *and the number of linear kilometres of* pipelines in provincial parks and protected areas?

The following Written Questions were rejected:

WQ9. Moved by Mr. MacDonald:

What is the projected amount of royalty tax deductions for the 2003-2004 fiscal year?

WQ10. Moved by Mr. MacDonald:

What was the total amount of royalty tax deductions for the 2002-2003 fiscal year?

WQ12. Moved by Mr. MacDonald:

What are the names and the number of oil and gas companies that have applied for royalty credits under the Carbon Dioxide Project Royalty Credit Program for the period May 16, 2003 to February 17, 2004?

The following Written Questions were ordered to stand:

WQ28, WQ29, WQ30, WQ31, WQ34, WQ35, WQ36, WQ37, WQ38, WQ39, WQ40, WQ41, WQ42, WQ43, WQ44, WQ45, WQ46, WQ47, WQ49, WQ50, WQ51, WQ52, WQ53, WQ54, WQ55, WQ56, WQ57, WQ58, WQ59, WQ60, WQ61, WQ62, WQ63, WQ64, WQ65.

Motions for Returns

The following Motions for Returns were accepted:

MR7. Moved by Mr. MacDonald:

That an Order of the Assembly do issue for a Return showing:
The data survey referred to in the Ministry of Energy’s 2002-2003 Annual Report under the performance measure “Albertans’ Understanding of Alberta’s Energy and Mineral Resources and their Economic Significance.”

MR9. Moved by Mr. MacDonald:

That an Order of the Assembly do issue for a Return showing:
The Environics West surveys commissioned by the Government referred to in the Ministry of Energy 2002-2003 Annual Report under the performance measures “Industry Satisfaction” and “Information Management.”

The following Motions for Returns were accepted as amended:

MR2. Moved by Mr. MacDonald:

That an Order of the Assembly do issue for a Return showing:
A list of individuals and organizations that were consulted and provided input on automobile insurance to the Automobile Insurance Reform Implementation Team.

Hon. Mrs. Nelson, Minister of Finance, moved the motion be amended to read:

That an Order of the Assembly do issue for a Return showing:
A list of *companies* and organizations *and the number of individuals* that were consulted and provided input on automobile insurance to the Automobile Insurance Reform Implementation Team.

MR32. Moved by Dr. Pannu:

That an Order of the Assembly do issue for a Return showing:
A copy of the report prepared by Don Logan of the Audit and Special Investigations Unit of Alberta Learning completed in 2002 on complaints by students and former students of the Alberta Career Computer Centre Inc.

Hon. Dr. Oberg, Minister of Learning, moved the motion be amended to read:

That an Order of the Assembly do issue for a Return showing:
A *summary of student concerns gathered* by Don Logan of the Audit and Special Investigations Unit of Alberta Learning *after meeting with* students and former students of the Alberta Career Computer Centre Inc.

The following Motions for Returns were rejected:

MR1. Moved by Dr. Nicol on behalf of Dr. Taft:

That an Order of the Assembly do issue for a Return showing:
A copy of all reports and documentation issued by the Aboriginal Affairs facilitator, John McCarthy, to the Government between January 1, 2003 and February 17, 2004 inclusive pertaining to the discussions between First Nations bands and oil field contractors regarding access to Crown lands.

MR4. Moved by Mr. MacDonald:

That an Order of the Assembly do issue for a Return showing:
All documents, including but not limited to letters, faxes, e-mails, meeting materials, memos, reports, and notes pertaining to Alberta's participation in the Regional Transmission Organization (RTO) West from December 1, 2000 to February 17, 2004.

MR5. Moved by Mr. MacDonald:

That an Order of the Assembly do issue for a Return showing:
A breakdown of all expenses including but not limited to travel, accommodation, food, and registration fees associated with Alberta delegates attending Regional Transmission Organization (RTO) West conferences from December 1, 2000 to February 17, 2004.

MR6. Moved by Mr. MacDonald:

That an Order of the Assembly do issue for a Return showing:
The voting record for each member of the Workers' Compensation Board Appeals Commission for the calendar years 1997 through 2002.

MR8. Moved by Mr. MacDonald:

That an Order of the Assembly do issue for a Return showing:
All documents, business plans, performance measures, and statistical data regarding the Government's deregulation of electricity from January 1, 2001 to February 17, 2004.

MR20. Moved by Dr. Nicol on behalf of Ms Carlson:

That an Order of the Assembly do issue for a Return showing:
The zoo plan for the Kneehill Animal Control and Rehabilitation Centre Ltd. (GuZoo).

MR22. Moved by Dr. Nicol on behalf of Ms Blakeman:

That an Order of the Assembly do issue for a Return showing:
A copy of the cost-benefit analysis, any literature reviews, comparative reports and studies, and time table for the implementation of Alberta's provincial police force.

MR33. Moved by Dr. Pannu:

That an Order of the Assembly do issue for a Return showing:
A copy of the report of the Government MLA Task Force on Health Care Funding and Revenue Generation (Graydon Report) submitted to the Minister of Health and Wellness in 2003.

The following Motions for Returns were ordered to stand:

MR3, MR10, MR11, MR12, MR13, MR14, MR15, MR16, MR17, MR18, MR19, MR23, MR24, MR25, MR26, MR27, MR28, MR29, MR30, MR31, MR34, MR35, MR36, MR37, MR38, MR39, MR40, MR41, MR42, MR44, MR45, MR46, MR47, MR48, MR49, MR50, MR51, MR52, MR53, MR54, MR55, MR56, MR57, MR58, MR59, MR60, MR61, MR62, MR63, MR64, MR65, MR66, MR67, MR68, MR69, MR70, MR71, MR72, MR73, MR74, MR75, MR76, MR77, MR78, MR79, MR80, MR81, MR82, MR83, MR84, MR85, MR86, MR87, MR88, MR89, MR90, MR91, MR92, MR93, MR94, MR95, MR96, MR97, MR98, MR99, MR100, MR101, MR102, MR103, MR104, MR105, MR106, MR107, MR108, MR109, MR110, MR111, MR112, MR113, MR114, MR115, MR116, MR117, MR118, MR119, MR120, MR121, MR122, MR123, MR124, MR125, MR126, MR127, MR128, MR129, MR130, MR131, MR132, MR133, MR134, MR135, MR136, MR137, MR138, MR139, MR140, MR141, MR142, MR143, MR144, MR145, MR146.

Public Bills and Orders Other Than Government Bills and Orders

Third Reading

The following Bill was read a Third time and passed:

Bill 201 Safety Codes (Barrier-free Design and Access) Amendment Act, 2004 —
Mr. Loughheed

Adjournment

On motion by Hon. Mr. Zwozdesky, Deputy Government House Leader, that it be called 5:30 p.m., the Assembly adjourned at 5:21 p.m. until 8:00 p.m.

MONDAY, MARCH 15, 2004 — 8:00 P.M.

Motions Other Than Government Motions

503. Moved by Rev. Abbott:

Be it resolved that the Legislative Assembly urge the Government to introduce legislation which would make special constables accountable to the Law Enforcement Review Board, and require special constables to take enhanced weapons training, thereby creating the appropriate conditions under which the Province could consider allowing the option of arming special constables with better defensive weapons such as tasers.

Debate continued on the amendment introduced by Mr. Magnus, Hon. Member for Calgary-North Hill, on March 8, 2004, that the motion be amended:

- (a) by striking out “make special constables accountable” and substituting “provide the option of making special constables accountable”;
- (b) by striking out “enhanced weapons training” and substituting “enhanced training”; and
- (c) by striking out the following:

“, thereby creating the appropriate conditions under which the Province could consider allowing the option of arming special constables with better defensive weapons such as tasers.”

Pursuant to Standing Order 8(4), the question being put, the amendment was agreed to.

The question being put, the motion as amended was agreed to.

504. Moved by Mr. Hutton:

Be it resolved that the Legislative Assembly urge the Government to:

- a) continue to develop and implement strategies to reduce, and ultimately eliminate, alcohol consumption prior to and during pregnancy;
- b) develop and implement initiatives to support Albertans affected by Fetal Alcohol Spectrum Disorder (FASD), and
- c) continue to work with all levels of Government, partners and stakeholders, and members of the public to create an environment that would address the systemic problem of women consuming alcohol while pregnant.

A debate followed.

Pursuant to Standing Order 8(3), debate adjourned, Mrs. Ady speaking.

Government Bills and Orders

Second Reading

The following Bill was read a Second time and referred to Committee of the Whole:

Bill 20 Minors' Property Act — Hon. Mr. Hancock

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 18 Maintenance Enforcement Amendment Act, 2004 — Hon. Mr. Hancock

Bill 19 Public Trustee Act (\$) — Hon. Mr. Hancock

Adjournment

On motion by Hon. Mr. Zwozdesky, Deputy Government House Leader, the Assembly adjourned at 9:18 p.m. until Tuesday, March 16, 2004, at 1:30 p.m.

Hon. Ken Kowalski,
Speaker

Title: Monday, March 15, 2004