



**Legislative Assembly  
Province of Alberta**

No. 3

**VOTES AND PROCEEDINGS**

First Session

Twenty-Sixth Legislature

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Thursday, March 3, 2005

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

The Speaker offered a prayer and a moment of silence was observed in recognition of the death of former Members: Mr. Roderick Macleod, Member for Olds, 1959 to 1963, who passed away on June 8, 2004; Mr. Percy Wickman, Member for Edmonton-Whitemud and Edmonton-Rutherford, 1989 to 1997, who passed away on July 3, 2004; Mr. Euell Montgomery, Member for Peace River, 1961 to 1967, who passed away on October 9, 2004; and Mr. Stanley Ruzycski, Member for Vegreville, 1955 to 1959, who passed away on October 15, 2004.

**Speaker's Comment**

The Speaker commented that on this day in 1930, the first prairie mail service by air began in the City of Edmonton.

**Ministerial Statements**

Hon. Mr. Klein, Premier, made a statement regarding the March 2, 2005 temporary court injunction to stop the US government from reopening the border to Canadian cattle on March 7, 2005.

Dr. Taft, Hon. Leader of the Official Opposition, commented on the statement.

Mr. Martin, Hon. Member for Edmonton-Beverly-Clareview, requested and received the unanimous consent of the Assembly to allow the Leader of the New Democrat Opposition to comment on the Ministerial Statement.

Mr. Hinman, Hon. Member for Cardston-Taber-Warner, requested the unanimous consent of the Assembly to comment on the Ministerial Statement.

Unanimous consent was not granted.

Hon. Mr. Cenaiko, Solicitor General, made a statement regarding an RCMP (Royal Canadian Mounted Police) drug raid taking place on this day near Mayerthorpe.

Dr. Miller, Hon. Member for Edmonton-Glenora, commented on the statement.

### **Speaker's Statement - Oral Question Period Rotation**

Honourable Members, the Chair would like to address a few issues before we proceed to the first Oral Question Period of the 26th Legislature in this the centennial year of the Province of Alberta.

First, for the information of new Members, the Chair wants to quote from page 415 of House of Commons Practice and Procedure by Marleau and Montpetit about the nature and importance of Oral Question Period, where it is stated:

“The right to seek information from the Ministry of the day and the right to hold the Ministry accountable are recognized as two of the fundamental principles of parliamentary government. Members exercise these rights principally by asking questions in the House. The importance of questions within the parliamentary system cannot be overemphasized, and the search for or clarification of information through questioning is a vital aspect of the duties undertaken by individual Members.”

The Chair notes that there is no House Leaders' Agreement about the conduct of Oral Question Period. Accordingly, it falls to the Chair to determine the rotation of questions. In the interest of certainty, for today, Monday, March 7, and Tuesday March 8, the Chair will follow the practice in place for the 25th Legislature. At the end of the Daily Routine next Monday, the Chair will invite Members to make submissions concerning the rotation of questions. After hearing those submissions the Chair will rule on the operation of Question Period for this Legislature by the time the Assembly adjourns on the afternoon of Tuesday, March 8, 2005.

This means that for today, next Monday, and Tuesday, the Leader of the Official Opposition or his designate will be entitled to the first three questions. The Leader of the New Democrat Opposition or his designate will be entitled to the fourth question. A Member from the Government Caucus will be entitled to the fifth question. The Official Opposition will be recognized for the sixth, eighth, and 10th questions and Members of the Government Caucus for the seventh and ninth questions. The New Democrat Opposition will be entitled to the 11th question. A Member of the Government Caucus may ask the 12th question, the Official Opposition the 13th question, and a Government Member the 14th question. Following the Chair's ruling of April 11, 2001, which governed the operation of the last Legislature, Government Members will be entitled to ask subsequent questions should there be any.

In terms of proportion of seats, the Alliance Member would be entitled to the 58th question each week although we will not hit that number by the end of Question Period on Tuesday.

The practice that has developed in Alberta is for each Member asking a question to be entitled to a main question which may include a preamble of a few sentences and up to two supplementary questions with no preambles. The Chair sees no reason to depart from this practice.

It has long been a concern of Members that some questions and answers take up too much time. Members may be aware that the Canadian House of Commons has a 35 second time limit on questions and answers. The Chair would like to see a similar system put in place in Alberta and would appreciate the contributions of Members next Monday. For today, Monday, and Tuesday I will attempt to apply a 45 second rule.

Another practice that will continue is that of caucuses submitting lists to the Speaker's Office by 1 p.m., each day the Assembly sits, of those Members who wish to ask questions. In accordance with the practices and traditions of this Assembly, the Chair will retain discretion when it comes to recognizing Members during Question Period.

The Chair understands that there might be some agreement amongst House Leaders concerning Members' Statements and Recognitions. While the Chair recognizes the need to operate according to the will of the Members, it must be done in accordance with the rules that govern the proceedings. In this case the Chair is reluctant to depart from the requirements in the Standing Orders until the appropriate amendments to those Standing Orders are passed or there is unanimous consent to waive those requirements. Accordingly, unless the House decides to do otherwise, the Chair will apply the rules from the last Legislature concerning Members' Statements. So, as provided for in Standing Order 7(4), there will be four Members' Statements today and next Tuesday, March 8. Today, two will be by Government Members and two from the Official Opposition. Next Tuesday, Government Members will be entitled to three Members' Statements and the Official Opposition, one. On Monday, March 7, under Recognitions, up to seven Members other than members of Executive Council, may make one-minute statements of congratulation or recognition. The Chair will recognize five Members of the Government Caucus and two Members of the Official Opposition.

The Chair will revisit the rotation for these items of business at the same time as the decision on the rotation of questions for Oral Question Period.

## **Members' Statements**

Mr. Lougheed, Hon. Member for Strathcona, made a statement congratulating Dr. Brent Saik and his teammates on breaking a Guinness world record for the world's longest hockey game on February 21, 2005 and for raising over \$100,000 for pediatric cancer research.

Mr. Miller, Hon. Member for Edmonton-Rutherford, made a statement regarding the 100th anniversary of Rotary International.

Mrs. Jablonski, Hon. Member for Red Deer-North, made a statement regarding drug abuse and the effects it has on children.

Ms Blakeman, Hon. Member for Edmonton-Centre, made a statement regarding Freedom to Read Week, February 20-26, 2005, and Dr. Swann, Hon. Member for Calgary-Mountain View, on receiving an award honouring freedom of expression from the Calgary Freedom of Expression Committee.

## **Presenting Petitions**

Mr. Martin, Hon. Member for Edmonton-Beverly-Clareview, presented a petition from 401 Albertans requesting the Government institute a fair and equitable minimum floor price for cattle.

Ms Pastoor, Hon. Member for Lethbridge-East, presented a petition from 4,175 Albertans requesting the Government increase monthly AISH (Assured Income for the Severely Handicapped) benefits and annually adjust the benefits to reflect the inflation rate.

## **Notices of Motions**

Ms Blakeman, Hon. Member for Edmonton-Centre, gave oral notice of her intention to move the following motion under Standing Order 40:

Be it resolved that the Legislative Assembly urge the Government to provide all necessary funding to municipalities to cover the operation of ambulance services for the 2005-2006 fiscal year so as to maintain uninterrupted ambulance services and ensure no municipality is put into a position of hardship as a result of this Government's decision to cancel the transfer of ground ambulance services from municipalities to Regional Health Authorities.

Pursuant to Standing Order 34(2)(a), Hon. Mr. Zwozdesky, Deputy Government House Leader, gave oral notice of the following Written Questions and Motions for Returns to be dealt with Monday, March 7, 2005:

Written Questions: Stand and retain their places.

Motions for Returns: Stand and retain their places.

### **Tabling Returns and Reports**

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

Report dated December 2001, entitled "Review, Coverage of Members of the Legislative Assembly of Alberta from the Alberta Risk Management Fund" prepared by Cambridge Strategies Inc.

Sessional Paper 3/2005

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

Letter dated March 3, 2005, from Dr. Taft, Hon. Leader of the Official Opposition, to Hon. Mr. Kowalski, Speaker of the Legislative Assembly, requesting a legal opinion regarding the authority of Hon. Chief Justice Catherine Fraser in her role as Administrator of the Province of Alberta

Sessional Paper 4/2005

Letter dated February 28, 2005, from Dr. Taft, Hon. Leader of the Official Opposition, to Hon. Mr. Klein, Premier, requesting that an all-party committee be established to review the Election Act

Sessional Paper 5/2005

Pamphlet, undated, entitled "Healthy Choices" listing new, wholesome products available from the Bon Ton Bakery

Sessional Paper 6/2005

Mr. Martin, Hon. Member for Edmonton-Beverly-Clareview:

Reprint of a Calgary Sun article dated March 2, 2005, entitled "Plans for EMS Takeover Killed; Bronco Mad at Allegations of Inflated Estimates"

Sessional Paper 7/2005

Mr. Backs, Hon. Member for Edmonton-Manning:

Report, undated, entitled "Project Stanley - July 20th Review Meeting, Initial Market Analysis, Privileged and Confidential Communication with Counsel" prepared by Frontier Economics

Sessional Paper 8/2005

Dr. Miller, Hon. Member for Edmonton-Glenora:

Letter dated March 1, 2005, from Dr. Miller, Hon. Member for Edmonton-Glenora, to Hon. Anne McLellan, Deputy Prime Minister, expressing concern regarding the closure of the Royal Canadian Mounted Police (RCMP) forensics lab in Edmonton

Sessional Paper 9/2005

Dr. Miller, Hon. Member for Edmonton-Glenora, on behalf of Mr. Backs, Hon. Member for Edmonton-Manning:

Letter dated March 2, 2005, from Mr. Backs, Hon. Member for Edmonton-Manning, to Hon. Ralph Goodale, Federal Minister of Finance, expressing concern regarding the closure of the Royal Canadian Mounted Police (RCMP) forensics lab in Edmonton

Sessional Paper 10/2005

Hon. Mr. Kowalski, Speaker of the Legislative Assembly, pursuant to the Ombudsman Act, cO-8, s28:

Office of the Ombudsman, 37th Annual Report for the Period April 1, 2003 to March 31, 2004

Sessional Paper 11/2005

Hon. Mr. Kowalski, Speaker of the Legislative Assembly, pursuant to the Conflicts of Interest Act, cC-23, s46(2):

Office of the Ethics Commissioner, Annual Report 2003-2004

Sessional Paper 12/2005

Hon. Mr. Kowalski, Speaker of the Legislative Assembly, pursuant to the Election Finances and Contributions Disclosures Act, cE-2, s4(2):

Chief Electoral Officer, Twenty-seventh Annual Report for the Calendar Year 2003

Sessional Paper 13/2005

Hon. Mr. Kowalski, Speaker of the Legislative Assembly, pursuant to the Conflicts of Interest Act, cC-23, s25(7), 28(1):

Report to the Speaker of the Legislative Assembly of Alberta dated July 20, 2004, entitled "Investigation by Donald M. Hamilton, Ethics Commissioner, into allegations involving Gary Masyk, Member of the Legislative Assembly for Edmonton-Norwood"

Sessional Paper 14/2005

Hon. Mr. Kowalski, Speaker of the Legislative Assembly, pursuant to the Freedom of Information and Protection of Privacy Act, cF-25, s63(2), the Health Information Act, cH-5, s95(2), and the Personal Information Protection Act, cP-65, s44(2):

Office of the Information and Privacy Commissioner, 2003-2004 Annual Report  
Sessional Paper 15/2005

Hon. Mr. Kowalski, Speaker of the Legislative Assembly, pursuant to Standing Order 109:

Legislative Assembly Office, Annual Report 2003 and 2003 Annual Report of the  
Commonwealth Parliamentary Association, Alberta Branch  
Sessional Paper 16/2005

## **Projected Government Business**

Pursuant to Standing Order 7(5), Ms Blakeman, Official Opposition House Leader, asked a question pertaining to the order of Government Business to be brought before the Assembly for the following week.

Hon. Mr. Hancock, Government House Leader, gave notice of projected Government Business for the week of March 7 to March 10, 2005:

Monday, March 7	9:00 p.m.	- <b>Government Motions</b> Motion 4, 5, 6, 7 <b>Government Bills and Orders</b> Address in Reply to the Speech From the Throne (Day 1 of 10) And as per the Order Paper
Tuesday, March 8	Aft.	- <b>Government Bills and Orders</b> Supplementary Supply Message <b>Government Motions</b> Motion 8, 9 <b>Government Bills and Orders</b> Address in Reply to the Speech From the Throne (Day 2 of 10) <b>Government Bills and Orders</b> <b>Second Reading</b> Bill 1 And as per the Order Paper

	Eve.	- <b>Government Bills and Orders</b> Address in Reply to the Speech From the Throne (Day 2 of 10) <b>Government Bills and Orders</b> <b>Second Reading</b> Bill 1 And as per the Order Paper
Wednesday, March 9	Aft.	- <b>Government Bills and Orders</b> Address in Reply to the Speech From the Throne (Day 3 of 10) And as per the Order Paper
	Eve.	- <b>Government Bills and Orders</b> Address in Reply to the Speech From the Throne (Day 3 of 10) <b>Committee of Supply</b> Supplementary Estimates (Day 1 of 2) And as per the Order Paper
Thursday, March 10	Aft.	- <b>Government Bills and Orders</b> <b>Committee of Supply</b> Supplementary Estimates (Day 2 of 2) And as per the Order Paper

### **Motions Under Standing Order 40**

Ms Blakeman, Hon. Member for Edmonton-Centre, requested the unanimous consent of the Assembly for consideration of the following motion:

Be it resolved that the Legislative Assembly urge the Government to provide all necessary funding to municipalities to cover the operation of ambulance services for the 2005-2006 fiscal year so as to maintain uninterrupted ambulance services and ensure no municipality is put into a position of hardship as a result of this Government's decision to cancel the transfer of ground ambulance services from municipalities to Regional Health Authorities.

Unanimous consent to proceed was not granted.



## **ORDERS OF THE DAY**

### **Consideration of His Honour the Lieutenant Governor's Speech**

Moved by Mr. Lukaszuk and seconded by Mrs. Ady:

That an humble address be presented to His Honour the Lieutenant Governor as follows:

To His Honour the Honourable Norman L. Kwong, CM, AOE, the Lieutenant Governor of the Province of Alberta:

We, Her Majesty's most dutiful and loyal subjects, the Legislative Assembly, now assembled, beg leave to thank Your Honour for the gracious speech Your Honour has been pleased to address to us at the opening of the present session.

A debate followed.

Debate adjourned.

### **Speaker's Statement - Royal Canadian Mounted Police**

The Speaker made a statement and a moment of silence was observed in recognition of four members of the Royal Canadian Mounted Police (RCMP) killed in the line of duty earlier today.

### **Adjournment**

On motion by Hon. Mr. Zwozdesky, Deputy Government House Leader, that it be called 5:30 p.m., the Assembly adjourned at 5:00 p.m. until Monday, March 7, 2005, at 1:30 p.m.

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Hon. Ken Kowalski,  
Speaker

Title: Thursday, March 3, 2005