



**Legislative Assembly  
Province of Alberta**

No. 43

**VOTES AND PROCEEDINGS**

First Session

Twenty-Sixth Legislature

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Tuesday, November 15, 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. George Ho Lem, Member for Calgary-McCall, 1971 to 1975, who passed away on July 9, 2005; Mr. John S. Batiuk, Member for Vegreville, 1971 to 1986, who passed away on August 1, 2005; and Mrs. Sheila Embury, Member for Calgary-North West, 1979 to 1986, who passed away on August 1, 2005.

**Speaker's Comment**

The Speaker commented that on this day in 1918, RCAF (Royal Canadian Air Force) Flying Officer L.W. Powell was born in Pickardville, Alberta. He joined the RCAF on March 6, 1940, and headed overseas a year later to serve as a World War II pilot. Flying Officer Powell was reported missing and presumed dead after air operations on June 17, 1943. In 1947, Powell Lake, located 65 kilometres northwest of Grande Prairie, was named after Flying Officer Powell.

**Members' Statements**

Mr. Johnston, Hon. Member for Calgary-Hays, made a statement regarding Dorothy McDonald, former Fort MacKay First Nations' Chief, who passed away on November 13, 2005.

Mr. Marz, Hon. Member for Olds-Didsbury-Three Hills, made a statement regarding a Memorandum of Understanding between Bow Valley College and Prairie College of Applied Arts and Technology signed on October 18, 2005, which will allow Bow Valley College to offer health and child care programs to Prairie College students.

Mr. Cao, Hon. Member for Calgary-Fort, made a statement regarding Canadian veterans and the designation of the Veterans' Memorial Highway to commemorate the Year of the Veteran and the centennial anniversary of Alberta.

Mr. Backs, Hon. Member for Edmonton-Manning, made a statement regarding Remembrance Day, November 11, 2005, and the Year of the Veteran, 2005.

Mrs. Jablonski, Hon. Member for Red Deer-North, made a statement regarding Family Violence Prevention Month, November 2005.

Mr. Martin, Hon. Member for Edmonton-Beverly-Clareview, made a statement regarding the recent Lakeside Packers labour dispute.

### **Presenting Petitions**

Mr. Backs, Hon. Member for Edmonton-Manning, presented a petition from 103 Canadians urging the Government to prohibit the importation of temporary foreign workers in oil sands facilities and on pipelines until several Albertan and Canadian groups have been accessed.

### **Notices of Motions**

Ms Blakeman, Official Opposition House Leader, gave oral notice of her intention to raise a purported question of privilege under Standing Order 15 regarding the words and/or actions of Rev. Abbott, Hon. Member for Drayton Valley-Calmar, in his dealings with Mr. Miller, Hon. Member for Edmonton-Rutherford, on May 18, 2005.

Ms Blakeman, Official Opposition House Leader, gave oral notice of her intention to raise a purported question of privilege under Standing Order 15 regarding the premature release to the media of information contained in the Report of the Auditor General on the Alberta Securities Commission's Enforcement System in October 2005.

Mr. Mason, Hon. Leader of the New Democrat Opposition, gave oral notice of his intention to raise a purported question of privilege under Standing Order 15 regarding three reports written by Officers of the Legislature that were provided to the media prior to proper distribution to Members of the Legislative Assembly.

## **Introduction of Bills (First Reading)**

Upon recommendation of His Honour the Honourable the Lieutenant Governor, and notice having been given:

Bill 43 Alberta Resource Rebate Statutes Amendment Act, 2005 (\$) — Hon. Mrs. McClellan

Notice having been given:

Bill 44 Residential Tenancies Amendment Act, 2005 (No. 2) — Hon. Mr. Lund

Bill 45 Maternal Tort Liability Act — Mr. Oberle

Bill 46 Criminal Notoriety Act — Mrs. Jablonski

Bill 47 Alberta Association of Former MLAs Act — Mr. Johnson

Bill 48 Justice of the Peace Amendment Act, 2005 — Hon. Mr. Stevens

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

Bill 45 Maternal Tort Liability Act — Mr. Oberle

Bill 46 Criminal Notoriety Act — Mrs. Jablonski

Bill 47 Alberta Association of Former MLAs Act — Mr. Johnson

## **Tabling Returns and Reports**

Hon. Mr. Cenaiko, Solicitor General and Minister of Public Security:

Victims Programs, Status Report 2004/2005

Sessional Paper 517/2005

Mrs. Tarchuk, Chair, Select Standing Committee on Legislative Offices, pursuant to the Auditor General Act, cA-46, s19(5):

Annual Report of the Auditor General of Alberta, 2004-2005

Sessional Paper 518/2005

Mrs. Tarchuk, Chair, Select Standing Committee on Legislative Offices, pursuant to the Auditor General Act, cA-46, s20(2):

Report of the Auditor General on Alberta Social Housing Corporation-Land Sales Systems dated October 2005

Sessional Paper 519/2005

Mrs. Tarchuk, Chair, Select Standing Committee on Legislative Offices, pursuant to the Auditor General Act, cA-46, s20(2):

Report of the Auditor General on the Alberta Securities Commission's Enforcement System dated October 2005

Sessional Paper 520/2005

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

Edmonton Journal article dated October 13, 2005, entitled "Ft. Mac land deals handled poorly, report says" prepared by Graham Thomson

Sessional Paper 521/2005

Edmonton Journal article dated October 25, 2005, entitled "Ill regulator passes Dr. Dunn's checkup: No big trouble at securities commission: auditor general" prepared by Graham Thomson

Sessional Paper 522/2005

News release dated October 25, 2005, entitled "Reports from the Auditor General to the Members of the Legislative Assembly of Alberta, Albertans are not well served by manipulation of the accountability process" prepared by the Office of the Auditor General

Sessional Paper 523/2005

Ms Blakeman, Hon. Member for Edmonton-Centre:

Pamphlet from the Edmonton Community Loan Fund Society

Sessional Paper 524/2005

Program from the Stars of Literacy 2005, International Literacy Day event held in Edmonton on September 8, 2005

Sessional Paper 525/2005

Mr. Elsalhy, Hon. Member for Edmonton-McClung:

Copy of an address entitled "The Federal Accountability Act, Stephen Harper's Commitment to Canadians to Clean Up Government" delivered in Ottawa by Hon. Stephen Harper, P.C., M.P., Leader of the Official Opposition, on November 4, 2005

Sessional Paper 526/2005

Mr. Agnihotri, Hon. Member for Edmonton-Ellerslie:

Letter, undated, from Debbie Reid of Edmonton to Mr. Agnihotri, Hon. Member for Edmonton-Ellerslie, requesting an increase in social assistance rates

Sessional Paper 527/2005

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

Revised Members' Services Committee Order No. 7/05 Members' Allowances Amendment Order (No. 10)

Sessional Paper 528/2005

Revised Members' Services Committee Order No. 8/05 Members' Allowances  
Amendment Order (No. 11)

Sessional Paper 529/2005

Revised Members' Services Committee Order No. 9/05 Transportation  
Amendment Order (No. 7)

Sessional Paper 530/2005

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 2004-2005

Sessional Paper 531/2005

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 October 20,  
2005, entitled "Investigation by Donald M. Hamilton, Ethics Commissioner into  
allegations involving Hon. Guy Boutilier, Member of the Legislative Assembly  
for Fort McMurray-Wood Buffalo"

Sessional Paper 532/2005

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

Copy of a statement, undated, concerning an alleged incident between two  
Members of the Legislative Assembly which occurred outside the Chamber on  
May 18, 2005, prepared by Russ Jackson, Legislative Assembly Security Officer

Sessional Paper 533/2005

### **Apology by Rev. Abbott**

Rev. Abbott, Hon. Member for Drayton Valley-Calmar, offered an apology concerning  
an incident involving himself and Mr. Miller, Hon. Member for Edmonton-Rutherford,  
on May 18, 2005.

### **Point of Privilege**

#### **Raised by Ms Blakeman**

Ms Blakeman indicated that she would not proceed with the question of privilege which  
she had given prior notice of concerning the incident between Rev. Abbott, Hon.  
Member for Drayton Valley-Calmar and Mr. Miller, Hon. Member for Edmonton-  
Rutherford, on May 18, 2005.

### **Raised by Ms Blakeman**

Ms Blakeman, Official Opposition House Leader, raised a purported question of privilege under Standing Order 15 regarding the premature release to the media of information contained in the Report of the Auditor General on the Alberta Securities Commission's Enforcement System in October 2005.

The Speaker heard from Hon. Mr. Stevens.

The Speaker indicated he would rule on the matter at a later date.

### **Raised by Mr. Mason**

Mr. Mason, Hon. Leader of the New Democrat Opposition, raised a purported question of privilege under Standing Order 15 regarding three reports written by Officers of the Legislature that were provided to the media prior to proper distribution to Members of the Legislative Assembly.

The Speaker heard from Hon. Mr. Stevens.

The Speaker indicated he would rule on the matter at a later date.

## **ORDERS OF THE DAY**

### **Government Motions**

24. Moved by Hon. Mr. Hancock:

Be it resolved that the following change to the following committee be approved by the Assembly:

on the Select Special Conflicts of Interest Act Review Committee, that Mr. Elsalhy replace Ms Pastoor.

A debate followed.

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 Speaker left the Chair.

(Assembly in Committee)

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

Progress was reported on the following Bill:

Bill 15 Workers' Compensation Amendment Act, 2005 — Mr. Webber

Mr. Danyluk, Acting Chair of Committees, tabled copies of an amendment considered by Committee of the Whole on this date for the official records of the Assembly.

Amendment to Bill 15 (Hon. Member for Calgary-Foothills) — Adjourned debate

Sessional Paper 534/2005

## **Unanimous Consent**

Hon. Mr. Hancock, Government House Leader, requested and received the unanimous consent of the Assembly to waive Standing Order 73(1) to allow for Second Reading of Bill 47, Alberta Association of Former MLAs Act.

## **Government Bills and Orders**

### **Second Reading**

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

Bill 47 Alberta Association of Former MLAs Act — Mr. Johnson

A debate followed.

Ms Pastoor moved adjournment of the debate, which was defeated.

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

Bill 47 Alberta Association of Former MLAs Act — Mr. Johnson

## **Adjournment**

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

TUESDAY, NOVEMBER 15, 2005 — 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 Deputy Speaker left the Chair.

(Assembly in Committee)

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

The following Bill was reported with some amendments:

Bill 15 Workers' Compensation Amendment Act, 2005 — Mr. Webber

Mr. Danyluk, 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 15 (Hon. Member for Calgary-Foothills) — Agreed to  
Sessional Paper 535/2005

Subamendment to the amendment to Bill 15 introduced by the Hon. Member for Calgary-Foothills (Hon. Member for Edmonton-Beverly-Clareview) —  
Defeated

Sessional Paper 536/2005

Amendment to Bill 15 (Hon. Member for Edmonton-Manning) — Defeated  
Sessional Paper 537/2005

Amendment to Bill 15 (Hon. Member for Edmonton-Manning) — Defeated  
Sessional Paper 538/2005

## **Adjournment**

On motion by Hon. Mr. Zwozdesky, Deputy Government House Leader, the Assembly adjourned at 10:13 p.m. until Wednesday, November 16, 2005, at 1:30 p.m.

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Hon. Ken Kowalski,  
Speaker

Title: Tuesday, November 15, 2005