



**Legislative Assembly
Province of Alberta**

No. 36

VOTES AND PROCEEDINGS

Second Session

Twenty-Sixth Legislature

Tuesday, May 9, 2006

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

Speaker's Comment

The Speaker commented that 97 by-elections have been held in Alberta since the first general election in 1905. In our first 50 years, 66 by-elections were held with the first taking place on April 12, 1906. This by-election was necessitated by the resignation of Leverett G. DeVeber, a Liberal, who had been elected in Lethbridge in the general election of 1905. Mr. DeVeber had been appointed to the Canadian Senate. W.C. Simmons, a Liberal, is Alberta's first MLA to have been elected in a by-election.

Until 1926 Members were required to run for re-election before accepting appointment to Cabinet. From 1909 to 1926, 15 by-elections were held for this purpose and in nine of these instances the Member was returned by acclamation.

In Alberta's second 50 years we had 31 by-elections, with the most recent by-election held on April 8, 2002. The incumbent, MLA Butch Fischer, had resigned and the current Member for Battle River-Wainwright was elected in the then named constituency of Wainwright as a Progressive Conservative. The current Legislative Assembly of Alberta has seven Members who were elected to this Assembly via by-elections.

While there have been 97 by-elections, the number of different MLAs elected is 95. Two different Members were elected on two different occasions in by-elections.

On June 29, 1910, C.R. Mitchell, a Liberal, was elected in Medicine Hat as a result of the resignation of incumbent W.T. Finlay. Mr. Mitchell lost his seat in the general election held on April 17, 1913, to Nelson Spencer, a Conservative. George Lane, the Liberal incumbent in Bow Valley then resigned his seat, Mr. Mitchell ran in the by-election held on June 12, 1913, and won by acclamation.

Don Getty returned to the Alberta Legislature via a by-election held on December 11, 1985, after being elected Leader of the Progressive Conservative Party and Premier in the fall of 1985. Mr. Getty had been elected originally in 1967 in the constituency of Strathcona West. He was re-elected in 1971 and 1975 in Edmonton-Whitemud. He did not contest the election of 1979.

Premier Getty was re-elected in 1986 but then suffered personal loss in the general election of 1989 to Liberal Percy Wickman in Edmonton-Whitemud. Brian Downey, the Progressive Conservative incumbent, resigned his seat in Stettler and Don Getty was re-elected in that seat in a by-election held on May 9, 1989.

By way of a summation, Alberta experienced 66 by-elections in its first 50 years and 31 in its second 50 years. Ninety-five different Members were elected in these 97 by-elections with two Members being elected twice in by-elections.

Members' Statements

Mr. Snelgrove, Hon. Member for Vermilion-Lloydminster, made a statement recognizing May 6, 2006, as Alberta Search and Rescue Day.

Mr. Danyluk, Hon. Member for Lac La Biche-St. Paul, made a statement recognizing May 8-14, 2006, as National Nursing Week.

Mr. Rodney, Hon. Member for Calgary-Lougheed, made a statement regarding addiction services that will be provided for youth under the Protection of Children Abusing Drugs Act.

Mr. Strang, Hon. Member for West Yellowhead, made a statement recognizing May 7-13, 2006, as Alberta Forest Week.

Mr. Eggen, Hon. Member for Edmonton-Calder, made a statement regarding the number of Aboriginal people in Alberta correctional facilities.

Dr. Miller, Hon. Member for Edmonton-Glenora, made a statement regarding several teachers from the Edmonton-Glenora constituency who received Excellence in Teaching Awards on May 6, 2006.

Introduction of Bills (First Reading)

Notice having been given:

Bill 39 Energy Statutes Amendment Act, 2006 — Mr. Lindsay

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

Bill 39 Energy Statutes Amendment Act, 2006 — Mr. Lindsay

Tabling Returns and Reports

Hon. Mr. Lund, Minister of Infrastructure and Transportation:

Document dated May 9, 2006, entitled "Government Executive Fleet Operations, Operator Unit Listing, Ministerial Class"

Sessional Paper 525/2006

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

Memorandum dated February 9, 1982, from Hon. John W. Cookson, Minister of the Environment, to Hon. Peter Lougheed, Chairman, Committee on Finance, Priorities and Coordination, clarifying questions asked during Department of the Environment Committee of Supply debate, January 29, 1982

Sessional Paper 526/2006

Document, undated, entitled "Presentation to the Metropolitan Affairs Cabinet Committee, Progress Report of Edmonton and Calgary R.D.A. Land Purchases and Implementation of Transportation and Utility Corridor Plans"

Sessional Paper 527/2006

Memorandum dated November 21, 1984, from Gordon Coombs, Deputy Secretary of Cabinet, to Hon. T. Chambers, Minister of Public Works, Supply and Services, regarding approval to negotiate R.D.A. land purchases

Sessional Paper 528/2006

Memorandum dated January 7, 1981, from B. Thomas Thackeray, Executive Assistant to the Minister, Department of the Environment, to W. Solodzuk, Deputy Minister, Department of the Environment, regarding recommendations made by Metropolitan Affairs concerning R.D.A. lands, with several related attachments

Sessional Paper 529/2006

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

Document dated May 2, 2006, entitled "Ted Morton asks for Jim Crow laws in Alberta, Re: Bill 208, Protection of Fundamental Freedoms (Marriage) Statutes Amendment Act, 2006"

Sessional Paper 530/2006

Mr. Chase, Hon. Member for Calgary-Varsity:

Program from the ACTRA (Alliance of Canadian Cinema, Television and Radio Artists) Calgary 40th Anniversary Celebration held on May 4, 2006

Sessional Paper 531/2006

Program from the Calgary Community Land Trust North Hill Launch held on May 4, 2006

Sessional Paper 532/2006

Program from the Mayor's Luncheon for Business and the Arts held in Calgary on May 5, 2006

Sessional Paper 533/2006

Information card regarding the Annual CP (Cerebral Palsy) Bike-a-thons

Sessional Paper 534/2006

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

Media release dated May 9, 2006, entitled "Bill 40 Clouds Future on Tuition: Students Demand the Bill be Rescinded" prepared by the University of Alberta Students' Union

Sessional Paper 535/2006

Mr. Bonko, Hon. Member for Edmonton-Decore:

Magazine dated 2006, entitled "Visit the Country, Edmonton Countryside Ag and Cultural Experiences"

Sessional Paper 536/2006

Tablings to the Clerk

Clerk of the Assembly on behalf of Hon. Mr. Stevens, Minister of Justice and Attorney General, pursuant to the Legal Profession Act, cL-8, s5(4):

Law Society of Alberta, Annual Report 2005

Sessional Paper 537/2006

Clerk of the Assembly on behalf of Hon. Mr. Ducharme, Minister of Community Development:

Copy of a petition signed by 11 Cold Lake residents urging the Government to introduce measures to effectively curtail the substantial increase in teenage smoking in Alberta

Sessional Paper 538/2006

ORDERS OF THE DAY

Committee of Supply (Day 21 — Main Estimates)

According to Order, the Assembly resolved itself into Committee of Supply.

(Assembly in Committee)

And after some time spent therein, the Acting Deputy Speaker assumed the Chair and Mr. Lindsay reported as follows:

Mr. Speaker:

The Committee of Supply has had under consideration certain resolutions, reports as follows, and requests leave to sit again:

Resolved that a sum not exceeding the following be granted to Her Majesty for the fiscal year ending March 31, 2007, for the Department and purposes indicated:

Restructuring and Government Efficiency

Expense and Equipment / Inventory Purchases	\$255,139,000
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Mr. Speaker, I would like to table copies of an amendment proposed by Mr. Martin, Hon. Member for Edmonton-Beverly-Clareview, during Committee of Supply consideration:

Amendment to the Estimates of the Department of Restructuring and Government Efficiency (Hon. Member for Edmonton-Beverly-Clareview)
— Defeated

Sessional Paper 539/2006

The question being put, the report and the request for leave to sit again were agreed to.

Adjournment

On motion by Hon. Mr. Zwozdesky, Government House Leader, that it be called 5:30 p.m., it was agreed at 5:16 p.m. that when the Assembly reconvened at 8:00 p.m. it would be in Committee of Supply and the Speaker left the Chair.

TUESDAY, MAY 9, 2006 — 8:00 P.M.

Committee of Supply (Day 22 — Main Estimates)

(Assembly in Committee)

And after some time spent therein, the Acting Speaker resumed the Chair and Mr. Webber reported as follows:

Mr. Speaker:

The Committee of Supply has had under consideration certain resolutions, reports as follows, and requests leave to sit again:

Resolved that a sum not exceeding the following be granted to Her Majesty for the fiscal year ending March 31, 2007, for the Department and purposes indicated:

Economic Development

Expense	\$102,864,000
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The question being put, the report and the request for leave to sit again were agreed to.

Private Bills/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)

Unanimous Consent

Mr. Bonko, Hon. Member for Edmonton-Decore, requested and received the unanimous consent of the Assembly to waive Standing Order 32(2) to shorten the time between division bells from 10 minutes to two minutes.

The following Bill was taken under consideration:

Bill 20 Freedom of Information and Protection of Privacy Amendment Act, 2006
— Mrs. Jablonski

Mr. Elsalhy, Hon. Member for Edmonton-McClung, moved the Bill be amended by striking out section 7.

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

For the motion: 7

Agnihotri	Elsalhy	MacDonald
Bonko	Hinman	Miller (Edmonton-Rutherford)
Eggen		

Against the motion: 26

Abbott	Horner	Ouellette
Ady	Knight	Prins
Amery	Lindsay	Rodney
Brown	Lougheed	Snelgrove
Calahasen	Lund	Stelmach
Coutts	Magnus	Stevens
Evans	Melchin	Webber
Graydon	Morton	Zwozdesky
Groeneveld	Oberle	

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

The following Bills were reported:

- Bill 37 Miscellaneous (Provincial Treasurer) Statutes Amendment Act, 2006 —
Hon. Mrs. McClellan
- Bill 38 Livestock Identification and Commerce Act (\$) — Hon. Mr. Horner
- Bill Pr1 Burns Memorial Trust Amendment Act, 2006 — Mr. Rodney

The following Bills were reported with some amendments:

- Bill 36 Securities Transfer Act — Mr. Knight
- Bill Pr2 Mary Immaculate Hospital of Mundare Act — Mrs. Jablonski
- Bill Pr3 Edmonton Community Foundation Amendment Act, 2006 — Mr. Lukaszuk

Progress was reported on the following Bill:

- Bill 20 Freedom of Information and Protection of Privacy Amendment Act, 2006
— Mrs. Jablonski

Mr. Webber, 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 20 (Hon. Member for Edmonton-McClung) — Defeated
on division

Sessional Paper 540/2006

Amendment to Bill 36 (Hon. Member for Grande Prairie-Smoky) —
Agreed to

Sessional Paper 541/2006

Amendment to Bill Pr2 (Hon. Member for Calgary-Shaw) — Agreed to
Sessional Paper 542/2006

Amendment to Bill Pr3 (Hon. Member for Peace River) — Agreed to
Sessional Paper 543/2006

Adjournment

On motion by Hon. Mr. Zwozdesky, Government House Leader, the Assembly adjourned at 12:33 a.m., Wednesday, May 10, 2006, until 1:30 p.m.

Hon. Ken Kowalski,
Speaker

Title: Tuesday, May 9, 2006