



**Legislative Assembly
Province of Alberta**

No. 4

VOTES AND PROCEEDINGS

First Session

Twenty-Seventh Legislature

Thursday, April 17, 2008

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

Members' Statements

Mr. Marz, Hon. Member for Olds-Didsbury-Three Hills, made a statement regarding the recent junior high and intermediate provincial Reach for the Top academic competition hosted by Trochu Valley School.

Mr. Horne, Hon. Member for Edmonton-Rutherford, made a statement recognizing the 80th anniversary of the Kinsmen Club of Edmonton and regarding the recent gala held to celebrate the mortgage being paid off for the twin ice arenas in Edmonton-Rutherford.

Ms Pastoor, Hon. Member for Lethbridge-East, made a statement regarding the need for the Government to create a plan to deal with child poverty.

Mr. Johnson, Hon. Member for Athabasca-Redwater, made a statement regarding a recent STARS (Shock Trauma Air Rescue Service) fundraising dinner held in Radway.

Ms Notley, Hon. Member for Edmonton-Strathcona, made a statement regarding the need for the Government to provide more affordable child care spaces in Alberta.

Mr. Johnston, Hon. Member for Calgary-Hays, made a statement congratulating the SAIT (Southern Alberta Institute of Technology) Trojans men's hockey team on recently winning the Alberta College Athletic Conference Hockey Championship.

Notices of Motions

Pursuant to Standing Order 34(3), Hon. Mr. Hancock, Government House Leader, gave oral notice of the following Written Questions and Motions for Returns to be dealt with Monday, April 21, 2008:

Written Questions: Stand and retain their places.

Motions for Returns: Stand and retain their places.

Presenting Petitions

Mr. MacDonald, Hon. Member for Edmonton-Gold Bar, presented a petition from 24 Albertans urging the Government to launch a full public inquiry under the authority of the Public Inquiries Act into spying practices by the Alberta Energy and Utilities Board (AEUB) and the Minister of Energy's oversight role of the AEUB.

Mr. MacDonald, Hon. Member for Edmonton-Gold Bar, presented a petition from 13 Edmonton residents urging the Government to ensure that the remuneration paid to employees working with people with disabilities is standardized across the sector, regardless of whether these workers are employed by government, community-based, or private providers; ensure these employees are fairly compensated and that their wages remain competitive with other sectors to reflect the valuable and crucial service they provide; improve employees' access to professional development opportunities (training and upgrading); and introduce province-wide service and outcomes-focussed level-of-care standards.

Ms Pastoor, Hon. Member for Lethbridge-East, presented a petition from over 1,200 Albertans urging the Government to revise their policies to eliminate child poverty and its many manifestations in Alberta.

Introduction of Bills (First Reading)

Notice having been given:

Bill 201 Hunting, Fishing and Trapping Heritage Act — Mr. Mitzel

Bill 202 Alberta Volunteer Service Medal Act — Mr. Cao

Tabling Returns and Reports

Ms Blakeman, Hon. Member for Edmonton-Centre:

10 letters, undated, from Edmonton residents to a Member of the Legislative Assembly suggesting five changes be implemented to Alberta labour laws
Sessional Paper 39/2008

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

Letter dated December 5, 2007, from Anne Landry of Calgary to Mr. MacDonald, Hon. Member for Edmonton-Gold Bar, requesting a public inquiry into enforcement of privacy legislation and security standards that negatively affect individuals' basic rights

Sessional Paper 40/2008

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

Report dated November 2007 entitled "Temporary Foreign Workers, Alberta's disposable workforce" prepared by the Alberta Federation of Labour

Sessional Paper 41/2008

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

Momentum, A Community Economic Development Organization, 2006 Annual Report

Sessional Paper 42/2008

Projected Government Business

Pursuant to Standing Order 7(6), 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 April 21 to April 24, 2008:

Monday, April 21	9:00 p.m.	- Government Bills and Orders
		Committee of Supply
		Supplementary Supply Estimates (Day 1 of 1)
		Address in Reply to the Speech from the Throne (Day 2 of 10)
		And as per the Order Paper
Tuesday, April 22	Aft.	- Temporary Recess
		Messages
		Budget Address
		And as per the Order Paper
	Eve.	- Address in Reply to the Speech from the Throne (Day 3 of 10)
		And as per the Order Paper

Wednesday, April 23	Aft.	<ul style="list-style-type: none"> - Reply to the Budget Address Official Opposition Leader New Democrat Opposition Address in Reply to the Speech from the Throne (Day 4 of 10) And as per the Order Paper
	Eve.	<ul style="list-style-type: none"> - Address in Reply to the Speech from the Throne (Day 4 of 10) And as per the Order Paper
Thursday, April 24	Aft.	<ul style="list-style-type: none"> - Government Bills and Orders Committee of Supply Main Estimates And as per the Order Paper

ORDERS OF THE DAY

Government Motions

- 8. Moved by Hon. Mr. Hancock:
- A. Be it resolved that the following temporary amendments be made to the Standing Orders of the Legislative Assembly of Alberta:

1 The following is added after Standing Order 3:

2008 Fall Sitting

3.1(1) Unless otherwise ordered, the Assembly shall meet for the 2008 Fall Sitting commencing on Tuesday, October 14th and concluding no later than Thursday, December 4th.

(2) During the 2008 Fall Sitting, the Assembly shall stand adjourned for a constituency week during the week of November 10th.

(3) Nothing in this Standing Order precludes the Government from advising the Speaker that the public interest requires the Assembly to meet on a certain date, and the Speaker shall give notice that the Assembly shall meet at that time to transact its business as if it has been duly adjourned to that time.

(4) Nothing in this Standing Order precludes the Assembly from adjourning prior to the adjournment date in suborder (1) if so ordered by the Assembly.

(5) The Fall Sitting may be extended beyond the adjournment date in suborder (1) on passage of a Government motion, which shall be decided without debate or amendment.

2 Standing Order 4 is amended by striking out "8 p.m." wherever it occurs and substituting "7:30 p.m."

3 Standing Order 7 is amended

(a) in suborder (1) by adding "At 1:50 p.m.," before "Oral Question Period";

(b) by adding the following after suborder (1):

(1.1) At 1:50 p.m., the Assembly shall proceed to Oral Question Period with the balance of the daily routine to follow.

(1.2) If the items in the daily routine are completed prior to 1:50 p.m. the Assembly shall proceed to Oral Question Period, and any matters outstanding shall be taken up prior to the calling of Orders of the Day.

4 Standing Order 8 is amended

(a) in suborder (2) by striking out "8 p.m." and substituting "7:30 p.m.";

(b) in suborder (4) by striking out "60 minutes" and substituting "55 minutes";

(c) in suborder (7) by striking out clause (c) and substituting the following:

(c) A public Bill other than a Government Bill shall be called in Committee of the Whole within 8 sitting days of the day the Bill receives second reading unless the Bill has been referred to a Policy Field Committee, in which case the Bill shall be called within 8 sitting days of the day on which the Policy Field Committee reports.

5 Standing Order 34 is amended

(a) by striking out suborder (3) and substituting the following:

(3) On Thursday, the Government House Leader shall give the Assembly notice of any written questions or motions for returns that will be accepted or otherwise dealt with on the following Monday.

(3.1) On Monday afternoon, written questions and motions for returns are deemed to stand and retain their places except those for which notice has been given under suborder (3) or those which are otherwise due for consideration.

(3.2) The Clerk shall read the number, text and name of the sponsor of any written question or motion for return of which notice of acceptance has been given pursuant to suborder (3) when this item of business is called.

(b) in suborder (4)(a) by striking out "the sitting day" and substituting "the Wednesday".

6 The following is added after Standing Order 38:

Intersessional deposits

38.1(1) If the Assembly stands adjourned for a period of more than 14 days, any return, report or other periodic statement that is to be laid before the Assembly in accordance with an Act or any resolution or Standing Order of the Assembly may be deposited with the Clerk (with the required number of copies) and such return, report or other periodic statement is deemed to have been laid before the Assembly on the day on which it is deposited.

(2) The Clerk shall publish a list of documents deposited under this Standing Order at least once every 4 weeks during a period of adjournment.

(3) A record of documents deposited under this Standing Order shall be entered in the Votes and Proceedings on the next sessional day.

7 The following is added after Standing Order 52:

Policy Field Committees

52.01(1) Five Policy Field Committees, consisting of 11 members each, shall be established to consider the following subject areas:

- (a) Standing Committee on Community Services - mandate related to the areas of culture and community spirit, education, housing and urban affairs, municipal affairs, and tourism, parks and recreation;
- (b) Standing Committee on the Economy - mandate related to the areas of advanced education and technology, employment and immigration, finance and enterprise, infrastructure, and transportation;
- (c) Standing Committee on Health - mandate related to the areas of children and youth services, health and wellness, and seniors and community supports;
- (d) Standing Committee on Public Safety and Services - mandate related to the areas of aboriginal relations, government services, government organization, personnel administration, expenditure management, revenue, justice, policing and public security;
- (e) Standing Committee on Resources and Environment - mandate related to the areas of agriculture and rural development, energy, environment, international and intergovernmental relations, and sustainable resource development.

(2) The Chair of a Policy Field Committee shall be a member of the Government caucus, and the Deputy Chair shall be a member of the Official Opposition.

Consideration of Bills by Policy Field Committees

52.02 A Policy Field Committee shall review any Bill referred to it.

Consideration of regulations by Policy Field Committees

52.03 A Policy Field Committee may review any regulation, amendment to a regulation or prospective regulation within its mandate.

Orders of the Assembly take priority

52.04 An order of the Assembly that a Bill, regulation or some other subject matter stands referred to a Policy Field Committee shall take priority over any other hearing or inquiry.

Referral of annual reports to Policy Field Committees

52.05(1) The annual reports of each government department, provincial agency, Crown-controlled organization, board and commission shall be deemed to be permanently referred to a Policy Field Committee.

(2) Each Policy Field Committee may

- (a) examine each annual report referred to it and report to the Assembly whether the report is satisfactory;
- (b) consider in more detail, and report to the Assembly, on each annual report it considers unsatisfactory;
- (c) investigate and report to the Assembly on any lateness in the tabling of annual reports;
- (d) report to the Assembly each year whether there are any bodies which do not table annual reports in the Assembly and which should present such reports.

Public hearings

52.06(1) A Policy Field Committee may conduct a public hearing on any Bill, regulation or prospective regulation under review.

(2) A Policy Field Committee shall be required, prior to reporting that the attention of the Assembly be drawn to any regulation or prospective regulation, to inform the government department or authority concerned of its intention to so report.

Policy Field Committee inquiries

52.07(1) A Policy Field Committee shall inquire into, consider and report on any matter referred to it by the Assembly.

(2) A Policy Field Committee may on its own initiative, or at the request of a Minister, inquire into any matter concerned with the structure, organization, operation, efficiency or service delivery of any sector of public policy within its mandate.

(3) An order of the Assembly that a Policy Field Committee undertake an inquiry shall take priority over any other inquiry, but a Policy Field Committee shall not inquire into any matters which are being examined by a special committee.

(4) All inquiries must be concluded and a substantive report presented to the Assembly no later than 6 months after the commencement of the inquiry.

(5) If funds are not available for the conduct of an inquiry by a Policy Field Committee, then approval for any additional funds is required from the Members' Services Committee.

Additional powers of Policy Field Committees

52.08(1) A Policy Field Committee may hold public meetings on any matter within its mandate.

(2) A Policy Field Committee may recommend to the Assembly on the need for legislation in any area within the Committee's mandate.

Response to reports

52.09(1) The Government shall respond to a Policy Field Committee's report on any matter other than a report on a Bill within 150 days from the date on which the Policy Field Committee reports.

(2) No motion concurring in the report of a Policy Field Committee to which the Government must respond under suborder (1) shall be voted upon until that response is tabled in the Assembly.

8 Standing Order 53 is struck out and the following is substituted:

Public accounts referred

53(1) Public accounts and all reports of the Auditor General shall stand permanently referred to the Public Accounts Committee as they become available.

(2) The Government shall respond to a report of the Public Accounts Committee within 150 days of the date on which the Committee reports.

9 The following is added after Standing Order 55:

Reports of the Officers of the Legislature

55.01 Reports of the Officers of the Legislature shall stand referred to the Standing Committee on Legislative Offices unless otherwise ordered.

10 Standing Order 56 is amended by adding the following after suborder (2):

(2.1) A temporary substitution in the membership of a standing or special committee may be made upon written notification signed by the original Member and filed with the Clerk and Committee Chair, provided such notice is given not less than 24 hours prior to the meeting.

(2.2) A substituted Member under suborder (2.1), including a Member who is substituting for the Committee Chair, shall be considered for all purposes to be acting in the place of the original Member.

(2.3) A temporary substitution in the membership shall be permitted for a specific time period or for committee consideration of a specific issue.

(2.4) A temporary substitution may be terminated at any time by the original Member of the committee.

(2.5) If the Assembly is adjourned and the Chair of a committee resigns his or her position or is otherwise unable to carry out the duties of Chair, the committee may elect one of its Members as Chair.

11 The following is added after Standing Order 59:

Application of Standing Orders during main estimates

59.01(1) The Standing Orders of the Assembly shall be observed in the Committee of Supply's consideration of main estimates except as follows:

- (a) a Member may speak more than once;
- (b) no Member may speak for more than 10 minutes at one time.

(2) Notwithstanding suborder (1)(b), and provided that the Chair has been notified, a Minister and a private Member may combine their respective speaking times for a total of 20 minutes, with both taking and yielding the floor over the combined period.

(3) During Committee of Supply consideration of main estimates,
(a) officials of the Government may be admitted to the floor of the Assembly to advise the Minister whose estimates are under consideration, and

(b) staff of the opposition may also be admitted to assist Members who are participating in estimates consideration, provided that at least 24 hours' written notice of the names of the officials or staff is given to the Clerk.

Hours of main estimates

59.02(1) During the 2008 Spring Sitting, the Committee of Supply shall be called to consider the main estimates for 60 hours.

(2) The schedule for consideration of main estimates shall be determined by House Leaders but if they fail to reach an agreement, the Government House Leader shall schedule the appearances of departments for estimates consideration by the Committee of Supply and such schedule shall include a minimum of 2 hours of consideration for each department.

(3) The schedule for consideration of main estimates shall be tabled in the Assembly no later than one sitting day following the Budget Address.

(4) On the first day of consideration of the main estimates by the Committee of Supply, the first member of the Executive Council to speak shall move that the main estimates in their entirety be considered by the Committee.

(5) If at 10:30 p.m. the main estimates are being considered by Committee of Supply, the Chair shall interrupt and the Committee shall immediately rise and report without question put.

(6) When the time allotted for a department's estimates has expired or if there are no Members who wish to speak, the Committee or subcommittee may then proceed to the next department's estimates that are scheduled for consideration.

(7) When the time allotted for a department's estimates has not expired, but there are no Members who wish to speak, that department's estimates shall be deemed to have been considered for the time allotted in the schedule.

(8) When an amendment to a department's estimates is moved in Committee of Supply, the vote on the amendment stands deferred until the date scheduled for the vote on the main estimates.

Voting - Main Estimates

59.03(1) On the date scheduled or at the end of 60 hours of consideration, there shall be one vote on main estimates unless

- (a) additional votes are required on amendments pursuant to Standing Order 59.02(8) prior to calling the vote on the main estimates;
- (b) on at least one day's notice a Member has provided written notification to the Chair and the Clerk of his or her desire that the estimates of a particular department be voted upon separately, in which case that department's estimates shall be voted separately and the final vote for the main estimates shall consist of the estimates of any departments not yet voted upon.

(2) The votes under suborder (1) shall be taken without debate or amendment except as provided in Standing Order 59.02(8).

(3) For the 2008 Spring Sitting, the vote on the main estimates may be scheduled with a minimum of one sitting day's notice to occur any time after the main estimates have been given 60 hours of consideration, unless otherwise ordered.

(4) On the date for the vote on the main estimates and prior to the vote on the main estimates, the Chair shall put the question to approve the estimates of the Legislative Assembly, as approved by the Special Standing Committee on Members' Services, and the estimates of the officers of the Legislature, which shall be decided without debate or amendment.

(5) At 5:15 p.m. on the date scheduled for the vote on the main estimates, if the vote has not been taken earlier, the Chair shall interrupt the proceedings, and the Committee of Supply shall commence voting and, if required, continue beyond the normal adjournment hour until all matters have been voted upon, at which time the Committee shall immediately rise and report.

12 The following Standing Orders shall have no force and effect for consideration of the main estimates during the 2008 Spring Sitting:

- (a) 60(1);
- (b) 61(1), (2), (4) - (8);
- (c) 62(2);
- (d) 65(1)(b).

13 Standing Order 62(1) is amended by striking out "11 p.m." and substituting "10:30 p.m."

14 The following is added after Standing Order 74:

Referral of Bill to a committee after first reading

74.1(1) Immediately after a Bill has been read a first time,

- (a) with respect to a Government Bill, a member of the Executive Council
- (b) with respect to a public Bill other than a Government Bill, the sponsor

may move a motion, without notice, to refer the Bill to a Policy Field Committee.

(2) The Member moving the referral motion may be permitted to give a succinct explanation of the motion.

(3) Any motion made pursuant to this Standing Order shall be decided without debate or amendment, and if the motion is decided in the negative the Bill shall be ordered for second reading.

(4) This Standing Order does not apply to appropriation or private Bills.

Proceedings on Bills referred to a committee after first reading

74.2(1) When a Bill is referred to a Policy Field Committee after first reading, the committee may conduct public hearings on the subject matter of the Bill and report its observations, opinions and recommendations with respect to the Bill to the Assembly.

(2) Upon the concurrence of a committee report that a Bill be proceeded with, the Bill shall be placed on the Order Paper for second reading.

15 The following is added after Standing Order 78:

Referral of Bills to a Policy Field Committee after second reading

- 78.1(1)** Immediately after a Bill has been read a second time,
- (a) with respect to a Government Bill, a member of the Executive Council
 - (b) with respect to a public Bill other than a Government Bill, any Member

may move a motion, without notice, to refer the Bill to a Policy Field Committee, which shall be decided without debate or amendment.

(2) This Standing Order does not apply to appropriation or private Bills.

Public hearings after second reading

78.2(1) When a Bill is referred to a Policy Field Committee after second reading, the committee may conduct public hearings on the content of the Bill.

(2) No public hearings may be conducted under suborder (1) if the Bill has been subject to committee consideration after first reading.

Report of Policy Field Committee on Bills

78.3(1) A Policy Field Committee to which a Bill has been referred by the Assembly after second reading shall be empowered to report the same with or without amendments or to report that the Bill not proceed.

(2) The report may contain a written statement of the committee's conclusions if the Bill was the subject of a public hearing.

Procedure on report from Policy Field Committee

78.4 When a Bill is reported pursuant to Standing Order 78.3, the following procedure shall apply:

- (a) any Bill shall be considered committed to Committee of the Whole Assembly unless otherwise ordered;
- (b) when a report recommends that the Bill not proceed, a motion to concur in that report shall be put immediately and decided without debate, and if agreed to, the Bill shall be dropped from the Order Paper but if negatived, the Bill shall stand committed to the Committee of the Whole.

B. Be it further resolved that the Standing Committee on Privileges and Elections, Standing Orders and Printing shall, without further motion, review and consider

- (a) the amendments to Standing Orders in this motion by comparing the reforms to the practices in other Assemblies, examining whether the reforms afford open discussion of public policy where Albertans can participate and whether the reforms maximize oversight and accountability;
- (b) the need for additional amendments or reforms to the Assembly's rules and practices to further objectives of open, public discussion of public policy, the role of the Assembly in overall government accountability and the work/life balance of Members; and
- (c) the process used for Committee of Supply consideration of main estimates in 2008,

and shall report to the Assembly with its recommendations no later than October 30, 2008.

C. Be it further resolved that the Policy Field Committees referenced in Part A of this motion be designated as Category A Committees for the purposes of the Members' Services Committee Allowances Order, RMSC 1992, c.M-2.

D. And be it further resolved that

- 1** The amendments in this motion come into force on passage.
- 2** The amendments in this motion shall have effect until the conclusion of the 2008 Fall Sitting.

A debate followed.

Ms Blakeman, Hon. Member for Edmonton-Centre, moved adjournment of the Assembly.

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

For the motion: 5

Blakeman	Kang	Taylor
Chase	MacDonald	

Against the motion: 25

Allred	Groeneveld	Notley
Benito	Hancock	Oberle
Bhardwaj	Johnson	Olson
Danyluk	Knight	Prins
Doerksen	Leskiw	Rogers
Drysdale	Lund	Sandhu
Elniski	Mason	Sarich
Goudreau	Mitzel	VanderBurg
Griffiths		

Debate continued on the motion.

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

For the motion: 24

Allred	Goudreau	Mitzel
Benito	Griffiths	Oberle
Bhardwaj	Groeneveld	Olson
Boutilier	Hancock	Prins
Danyluk	Johnson	Rogers
Doerksen	Knight	Sandhu
Drysdale	Leskiw	Sarich
Elniski	Lund	VanderBurg

Against the motion: 5

Blakeman	MacDonald	Taylor
Kang	Mason	

Adjournment

On motion by Hon. Mr. Hancock, Government House Leader, the Assembly adjourned at 5:17 p.m. until Monday, April 21, 2008, at 1:30 p.m.

Hon. Ken Kowalski,
Speaker

Title: Thursday, April 17, 2008