



**Legislative Assembly  
Province of Alberta**

No. 38

**VOTES AND PROCEEDINGS**

First Session

Twenty-Seventh Legislature

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Monday, October 27, 2008

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

**Ministerial Statements**

Hon. Mr. Liepert, Minister of Health and Wellness, made a statement regarding a practise at the High Prairie Health Complex involving the reuse of single-use devices in intravenous lines to deliver medication to patients.

Mr. MacDonald, Hon. Member for Edmonton-Gold Bar, commented on the statement.

Ms Notley, Hon. Member for Edmonton-Strathcona, requested and received the unanimous consent of the Assembly to allow Mr. Mason, Hon. Member for Edmonton-Highlands-Norwood, to comment on the Ministerial Statement.

**Members' Statements**

Mr. Johnson, Hon. Member for Athabasca-Redwater, made a statement recognizing October 27, 2008, as National School Library Day.

Mr. Jacobs, Hon. Member for Cardston-Taber-Warner, made a statement regarding the Terry Fox Run held in Taber on September 13, 2008.

Mrs. Leskiw, Hon. Member for Bonnyville-Cold Lake, made a statement recognizing October 2008 as National Breast Cancer Awareness Month.

Dr. Swann, Hon. Member for Calgary-Mountain View, made a statement regarding the management of the public health and prevention system.

Dr. Brown, Hon. Member for Calgary-Nose Hill, made a statement regarding the annual Gala de reconnaissance awards banquet held in Calgary on October 17, 2008, recognizing Dr. Carl Amrhein as a recipient of the 2008 Ami de la Francophonie award, and Jocelyne Bélanger for her efforts in the production of educational material in French.

Ms DeLong, Hon. Member for Calgary-Bow, made a statement recognizing October 2008 as Sudden Infant Death Syndrome Awareness Month.

## **Speaker's Statement**

Honourable Members, before we move on, a little bit of history today with respect to the number of Members of the Legislative Assembly in the Province of Alberta since 1905. When Alberta's first general election was held on November 9, 1905, 25,163 Albertans elected 25 Members of the Legislative Assembly from a field of 56 nominated candidates. The number of Members increased to 41 in the 1909 election. In the 1913 election the number became 56. In 1917, 58 Members of the Legislative Assembly were elected. The number for 1921 and 1926 elections was 61 Members. The number then increased to 63 for the elections of 1930 and 1935. The number of Members was reduced to 57 for the elections of 1940, 1944, and 1948. The number then rose to 60 Members for the 1952 general election. The number increased to 61 for the 1955 election and then to 65 for the 1959 election. In 1963, 63 Members of the Legislative Assembly were elected. The number of Members elected was 65 in the 1967 election. For the 1971 and 1975 elections the number of Members was 75. Then the number increased to 79 for the elections of 1979 and 1982. In 1986, 83 Members of the Legislative Assembly were elected, and that number has remained through to the election of 2008.

In the 1909 election each Member of the Legislative Assembly represented 9,129 Albertans. In 1921 the number increased to 9,960 Albertans. In the 1944 election each Member represented 14,094 constituents. In Canada's centennial year the number rose to 22,430. In the 1986 election each Member represented 29,105 constituents. In the 2008 election the number of constituents per Member of the Legislative Assembly reached an average of 39,643.

## **Presenting Petitions**

Ms Blakeman, Hon. Member for Edmonton-Centre, presented a petition from 120 Albertans urging the Legislative Assembly to use the present conditions of the lives of Alberta's children as the lens to view and revise their policies to eliminate child poverty and its many manifestations in Alberta.

Mr. Chase, Hon. Member for Calgary-Varsity, presented a petition from 36 Calgary residents requesting the Legislative Assembly pass legislation that will prohibit emotional bullying and psychological harassment in the workplace.

### **Tabling Returns and Reports**

Hon. Mr. Hancock, Minister of Education, on behalf of Mr. Liepert, Minister of Health and Wellness:

Letter dated October 27, 2008, from Hon. Mr. Liepert, Minister of Health and Wellness, to Dr. John Cowell, Health Quality Council of Alberta, requesting a report from the Health Quality Council on the recent health control incident at the High Prairie Health Complex

Sessional Paper 419/2008

Hon. Mr. Danyluk, Minister of Municipal Affairs, pursuant to the Special Areas Act, cS16, s19(2):

Audited Financial Statement of Special Areas Trust Account, December 31, 2007

Sessional Paper 420/2008

Hon. Mr. Danyluk, Minister of Municipal Affairs, pursuant to the Safety Codes Act, cS-1, s25(3):

2007 Annual Report of Safety Codes Council

Sessional Paper 421/2008

Hon. Mr. Danyluk, Minister of Municipal Affairs, pursuant to the Government Organization Act, cG10, sch10, s10(3):

Alberta Elevating Devices and Amusement Rides Annual Report, April 1, 2007 to March 31, 2008

Sessional Paper 422/2008

Hon. Ms Tarchuk, Minister of Children and Youth Services:

Document dated October 27, 2008, entitled "Response to Concerns Raised in Sessional Paper 366/2008"

Sessional Paper 423/2008

Ms Blakeman, Hon. Member for Edmonton-Centre:

Document, undated, entitled "Position Statement on Child Well Being Initiative" prepared by Women of the United Church of Canada

Sessional Paper 424/2008

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

Program from the Chrysalis 13th Annual Achievement Award Ceremony

Sessional Paper 425/2008

## Point of Privilege

The Speaker heard comments from Mr. Mason, Hon. Member for Edmonton-Highlands-Norwood, concerning the purported question of privilege raised by Mr. Mason on October 23, 2008.

The Speaker also heard from Hon. Mr. Stevens, Deputy Premier, who apologized to the Assembly.

The Speaker indicated the matter was concluded. He then stated that for a matter to be ruled as a prima facie case of privilege, two criteria were necessary: the statement must have been misleading; and it must have been established that the Member intended to mislead the Assembly.

## ORDERS OF THE DAY

### Written Questions

The following Written Questions were accepted as amended:

**WQ21.** Moved by Mr. Chase on behalf of Dr. Taft:

What are the costs for the Department of Agriculture's Farm Fuel Benefit Program from April 1, 1997, to May 8, 2008, including the grant costs as well as estimates of the tax exemption costs?

Hon. Mr. Hancock, Government House Leader, on behalf of Hon. Ms Evans, Minister of Finance and Enterprise, moved the motion be amended to read:

What are *the grant and estimated tax exemption costs* for the Department of Agriculture's Farm Fuel Benefit Program from April 1, 1997, to May 8, 2008?

Hon. Mr. Hancock, Government House Leader, requested and received the unanimous consent of the Assembly to further amend the motion by replacing May 8 with March 31.

What are *the grant and estimated tax exemption costs* for the Department of Agriculture's Farm Fuel Benefit Program from April 1, 1997, to *March 31*, 2008?

**WQ22.** Moved by Mr. Hehr:

What is the percentage, broken down by year, of litigants dealt with by the Edmonton Drug Treatment and Community Restoration Court since its commencement on December 7, 2005, to May 14, 2008, who have re-offended for a possession-related offence?

Hon. Ms Redford, Minister of Justice and Attorney General, moved the motion be amended to read:

What is the percentage, broken down by year, of *clients who graduated from* the Edmonton Drug Treatment and Community Restoration Court since its commencement on December 7, 2005, to May 16, 2008, who have *been convicted* for a possession-related offence?

**WQ23.** Moved by Mr. Hehr:

What is the total amount of funding, broken down by year, provided to every Legal Aid Society in the province from May 1, 2005, to May 14, 2008?

Hon. Ms Redford, Minister of Justice and Attorney General, moved the motion be amended to read:

What is the total amount of funding, broken down by *fiscal year, that has been or will be provided to Legal Aid Alberta from April 1, 2005, to March 31, 2009?*

**WQ24.** Moved by Mr. Hehr:

What is the total number of litigants, broken down by year, dealt with by the Edmonton Drug Treatment and Community Restoration Court since its commencement on December 7, 2005, to May 14, 2008, and what is the total amount of annual funding provided by the province to the Edmonton Drug Treatment and Community Restoration Court for that same period?

Hon. Ms Redford, Minister of Justice and Attorney General, moved the motion be amended to read:

What is the total number of *clients*, broken down by year, *who participated in or graduated from* the Edmonton Drug Treatment and Community Restoration Court since its commencement on December 7, 2005, to May 16, 2008, and what is the total amount of annual funding provided by *Alberta Justice* to the Edmonton Drug Treatment and Community Restoration Court for that same period?

## Motions for Returns

The following Motion for Returns was accepted:

**MR18.** Moved by Mr. Hehr:

That an Order of the Assembly do issue for a Return showing:  
A copy of any and all documents that provide an economic forecast regarding the costs relative to increasing the Ministry's capacity to deal with complex legal issues such as public-private partnerships and the British Columbia-Alberta Trade, Investment and Labour Mobility Agreement (TILMA) as outlined in strategy 5.3 on page 209 of the 2008-11 Business Plan for the Ministry of Justice.

The following Motions for Returns were accepted as amended:

**MR21.** Moved by Mr. Hehr:

That an Order of the Assembly do issue for a Return showing:  
A copy of any and all recommendations proposed that illustrate how early, effective, and affordable resolutions of civil disputes, such as an apology, will streamline the Ministry's operations as outlined in strategy 2.3 on page 205 of the 2008-11 Business Plan for the Ministry of Justice.

Hon. Ms Redford, Minister of Justice and Attorney General, moved the motion be amended to read:

A copy of any *materials* that illustrate how early, effective, and affordable resolutions of civil disputes, such as an apology, will streamline the Ministry's operations as outlined in strategy 2.3 on page 205 of the 2008-11 Business Plan for the Ministry of Justice.

**MR22.** Moved by Mr. Hehr:

That an Order of the Assembly do issue for a Return showing:  
A copy of any and all recommendations proposed that illustrate how Alberta's succession statutes can be reformed or modernized to ensure they are consistent with current social values and will facilitate efficient handling of Albertans' estates as outlined in strategy 2.2 on page 205 of the 2008-11 Business Plan for the Ministry of Justice.

Hon. Ms Redford, Minister of Justice and Attorney General, moved the motion be amended to read:

A copy of any *materials* that illustrate how Alberta's succession statutes can be reformed or modernized to ensure they are consistent with current social values and will facilitate efficient handling of Albertans' estates as outlined in strategy 2.2 on page 205 of the 2008-11 Business Plan for the Ministry of Justice.

The following Motions for Returns were rejected:

**MR19.** Moved by Mr. Hehr:

That an Order of the Assembly do issue for a Return showing:  
A copy of any and all documents that illustrate how Alberta's court system will be made more accessible by rewriting the Alberta Rules of Court as outlined in strategy 2.9 on page 206 of the 2008-11 Business Plan for the Ministry of Justice.

**MR20.** Moved by Mr. Hehr:

That an Order of the Assembly do issue for a Return showing:  
A copy of any and all recommendations proposed that illustrate how Alberta's court system will be made more accessible by rewriting the Alberta Rules of Court as outlined in strategy 2.9 on page 206 of the 2008-11 Business Plan for the Ministry of Justice.

## **Public Bills and Orders Other Than 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)

The following Bill was taken under consideration:

Bill 205 Traffic Safety (Used Vehicle Inspection) Amendment Act, 2008 —  
Mr. Bhardwaj

During Committee of the Whole consideration of Bill 205, Traffic Safety (Used Vehicle Inspection) Amendment Act, 2008, Mr. Bhardwaj, Hon. Member for Edmonton-Ellerslie, moved that the Chair do now leave the Chair.

The question being put, the motion was agreed to and the Chair left the Chair.

### **Second Reading**

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

Bill 207 Young Albertans' Advisory Council Act — Mr. Fawcett

A debate followed.

Debate adjourned.

## **Adjournment**

Pursuant to Standing Order 4(1), the Assembly adjourned at 5:30 p.m. until 7:30 p.m.

MONDAY, OCTOBER 27, 2008 — 7:30 P.M.

## **Motions Other Than Government Motions**

**510.** Moved by Ms DeLong (Amended):

Be it resolved that the Legislative Assembly urge the Government to *provide* Alberta Health Care statements to all Albertans in order to ensure that every individual in the province is aware of his or her use of the health care system.

A debate followed.

The question being put, the motion was agreed to.

## **Government Bills and Orders**

### **Second Reading**

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

Bill 24 Adult Guardianship and Trusteeship Act — Hon. Mrs. Jablonski

A debate followed.

Mr. Chase moved adjournment of the debate, which was agreed to.

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

Bill 18 Film and Video Classification Act — Mr. Berger on behalf of Hon.  
Mr. Blackett

Mr. Berger moved adjournment of the debate, which was agreed to.

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

Bill 23 Weed Control Act — Mr. Prins on behalf of Mr. Mitzel

Mr. Prins moved adjournment of the debate, which was agreed to.

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

Bill 33 Agriculture Financial Services Amendment Act, 2008 (\$) — Hon.  
Mr. Groeneveld



### **Third Reading**

The following Bill was read a Third time and passed:

Bill 28 Jury Amendment Act, 2008 — Hon. Ms Redford

### **Second Reading**

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

Bill 36 Land Titles Amendment Act, 2008 — Dr. Brown

A debate followed.

Mr. Chase moved adjournment of the debate, which was agreed to.

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

Bill 39 Court Statutes Amendment Act, 2008 — Mr. Denis

A debate followed.

Mr. Chase moved adjournment of the debate, which was agreed to.

### **Adjournment**

On motion by Hon. Mr. Hancock, Government House Leader, the Assembly adjourned at 9:48 p.m. until Tuesday, October 28, 2008, at 1:30 p.m.

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Hon. Ken Kowalski,  
Speaker

Title: Monday, October 27, 2008