



**Legislative Assembly
Province of Alberta**

No. 57

VOTES AND PROCEEDINGS

First Session

Twenty-Eighth Legislature

Tuesday, May 14, 2013

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

Hon. Mr. Hancock, Government House Leader, requested and received the unanimous consent of the Assembly to waive Standing Order 7(7) in order to complete the Daily Routine.

Ministerial Statements

Hon. Mr. Oberle, Associate Minister of Services for Persons with Disabilities, made a statement regarding the Government's efforts to support persons with disabilities and its new emphasis on supports that provide for inclusion and engagement in the community.

Mr. Wilson, Hon. Member for Calgary-Shaw, commented on the statement.

The Speaker requested and received the unanimous consent of the Assembly to allow additional Members to comment on the Ministerial Statement.

Dr. Swann, Hon. Member for Calgary-Mountain View, and Ms Notley, Hon. Member for Edmonton-Strathcona, then commented on the statement.

Members' Statements

Mr. Jeneroux, Hon. Member for Edmonton-South West, made a statement expressing support for Alberta's post-secondary institutions.

Mr. McAllister, Hon. Member for Chestermere-Rocky View, made a statement regarding the Government's contract negotiations with teachers.

Ms DeLong, Hon. Member for Calgary-Bow, made a statement recognizing April 6, 2013, as Tartan Day.

Mr. Mason, Hon. Member for Edmonton-Highlands-Norwood, made a statement regarding funding cuts to health care services.

Mr. Wilson, Hon. Member for Calgary-Shaw, made a statement regarding Albertans' trust in the Government.

Presenting Petitions

The petition put forth by Mr. Eggen, Hon. Member for Edmonton-Calder, was not in order to be presented.

Notices of Motions

Hon. Mr. Denis, Deputy Government House Leader, on behalf of Hon. Mr. Hancock, Government House Leader, gave oral notice of the following motion:

Be it resolved that when further consideration of Bill 22, Aboriginal Consultation Levy Act (\$), is resumed, not more than one hour shall be allotted to any further consideration of the Bill in Committee of the Whole, at which time every question necessary for the disposal of the Bill at this stage shall be put forthwith.

Introduction of Bills (First Reading)

Notice having been given:

Bill 26 Assurance for Students Act — Hon. Mr. Johnson

Tabling Returns and Reports

Mr. Eggen, Hon. Member for Edmonton-Calder:

Copy of a petition signed by 1,560 Albertans urging the Government to keep Michener Centre in Red Deer open for the vulnerable Albertans with severe developmental disabilities who have called Michener home for decades, which would allow them to live out their lives with peace, dignity and stability

Sessional Paper 875/2012-13

CBC News website article dated May 14, 2013, entitled “Progressive Conservative MLA leaves trail of unpaid debts,” with attached copies of Court of Queen’s Bench of Alberta Consent Judgment between Dee Vee Electrical Ltd. and Newview Homes Ltd. dated March 5, 2012, a Writ of Enforcement stating Newview Homes Ltd. as the debtor and Fancy Doors & Mouldings Ltd. as the creditor dated April 17, 2012, Affidavit of Parmjit Sandhu sworn March 19, 2013, various receipts showing expenses of Mr. Sandhu, Hon. Member for Edmonton-Manning, and excerpts from the Standing Committee on Resource Stewardship meetings of December 13, 2012, and February 4, 2013
Sessional Paper 876/2012-13

Mr. Kang, Hon. Member for Calgary-McCall:

Report entitled “National Freedom of Information Audit 2012,” prepared by Newspapers Canada, relating to comments made by Mr. Kang during Oral Question Period on May 14, 2013
Sessional Paper 877/2012-13

United Nurses of Alberta website article dated May 13, 2013, entitled “UNA demands answers from AHS about nurse layoffs”
Sessional Paper 878/2012-13

Copy of a petition signed by thousands of Albertans urging the Government to keep Michener Centre in Red Deer open for the vulnerable Albertans with severe developmental disabilities who have called Michener home for decades, which would allow them to live out their lives with peace, dignity and stability
Sessional Paper 879/2012-13

Ms Blakeman, Hon. Member for Edmonton-Centre:

Email message dated May 8, 2013, from Tyler Stephenson, a Ph.D. candidate in the Department of Chemical and Materials Engineering, University of Alberta, to Ms Blakeman, Hon. Member for Edmonton-Centre, expressing concern regarding education funding cutbacks
Sessional Paper 880/2012-13

Document entitled “May 13, 2013 Report,” from Ms Blakeman, Hon. Member for Edmonton-Centre, listing 96 people who have emailed the Edmonton-Centre constituency office regarding the proposed arena in downtown Edmonton and their support of the City of Edmonton’s application for a Municipal Sustainability Initiative grant
Sessional Paper 881/2012-13

Document entitled “May 13, 2013 Report,” from Ms Blakeman, Hon. Member for Edmonton-Centre, listing 1,317 people who have emailed the Edmonton-Centre constituency office regarding support for funding for Edmonton’s downtown arena
Sessional Paper 882/2012-13

Mr. Anglin, Hon. Member for Rimbey-Rocky Mountain House-Sundre:

Report dated August 2012 entitled “Investor Perspectives on the Attractiveness of Alberta’s Electricity Generation Market,” prepared by Morrison Park Advisors for Alberta’s Market Surveillance Administrator

Sessional Paper 883/2012-13

Document entitled “Power Pool of Alberta real time price,” dated May 13, 2013, at 12:00 hours

Sessional Paper 884/2012-13

Mr. Wilson, Hon. Member for Calgary-Shaw:

Copy of a petition signed by thousands of Albertans urging the Government to keep Michener Centre in Red Deer open for the vulnerable Albertans with severe developmental disabilities who have called Michener home for decades, which would allow them to live out their lives with peace, dignity and stability

Sessional Paper 885/2012-13

ORDERS OF THE DAY

Government Motions

34. Oral notice having been given May 13, 2013, moved by Hon. Mr. Hancock:

Be it resolved that:

- A. Pursuant to Standing Order 77(2), Bill 26, Assurance for Students Act, may be advanced two or more stages in one day;
- B. If Bill 26 has not yet been introduced, then immediately following the passage of this motion, the Assembly shall revert to Introduction of Bills for the introduction of Bill 26, Assurance for Students Act.

A debate followed.

The question being put, the motion was agreed to.

Government Bills and Orders/Private Bills

Second Reading

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

Bill 26 Assurance for Students Act — Hon. Mr. Johnson

A debate followed.

Mr. Eggen, Hon. Member for Edmonton-Calder, moved that the motion be amended by deleting all of the words after “that” and substituting the following:

Bill 26, Assurance for Students Act, be not now read a Second time but that the subject matter of the Bill be referred to the Standing Committee on Families and Communities in accordance with Standing Order 74.2.

A debate followed on the amendment.

The question being put, the amendment was defeated.

The following Bills were read a Second time and referred to Committee of the Whole:

Bill 26 Assurance for Students Act — Hon. Mr. Johnson

Bill 207 Human Tissue and Organ Donation Amendment Act, 2013 — Mr. Webber

Third Reading

The following Bill was read a Third time and passed:

Bill 25 Children First Act (\$) — Hon. Mr. Hancock

Second Reading

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

Bill Pr1 Church of Jesus Christ of Latter-day Saints in Canada Act — Mr. Dorward

Adjournment

On motion by Hon. Mr. Hancock, Government House Leader, the Assembly adjourned at 5:56 p.m. until 7:30 p.m.

TUESDAY, MAY 14, 2013 — 7:30 P.M.

Government Bills and Orders/Private Bills

Mr. Donovan, Hon. Member for Little Bow, requested and received the unanimous consent of the Assembly to reduce the interval between division bells to one minute during Second Reading and Committee of the Whole.

Second Reading

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

Bill Pr2 Wild Rose Agricultural Producers Amendment Act, 2013 —
Mr. McDonald

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)

The following Bill was taken under consideration:

Bill 22 Aboriginal Consultation Levy Act (\$) — Hon. Mr. Campbell

Ms Smith, Hon. Leader of the Official Opposition, moved that the Bill be amended in section 7(1) by adding “as well as a list of the recipients of the grants for each project” after “audited financial statements of the Fund”.

The question being put, the amendment was defeated. With Mr. Rogers at the Table, the names being called for were taken as follows:

For the amendment: 12

Anglin	Fox	Saskiw
Bilous	Hale	Smith
Blakeman	Mason	Stier
Donovan	McAllister	Towle

Against the amendment: 30

Allen	Fawcett	Lukaszuk
Amery	Fenske	McQueen
Brown	Griffiths	Oberle
Campbell	Jansen	Olesen
Cao	Jeneroux	Olson
Casey	Johnson (Calgary-Glenmore)	Pastoor
Dallas	Kennedy-Glans	Quest
Denis	Khan	Scott
Dorward	Kubinec	VanderBurg
Drysdale	Leskiw	Woo-Paw

Ms Smith, Hon. Leader of the Official Opposition, moved that the Bill be amended by striking out section 8 and substituting the following:

8 The Minister may, in accordance with the regulations, require a proponent to provide the Minister with information related to aboriginal traditional land use studies for one or both of the following purposes:

- (a) to assist in determining the amount of funds to be provided to First Nations and other identified aboriginal groups;
- (b) to plan and facilitate any required Crown consultation in respect of regulated provincial activities that are occurring in the areas under development.

The question being put, the amendment was defeated. With Mr. Rogers at the Table, the names being called for were taken as follows:

For the amendment: 13

Anglin	Fox	Saskiw
Bilous	Hale	Smith
Blakeman	Mason	Stier
Donovan	McAllister	Towle
Eggen		

Against the amendment: 31

Allen	Fenske	McQueen
Amery	Griffiths	Oberle
Brown	Jansen	Olesen
Campbell	Jeneroux	Olson
Cao	Johnson (Calgary-Glenmore)	Pastoor
Casey	Kennedy-Glans	Quest
Dallas	Khan	Scott
Denis	Kubinec	VanderBurg
Dorward	Leskiw	Woo-Paw
Drysdale	Lukaszuk	Young
Fawcett		

Mr. Bilous, Hon. Member for Edmonton-Beverly-Clareview, moved that the Bill be amended in section 4 by striking out subsection (3) and substituting the following:

- (3) The Minister may only use the Fund for the following purposes:
 - (a) to pay all of the costs incurred by First Nations and identified aboriginal groups with respect to consultation;
 - (b) to make grants in accordance with the regulations to First Nations and identified aboriginal groups to assist them in developing capacity to participate fully in all required Crown consultations in respect of provincial regulated activities; and
 - (c) to pay the costs of administering this Act.
- (4) The Consultation Levy Fund, and grants made from therein, cannot under any circumstance be construed as accommodation or compensation for infringements of Treaty or aboriginal rights.

The question being put, the amendment was defeated. With Mr. Rogers at the Table, the names being called for were taken as follows:

For the amendment: 12

Anglin	Fox	Saskiw
Bilous	Hale	Smith
Blakeman	Mason	Stier
Eggen	McAllister	Towle

Against the amendment: 31

Allen	Fawcett	McQueen
Amery	Fenske	Oberle
Brown	Jansen	Olesen
Campbell	Jeneroux	Olson
Cao	Johnson (Calgary-Glenmore)	Pastoor
Casey	Kennedy-Glans	Quest
Dallas	Khan	Scott
Denis	Kubinec	VanderBurg
Donovan	Leskiw	Woo-Paw
Dorward	Lukaszuk	Young
Drysdale		

Mr. Bilous, Hon. Member for Edmonton-Beverly-Clareview, moved that the Bill be amended in section 10 as follows:

A. By striking out clause (d) and substituting the following:

- (d) respecting the amount or the method of determining the amount of a consultation levy in consultation with First Nations and other identified aboriginal groups, including, without limitation, regulations
 - (i) prescribing factors on the basis of which a consultation levy is determined,
 - (ii) respecting any formula, ratio or percentage to be used to calculate a consultation levy, and
 - (iii) establishing different consultation levies for different types of provincial regulated activities.

B. By striking out clause (k).

The question being put, the amendment was defeated. With Mr. Rogers at the Table, the names being called for were taken as follows:

For the amendment: 11

Anglin	Fox	Smith
Bilous	Hale	Stier
Blakeman	Mason	Towle
Eggen	Saskiw	

Against the amendment: 30

Allen	Fawcett	McQueen
Amery	Fenske	Oberle
Brown	Fraser	Olesen
Campbell	Jansen	Olson
Cao	Jeneroux	Pastoor
Casey	Johnson (Calgary-Glenmore)	Quest
Dallas	Kennedy-Glans	Scott
Denis	Kubinec	VanderBurg
Dorward	Leskiw	Woo-Paw
Drysdale	Lukaszuk	Young

Ms Smith, Hon. Leader of the Official Opposition, moved that the Bill be amended:

A. in section 1(1) by striking out clause (f) and substituting the following:

(f) “identified aboriginal group” means “aboriginal peoples of Canada”, as defined in section 35(2) of the Constitution Act, 1982, in the Province of Alberta;

B. by striking out section 2.

The question being put, the amendment was defeated. With Mr. Rogers at the Table, the names being called for were taken as follows:

For the amendment: 10

Anglin	Hale	Smith
Blakeman	Mason	Stier
Eggen	Saskiw	Towle
Fox		

Against the amendment: 33

Allen	Fawcett	Lukaszuk
Amery	Fenske	McQueen
Brown	Fraser	Oberle
Campbell	Griffiths	Olesen
Cao	Jansen	Olson
Casey	Jeneroux	Pastoor
Dallas	Johnson (Calgary-Glenmore)	Quest
DeLong	Kennedy-Glans	Scott
Denis	Khan	VanderBurg
Dorward	Kubinec	Woo-Paw
Drysdale	Leskiw	Young

Ms Smith, Hon. Leader of the Official Opposition, moved that the Bill be amended in section 1 by striking out subsection (2).

The question being put, the amendment was defeated. With Mr. Rogers at the Table, the names being called for were taken as follows:

For the amendment: 10

Anglin	Hale	Smith
Blakeman	Mason	Stier
Eggen	Saskiw	Towle
Fox		

Against the amendment: 31

Allen	Fawcett	McQueen
Amery	Fenske	Oberle
Brown	Fraser	Olesen
Campbell	Jansen	Olson
Cao	Johnson (Calgary-Glenmore)	Pastoor
Casey	Kennedy-Glans	Quest
Dallas	Khan	Scott
DeLong	Kubinec	VanderBurg
Denis	Leskiw	Woo-Paw
Dorward	Lukaszuk	Young
Drysdale		

Ms Smith, Hon. Leader of the Official Opposition, moved that the Bill be amended by renumbering section 2 as section 2(1) and by adding the following after subsection (1):

(2) For greater certainty, a Minister's order identifying an aboriginal group under subsection (1) does not constitute recognition for any purpose beyond the scope of this Act nor shall it be interpreted as bestowing any other rights or benefits.

The question being put, the amendment was defeated. With Mr. Rogers at the Table, the names being called for were taken as follows:

For the amendment: 10

Anglin	Hale	Smith
Blakeman	Mason	Stier
Eggen	Saskiw	Towle
Fox		

Against the amendment: 30

Allen	Fenske	Oberle
Amery	Jansen	Olesen
Campbell	Jeneroux	Olson
Casey	Johnson (Calgary-Glenmore)	Pastoor
Dallas	Kennedy-Glans	Quest
DeLong	Khan	Scott
Denis	Kubinec	VanderBurg
Dorward	Leskiw	Woo-Paw
Drysdale	Lukaszuk	Xiao
Fawcett	McQueen	Young

Ms Smith, Hon. Leader of the Official Opposition, moved that the Bill be amended by striking out section 9.

The question being put, the amendment was defeated. With Mr. Rogers at the Table, the names being called for were taken as follows:

For the amendment: 11

Anglin	Hale	Smith
Blakeman	Mason	Stier
Eggen	McAllister	Towle
Fox	Saskiw	

Against the amendment: 30

Allen	Fawcett	Oberle
Amery	Fenske	Olesen
Brown	Hughes	Olson
Campbell	Jansen	Pastoor
Cao	Johnson (Calgary-Glenmore)	Quadri
Casey	Kennedy-Glans	Quest
DeLong	Khan	Scott
Denis	Kubinec	VanderBurg
Dorward	Lukaszuk	Woo-Paw
Drysdale	McQueen	Young

Ms Smith, Hon. Leader of the Official Opposition, moved that the Bill be amended in section 1(1)(j) by striking out subclause (viii).

The question being put, the amendment was defeated. With Mr. Rogers at the Table, the names being called for were taken as follows:

For the amendment: 12

Anglin	Fox	Saskiw
Blakeman	Hale	Smith
Donovan	Mason	Stier
Eggen	McAllister	Towle

Against the amendment: 30

Allen	Fawcett	Oberle
Amery	Fenske	Olesen
Brown	Hughes	Olson
Campbell	Jansen	Quadri
Cao	Johnson (Calgary-Glenmore)	Quest
Casey	Kennedy-Glans	Scott
DeLong	Khan	VanderBurg
Denis	Kubinec	Woo-Paw
Dorward	Lukaszuk	Xiao
Drysdale	McQueen	Young

Ms Smith, Hon. Leader of the Official Opposition, moved that the Bill be amended in section 10:

- (a) by renumbering it as section 10(1);
- (b) in subsection (1)(d) by adding “Subject to subsection (2),” before “respecting the amount”;
- (c) by adding the following after subsection (1):
 - (2) Prior to any regulation made pursuant to subsection (1)(d), the Crown must negotiate the amount among First Nations and identified aboriginal groups and industry representatives.

The question being put, the amendment was defeated. With Mr. Rogers at the Table, the names being called for were taken as follows:

For the amendment: 9

Anglin	Hale	Smith
Donovan	McAllister	Stier
Fox	Saskiw	Towle

Against the amendment: 31

Allen	Fawcett	Mason
Amery	Fenske	Oberle
Blakeman	Hughes	Olesen
Brown	Jansen	Olson
Campbell	Jeneroux	Quadri
Cao	Johnson (Calgary-Glenmore)	Quest
Casey	Kennedy-Glans	Scott
Denis	Khan	VanderBurg
Dorward	Kubinec	Xiao
Drysdale	Lukaszuk	Young
Eggen		

Ms Smith, Hon. Leader of the Official Opposition, moved that the Bill be amended by adding the following after section 10:

10.1 Before introducing an amendment in the Assembly or making a regulation under section 10, the Minister must

- (a) provide First Nations and other identified aboriginal groups with notice in writing and a copy of the proposed regulation or amendment as the case may be, and
- (b) give due consideration to written suggestions about the regulation or amendment that are received from the First Nations and identified aboriginal groups within 45 days of the notice.

The question being put, the amendment was defeated. With Mr. Rogers at the Table, the names being called for were taken as follows:

For the amendment: 9

Anglin	Eggen	Saskiw
Blakeman	Hale	Smith
Donovan	McAllister	Towle

Against the amendment: 28

Allen	Fenske	Oberle
Amery	Hughes	Olesen
Brown	Jansen	Olson
Campbell	Jeneroux	Quadri
Cao	Johnson (Calgary-Glenmore)	Quest
Casey	Kennedy-Glans	Scott
Denis	Khan	VanderBurg
Dorward	Kubinec	Xiao
Drysdale	Lukaszuk	Young
Fawcett		

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

The following Bills were reported:

Bill 22 Aboriginal Consultation Levy Act (\$) — Hon. Mr. Campbell

Bill 26 Assurance for Students Act — Hon. Mr. Johnson

The following Bills were reported with some amendments:

Bill Pr1 Church of Jesus Christ of Latter-day Saints in Canada Act — Mr. Dorward

Bill Pr2 Wild Rose Agricultural Producers Amendment Act, 2013 — Mr. McDonald

Mr. Amery, 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 22 (A1) (Hon. Leader of the Official Opposition) —
Defeated on division

Sessional Paper 886/2012-13

Amendment to Bill 22 (A2) (Hon. Leader of the Official Opposition) —
Defeated on division

Sessional Paper 887/2012-13

Amendment to Bill 22 (A3) (Hon. Member for Edmonton-Beverly-
Clareview) — Defeated on division

Sessional Paper 888/2012-13

Amendment to Bill 22 (A4) (Hon. Member for Edmonton-Beverly-
Clareview) — Defeated on division

Sessional Paper 889/2012-13

Amendment to Bill 22 (A5) (Hon. Leader of the Official Opposition) —
Defeated on division

Sessional Paper 890/2012-13

Amendment to Bill 22 (A6) (Hon. Leader of the Official Opposition) —
Defeated on division

Sessional Paper 891/2012-13

Amendment to Bill 22 (A7) (Hon. Leader of the Official Opposition) —
Defeated on division

Sessional Paper 892/2012-13

Amendment to Bill 22 (A8) (Hon. Leader of the Official Opposition) —
Defeated on division

Sessional Paper 893/2012-13

Amendment to Bill 22 (A9) (Hon. Leader of the Official Opposition) —
Defeated on division

Sessional Paper 894/2012-13

Amendment to Bill 22 (A10) (Hon. Leader of the Official Opposition) —
Defeated on division

Sessional Paper 895/2012-13

Amendment to Bill 22 (A11) (Hon. Leader of the Official Opposition) —
Defeated on division

Sessional Paper 896/2012-13

Amendment to Bill Pr2 (A1) (Hon. Member for Calgary-Glenmore on behalf of the Hon. Member for Grande Prairie-Smoky) — Agreed to
Sessional Paper 897/2012-13

Amendment to Bill Pr1 (A1) (Hon. Member for Edmonton-Gold Bar) — Agreed to
Sessional Paper 898/2012-13

Adjournment

On motion by Hon. Mr. Campbell, Deputy Government House Leader, the Assembly adjourned at 12:38 a.m., Wednesday, May 15, until 1:30 p.m.

Hon. Gene Zwozdesky,
Speaker

Title: Tuesday, May 14, 2013