



**Legislative Assembly
Province of Alberta**

No. 67

VOTES AND PROCEEDINGS

First Session

Twenty-Eighth Legislature

Monday, November 18, 2013

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 Member Dr. Charles Robert Elliot, Member for Grande Prairie, 1982 to 1993, who passed away on October 14, 2013.

Members' Statements

Mr. Quadri, Hon. Member for Edmonton-Mill Woods, made a statement regarding the devastation to the people of the Philippines caused by Typhoon Haiyan on November 7, 2013, and the Government's commitment to provide assistance to the relief and recovery efforts by matching Albertans' donations to the Canadian Red Cross up to \$500,000.

Mr. Barnes, Hon. Member for Cypress-Medicine Hat, made a statement regarding a report concerning the infrastructure priorities of Albertans entitled "A Better Way to Build Alberta."

Mr. Jeneroux, Hon. Member for Edmonton-South West, made a statement recognizing November 17 to 23, 2013, as National Bullying Awareness Week.

Ms Olesen, Hon. Member for Sherwood Park, made a statement recognizing the needs of communities and the important role of the men and women who serve in municipal government.

Ms Kennedy-Glans, Hon. Member for Calgary-Varsity, made a statement regarding a meeting of the Pacific North West Economic Region (PNWER) recently held in Banff.

Mr. Hehr, Hon. Member for Calgary-Buffalo, made a statement recognizing November 20, 2013, as the International Transgender Day of Remembrance.

Hon. Mr. Denis, Deputy 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.

Tabling Returns and Reports

Hon. Dr. Starke, Minister of Tourism, Parks and Recreation:

Responses to questions raised by Mr. Strankman, Hon. Member for Drumheller-Stettler, Mr. Kang, Hon. Member for Calgary-McCall, Mr. Eggen, Hon. Member for Edmonton-Calder, and Mrs. Towle, Hon. Member for Innisfail-Sylvan Lake, on March 20, 2013, Ministry of Tourism, Parks, and Recreation, Main Estimates debate

Sessional Paper 1108/2012-13

Mr. Cao, Chair, Standing Committee on Legislative Offices, pursuant to the Election Finances and Contributions Disclosure Act, cE-2, s4(2):

2012 Annual Report of the Chief Electoral Officer for the 2012 Calendar Year

Sessional Paper 1109/2012-13

Mr. Allen, Hon. Member for Fort McMurray-Wood-Buffalo:

Report entitled "Pathways, Syncrude Canada Ltd. Aboriginal Review 2013"

Sessional Paper 1110/2012-13

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

Environment Canada website facility disposal details for Coal Valley Resources Inc./Obed Mine for the years 2010, 2011, and 2012

Sessional Paper 1111/2012-13

Mr. Hehr, Hon. Member for Calgary-Buffalo:

Report entitled "Every Class in Every School, Egale's Final Report on Homophobia, Biphobia, and Transphobia in Canadian Schools," prepared by Egale Canada

Sessional Paper 1112/2012-13

Copies of two issues of Trans PULSE E-Bulletin dated November 12, 2010, and May 30, 2011

Sessional Paper 1113/2012-13

Email message dated April 25, 2013, from Kristen Read of Calgary suggesting the Government reverse its decision to cut \$42 million in funding to supports for people with disabilities

Sessional Paper 1114/2012-13

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

100 handwritten postcards and notes, several from the Coalition for Action on Post-Secondary Education, expressing opposition to post-secondary education funding cuts

Sessional Paper 1115/2012-13

Hon. Mr. Zwozdesky, Speaker of the Legislative Assembly, pursuant to the Ombudsman Act, cO-8, s28:

Alberta Ombudsman, Annual Report 2012-2013

Sessional Paper 1116/2012-13

Speaker's Ruling - Order of Precedence

Honourable Members, during Tabling Returns and Reports on our last sitting day, which I believe was around November 7, if memory serves me correctly, right before the constituency week break, I tabled in the House a letter from the Hon. Member for Calgary-Currie, in which she requested that her Bill 206 proceed directly to Third Reading today, once it has completed consideration in Committee of the Whole. As I noted on that day, this request is actually hypothetical at this point since there are still 68 minutes remaining for consideration of Bill 206 at the Committee stage.

I also noted that in my view as your Chair I have a concern about this matter. I indicated that "in order for this bill to proceed to Third Reading today, I would suggest that unanimous consent of the House be required so as to not unduly prejudice other Members in the progress of their Private Members' Bills." Your Chair fully acknowledges that there have been a number of occasions when Private Members' Bills have proceeded from Committee of the Whole to Third Reading on the same day. In some instances there were requests from the Bill's sponsor for early consideration. In other cases unanimous consent of the House was requested, and in fact it was received.

Honourable Members, I have taken some considerable time to review the precedents of this Assembly as well as rulings of previous Speakers on this topic. Suffice it to say that the matter of requesting early consideration has been an issue that both I as your current Speaker and my immediate predecessor have repeatedly requested House Leaders' attention to and review of with respect to procedural policy. The specific question to the House Leaders would be for them to please review whether or not they can put in place a procedural policy that is equitable for all matters should the issue of early consideration for a Private Member's Bill arise again.

I would refer Members to Speakers' rulings from November 26, 2012, at page 1003 of Hansard; November 23, 2009, at page 1940 of Hansard; and December 1, 2003, at page 1968 of Hansard. I would like to cite from a November 27, 2001, ruling from Speaker Kowalski, at page 1285 of Hansard, where he commented on a similar situation where a request for early consideration of a Bill at Third Reading was submitted before the Bill had actually reached that stage:

Taken to the extreme, this practice could jeopardize the legitimacy of the draw by considering one Member's Bill early by virtue of one request, thereby prejudicing other Members.

Your Chair is concerned that these requests may unfairly delay the ability of other Members to bring forward their Bills for consideration by the Assembly, and, in this case, this would have the result of Bill 206 taking precedence over other Bills for two consecutive weeks. In the absence of any House Leaders' agreement or understanding on this subject, it is my view that requests for early consideration of a Private Member's Bill should not be submitted until the Bill has actually reached the stage for which early consideration is being sought.

Now, this has not been referenced before, so I am referencing it for you from my point of view for the first time. For instance, a request for early consideration at the Committee stage should not be made until the Bill in question has actually passed Second Reading because we cannot foretell what the House may do at any given stage of any particular Bill, much less whether there would be amendments and the like to be considered. If we were to follow something more rigid, shall we say, this would avoid scenarios such as what we have before us today with the request for Bill 206.

In conclusion, I want to emphasize that my ruling on this today does not mean that Bill 206 is prohibited from proceeding to Third Reading this afternoon. That will be up to you to decide. Rather, it simply means that consent of the House is required for this to occur. That is what I mean by it being up to you.

In the Chair's view, this process will be much more fair for all Private Members and will leave any decision about early consideration for Third Reading up to the Assembly itself. That being said, I would anticipate that the Member for Calgary-Currie may wish to exercise her right to ask for early consideration when the appropriate time comes up, that would be after the Committee of the Whole stage, assuming there is success at that stage, of course, or someone else on her behalf, but, thereafter, perhaps we could ask the House Leaders to do as I have requested earlier in my comment. Thank you very much for your attention to that.

ORDERS OF THE DAY

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 206 Tobacco Reduction (Flavoured Tobacco Products) Amendment Act, 2012
— Ms Cusanelli

The question was put on the remaining clauses of the Bill, which was agreed to. With Mrs. Jablonski at the Table, the names being called for were taken as follows:

For the motion: 45

Amery	Horne	Olson
Bhullar	Horner	Pastoor
Bilous	Hughes	Quadri
Brown	Jeneroux	Quest
Calahasen	Johnson ^(Athabasca-Sturgeon-Redwater)	Rodney
Cao	Kennedy-Glans	Rowe
Casey	Khan	Sarich
Cusanelli	Klimchuk	Scott
Denis	Kubinec	Starke
Dorward	Lemke	Stier
Eggen	Leskiw	Swann
Fenske	Luan	Towle
Forsyth	McDonald	VanderBurg
Fraser	Oberle	Woo-Paw
Hancock	Olesen	Xiao

Against the motion: 2

Saskiw Strankman

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

The following Bill was reported with some amendments:

Bill 206 Tobacco Reduction (Flavoured Tobacco Products) Amendment Act, 2013
— Ms Cusanelli

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 206 (A1-SA2) (Hon. Member for Lac La Biche-St. Paul-Two Hills) — Defeated

Sessional Paper 1117/2012-13

Amendment to Bill 206 (A1) (introduced by the Hon. Member for Calgary-Currie on November 4, 2013) — Agreed to

Sessional Paper 1041/2012-13

Ms Fenske, Hon. Member for Fort Saskatchewan-Vegreville, requested the unanimous consent of the Assembly to waive Standing Order 77(1) to allow for Third Reading consideration of Bill 206, Tobacco Reduction (Flavoured Tobacco Products) Amendment Act, 2013.

Unanimous consent was not granted.

Second Reading

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

Bill 208 Seniors' Advocate Act — Mrs. Towle

A debate followed.

Debate adjourned, Mr. Eggen speaking.

Motions Other Than Government Motions

515. Moved by Mr. Anglin (amended):

Be it resolved that the Legislative Assembly urge the Government to *establish a working group to review whether decisions made by the Alberta Health Care Insurance Plan and the Out-of-Country Health Services Committee are ensuring that there is adequate coverage for Albertans for their legitimate out of province health care.*

A debate followed.

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

For the motion: 5

Anglin	Rowe	Towle
Hale	Strankman	

Against the motion: 31

Amery	Jeneroux	Olson
Bhullar	Johnson(Athabasca-Sturgeon-Redwater)	Pastoor
Brown	Khan	Quadri
Cao	Klimchuk	Quest
Casey	Kubinec	Rodney
Dorward	Lemke	Sarich
Fenske	Leskiw	Scott
Fraser	Luan	VanderBurg
Horne	McIver	Woo-Paw
Horner	Olesen	Xiao
Hughes		

Adjournment

The Acting Speaker adjourned the Assembly at 6:12 p.m. until 7:30 p.m.

MONDAY, NOVEMBER 18, 2013 — 7:30 P.M.

Government Bills and Orders

Second Reading

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

Bill 33 Tobacco Reduction Amendment Act, 2013 — Hon. Mr. Rodney

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

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

Bill 38 Statutes Amendment Act, 2013 (No. 2) (\$) — Hon. Mr. Denis

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

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

Bill 37 Statutes Repeal Act (\$) — Hon. Mr. Denis

A debate followed.

Debate adjourned.

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

Bill 32 Enhancing Safety on Alberta Roads Act — Hon. Mr. McIver

Third Reading

The following Bill was read a Third time and passed:

Bill 31 Protecting Alberta's Environment Act (\$) — Hon. Mrs. McQueen

Second Reading

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

Bill 43 Alberta Economic Development Authority Amendment Act, 2013 — Hon.
Mr. Lukaszuk

A debate followed.

Hon. Mr. Denis 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 41 Premier's Council on the Status of Persons with Disabilities Amendment Act, 2013 — Hon. Mr. Oberle

Adjournment

On motion by Hon. Mr. Denis, Deputy Government House Leader, the Assembly adjourned at 9:36 p.m. until Tuesday, November 19, 2013, at 1:30 p.m.

Hon. Gene Zwozdesky,
Speaker

Title: Monday, November 18, 2013