



**Legislative Assembly  
Province of Alberta**

No. 76

## **VOTES AND PROCEEDINGS**

First Session

Twenty-Eighth Legislature

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Tuesday, December 3, 2013

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

### **Members' Statements**

Mr. Khan, Hon. Member for St. Albert, made a statement regarding the United Association of Plumbers and Pipefitters Local Union 488 and the Alberta Pipe Trades College.

Ms Smith, Hon. Leader of the Official Opposition, made a statement regarding the seniors' long-term care centre promised for Fort McMurray which has been delayed for almost six years.

Mr. Dorward, Hon. Member for Edmonton-Gold Bar, made a statement regarding the Northern Alberta Institute of Technology Centre for Applied Technologies currently being built in Edmonton.

Ms Cusanelli, Hon. Member for Calgary-Currie, made a statement regarding recently passed legislation that will protect youth from the harmful effects of smoking.

Mr. Cao, Hon. Member for Calgary-Fort, made a statement regarding the work of the all-party Standing Committee on Legislative Offices, the need to recognize the impartiality and independence of all Legislative Officers, and thanking Karen Sawchuk, Committee Clerk, the Clerk of the Legislative Assembly, and the Legislative Officers and their staff for the work they do.

Mr. Wilson, Hon. Member for Calgary-Shaw, made a statement regarding the value and importance of the selfless work of foster parents.

## **Speaker's Statement – Distribution of Documents in the House**

Honourable Members, I want to take this opportunity to summon your attention to remind you of something that is very important for all of you to be reminded about, and that is regarding the protocol for distributing or making available certain documents and other items to Members, to your colleagues in this House. Now, should you, as a Member, want to distribute to Members in the Assembly, let us call it extraneous materials, materials that are not the property of the House, in other words, or part of the deliberations in debates, such as amendments, and that type of thing, those kind of materials require the prior approval of your Speaker.

This a long-standing tradition, and I realize some have not been here that long, but you should all be reminded that it is a long-standing tradition for you to observe. It is simply not appropriate for any Member to request a Page to distribute materials without prior approval of the Speaker.

This protocol was confirmed in a ruling by my predecessor, Honourable Ken Kowalski, in this Assembly on February 23, 2010, which is available at Alberta Hansard at pages 247 and 250, mostly the latter.

Some documents to which your Speaker will have given approval for distribution are normally placed on Members' desks, while other items such as ribbons, pins, brochures, leaflets, and so on can be placed in baskets at either of our two entrance doors to my left and to my right, and then it is up to individual Members to decide whether they want to pick up the pin and wear it or pick up the brochure and read it or pick up the ribbon and put it on. Members have that choice.

We have many good causes that are supported by these kinds of symbols and materials, everything from cancer to MS to education to children to seniors. The list is endless. We have been very accommodating and very lenient in allowing that to take place, and I don't think any of us would want to lose that leniency. Let us remember that this practice of using the baskets will continue. If you have anything else that you want distributed to all other Members, you might want to use the mailroom. It gets there just as quickly to all other Members.

Similarly, it would not be appropriate for any one of you to walk from desk to desk and put material there. This was tried a few years back, and that was curtailed as well. I only mention that as a friendly reminder.

Please, let us not lose this privilege that we have to share things that we find are important to us or to advertise important events to our colleagues. Let's be mindful of that rule. Thank you very, very much.

## **Privilege – Refer Speaker’s Finding to the Standing Committee on Privileges and Elections, Standing Orders and Printing**

Ms Notley, Hon. Member for Edmonton-Strathcona, gave oral notice of her intention to move, pursuant to Standing Order 15(6), that the Legislative Assembly refer to the Standing Committee on Privileges and Elections, Standing Orders and Printing the deliberation and consideration of the Speaker’s finding on December 2, 2013, of a prima facie case of breach of privilege and the determination of an appropriate remedy.

## **Tabling Returns and Reports**

Hon. Mr. Rodney, Associate Minister of Wellness, on behalf of Hon. Mr. Horne, Minister of Health, pursuant to the Health Professions Act, cH-7, s4(2):

Alberta College of Pharmacists, 2012-2013 Annual Report  
Sessional Paper 1203/2012-13

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

155 letters, undated, from members of the Campus Saint-Jean community to Hon. Mr. Lukaszuk, Deputy Premier and Minister of Enterprise and Advanced Education, regarding a federal funding agreement on official languages in the area of education that is supported by the Government of Alberta  
Sessional Paper 1204/2012-13

Hon. Mr. Denis, Minister of Justice and Solicitor General, pursuant to the Legal Profession Act, cL-8, s5(4):

Law Society of Alberta, 2012 Annual Accountability Report  
Sessional Paper 1205/2012-13

Ms Notley, Hon. Member for Edmonton-Strathcona:

Copy of a petition signed by over 1,000 Albertans regarding the Budget 2013 \$42 million funding cut from Community Access Programs for persons with developmental disabilities  
Sessional Paper 1206/2012-13

Hon. Mr. Hancock, Government House Leader, on behalf of Hon. Ms Redford, Premier:

Email message dated September 4, 2013, from Darren Cunningham to several addressees regarding the Government posting signage at flood-affected infrastructure projects, relating to comments made by Hon. Ms Redford during Oral Question Period on December 3, 2013  
Sessional Paper 1207/2012-13

Hon. Mr. Lukaszuk, Deputy Premier and Minister of Enterprise and Advanced Education:

Excerpt from the Government of Alberta Corporate Identity Manual dated October 2013 regarding signage

Sessional Paper 1208/2012-13

**Privilege – Refer Speaker’s Finding to the Standing Committee on Privileges and Elections, Standing Orders and Printing**

Honourable Members, the Honourable Member for Edmonton-Strathcona has provided notice of a motion that she proposed to move, pursuant to Standing Order 15(6), concerning the ruling that your Speaker made yesterday wherein a prima facie question of privilege was found. This motion, at the outset, is out of order under Standing Order 48 for the reasons outlined by the Chair yesterday and reasons that you can find at page 3234 of Alberta Hansard. My comments came in response to requests for clarification from the Official Opposition House Leader and also from the Member for Edmonton-Calder. Your Chair was very clear, abundantly clear, in ruling that the apology by the Deputy Premier concluded the matter and that any forthcoming motion to pursue this particular point of privilege, such as the one we have before us today, would not be in order. That was made very clear yesterday, and that ended the matter. The Chair does not want to engage in any debate on this point.

However, if Members are interested in references and authorities, they can refer to a 1993 incident in this Assembly, where Speaker Schumacher ruled on the effect of an apology at pages 463 and 464 of Alberta Hansard for September 23, 1993. The Chair would also like to update a quotation from Joseph Maingot. His book Parliamentary Privilege in Canada was relied upon by Speaker Schumacher and found in his ruling at page 464 of Alberta Hansard for that day. That statement is now found on page 267 of the second edition of that book by Maingot, and it states, “An apology by the offending Member will invariably close the matter without the necessity of putting the motion to a vote.”

It has been a longstanding tradition that when there is an offence or an impropriety or a point of order or some such thing and the Member is asked about it and then chooses to apologize, the House accepts the apology or, in some cases, an apology and a withdrawal, depending on the nature of the point, and that concludes the matter if it is accepted, and that was accepted yesterday.

I will conclude, simply, with this. The Member for Edmonton-Strathcona’s motion is out of order for the reasons that I have outlined, and the matter concerning the contempt of the Assembly related to the brochure that was the subject of that prima facie question and was produced by the Government of Alberta was also concluded in totality yesterday. To repeat myself, what I said at the end of the ruling yesterday you can look up and find on page 3234 of Alberta Hansard where I said, “That concludes this matter.” That ends it.

## **ORDERS OF THE DAY**

### **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)

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

The following Bill was reported:

Bill 36 Appropriation (Supplementary Supply) Act, 2013 (No. 2) (\$) — Hon. Mr. Horner

Progress was reported on the following Bills:

Bill 45 Public Sector Services Continuation Act — Hon. Mr. Hancock

Bill 46 Public Service Salary Restraint Act — Hon. Mr. Horner

### **Government Motions**

**50.** Moved by Hon. Mr. Hancock

Be it resolved that when further consideration of Bill 45, Public Sector Services Continuation Act, is resumed, not more than two hours 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.

Pursuant to Standing Order 21(3), Mr. Anderson commented on the time allocation motion.

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

For the motion: 37

Bhardwaj	Horner	Olson
Bhullar	Hughes	Pastoor
Brown	Jansen	Quadri
Calahasen	Kennedy-Glans	Rodney
Cao	Klimchuk	Sarich
Casey	Kubinec	Scott
Cusanelli	Lemke	Starke
Dallas	Leskiw	VanderBurg
Denis	McDonald	Webber
Dorward	McQueen	Woo-Paw
Fenske	Oberle	Xiao
Fritz	Olesen	Young
Hancock		

Against the motion: 10

Anderson	Fox	Pedersen
Bikman	Hehr	Strankman
Bilous	Mason	Wilson
Blakeman		

Hon. Mr. Hancock, Government House Leader, requested and received the unanimous consent of the Assembly to reduce the interval between division bells to one minute for the remainder of the afternoon sitting.

### **Privilege - Time Allocation Motions**

Mr. Mason, Hon. Member for Edmonton-Highlands-Norwood, raised a purported question of privilege under Standing Order 15 regarding the use of time allocation motions for Committee of the Whole consideration of two Bills before the Assembly.

The Deputy Speaker heard from Mr. Anderson, Mr. Hehr, and Hon. Mr. Hancock

The Deputy Speaker ruled that there was no prima facie question of privilege.

### **Government Motions**

**53.** Moved by Hon. Mr. Hancock

Be it resolved that when further consideration of Bill 46, Public Service Salary Restraint Act, is resumed, not more than two hours 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.

Pursuant to Standing Order 21(3), Hon. Mr. Hancock and Mr. Wilson commented on the time allocation motion.

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

For the motion: 33

Bhardwaj	Hancock	Oberle
Brown	Horner	Olesen
Calahasen	Hughes	Pastoor
Cao	Jansen	Quadri
Casey	Kennedy-Glans	Rodney
Cusanelli	Klimchuk	Sarich
Dallas	Kubinec	Scott
Denis	Lemke	Starke
Dorward	Leskiw	VanderBurg
Fenske	McDonald	Woo-Paw
Fritz	McQueen	Xiao

Against the motion: 11

Bikman	Hehr	Saskiw
Bilous	Mason	Strankman
Blakeman	Pedersen	Wilson
Fox	Rowe	

## **Government Bills and Orders**

### **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)

### **Adjournment**

Pursuant to Standing Order 4(4), the Committee recessed at 6:00 p.m. until 7:30 p.m.

TUESDAY, DECEMBER 3, 2013 — 7:30 P.M.

## **Government Bills and Orders**

### **Committee of the Whole**

(Assembly in Committee)

During debate on Amendment A1 to Bill 45, Public Sector Services Continuation Act, Hon. Mr. Denis, Deputy Government House Leader, requested and received the unanimous consent of the Assembly to reduce the interval between division bells to one minute.

The following Bill was taken under consideration:

Bill 46 Public Service Salary Restraint Act — Hon. Mr. Horner

After sometime spent therein, the question was put that Bill 46, Public Service Salary Restraint Act, be reported, which was agreed to. With Mr. Rogers at the Table, the names being called for were taken as follows:

For the motion: 36

Bhardwaj	Hancock	Oberle
Brown	Horner	Olesen
Calahasen	Hughes	Pastoor
Cao	Jansen	Rodney
Casey	Jeneroux	Sarich
Cusanelli	Kennedy-Glans	Scott
Dallas	Klimchuk	Starke
DeLong	Kubinec	VanderBurg
Denis	Lemke	Webber
Dorward	Leskiw	Woo-Paw
Fenske	Lukaszuk	Xiao
Fritz	McDonald	Young

Against the motion: 8

Eggen	Kang	Stier
Fox	Notley	Swann
Hale	Rowe	

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

The following Bills were reported:

Bill 45 Public Sector Services Continuation Act — Hon. Mr. Hancock

Bill 46 Public Service Salary Restraint Act — Hon. Mr. Horner

The following Bill was reported with some amendments:

Bill 28 Enabling Regional Growth Boards Act — Hon. Mr. Griffiths

Mr. Bhardwaj, 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 45 (A1) (Hon. Member for Cardston-Taber-Warner) —  
Defeated

Sessional Paper 1209/2012-13

Amendment to Bill 28 (A1A) (introduced by the Hon. Minister of  
Municipal Affairs on November 28, 2013) — Agreed to

Sessional Paper 1210/2012-13

Amendment to Bill 28 (A1B) (introduced by the Hon. Minister of  
Municipal Affairs on November 28, 2013) — Agreed to

Sessional Paper 1211/2012-13

Amendment to Bill 28 (A1C) (introduced by the Hon. Minister of  
Municipal Affairs on November 28, 2013) — Agreed to

Sessional Paper 1212/2012-13

Amendment to Bill 28 (A1D) (introduced by the Hon. Minister of  
Municipal Affairs on November 28, 2013) — Agreed to

Sessional Paper 1213/2012-13

## Government Motions

### 41. Moved by Hon. Mr. Hancock

Be it resolved that, pursuant to Standing Order 3(9), the 2013 Fall Sitting of the Assembly shall stand adjourned upon the Government House Leader advising the Assembly that the business for the sitting is concluded.

The question being put, the motion was agreed to.

### 55. Moved by Hon. Mr. Hancock

Be it resolved that:

1. A Select Special Ethics Commissioner Search Committee of the Legislative Assembly be appointed, consisting of the following Members, namely:

Rogers (Chair)	Eggen	Leskiw
Quadri (Deputy Chair)	Goudreau	McDonald
Blakeman	Lemke	Saskiw

for the purpose of inviting applications for the position of Ethics Commissioner and to recommend to the Assembly the applicant it considers most suitable to this position.

2. Reasonable disbursements by the Committee for advertising, staff assistance, equipment and supplies, rent, travel, and other expenditures necessary for the effective conduct of its responsibilities shall be paid, subject to the approval of the Chair.

3. In carrying out its responsibilities, the Committee may, with the concurrence of the head of the department, utilize the services of members of the public service employed in that department, and of the staff employed by the Assembly.
4. The Committee may, without leave of the Assembly, sit during a period when the Assembly is adjourned or prorogued and may continue performing its work in a subsequent session of the Assembly.
5. When its work has been completed, the Committee shall report to the Assembly if it is sitting but during a period when the Assembly is adjourned or prorogued, the Committee may release its report by depositing a copy with the Clerk and forwarding a copy to each Member of the Assembly.

A debate followed.

The question being put, the motion was agreed to.

## **Government Bills and Orders**

### **Second Reading**

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

Bill 42 Securities Amendment Act, 2013 — Hon. Mr. Horner

### **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)

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

The following Bill was reported:

Bill 44 Notaries and Commissioners Act — Ms Olesen

## **Adjournment**

On motion by Hon. Mr. Hancock, Government House Leader, the Assembly adjourned at 11:54 p.m. until Wednesday, December 4, 2013, at 1:30 p.m.

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Hon. Gene Zwozdesky,  
Speaker

Title: Tuesday, December 3, 2013