



**Legislative Assembly
Province of Alberta**

No. 5

VOTES AND PROCEEDINGS

Third Session

Twenty-Eighth Legislature

Monday, November 24, 2014

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

Speaker's Statement – Members' Anniversaries

The Speaker made a statement in recognition of the 10th anniversary of Mr. Rodney, Hon. Member for Calgary-Lougheed; Dr. Brown, Hon. Member for Calgary-Mackay-Nose Hill; Dr. Swann, Hon. Member for Calgary-Mountain View; Mr. Rogers, Hon. Member for Leduc-Beaumont; Ms Pastoor, Hon. Member for Lethbridge-East; and Hon. Mr. Oberle, Minister of Energy (Hon. Member for Peace River), who were elected to the Legislative Assembly on November 22, 2004. Each Member was presented with a 10-year Mace pin.

Members' Statements

Dr. Brown, Hon. Member for Calgary-Mackay-Nose Hill, made a statement recognizing the Canadian Armed Forces and those who are serving now and have served in the past for freedom and democracy in Canada.

Ms Smith, Hon. Leader of the Official Opposition, made a statement regarding several property owners' issues with the Disaster Recovery Program following the 2013 floods in southern Alberta.

Ms DeLong, Hon. Member for Calgary-Bow, made a statement regarding workplace sexual harassment and bullying.

Mr. Cao, Hon. Member for Calgary-Fort, made a statement regarding two recent memorial events in Calgary in recognition of Remembrance Day.

Mr. Casey, Hon. Member for Banff-Cochrane, made a statement regarding Kananaskis Country being a successful example of managing uses of public lands that both protect the environment and meet the needs of recreationalists and industry.

Dr. Swann, Hon. Member for Calgary-Mountain View, made a statement regarding child poverty in Alberta and the Alberta Liberals' belief that a progressive tax system would help establish a basic child benefit program.

Notices of Motions

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

Be it resolved that:

1. The 2013 Annual Report of the Alberta Property Rights Advocate Office be referred to the Standing Committee on Resource Stewardship for the purpose of conducting a review of the recommendations outlined in the Report;
2. The Committee also review the 2012 Annual Report of the Alberta Property Rights Advocate Office;
3. The Committee may, without leave of the Assembly, sit during a period when the Assembly is adjourned or prorogued;
4. In accordance with section 5(5) of the Property Rights Advocate Act, the Committee shall report back to the Legislative Assembly within 60 days of the Report being referred to it if the Assembly is then sitting or, if it is not then sitting, within 15 days after the commencement of the next sitting.

Tabling Returns and Reports

Ms DeLong, Hon. Member for Calgary-Bow, on behalf of Hon. Mr. Johnson, Minister of Seniors, pursuant to the Seniors Advisory Council for Alberta Act, cS-6, s7(2):

Seniors Advisory Council for Alberta, 2013-2014 Annual Report
Sessional Paper 35/2014

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

Press release dated November 13, 2014, entitled "Landowners Call For Expanded Role For Property Rights Advocate; Say Landowners Will Be Watching Next Week For The Premier's Promised Fixing of Property Rights," prepared by Grassroots Alberta

Sessional Paper 36/2014

Document, undated, entitled "Fixing Property Rights in Alberta – An Alberta Property Rights Protection Act"

Sessional Paper 37/2014

Ms Blakeman, Hon. Member for Edmonton-Centre:

Email message dated November 19, 2014, from Maurice Shank to Ms Blakeman, Hon. Member for Edmonton-Centre, congratulating Ms Blakeman for her support of the lesbian, gay, bisexual and transgender community

Sessional Paper 38/2014

Email message dated November 19, 2014, from Christie Traff to Ms Blakeman, Hon. Member for Edmonton-Centre, thanking Ms Blakeman for her work on Bill 202, Safe and Inclusive Schools Statutes Amendment Act, 2014

Sessional Paper 39/2014

Tablings to the Clerk

Clerk of the Assembly on behalf of Hon. Mr. Mandel, Minister of Health:

Pursuant to the Health Professions Act, cH-7, s4(2):

Alberta College of Combined Laboratory and X-ray Technologists, 2013 Annual Report

Sessional Paper 40/2014

Alberta Dental Association and College, 2013 Annual Report

Sessional Paper 41/2014

College and Association of Registered Nurses of Alberta, 2012-2013 Annual Report

Sessional Paper 42/2014

Pursuant to the Regional Health Authorities Act, cR-10, s14(3), Alberta Health Services, 2013-2014 Annual Report

Sessional Paper 43/2014

ORDERS OF THE DAY

Written Questions

The following Written Questions were rejected:

WQ1. Moved by Ms Blakeman:

What were the estimated costs to the Ministry of Justice and Solicitor General for the 2013-2014 fiscal year as a result of court delays associated with self-represented litigants?

WQ2. Moved by Ms Blakeman:

What was the median income of legal aid recipients for the 2013-2014 fiscal year?

- WQ3.** Moved by Ms Blakeman:
- How many letters, emails, and phone calls did the Government receive between March 1, 2012, and October 31, 2014, from individuals denied legal aid due to receipt of income from Assured Income for the Severely Handicapped benefits?
- WQ4.** Moved by Ms Blakeman:
- How many letters, emails, and phone calls did the Government receive between March 1, 2012, and October 31, 2014, from individuals denied legal aid because they receive income from full-time minimum wage employment?
- WQ7.** Moved by Ms Blakeman:
- In each of the 2011-2012, 2012-2013, and 2013-2014 fiscal years, what percentage of legal aid clients reported being “satisfied” or “very satisfied” with the service they received?
- WQ8.** Moved by Ms Blakeman:
- What was the total cost to the Province of transporting inmates from the new Edmonton Remand Centre to Alberta courthouses between March 19, 2012, and March 31, 2014?
- WQ14.** Moved by Mr. Hehr:
- What is the average amount of total federal and provincial loans provided to a medical student enrolled in an Alberta university who began repayment in 2013-2014?
- WQ23.** Moved by Mr. Hehr:
- For each of the fiscal years 2010-2011 to 2013-2014, what was the average amount of net debt for a post-secondary graduate following the six-month grace period?
- WQ30.** Moved by Ms Blakeman:
- How many applications for legal aid funding have been granted by the Alberta Courts between January 1, 2014, and October 31, 2014?

Motions for Returns

The following Motions for Returns were rejected:

MR1. Moved by Ms Blakeman:

That an Order of the Assembly do issue for a Return showing:
Copies of any studies or briefing notes prepared for the Government between January 1, 2012, and October 31, 2014, regarding legal aid or self-represented litigants in Alberta.

MR2. Moved by Ms Blakeman:

That an Order of the Assembly do issue for a Return showing:
Copies of records of any spills omitted from the Field Surveillance Incident Inspection List used by the Alberta Energy Regulator.

MR4. Moved by Ms Blakeman:

That an Order of the Assembly do issue for a Return showing:
Copies of lists of all wildlife found dead and in rehabilitation as of October 31, 2014, due to the continuing bitumen emulsion at the Cold Lake Air Weapons Range.

MR5. Moved by Ms Blakeman:

That an Order of the Assembly do issue for a Return showing:
Copies of lists of all wildlife found dead and in rehabilitation as of October 31, 2014, due to the October 31, 2013, rupture of Sherritt International's Obed Coal Mine containment pond.

MR9. Moved by Ms Blakeman:

That an Order of the Assembly do issue for a Return showing:
Copies of photographs of all soil and vegetation disturbances as of October 31, 2014, due to the October 31, 2013, rupture of Sherritt International's Obed Coal Mine containment pond.

MR10. Moved by Ms Blakeman:

That an Order of the Assembly do issue for a Return showing:
Copies of photographs of soil and vegetation disturbances as of October 31, 2014, due to the continuing bitumen emulsion at the Cold Lake Air Weapons Range.

MR11. Moved by Ms Blakeman:

That an Order of the Assembly do issue for a Return showing:
Copies of photographs of all wildlife found dead and in rehabilitation as of October 31, 2014, due to the October 31, 2013, rupture of Sherritt International's Obed Coal Mine containment pond.

MR13. Moved by Ms Blakeman:

That an Order of the Assembly do issue for a Return showing:
Copies of aerial photographs taken between October 31, 2013, and
October 31, 2014, showing the effects of the October 31, 2013, rupture of
Sherritt International's Obed Coal Mine containment pond.

MR14. Moved by Ms Blakeman:

That an Order of the Assembly do issue for a Return showing:
Copies of aerial photographs taken between June 1, 2013, and October 31,
2014, showing the effects of the ongoing bitumen emulsion at the Cold
Lake Air Weapons Range.

Public Bills and Orders Other Than Government Bills and Orders

Second Reading

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

Bill 201 Electric Utilities (Transparency in Billing) Amendment Act, 2014 —
Mr. Anglin

A debate followed.

Debate adjourned, Mr. Mason speaking.

Motions Other Than Government Motions

501. Moved by Mr. Fox:

Be it resolved that the Legislative Assembly authorize His Excellency the
Governor General to issue a Proclamation under the Great Seal of Canada
amending the Constitution of Canada in accordance with the Schedule set forth
below.

SCHEDULE AMENDMENT TO THE CONSTITUTION OF CANADA

1. The *Constitution Act, 1982* is amended by adding the following after
section 7:

7.1(1) Everyone has the right not to be deprived of the title, use or
enjoyment of real property or any improvement made to such property, or
any right connected with such property, except in accordance with the law
and for full, just and timely financial compensation.

(2) Subsection (1) applies only to the legislature and government of
Alberta in respect of all matters within the authority of the legislature of
Alberta.

2. This Amendment may be cited as the *Constitution Amendment, [year of proclamation] (No Expropriation in Alberta without Compensation)*.

[VERSION FRANÇAISE]

L'Assemblée législative a résolu d'autoriser qu'une modification soit apportée à la Constitution du Canada par une proclamation de Son Excellence le Gouverneur général sous le grand sceau du Canada, conforme à l'annexe ci-après:

ANNEXE

MODIFICATION DE LA CONSTITUTION DU CANADA

1. La *Loi constitutionnelle de 1982* est modifiée par adjonction, après l'article 7, de ce qui suit:
 - 7.1 (1) Chacun a le droit de ne pas être privé du titre de propriété ou de l'utilisation ou de la jouissance d'un bien immeuble, ni des droits se rattachant à un tel bien ou des améliorations qui y sont apportées, sauf conformément à la loi et moyennant une indemnisation financière intégrale, équitable et en temps opportun.
 - (2) Le paragraphe (1) s'applique uniquement à la législature et au gouvernement de l'Alberta, pour tous les domaines qui relèvent de la compétence de la législature de l'Alberta.
2. Titre de la présente modification : *Modification constitutionnelle de [année de la proclamation] (expropriation interdite en Alberta sans indemnisation)*.

A debate followed.

Mr. Anderson, Hon. Member for Airdrie, requested and received the unanimous consent of the Assembly to reduce the interval between division bells to one minute.

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

For the motion: 9

Anderson	Fox	Smith
Barnes	Hale	Stier
Bikman	Rowe	Strankman

Against the motion: 40

Allen	Fenske	Luan
Bhardwaj	Fraser	Lukaszuk
Bhullar	Fritz	Mandel
Brown	Griffiths	Oberle
Cao	Horne	Quadri
Casey	Horner	Quest
Cusanelli	Jablonski	Rodney
Dallas	Jansen	Sarich
DeLong	Jeneroux	Starke
Dirks	Johnson (Calgary-Glenmore)	VanderBurg
Dorward	Kennedy-Glans	Woo-Paw
Drysdale	Khan	Xiao
Ellis	Klimchuk	Young
Fawcett		

Adjournment

The Assembly adjourned at 6:05 p.m. until 7:30 p.m.

MONDAY, NOVEMBER 24, 2014 — 7:30 P.M.

Consideration of His Honour the Lieutenant Governor's Speech (Day 3)

Moved by Ms Fenske and seconded by Mr. Ellis:

That an humble address be presented to His Honour the Lieutenant Governor as follows:

To His Honour Colonel (Retired) the Honourable Donald S. Ethell, OC, OMM, AOE, MSC, CD, LLD, the Lieutenant Governor of the Province of Alberta:

We, Her Majesty's most dutiful and loyal subjects, the Legislative Assembly, now assembled, beg leave to thank Your Honour for the gracious speech Your Honour has been pleased to address to us at the opening of the present Session.

A debate followed.

Hon. Mrs. Klimchuk moved adjournment of the debate, which 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 1 Respecting Property Rights Act — Hon. Mr. Prentice

Adjournment

On motion by Hon. Mr. Oberle, Deputy Government House Leader, the Assembly adjourned at 8:54 p.m. until Tuesday, November 25, 2014, at 1:30 p.m.

Hon. Gene Zwozdesky,
Speaker

Title: Monday, November 24, 2014