



**Legislative Assembly
Province of Alberta**

No. 40

VOTES AND PROCEEDINGS

Second Session

Twenty-Sixth Legislature

Tuesday, May 16, 2006

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

Acting Speaker's Comment

The Acting Speaker commented that there have been only 11 Speakers of the Legislative Assembly of Alberta over our first 100 years.

Charles Wellington Fisher, a Liberal Member for Banff, was elected as the first Speaker of the Legislative Assembly of Alberta on March 15, 1906. Mr. Fisher served for 13 years and is the second longest-serving Speaker in Alberta history. He died in 1919, a victim of the Spanish Flu epidemic.

Our second Speaker was Charles Steuart Pingle, a Liberal Member for Redcliff, first elected to the Legislative Assembly of Alberta in 1913. He was elected Speaker in 1920 and served as Speaker for only 499 days. He is the second shortest-serving Speaker of the Legislative Assembly of Alberta.

Oran "Tony" McPherson, our third Speaker, was elected to the Assembly in 1921 as the Member for Little Bow and represented the United Farmers of Alberta. He was elected Speaker in 1922 and served in that capacity until 1926. He was the first Speaker to have attended university and the first to exercise the casting vote. To date, he is the youngest person, at age 35, to hold the position of Speaker in Alberta.

George Norman Johnston, the Member for Coronation, was first elected to the Legislative Assembly in 1921 and served as Speaker from 1927 to 1935. Our fourth Speaker was the last Member of the United Farmers of Alberta to occupy the role. His rulings declaring certain language unparliamentary were the first to be reported in our parliamentary records.

Nathan Eldon Tanner, the Member for Cardston and representing the Social Credit Party, became the fifth Speaker of the Legislative Assembly in 1936. He presided over only 46 sitting days and 333 calendar days, the shortest tenure of any Speaker, before being appointed as Minister of Lands and Mines. He is thought to be the first member of the Mormon faith to serve as Speaker in the British Commonwealth.

Peter Dawson, the Member for Little Bow representing the Social Credit Party, was elected Speaker in 1937, becoming the sixth Speaker of the Legislative Assembly. He is the longest serving Speaker of the Assembly, with a tenure of 26 years or 9,523 calendar days. He died in office in 1963 while the House was in session and was the first Speaker to lie in state in the Legislature Building.

Arthur Johnson Dixon, first elected as a Member for Calgary in 1952, served in the role of Speaker from 1963 to 1972. He was the seventh Speaker of the Legislative Assembly of Alberta and the first to have previously held the post of Deputy Speaker. He was the last Social Credit Member to hold the Office. Mr. Dixon was appointed as a Member of the Order of Canada in 1979.

Gerard Joseph Amerongen, the Member for Edmonton-Meadowlark, was first elected to the Legislative Assembly in 1971 representing the Progressive Conservative Party. He was elected the eighth Speaker of the Legislative Assembly in 1972 and served until 1986, the only Member to have served his entire term of office as Speaker. In 1972 he presided over the introduction of both Alberta Hansard and the televising of Assembly proceedings.

David John Carter, the Member for Calgary-Egmont, was first elected to the Legislative Assembly of Alberta in 1979, representing the Progressive Conservative Party. He became Alberta's ninth Speaker in 1986 and served in that capacity until 1993. He oversaw the Assembly taking responsibility for visitor and educational programs and the publication of the book "The Alberta Legislature: A Celebration" in commemoration of the 75th Anniversary of the opening of the Legislature Building.

Alberta's 10th Speaker, Stanley Stanford Schumacher, was elected as the Member for Drumheller in 1986 and the first Speaker elected by secret ballot in the Legislative Assembly of Alberta in 1993. The first Alberta born Speaker, he was also the first with previous experience as a Member of Parliament. He served in the role until 1997.

Our current Speaker was first elected as the Member for Barrhead in a by-election held in 1979. He was the first Speaker in Alberta whose term was preceded by service as a Cabinet Minister. He also served as Deputy Premier from December 15, 1992 to October 20, 1994. He was elected Speaker on April 14, 1997, in the first contested secret ballot election for the role. He is the 11th Speaker of the Legislative Assembly of Alberta and the longest-serving Member of all of those serving in the 26th Legislature. As of today he has served 3,319 calendar days, making him the fourth longest-serving Speaker of the Legislative Assembly of Alberta. Of current Speakers in Canada, he is the longest-serving Speaker (over eight years) and has the longest continuous service as a Member (approaching 27 years). He is the only Speaker in Alberta history during whose tenure the reigning Monarch and the Governor General have spoken in the Legislative Assembly Chamber.

Members' Statements

Mr. Groeneveld, Hon. Member for Highwood, made a statement regarding five women who will participate in the Canadian Death Race to be held in Grande Cache from August 4-7, 2006, to raise funds for the Eagle Women's Shelter in Black Diamond and promote the prevention of domestic violence.

Ms DeLong, Hon. Member for Calgary-Bow, made a statement regarding the Alberta Book Awards Gala, sponsored by the Writers Guild of Alberta and the Book Publishers Association of Alberta, held in Calgary on May 13, 2006.

Mr. Cao, Hon. Member for Calgary-Fort, made a statement regarding the first anniversary of the 211 Telephone Help Line in Calgary.

Mr. Backs, Hon. Member for Edmonton-Manning, made a statement regarding the theatrical production entitled "Feeling Groovy" performed by students at John D. Bracco Junior High School on May 12, 2006, and a poem entitled "Change" recited by Mr. Backs.

Mr. Rogers, Hon. Member for Leduc-Beaumont-Devon, made a statement regarding the Alberta Dental Association and College centennial.

Mr. Mason, Hon. Leader of the New Democrat Opposition, made a statement regarding the Alberta New Democrat Opposition's plan for oil sands development.

Presenting Petitions

Mr. Martin, Hon. Member for Edmonton-Beverly-Clareview, presented a petition from 5,113 Albertans urging the Government to abandon its plans to implement the "Third Way" health care reforms which will undermine public medicare, defeat legislation allowing expansion of private, for-profit hospitals in Alberta and permitting doctors to work in both the private and public systems which will drain key resources from the public system, oppose any action by the Government to contravene the Canada Health Act, and vote against plans that would force Albertans to pay for private health insurance for services that should be covered by medicare.

Tabling Returns and Reports

Hon. Ms Calahasen, Minister of Aboriginal Affairs and Northern Development, pursuant to the Northern Alberta Development Council Act, cN-4, s8:

Northern Alberta Development Council, Annual Report 2004-2005
Sessional Paper 594/2006

Hon. Mrs. Fritz, Minister of Seniors and Community Supports:

Responses to questions raised by several Members of the Legislative Assembly on April 4, 2006, Department of Seniors and Community Supports, 2006-07 Main Estimates debate
Sessional Paper 595/2006

Dr. Pannu, Hon. Member for Edmonton-Strathcona, on behalf of Mr. Mason, Hon. Leader of the New Democrat Opposition:

Document, undated, entitled "Nine Principles Underpinning Freedom of Information Legislation"
Sessional Paper 596/2006

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

Letter dated May 15, 2006, from Mr. MacDonald, Hon. Member for Edmonton-Gold Bar, to Fred Dunn, Auditor General, requesting an investigation into the Government's purchase and subsequent sale of Crown lands for the purpose of constructing the Calgary and Edmonton ring roads
Sessional Paper 597/2006

Mr. Elsalhy, Hon. Member for Edmonton-McClung:

Letter dated May 14, 2006, from Cheryl A. Torgalson of Edmonton to Mr. Elsalhy, Hon. Member for Edmonton-McClung, expressing concern regarding the process to have her daughter accepted into S. Bruce Smith School and requesting Mr. Elsalhy's assistance with this matter
Sessional Paper 598/2006

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

Report dated 2003 entitled "Alberta's Provincial Parks and Protected Areas Economic Impact Report 2002" prepared by Alberta Community Development
Sessional Paper 599/2006

Tablings to the Clerk

Clerk of the Assembly on behalf of Hon. Ms Evans, Minister of Health and Wellness, pursuant to the Dental Disciplines Act, cD-8, s8(4):

Alberta Dental Hygienists' Association, 2005 Annual Report
Sessional Paper 600/2006

Clerk of the Assembly on behalf of Hon. Ms Evans, Minister of Health and Wellness, pursuant to the Health Professions Act, cH-7, s4(2):

Alberta Association of Registered Nurses, 2004/05 Annual Report, with attached Financial Statements for the Year Ended September 30, 2005
Sessional Paper 601/2006

College of Licensed Practical Nurses of Alberta, 2005 Annual Report
Sessional Paper 602/2006

ORDERS OF THE DAY

Government Motions

21. Oral notice having been given Monday, May 15, 2006, Hon. Mr. Zwozdesky, Government House Leader, moved the following motion:

Be it resolved that the Standing Orders of the Legislative Assembly of Alberta, denoted as being effective April 11, 2005, be repealed in their entirety and the Standing Orders tabled in the Assembly on May 15, 2006, and distributed to Members be substituted in their place. The revised Standing Orders come into force on the first day of the next sitting of the Assembly following the adjournment of the 2006 Spring Sitting.

A debate followed.

The question being put, the motion was agreed to.

22. Oral notice having been given Monday, May 15, 2006, Hon. Mr. Zwozdesky, Government House Leader, moved the following motion:

1. A Select Special Personal Information Protection Act Review Committee of the Legislative Assembly of Alberta be appointed to review the Personal Information Protection Act as provided in section 63(1) of that Act, consisting of the following Members, namely:

Ady (Chair)	Liepert	Martin
Goudreau (Deputy Chair)	Lindsay	Rodney
Backs	Lougheed	Snelgrove
Johnston	MacDonald	

2. The Chair and Members of the Committee shall be paid in accordance with the schedule of Category "A" Committees provided in the most recent Members' Services Committee Allowances Order.
3. 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.
4. In carrying out its duties, the Committee may travel throughout Alberta and undertake a process of consultation with all interested Albertans.
5. In carrying out its responsibilities, the Committee may, with the concurrence of the head of the Department, utilize the services of the public service employed in that Department or the staff employed by the Assembly or the Office of the Information and Privacy Commissioner.
6. The Committee may, without leave of the Assembly, sit during a period when the Assembly is adjourned.
7. The Committee must submit its report, including any proposed amendments to the Act, within 18 months after beginning its review.
8. When its work has been completed, the Committee must report to the Assembly if it is then sitting. During a period when the Assembly is adjourned, the Committee may release its report by depositing a copy with the Clerk and forwarding a copy to each Member of the Assembly.

The question being put, the motion was agreed to.

- 23.** Oral notice having been given Monday May 15, 2006, Hon. Mr. Zwozdesky, Government House Leader, moved the following motion:

Be it resolved that the Legislative Assembly concur in the report of the Select Special Chief Electoral Officer Search Committee and recommend that Lorne R. Gibson be appointed as Chief Electoral Officer for the Province of Alberta.

A debate followed.

The question being put, the motion was agreed to.

19. Oral notice having been given Thursday, May 11, 2006, Hon. Mr. Zwozdesky, Government House Leader, moved the following motion:

Be it resolved that when further consideration of Bill 20, Freedom of Information and Protection of Privacy Amendment Act, 2006, is resumed, not more than two hours shall be allotted to any further consideration of the Bill at Committee of the Whole, at which time every question necessary for the disposal of this stage of the Bill shall be put forthwith.

Pursuant to Standing Order 21(3), Hon. Mr. Zwozdesky, Government House Leader, and Mr. Elsalhy, Hon. Member for Edmonton-McClung, commented on the time allocation motion.

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

For the motion: 28

Abbott	Horner	Ouellette
Coutts	Liepert	Rodney
Danyluk	Lindsay	Rogers
DeLong	Lund	Stelmach
Doerksen	Marz	Stevens
Evans	McFarland	Strang
Forsyth	Melchin	VanderBurg
Griffiths	Mitzel	Webber
Haley	Oberle	Zwozdesky
Herard		

Against the motion: 14

Backs	MacDonald	Pannu
Blakeman	Martin	Pastoor
Chase	Mason	Swann
Elsalhy	Mather	Tougas
Hinman	Miller (Edmonton-Rutherford)	

Government Bills and Orders

Committee of the Whole

According to Order, the Assembly resolved itself into Committee of the Whole at 3:46 p.m., and the Speaker left the Chair.

(Assembly in Committee)

The following Bill was taken under consideration:

Bill 20 Freedom of Information and Protection of Privacy Amendment Act, 2006
— Mrs. Jablonski

Unanimous Consent

Mr. MacDonald, Hon. Member for Edmonton-Gold Bar, requested the unanimous consent of the Assembly to waive Standing Order 32(2) to shorten the time between division bells from 10 minutes to two minutes.

Unanimous consent was not granted.

Adjournment

Pursuant to Standing Order 4(4), at 5:30 p.m. the Committee recessed until 8:00 p.m.

TUESDAY, MAY 16, 2006 — 8:00 P.M.

(Assembly in Committee)

Pursuant to Government Motion 19 agreed to on May 16, 2006, and Standing Order 21(1), at 8:17 p.m. the question was immediately put on the clauses of Bill 20, Freedom of Information and Protection of Privacy Amendment Act, 2006, which was agreed to.

The following Bill was reported:

Bill 20 Freedom of Information and Protection of Privacy Amendment Act, 2006
— Mrs. Jablonski

Rev. Abbott, Acting Chair of Committees, tabled copies of an amendment considered by Committee of the Whole on this date for the official records of the Assembly.

Amendment to Bill 20 (Hon. Member for Edmonton-McClung) — Defeated
Sessional Paper 603/2006

Second Reading

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

Bill 43 Miscellaneous Statutes Amendment Act, 2006 — Hon. Mr. Zwozdesky on behalf of Hon. Mr. Stevens

Third Reading

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

Bill 34 Alberta Corporate Tax Amendment Act, 2006 (\$) — Hon. Mr. Horner on behalf of Hon. Mrs. McClellan

A debate followed.

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

Bill 34, Alberta Corporate Tax Amendment Act, 2006, be not now read a Third time because the reduction in the corporate tax rate contained therein shifts the tax burden onto individual taxpayers and narrows the provincial tax base, thereby posing a threat to stable and predictable funding for core programs.

A debate followed on the amendment.

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

For the amendment: 4

Eggen	Mason	Pannu
Martin		

Against the amendment: 30

Abbott	Herard	Mitzel
Backs	Hinman	Oberle
Coutts	Horner	Prins
Danyluk	Knight	Rodney
DeLong	Liepert	Rogers
Doerksen	Lindsay	Snelgrove
Evans	Lukaszuk	Taylor
Forsyth	Lund	VanderBurg
Fritz	Magnus	Webber
Hancock	Miller (Edmonton-Glenora)	Zwozdesky

Unanimous Consent

Hon. Mr. Zwozdesky, Government House Leader, requested and received the unanimous consent of the Assembly to waive Standing Order 32(2) to shorten the time between division bells from 10 minutes to two minutes.

Debate continued on the main motion.

The following Bills were read a Third time and passed:

- Bill 10 Engineering, Geological and Geophysical Professions Amendment Act, 2006 — Mr. Danyluk
- Bill 14 Health Professions Statutes Amendment Act, 2006 — Mr. Mitzel
- Bill 25 Securities Amendment Act, 2006 — Mr. Knight
- Bill 28 Local Authorities Election Amendment Act, 2006 — Mr. Liepert
- Bill 29 Environmental Protection and Enhancement Amendment Act, 2006 — Mr. Mitzel
- Bill 31 Health Information Amendment Act, 2006 — Mr. Liepert on behalf of Dr. Brown
- Bill 32 Human Tissue and Organ Donation Act — Mr. Liepert
- Bill 33 Alberta Personal Income Tax Amendment Act, 2006 (\$) — Hon. Mr. Zwozdesky on behalf of Hon. Mrs. McClellan
- Bill 34 Alberta Corporate Tax Amendment Act, 2006 (\$) — Hon. Mr. Horner on behalf of Hon. Mrs. McClellan
- Bill 35 Fuel Tax Act (\$) — Hon. Mr. Zwozdesky on behalf of Hon. Mrs. McClellan
- Bill 36 Securities Transfer Act — Mr. Knight
- Bill 37 Miscellaneous (Provincial Treasurer) Statutes Amendment Act, 2006 — Hon. Mr. Zwozdesky on behalf of Hon. Mrs. McClellan
- Bill 38 Livestock Identification and Commerce Act (\$) — 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 Bills were reported:

- Bill 42 Appropriation Act, 2006 (\$) — Hon. Mrs. McClellan
- Bill 43 Miscellaneous Statutes Amendment Act, 2006 — Hon. Mr. Stevens

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 40 Post-secondary Learning Amendment Act, 2006 — Hon. Mr. Herard
Amendment to Bill 40 (Hon. Member for Edmonton-Calder on behalf of the
Hon. Member for Edmonton-Strathcona) — Defeated
Sessional Paper 604/2006

Third Reading

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

Bill 20 Freedom of Information and Protection of Privacy Amendment Act, 2006
— Mrs. Jablonski

Mrs. Jablonski moved adjournment of the debate, which was agreed to.

Adjournment

On motion by Hon. Mr. Zwozdesky, Government House Leader, the Assembly adjourned at 11:36 p.m. until Wednesday, May 17, 2006, at 1:30 p.m.

Hon. Ken Kowalski,
Speaker

Title: Tuesday, May 16, 2006