



**Legislative Assembly
Province of Alberta**

No. 20

VOTES AND PROCEEDINGS

First Session

Twenty-Third Legislature

Thursday, September 30, 1993

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

ROUTINE

Introduction of Bills (First Reading)

Notice having been given:

- Bill 9 Municipal Government Amendment Act, 1993 – Mr. Friedel
- Bill 254 Alberta Youth Conservation Corps Act – Mr. Collingwood
- Bill 260 Native Peoples Representation Statutes Amendment Act, 1993 – Mr. N. Taylor
- Bill 261 Mental Health Amendment Act, 1993 – Mr. Sapers
- Bill 263 Government Open Contract Act – Mr. Chadi

On motion by Hon. Mr. Evans, Deputy Government House Leader, the following Bill was placed on the Order Paper under Government Bills and Orders:

- Bill 9 Municipal Government Amendment Act, 1993 – Mr. Friedel

Tabling Returns and Reports

Hon. Mr. Dinning, Provincial Treasurer, pursuant to the Legislative Assembly Act, cL-10.1, s52:

Alberta Treasury, Annual Report 1992

Sessional Paper 116/93

Hon. Mr. Dinning, Provincial Treasurer, pursuant to the Alberta Resources Railway Corporation Act, cA-36, s25(2):

Alberta Resources Railway Corporation, Financial Statements, December 31, 1992

Sessional Paper 133/93

Hon. Mr. Dinning, Provincial Treasurer, pursuant to the Legislative Assembly Act, cL-10.1, s43(4):

Report Pursuant to Section 43(4) of the Legislative Assembly Act, Year Ended March 31, 1992 (Reports of Amounts Paid to Members of the Legislative Assembly on Boards)

Sessional Paper 117/93

Hon. Mr. Dinning, Provincial Treasurer, pursuant to the Conflicts of Interest Act, cC-22.1, sec. 16:

Report pursuant to Section 31(6) of the Legislative Assembly Act, Year Ended March 31, 1992 (Statement of Payments to Members of the Legislative Assembly and Direct Associates)

Sessional Paper 110/93

Hon. Mr. Dinning, Provincial Treasurer, pursuant to the Financial Administration Act, cF-9, s78(1):

Public Accounts, Volume I, 1992-93, Consolidated Financial Statements of the Province of Alberta

Sessional Paper 112/93

Public Accounts, Volume II, 1992-93, Financial Statements of the General Revenue Fund, Revolving Funds and Regulated Funds

Sessional Paper 112A/93

Public Accounts, Volume III, 1992-93, Financial Statements of Provincial Agencies, Commercial Enterprises and Crown-controlled Corporations

Sessional Paper 112B/93

Schedule of additional information respecting MLA pensions to be inserted in Statement No. 2 on page 2.2 of the Supplementary Information to the Public Accounts, 1991-92 (Sessional Paper 98C/92)

Sessional Paper 112C/93

Hon. Mr. Ady, Minister of Advanced Education and Career Development, pursuant to the Apprenticeship and Industry Training Act, cA-42.3, s6(1):

Alberta Apprenticeship and Industry Training Board, Annual Report 1992-93
Sessional Paper 8/93

Mr. Hierath, Chairman, Standing Committee on Legislative Offices, pursuant to the Election Act, cE-2, s4(3):

Addendum to the Report of the Chief Electoral Officer on the General Election of the Twenty-third Legislative Assembly, Tuesday, June 15, 1993
Sessional Paper 142B/93

Members' Statements

Mr. Stelmach, Hon. Member for Vegreville-Viking, made a statement regarding the recovery of costs that local boards of health incur in assessing the environmental impact of landfill sites.

Ms Hanson, Hon. Member for Edmonton-Highlands-Beverly, made a statement regarding the decay of housing in the urban core of Edmonton.

Mrs. Forsyth, Hon. Member for Calgary-Fish Creek, made a statement regarding recent changes to Standing Orders of the Legislative Assembly and the importance of free votes.

Projected Government Business

Pursuant to Standing Order 7(5), Mr. Mitchell, Hon. Official Opposition House Leader, asked a question pertaining to the order of Government Business to be brought before the Assembly for the following week.

Hon. Mr. Day, Deputy Government House Leader, gave notice of projected Government Business for the week of October 4 to 8, 1993:

Monday, October 4, 1993	Aft. - Government Bills and Orders
	(Third Reading)
	Bill 7, Alberta Energy Company Act Repeal Act
	Committee of the Whole
	Bill 8, School Amendment Act, 1992
	Bill 5, Financial Administration Amendment Act, 1993

	Eve. - Committee of Supply Environmental Protection
Tuesday, October 5, 1993	Aft. - Government Bills and Orders Bill 5, Financial Administration Amendment Act, 1993 Bill 8, School Amendment Act, 1993
	Eve. - Committee of Supply Transportation and Utilities
Wednesday, October 6, 1993	Eve. - Committee of Supply Community Development
Thursday, September 30, 1993	Aft. - Committee of Supply Economic Development and Tourism

Statement by the Speaker

Yesterday, during debate on Motion for Return 168, there were several comments and points of order made about the nature and process involved with Motions for Returns. The Chair refers specifically to the question posed by the Hon. Member for Edmonton-Centre in the form of a point of order about the role of the Chair in determining the appropriateness of Motions for Returns placed on the Order Paper. The Chair would like to address briefly this concern.

As Honourable Members are aware, some of the amendments to the Standing Orders related to Motions for Returns and Written Questions. The Chair refers specifically to Standing Order 34. The only substantive criterion in Standing Order 34 concerning the nature of Motions for Returns and Written Questions is that they are to seek information "relating to public affairs."

It is the practice of this Assembly that Parliamentary Counsel and Table Officers review the Motions for Returns prior to their introduction so as to advise the Speaker whether the form of the Motion for Return is in Order. As stated in Beauchesne, paragraph 442, it is the Speaker's responsibility to see that the motion is in proper form; that is "whether it is the appropriate motion to do what is sought to be done." The Chair and the Table Officers do not advise with respect to the appropriateness of the content of the proposed Motions for Returns but only the form.

The decision with respect to whether the Motion for Return is acceptable or not acceptable or whether it is acceptable with amendments is the responsibility of the Government to move. The Assembly then votes and the result is an Order of the House. It is, therefore, the House that ultimately decides on whether the documents sought will be tabled or not. Honourable Members are referred to Beauchesne paragraph 445.

Although the practice of this Assembly differs to some extent from that in the federal Parliament, there are several applicable passages from Beauchesne on the grounds (should it wish to give grounds) upon which the Government may refuse Notices of Motions for the Production of Papers which are similar to our Motions for Returns. The Chair would refer Members to paragraphs 443 - 453 in this regard. There are also the conventions with respect to matters which are sub judice which the Hon. Deputy Government House Leader referred to yesterday. That issue is to be addressed by the Select Special Committee on Parliamentary Reform. With respect to confidential material, the Chair would like to quote from paragraph 447 of Beauchesne's which states in part:

Any determination of what constitutes 'confidential documents' is not a matter for the Speaker to determine. It is up to the Government to determine whether any 'letters, papers, and studies' are of a confidential nature when deciding how to respond to a Notice for the Production of Papers.

The Chair hopes this clarifies matters.

ORDERS OF THE DAY

Committee of Supply

(Day 12 of Main Estimates Consideration - Designated)

(Assembly in Committee)

According to Order, the Assembly resolved itself into Committee of Supply.

And after sometime spent therein, the Deputy Speaker resumed the Chair and Dr. Sohal reported as follows:

Mr. Speaker:

The Committee of Supply has had under consideration certain resolutions of the Department of Municipal Affairs, reports progress thereon, and requests leave to sit again.

The question being put, the report and the request for leave to sit again were agreed to.

Adjournment

On motion by Hon. Mr. Evans, Deputy Government House Leader, that it be called 5:30 p.m., the Assembly adjourned at 5:27 p.m. until Monday, October 4, 1993, at 1:30 p.m.

Title: Thursday, September 30, 1993