



**Legislative Assembly  
Province of Alberta**

No. 22

## **VOTES AND PROCEEDINGS**

Fourth Session

Twenty-Fifth Legislature

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Wednesday, March 24, 2004

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

### **Oral Question Period**

During Oral Question Period, Hon. Mr. Stelmach, Minister of Transportation, tabled the following:

Letter dated March 17, 2004, from Winnie Yiu-Yeung, Executive Director, Finance and Business Management Branch, Alberta Transportation, to Peter Parker of Medicine Hat responding to concerns expressed by Mr. Parker in an e-mail message dated March 10, 2004, regarding Alberta Transportation's 2003 Client Satisfaction Survey

Sessional Paper 184/2004

### **Recognitions**

Mr. Danyluk, Hon. Member for Lac La Biche-St. Paul: Organ donor and transplantation programs and Peter Elzinga, former Chief of Staff, Office of the Premier, who recently donated a kidney for transplant

Mr. Strang, Hon. Member for West Yellowhead: Elk Valley Coal Partnership's announcement to develop the Cheviot Creek Mine south of the Town of Hinton

Mrs. Jablonski, Hon. Member for Red Deer-North: Jaylene Norris of Red Deer, recipient of an Alberta Great Kids Award on March 12, 2004

Ms Blakeman, Hon. Member for Edmonton-Centre: World Theatre Day, March 27, 2004

Mr. MacDonald, Hon. Member for Edmonton-Gold Bar: Edmonton Oilers Hockey Club and supportive fans

Mr. Cenaiko, Hon. Member for Calgary-Buffalo: Bob Wasylshen, former Chief of the Edmonton Police Service, who retired on March 12, 2004

Mr. Johnson, Hon. Member for Wetaskiwin-Camrose: Opening of the expanded renal dialysis unit at the Wetaskiwin Hospital and Care Centre and the David Thompson Health Region and Capital Health Authority for their efforts to complete the expansion

### **Tabling Returns and Reports**

Dr. Pannu, Hon. Member for Edmonton-Strathcona:

Document entitled "Accountability Pillar - Jurisdiction Survey, Alberta Learning - Parent Survey 2004" completed by an unnamed person

Sessional Paper 185/2004

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

E-mail message dated August 8, 2003, from Benjamin Atkinson of Edmonton to Mr. MacDonald, Hon. Member for Edmonton-Gold Bar, expressing opposition to the use of photo radar by law enforcement agencies

Sessional Paper 186/2004

### **Tablings to the Clerk**

Clerk of the Assembly on behalf of Hon. Mrs. Nelson, Minister of Finance, pursuant to the Alberta Capital Finance Authority Act, cA-14.5, s30:

Alberta Capital Finance Authority, 2003 Annual Report

Sessional Paper 187/2004

### **Speaker's Ruling - Motion for Returns 10**

Honourable Members, on Monday, March 22, 2004, there was a point of order raised by the Government House Leader. Essentially, the point of order was that as the Assembly had passed an amendment to Motion for Returns 10 and approved the amended Motion for Returns, that as a result of those decisions, certain other Motions for Returns should come off the Order Paper although they had not been explicitly dealt with. The discussion of this point of order and related matters is found at pages 611-617 of Alberta Hansard for that day.

The Government House Leader's argument was that to consider the other Motions for Returns he cited, in light of the decisions on Motion for Returns 10, would mean that the Assembly was considering the same issue on repeated occasions and cited paragraph 558 of Beauchesne's (6th edition) as authority for that proposition.

On this point, the Chair finds that the amended Motion for Returns 10 that was approved differed from the wording of the other Motions for Returns that the Government House Leader indicated were similar. In the Chair's view, the amendment would have to be virtually identical to the wording of the other Motions for Returns for such a rule to be applied.

Therefore, the Chair finds that the Motions for Returns referred to by the Government House Leader in his point of order that were not expressly dealt with by the Assembly, namely numbers 14, 15, 18, 61, 62, 70, 71, 72, 73, 103, 122, 123 and 146 will remain on the Order Paper.

The Chair is very much aware that Monday afternoons are Private Members' time. In dealing with Written Questions and Motions for Returns, it is the Chair's view that the greatest leeway should be afforded Private Members consistent with the rules and practices under which these items of business are conducted.

The Chair is not oblivious to the fact that there is a certain angst about the time devoted to dealing with the many Written Questions and Motions for Returns that are on the Order Paper.

When there are difficulties or problems encountered like this, the Chair's view is that the primary responsibility for resolving them should rest with House Leaders.

The Chair is reluctant to get involved in a situation where unique approaches to the rules and practices are being proposed. It is your Assembly Honourable Members and it is to you that the responsibility falls for dealing with the business of the Assembly.

The Chair would point out that based on the Chair's research to date, Alberta has a unique way of dealing with Written Questions and Motions for Returns that was adopted in 1993 to accord Private Members and the Assembly a greater role in this item of business.

In the Chair's view, addressing the issue of the Assembly's consideration of Written Questions and Motions for Returns brings in some of the basic principles of parliamentary law namely, "to enable every Member to express opinions within limits necessary to preserve decorum and prevent an unnecessary waste of time." Members may wish to reacquaint themselves with paragraph 1 of Beauchesne's and page 210 of Marleau and Montpetit where the basic principles governing the operation of Parliament are discussed.

## **Temporary Recess**

The Speaker recessed the Assembly at 2:52 p.m. until 3:30 p.m.

WEDNESDAY, MARCH 24, 2004 — 3:30 P.M.

The Speaker resumed the Chair.

## **ORDERS OF THE DAY**

### **Budget Address**

Hon. Mrs. Nelson, Minister of Finance, delivered certain Messages from Her Honour the Honourable the Lieutenant Governor.

The Speaker read the Messages to the Assembly (Members standing).

### **Government Motions**

Hon. Mrs. Nelson, Minister of Finance, tabled the following budget-related documents:

Pursuant to the Government Accountability Act, cG-7, s3, s4:

2004-05 Offices of the Legislative Assembly Estimates  
Sessional Paper 188/2004

2004-05 Government and Lottery Fund Estimates  
Sessional Paper 189/2004

Budget 2004 Fiscal Plan  
Sessional Paper 190/2004

Pursuant to the Government Accountability Act, cG-7, s3, s7, s9, s13:

Budget 2004 Business Plans  
Sessional Paper 191/2004

**13.** Moved by Hon. Mrs. Nelson:

Be it resolved that the Assembly approve in general the business plans and fiscal policies of the Government.

Dr. Massey moved adjournment of the debate, which was agreed to.

### **Adjournment**

On motion by Hon. Mr. Hancock, Government House Leader, the Assembly adjourned at 4:10 p.m. until 8:00 p.m.

## **Government Bills and Orders**

### **Third Reading**

The following Bill was read a Third time and passed:

Bill 24 Appropriation (Interim Supply) Act, 2004 (\$) — Hon. Mrs. Nelson

### **Government Motions**

14. Moved by Hon. Mr. Hancock on behalf of Hon. Mrs. Nelson:

Be it resolved that the Message from Her Honour the Honourable the Lieutenant Governor, the 2004-05 Offices of the Legislative Assembly Estimates, the 2004-05 Government and Lottery Fund Estimates, fiscal and business plans, and all matters connected therewith, be referred to Committee of Supply.

The question being put, the motion was agreed to.

15. Oral notice having been given Tuesday, March 23, 2004, Hon. Mr. Hancock moved the following motion:

Be it resolved, since the mandatory registration of all non-restricted firearms is an unnecessary intrusion on the property rights and cultural heritage of Albertans, fails to discourage criminal activity involving firearms, and has wasted an enormous amount of money, that the Legislative Assembly of Alberta recommends that the Government of Alberta urge the Government of Canada to introduce amendments to the Firearms Act (Canada) and the Criminal Code (Canada) to remove the requirement for the registration of all non-restricted firearms.

A debate followed.

Mr. Mason, Hon. Member for Edmonton-Highlands, moved the motion be amended by striking out “is an unnecessary intrusion on the property rights and cultural heritage of Albertans,”.

A debate followed on the amendment.

The question being put, the amendment was defeated.

Debate continued on the main motion.

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

For the motion: 37

Abbott	Goudreau	Mar
Amery	Graham	Marz
Bonner	Griffiths	Maskell
Calahasen	Hancock	McClellan
Cao	Hutton	McFarland
Cardinal	Jablonski	Melchin
Carlson	Jacobs	Nicol
Coutts	Johnson	Oberg
DeLong	Klapstein	Pham
Doerksen	Knight	Smith
Ducharme	Kryczka	Snelgrove
Dunford	Lougheed	Yankowsky
Fritz		

Against the motion: 1

Blakeman

### **Adjournment**

On motion by Hon. Mr. Hancock, Government House Leader, the Assembly adjourned at 10:27 p.m. until Thursday, March 25, 2004, at 1:30 p.m.

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Hon. Ken Kowalski,  
Speaker

Title: Wednesday, March 24, 2004