



**Legislative Assembly
Province of Alberta**

No. 30

VOTES AND PROCEEDINGS

Second Session

Twenty-Seventh Legislature

Monday, April 27, 2009

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

Members' Statements

Mr. Mitzel, Hon. Member for Cypress-Medicine Hat, made a statement regarding PNWER (Pacific Northwest Economic Region), an initiative involving Washington, Oregon, Idaho, Montana, Alaska, British Columbia, and Alberta.

Ms Blakeman, Hon. Member for Edmonton-Centre, made a statement regarding the government's proposal to cut funding for the Wild Rose Foundation.

Mr. Horne, Hon. Member for Edmonton-Rutherford, made a statement regarding the Services for Students with Vision Loss Initiative and the Vision Education Alberta web site launched by the government on April 27, 2009.

Mrs. Leskiw, Hon. Member for Bonnyville-Cold Lake, made a statement regarding the 2009 Challenge North Conference held in Cold Lake from April 22-24, 2009.

Mr. Elniski, Hon. Member for Edmonton-Calder, made a statement regarding the seventh annual Aboriginal History Quiz Awards Day held at Prince Charles Elementary School on April 24, 2009.

Mr. Weadick, Hon. Member for Lethbridge-West, made a statement recognizing the Lethbridge College Wind Turbine Service Technician Program, recipient of the Association of Canadian Community Colleges' 2008-2009 Program Excellence Award, and regarding the Southern Alberta Alternative Energy Partnership.

Notices of Motions

Mr. Mason, Hon. Member for Edmonton-Highlands-Norwood, gave notice of his intention to raise a purported question of privilege under Standing Order 15 regarding being prevented from attending a government news conference on April 23, 2009, at Government House.

Introduction of Bills (First Reading)

Upon recommendation of Her Honour the Administrator, and notice having been given:

Bill 36 Alberta Land Stewardship Act (\$) — Hon. Dr. Morton

Tabling Returns and Reports

Hon. Mr. Liepert, Minister of Health and Wellness:

Letter dated April 24, 2009, from Ken Hughes, Board Chair, Alberta Health Services, to Hon. Mr. Liepert, Minister of Health and Wellness, regarding completion of the Mazankowski Alberta Heart Institute

Sessional Paper 248/2009

Dr. Taft, Hon. Member for Edmonton-Riverview:

Document dated June 5, 2008, entitled “Honourable George Groeneveld, Minister, Agriculture and Rural Development, Speaking Points for News Conference” with related attachments

Sessional Paper 249/2009

2 letters, the first undated, signed by Alisha Autumn Brown to Dr. Taft, Hon. Member for Edmonton-Riverview, the second dated April 20, 2009, signed by Leslee Greenaway to Hon. Mr. Stelmach, Premier, and Members of the Legislative Assembly, both expressing opposition to the government’s proposal to terminate funding for the Wild Rose Foundation

Sessional Paper 250/2009

E-mail message dated April 23, 2009, from Alison Dinwoodie to Hon. Mr. Stelmach, Premier, and several Members of the Legislative Assembly expressing opposition to taxpayers’ dollars being spent on promoting Alberta and regarding the need for seniors to have access to necessary drugs

Sessional Paper 251/2009

Mr. Taylor, Hon. Member for Calgary-Currie:

5 Alberta Corporate Registration System, Corporation/Non-Profit Searches

Sessional Paper 252/2009

Ms Blakeman, Hon. Member for Edmonton-Centre:

E-mail message dated April 14, 2009, from Marjorie Russell of Edmonton to Ms Blakeman, Hon. Member for Edmonton-Centre, expressing opposition to the government delisting chiropractic services

Sessional Paper 253/2009

Privilege

Mr. Mason, Hon. Member for Edmonton-Highlands-Norwood, raised a purported question of privilege under Standing Order 15 regarding being prevented from attending a government news conference on April 23, 2009, at Government House.

The Speaker heard from Ms Notley, Hon. Mr. Renner, Ms Blakeman, Hon. Mr. Snelgrove, Mr. Mason, and Mr. MacDonald.

The Speaker ruled on the purported question of privilege.

The Chair wants to thank all Members for their participation. Usually the Chair takes a day to rule on purported questions of privilege but this situation has been well-known for a few days and the Chair does not want to prolong it any longer.

Essentially, the Honourable Leader of the third party's question of privilege is that his ability as a Member was infringed upon in an unacceptable manner when he was denied entry to Government House for an announcement concerning the drug plan for seniors made by the Honourable Minister of Health and Wellness on the morning of Thursday, April 23, 2009. Technically this alleged violation of the Member's ability to perform his duties is characterized as a "contempt."

For the benefit of those viewing the proceedings who may not be familiar with the location of various buildings in Edmonton, Government House is located a few kilometres north and west of the Legislature. It is next to the Royal Alberta Museum and is used by the Government for various purposes, including caucus meetings and ceremonial events.

With respect to procedural matters, the Chair notes that the third party Leader provided notice of his purported question of privilege to the Speaker's office at 11:09 a.m today, April 27, 2009. The events giving rise to the purported question of privilege occurred last Thursday. Standing Order 15(5) provides that a question can be raised "after the words are uttered or the events occur that give rise to the question." The Member chooses to rely on the two hour notice provision found in Standing Order 15(2). For the reasons that follow, the Chair will consider that notice has been adequately provided.

A similar issue concerning access to government briefings was the subject of a Speaker's ruling on March 7, 2000, at pages 287-88 of Alberta Hansard for that day. In that instance the Chair ruled that denial of access to a press briefing in the media room in the Legislature Building was not a question of privilege. As the Chair noted then, he does not have control over that room and that it is not booked through the

Speaker's office. It is not part of the parliamentary precincts. Clearly, the same can be said of Government House and McDougall Centre in Calgary.

In the 2000 ruling the Chair referred to a January 19, 1984, ruling by Speaker Francis in the Canadian House of Commons. The 1984 incident involved some Members of the opposition being excluded from a media lock-up where it was alleged that a copy of a Bill was released prior to First Reading. As this Chair said in 2000 at pages 286-87 of Alberta Hansard:

“Even in the federal Parliament where the Speakers of the Commons and the Senate exercise control over the entire building, it has been held that restricting attendance at a media lock-up does not constitute a question of privilege.”

The Chair went on to quote Speaker Francis's 1984 ruling at page 563 of Commons Debates for January 19, 1984:

“The Chair obviously recognizes that the parties represented in this House may from time to time request rooms. They may or may not choose to invite members of the press. They may choose to invite their own supporters or include or exclude their own supporters. They may on occasion include members of other parties or not include them. That is not a matter for the Speaker to decide.”

As the Chair held then, allowing or not allowing a Member to attend a media briefing does not constitute an impediment or obstruction to the Member performing his or her parliamentary duties which, presumably, is the category of privilege that the Leader of the third party relies upon. If the facts had been different and the question of privilege involved a denial of access to the Chamber or a proceeding in Parliament, the ruling may have been different. Accordingly, the Chair finds that there is no prima facie question of privilege and the matter is now concluded.

ORDERS OF THE DAY

Written Questions

The following Written Question was accepted:

WQ6. Asked for by Mr. Mason:

Which hospitals had to shut down wards (temporarily or indefinitely) due to staff shortages between April 1, 2006, and January 31, 2009, which wards were shut down and for how long?

Motions for Returns

The following Motions for Returns were rejected:

MR21. Moved by Mr. MacDonald:

That an Order of the Assembly do issue for a Return showing:
A list of all hosting expenses under \$600 in the Ministry of Executive Council itemized by event and amount for each for the fiscal years 2004-05, 2005-06, 2006-07, and 2007-08.

MR22. Moved by Mr. MacDonald:

That an Order of the Assembly do issue for a Return showing:
A list of all hosting expenses under \$600 in the Ministry of Sustainable Resource Development itemized by event and amount for each for the fiscal years 2004-05, 2005-06, 2006-07, and 2007-08.

MR23. Moved by Mr. MacDonald:

That an Order of the Assembly do issue for a Return showing:
A list of all hosting expenses under \$600 in the Ministry of Energy itemized by event and amount for each for the fiscal years 2004-05, 2005-06, 2006-07, and 2007-08.

MR24. Moved by Mr. MacDonald:

That an Order of the Assembly do issue for a Return showing:
A list of all hosting expenses under \$600 in the Ministry of Finance itemized by event and amount for each for the fiscal years 2004-05, 2005-06, 2006-07, and 2007-08.

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 204 Provincial-Municipal Tax Sharing Act — Ms Blakeman

A debate followed.

Debate adjourned, Hon. Mr. Danyluk speaking.

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

Bill 203 Local Authorities Election (Finance and Contribution Disclosure) Amendment Act, 2009 — Mr. Johnson

Motions Other Than Government Motions

506. Moved by Mr. Berger (Amended):

Be it resolved that the Legislative Assembly urge the Government to use site-specific native grasses and forbs in all future land reclamation projects *on native landscapes* to ensure the preservation and integrity of our plant ecosystem.

A debate followed.

The question being put, the motion was agreed to.

Adjournment

On motion by Hon. Mr. Renner, Deputy Government House Leader, that it be called 6:00 p.m., the Assembly adjourned at 5:43 p.m. until Tuesday, April 28, 2009, at 1:30 p.m.

Hon. Ken Kowalski,
Speaker

Title: Monday, April 27, 2009