



**Legislative Assembly  
Province of Alberta**

No. 17

## **VOTES AND PROCEEDINGS**

Third Session

Twenty-Eighth Legislature

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Wednesday, March 11, 2015

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

### **Speaker's Statement – Members' Anniversaries**

The Speaker made a statement in recognition of the 18th anniversary of the election of Ms Blakeman, Hon. Member for Edmonton-Centre, and Mr. Cao, Hon. Member for Calgary-Fort, who were elected to the Legislative Assembly of Alberta on March 11, 1997.

### **Members' Statements**

Ms Fenske, Hon. Member for Fort Saskatchewan-Vegreville, made a statement recognizing Renaye Wade, who suffered a severe brain injury as a result of a traffic accident, for the work she does, along with RADD (Renaye Against Distracted Driving), to encourage safe driving practices and advocate for stiffer penalties for careless and distracted driving.

Mrs. Forsyth, Hon. Leader of the Official Opposition, made a statement regarding recent comments and promises made by the Premier, and the beliefs of the Official Opposition.

Mr. Allen, Hon. Member for Fort McMurray-Wood Buffalo, made a statement regarding the construction of the continuing care centre on the Parsons Creek site in Fort McMurray that is scheduled to begin this year.

Mr. Eggen, Hon. Member for Edmonton-Calder, made a statement regarding Government policies, the reduction in funding for critical services, and the policies of the New Democrat opposition.

Mr. Luan, Hon. Member for Calgary-Hawkwood, made a statement recognizing March 1 to 7, 2015, as Social Work Week, with the theme of The Art of Cultivating Communities.

Mr. Young, Hon. Member for Edmonton-Riverview, made a statement regarding the leading-edge innovation and exceptional research, development, and commercialization pursuits of the University of Alberta Research Chairs who are supported by several partnerships.

### **Speaker's Statement – Oral Question Period and Members' Statements Rotations**

Honourable Members, before we begin the clock for Oral Question Period, I would like to advise Members of some changes in the rotation to Oral Question Period and Members' Statements that were necessitated by the changes in caucus membership that occurred in December 2014 while the Assembly was not sitting.

With respect to the Oral Question Period rotation I would draw your attention to the Oral Question Period rotation document that was placed on your desks yesterday. This rotation is the result of a new House Leaders' Agreement, which was reached on March 6, 2015, and it replaces the proposed question period rotation that was included in my memo to each of you on March 5, 2015, the memo that went to all Members, regarding procedures for the continuation, or what we call the procedural letter, for the Third Session of the 28th Legislature. I will table the agreement today at the appropriate time during the Daily Routine.

The rotation of questions on day one through day three for questions one through five remains the same as it was on December 1, 2014, the last time the Oral Question Period rotation was modified. The Official Opposition retains the first three questions, while the Liberal opposition is entitled to ask the fourth question, and the ND opposition is allotted the fifth question on each of these days.

On day four of the rotation the Official Opposition may ask the first two questions, while the Liberal opposition is allocated the third question, and the ND opposition is entitled to ask question four. The independent Member may ask one question in the weekly rotation, and the fifth question on day four is reserved for that Member.

In addition, the Official Opposition is entitled to ask question eight on days two and four along with questions 12 and 14 on days one and three and question 18 on day four. The Liberal opposition is allotted questions six and 10 each day and question 16 on each day except for day one and question 18 on day two. The ND opposition is also entitled to ask question eight on days one and three, questions 12 and 14 on days two and four, question 16 on day one, and question 18 on day three. The Progressive Conservative caucus is allotted questions seven, nine, 11, 13, 15, and 17 on each day of the rotation, and question 18 on day one.

For the benefit of Members and those following the ongoing proceedings, today is Wednesday, but it is day four in the rotation.

On another topic very briefly, that being Members' Statements, the Members' Statement rotation has also been modified to reflect the current caucus composition of private Members in the Assembly. I have not received a House Leaders' Agreement amending the rotation for Members' Statements that was included in my March 5, 2015, memo to all Members, and therefore that rotation will be followed as outlined. This week is week one of the four-week Members' Statement rotation, and it is otherwise known as Day 17 on the Projected Sitting Days Calendar.

## **Notices of Motions**

Mr. Eggen, Hon. Member for Edmonton-Calder, gave oral notice of his intention to raise a purported question of privilege under Standing Order 15 regarding a breach of his ability to participate as a member of the Standing Committee on Legislative Offices due to the actions of the Premier and the Office of the Premier, and the work of the Committee being obstructed by actions which reversed a decision already made by the Committee.

## **Introduction of Bills (First Reading)**

Notice having been given:

- Bill 12 Common Business Number Act — Mr. Quest
- Bill 13 Fisheries (Alberta) Amendment Act, 2015 — Mrs. Leskiw
- Bill 14 Agricultural Societies Amendment Act, 2015 — Hon. Mr. Olson
- Bill 15 Securities Amendment Act, 2015 — Hon. Mr. Campbell
- Bill 16 Statutes Amendment Act, 2015 — Mr. Donovan

On motion by Hon. Mrs. Klimchuk, Deputy Government House Leader, the following Bills were placed on the Order Paper under Government Bills and Orders:

- Bill 12 Common Business Number Act — Mr. Quest
- Bill 13 Fisheries (Alberta) Amendment Act, 2015 — Mrs. Leskiw
- Bill 16 Statutes Amendment Act, 2015 — Mr. Donovan

Hon. Mr. Denis, Government House Leader, requested and received the unanimous consent of the Assembly to waive Standing Order 7(7) in order to complete the Daily Routine.

## **Tabling Returns and Reports**

Hon. Mr. Denis, Minister of Justice and Solicitor General:

Alberta Law Enforcement Review Board, 2013 Annual Report  
Sessional Paper 214/2014-15

Report dated February 2015 entitled “Chair-Initiated Complaint and Public Interest Investigation into the RCMP’s Response to the 2013 Flood in High River, Alberta, Interim Report,” prepared by the Civilian Review and Complaints Commission for the RCMP

Sessional Paper 215/2014-15

Ms Blakeman, Hon. Member for Edmonton-Centre:

Report, undated, entitled “We are Listening, Sparking Public Conversation on GSAs,” prepared by the Edmonton Social Planning Council

Sessional Paper 216/2014-15

Red Deer Advocate article dated March 3, 2015, entitled “Alberta wolf killing must end”

Sessional Paper 217/2014-15

Mr. Rogers, Hon. Member for Leduc-Beaumont:

3 letters dated October and November 2014, from Evan and Shelley Schmidtke, Rick Smith, Leduc County Councillor, and Roger Anger, New Sarepta District Fire Chief, to Hon. Mr. Drysdale, Minister of Transportation, and to whom it may concern, expressing concern regarding the safety of the intersection at Highways 21 and 625 and requesting the implementation of safety intervention measures at that intersection

Sessional Paper 218/2014-15

Mr. Jeneroux, Chair, Standing Committee on Legislative Offices, pursuant to the Auditor General Act, cA-46, s19(5):

Report of the Auditor General of Alberta dated March 2015  
Sessional Paper 219/2014-15

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

Edmonton Journal article dated February 12, 2015, entitled “Premier rescinds additional funding for auditor general”

Sessional Paper 220/2014-15

Global News website article dated February 18, 2015, entitled “Prentice refuses to answer questions on defying independent committee”

Sessional Paper 221/2014-15

Hon. Mr. Zwozdesky, Speaker of the Legislative Assembly, pursuant to the Legislative Assembly Act, cL-9, s39(3):

Revised Members’ Services Committee Order No. MSC 1/15, Executive Council Salaries Amendment Order (No. 11)

Sessional Paper 222/2014-15

Revised Members’ Services Committee Order No. MSC 2/15, Members’ Allowances Amendment Order (No. 29)

Sessional Paper 223/2014-15

Revised Members’ Services Committee Order No. MSC 3/15, Constituency Services Amendment Order (No. 29)

Sessional Paper 224/2014-15

Revised Members’ Services Committee Order No. 4/15, Members’ Allowances Amendment Order (No. 30)

Sessional Paper 225/2014-15

Letter dated December 23, 2014, from Hon. Mr. Zwozdesky, Speaker of the Legislative Assembly, to Mrs. Forsyth, Hon. Leader of the Official Opposition, and Dr. Sherman, Hon. Member for Edmonton-Meadowlark, regarding the designation of the Official Opposition

Sessional Paper 226/2014-15

House Leaders’ Agreement dated March 9, 2015, regarding a revised Oral Question Period rotation

Sessional Paper 227/2014-15

## **Tablings to the Clerk**

Clerk of the Assembly on behalf of Hon. Mr. Denis, Minister of Justice and Solicitor General:

Book entitled “A Silent Cheer, Against the Odds” by Dr. Emily Roback and Faye Roback-Jones

Sessional Paper 228/2014-15

## **Privilege – Standing Committee on Legislative Offices**

Mr. Eggen, Hon. Member for Edmonton-Calder, raised a purported question of privilege under Standing Order 15 regarding a breach of his ability to participate as a member of the Standing Committee on Legislative Offices due to the actions of the Premier and the Office of the Premier, and the work of the Committee being obstructed by actions which reversed a decision already made by the Committee.

The Speaker heard from Mr. Eggen, Hon. Mr. Denis, Mr. Stier, Mr. Anglin, and Ms Blakeman.

### **Speaker's Ruling**

Honourable Members, I have listened very carefully for over half an hour now to all Members who just spoke. I am prepared to rule on the purported question of privilege that was raised by the Member for Edmonton-Calder. As a reminder to all, a point of privilege, as we all know, is one of the, if not the, most serious charges that can be brought by one Member against another.

With respect to the formalities, the Member for Edmonton-Calder provided written notice to me in the Speaker's office at 12:59 p.m. on Monday, March 9, 2015, and that notice was copied to the House Leaders of the other parties and the independent Member. Therefore, the requirements of Standing Order 15(2) were met.

I would also like to point out that yesterday was a somewhat unusual day in that it proceeded in a manner that prevented the Member for Edmonton-Calder from giving notice of his purported question of privilege yesterday. The Member, however, was very gracious in agreeing to let this matter proceed today, and I want to thank him for his indulgence in that regard. To be clear, there is no prejudice to the Member's application arising from the rescheduling of the matter to today rather than yesterday because notice had been provided at the earliest opportunity.

It is my understanding that the same Member raised a question of privilege on the very same matter in the February 17, 2015, meeting of the Standing Committee on Legislative Offices, of which he is a member. I must say that I feel somewhat restrained in talking about what transpired during that committee's meeting since there is no report from that committee to this Assembly regarding the purported question of privilege. It is my understanding that while the Chair of the Legislative Offices Committee found that the issue raised by the Member for Edmonton-Calder met the low threshold for possibly constituting a question of privilege, the Committee declined to report the matter to the Assembly. So there will be no report on the matter for the Assembly to consider.

As Members likely know and should know, Members may raise matters concerning privilege as they relate to committees of the Assembly pursuant to Standing Order 65(3). The practice to follow is outlined on page 46 of the March 2014 version of the Practical Guide to the Committees of the Legislative Assembly of Alberta.

It is noted in House of Commons Procedure and Practice, second edition, at page 149 that "Speakers have consistently ruled that, except in the most extreme situations, they will only hear questions of privilege arising from committee proceedings upon presentation of a report from the committee which directly deals with the matter and not as a question of privilege raised by an individual Member." Nonetheless, not knowing precisely where the presentations might want to be taken, I did allow several comments to be made.

I am very aware of the procedure that I have referred to since in my role as Chair of the Special Standing Committee on Members' Services, I faced a similar situation to the one just faced by the Chair of the Legislative Offices Committee concerning a purported question of privilege. In fact, it is exactly the one before us at the moment. On February 27, 2013, I found that alleged interference in the work of the committee met the threshold for privilege, which led to the committee voting on the matter. A motion to send the matter to the Assembly, however, was defeated and that concluded the matter at the committee level.

One has to wonder why this matter is being raised in the Assembly when it was already raised and dealt with by the Standing Committee on Legislative Offices. If the committee had voted to report the matter, then it would be before the Assembly. However, as I have said, the Committee chose not to do so.

As Speaker I am keenly aware that questions of privilege are very serious matters, as I have already said, and that they directly relate to a Member's rights and immunities. As such, they should arise infrequently. The time of the Assembly is also valuable and important. As I stated on November 20, 2014, at page 88 of Alberta Hansard for that day, in a ruling on a purported question of privilege that had been raised before, "It is not in keeping with parliamentary tradition to raise a matter that has already been decided."

In this instance, the matter raised by the Member for Edmonton-Calder has been the subject of review, consideration, and decision by a committee of the Assembly. As Speaker I find that the principle of avoiding duplication of proceedings applies here.

In conclusion, this matter was considered under one process and should not be brought up in a different process, in a different venue, so as to constitute a de facto appeal of the committee's decision, outside of the established practice.

Accordingly, I find that the purported question of privilege is not in order, and therefore does not constitute a prima facie question of privilege. Under Standing Order 15(7) that concludes the matter.

## **ORDERS OF THE DAY**

### **Committee of Supply** (Supplementary Supply Estimates)

According to Order, the Assembly resolved itself into Committee of Supply and the Speaker left the Chair.

(Assembly in Committee)

### **Adjournment**

Pursuant to Standing Order 4(4), the Committee recessed at 6:00 p.m. until 7:30 p.m.

**Committee of Supply** (Supplementary Supply Estimates)

(Assembly in Committee)

And after some time spent therein, the Deputy Speaker assumed the Chair and Dr. Brown reported as follows:

Mr. Speaker:

The Committee of Supply has had under consideration certain resolutions of the 2014-15 Supplementary Supply Estimates, General Revenue Fund, reports as follows, and requests leave to sit again.

**Legislative Assembly**

**Office of the Child and Youth Advocate**

Operational and Capital \$730,000

**Aboriginal Relations**

Capital \$8,600,000

**Education**

Capital \$215,704,000

**Energy**

Financial Transactions \$57,700,000

**Environment and Sustainable Resource Development**

Operational \$200,014,000  
Capital \$48,085,000

**Health**

Operational \$157,000,000

**Human Services**

Operational \$46,872,000  
Capital \$500,000

**Infrastructure**

Operational \$15,256,000

**Justice and Solicitor General**

Operational \$16,739,000

**Municipal Affairs**

Operational \$6,116,000  
Capital \$431,720,000



**Service Alberta**

Operational	\$5,400,000
Financial Transactions	\$5,433,000

**Transportation**

Operational	\$11,853,000
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Committee of Supply has also approved the following amount to be transferred:

Transfer from <b>Municipal Affairs</b> Capital vote to <b>Seniors</b> Capital vote	\$4,800,000
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The question being put, the report and the request for leave to sit again were agreed to.

**Introduction of Bills (First Reading)**

Upon recommendation of His Honour the Honourable the Lieutenant Governor, and notice having been given:

Bill 17 Appropriation (Supplementary Supply) Act, 2015 (\$) — Hon. Mr. Oberle  
on behalf of Hon. Mr. Campbell

**Adjournment**

On motion by Hon. Mr. Denis, Government House Leader, the Assembly adjourned at 8:42 p.m. until Thursday, March 12, 2015, at 1:30 p.m.

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Hon. Gene Zwozdesky,  
Speaker

Title: Wednesday, March 11, 2015