



**Legislative Assembly
Province of Alberta**

No. 34

VOTES AND PROCEEDINGS

First Session

Twenty-Third Legislature

Thursday, October 28, 1993

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

ROUTINE

Presenting Petitions

Mr. Bracko, Hon. Member for St. Albert, presented a petition from 22,948 Albertans regarding the privatization of the sale of alcohol products.

Notices of Motions

Mr. Henry, Hon. Member for Edmonton-Centre, gave oral notice of his intention to move, pursuant to Standing Order 30, that the Assembly adjourn to discuss a matter of urgent public importance, namely the Government's consultation process on education and the reaction of the students and parents of Alberta to this process.

Mr. Henry, Hon. Member for Edmonton-Centre, gave oral notice of his intention to raise a purported point of privilege.

Tabling Returns and Reports

Mr. Bruseker, Hon. Member for Calgary-North West:

Fourteen Questions, Student Voice, Bowness High School, October 28, 1993
Sessional Paper 848/93

Ms Leibovici, Hon. Member for Edmonton-Meadowlark:

Letters, dated October 26, 1993, from Pat Wocknitz, President, Alberta Union of Provincial Employees, to John McPhail, Executive Director, Human Resources, Alberta Liquor Control Board and from John McPhail to Pat Wocknitz, regarding notices of termination to part-time Alberta Liquor Control Board employees
Sessional Paper 849/93

Hon. Mr. Schumacher, Speaker of the Legislative Assembly, pursuant to the Conflicts of Interest Act, cC-22.1, s23(10), 26(1):

Report of the Ethics Commissioner on his Investigation Into Allegations Involving Hon. Mrs. Mirosh, Minister without Portfolio, October 28, 1993
Sessional Paper 2A/93

Ministerial Statements

Hon. Mr. Klein, Premier, made a statement regarding Alberta Government policy on appointments to agencies, boards and commissions.

Mrs. Hewes, Hon. Deputy Leader of the Official Opposition, commented on the statement.

Member' Statements

Mr. Herard, Hon. Member for Calgary-Egmont, made a statement regarding the graduates of the Adolescent Recovery Centre in Calgary.

Dr. Massey, Hon. Member for Edmonton-Mill Woods, made a statement regarding programs to help the underclass join the mainstream of society.

Mrs. Laing, Hon. Member for Calgary-Bow, made a statement regarding the Alberta Alcohol and Drug Abuse Commission's magazine, "A Conversation About Substance Abuse," its distribution and sponsorship.

During Members' Statements, Mrs. Laing, Hon. Member for Calgary-Bow, tabled the following:

Alberta Alcohol and Drug Abuse Commission magazine, "A Conversation About Substance Abuse"

Sessional Paper 638/93

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. Evans, Deputy Government House Leader, gave notice of projected Government Business for the week of November 1 to 4, 1993:

Monday, November 1, 1993

Aft. - **Government Bills and Orders**

Second Reading

Bill 17, Family Life and Substance Abuse Foundation Act Repeal Act,

Bill 18, Industrial Wages Security Act Repeal Act,

Bill 11, Alberta Corporate Tax Amendment Act, 1993,

Bill 12, Liquor Control Amendment Act, 1993, and

Bill 10, Alberta Registries Act

- Committee of the Whole

Bill 17, Family Life and Substance Abuse Foundation Act Repeal Act,

Bill 18, Industrial Wages Security Act Repeal Act,

Bill 11, Alberta Corporate Tax Amendment Act, 1993,

Bill 12, Liquor Control Amendment Act, 1993,

Bill 10, Alberta Registries Act and

Bill 8, School Amendment Act, 1993

Eve. - **Committee of Supply**

Alberta Heritage Savings Trust Fund, Capital Projects Division

Tuesday, November 2, 1993	Aft. - Private Bills Second Reading Committee of the Whole
	4:30 Government Bills and Orders Second Reading (As per Order Paper) Committee of the Whole (As per Order Paper)
	Eve. - Committee of Supply Alberta Capital Fund
Wednesday, November 3, 1993	Eve. - Committee of Supply Alberta Capital Fund (vote to be called on Alberta Capital Fund Estimates)
Thursday, November 4, 1993	Aft. - Committee of Supply Lottery Fund (vote to be called on Lottery Estimates)

Privilege

Mr. Henry, Hon. Member for Edmonton-Centre, raised a purported point of privilege concerning the denial of access to the public galleries of four individuals.

The Speaker advised the Assembly he would take the matter under advisement.

Statement by the Speaker - Explanation of Ruling

On October 25, 1993, the Chair agreed to pursue a certain matter after a request by the Opposition House Leader. The matter arose in the following way.

During Question Period, the Member for Edmonton-Whitemud put a question to the Provincial Treasurer which was answered by the Government House Leader. The Member for Edmonton-Whitemud then posed a supplementary question which was answered. The Member then asked his second supplemental question, to which there was a reply. After the reply, the Member for Clover Bar-Fort Saskatchewan rose, as Chair of the Public Accounts Committee, and asked if she could supplement the last answer given by the Provincial Treasurer.

The Chair would not allow the Member for Clover Bar-Fort Saskatchewan to supplement the answer. The Opposition House Leader asked the Chair for an explanation of his ruling pursuant to Standing Order 13(2). The Chair did explain, but said that it would undertake to see if there was any precedent for Chairs of Legislative Assembly committees to supplement answers to questions which were asked of Government.

As the Chair explained at the time, the principle of Question Period is to allow

A brief question seeking information about an important matter of some urgency which falls within the administrative responsibility of the Government or of the specific Minister to whom it is addressed (see Beauchesne paragraph 409).

Beauchesne states again at paragraph 410(5):

The primary purpose of the Question Period is the seeking of information and calling the Government to account.

And, finally, Beauchesne states in paragraph 410(10):

The subject matter of questions must be within the collective responsibility of the Government or the individual responsibilities of Ministers.

This Assembly has, over time, developed its own variations on these principles. Some of these are as follows:

1. Questions may be directly put to Members who chair committees of the Assembly. See for example Hansard of March 26, 1991, and Erskine May at page 286. Such questions would have to relate to the committee as it is "directly concerned with the working of the House", to quote May.
2. Questions may be directly put to the Members who chair the Standing Policy Committees of the Government, but only on procedural matters and agenda of the Standing Policy Committee: see Speaker's Ruling of October 7, 1993. Such Members may supplement answers given by members of Executive Council, but only, and the Chair emphasizes only, within their narrow range of responsibility.
3. Questions may also be directly put to Members who, by virtue of chairing certain statutory bodies, although not members of Executive Council, perform certain executive duties. Such questions must relate directly to those executive responsibilities. Such Members may also supplement answers given by members of Executive Council, but only, and the Chair again emphasizes only, within their narrow range of responsibility.

The present issue is whether the Chair of a Legislative committee can supplement an answer given by a Member of Government.

The question was put to a member of Executive Council. Information was sought of Government about a matter within the responsibility of Government or of the particular Minister. This is in accordance with the principles set out above. The Chair does not see how the Chair of a committee of the Assembly could add to information offered by the Government with respect to a matter within the responsibility of Government. It is fundamental that the Assembly is not the Government nor is the Government the Assembly. While the two entities sit together in this Chamber, they are quite distinct. Chairs of committees of the Assembly would not be privy, in that capacity, to information possessed by Government relating to governmental responsibilities.

If information is required of a Member who chairs a committee of the Assembly, a question may be put directly to that Member. Members who chair committees of the Assembly cannot supplement information given by Members of the Government. No previous case of such supplementary information being given by a committee Chair has been found.

Motion for Adjournment for an Emergency Debate

Mr. Henry, Hon. Member for Edmonton-Centre, requested leave to move, pursuant to Standing Order 30, that the Assembly adjourn to discuss a matter of urgent public importance, namely the Government's consultation process on education and the reaction of the students and parents of Alberta to this process.

The Speaker ruled that the request for leave was not in order.

ORDERS OF THE DAY

Committee of Supply

(Day 25 of Main Estimates Consideration – Designated)

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

(Assembly in Committee)

At 5:15 p.m., pursuant to Standing Orders 58(1) and 59(1) and (3), the Chairman put the question that the Committee approve each one of the resolutions not yet voted upon relating to the Main Estimates of the Government and the Legislative Assembly for 1993-94.

The Speaker resumed the Chair and Mr. Tannas reported as follows:

Mr. Speaker:

Mr. Speaker, the Committee of Supply has had under consideration certain resolutions, reports each one the resolutions not yet voted upon relating to the Main Estimates of the Government and Legislative Assembly for 1993-94 have been approved, and requests leave to sit again.

Mr. Speaker, I wish to file a list of those resolutions voted upon by the Committee of Supply pursuant to Standing Order 57(9).

Sessional Paper 852/93

Mr. Speaker, I wish to file copies of documents filed by the Minister of Justice and Attorney General on this date for the official records of the Assembly:

Committee of Supply Questions, 1993-94 Estimates, September 20, 1993
Sessional Paper 850/93

Committee of Supply Questions, 1993-94 Estimates, October 30, 1993
Sessional Paper 851/93

Mr. Speaker, I also wish to table copies of all amendments considered by the Committee of Supply on this date for the official records of the Assembly.

Amendment to Justice and Attorney General Department, Main Estimates
(Hon. Member for Calgary-Buffalo) – Defeated
Sessional Paper 639/93

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 5:18 p.m. until Monday, November 1, 1993, at 1:30 p.m.

Title: Thursday, October 28, 1993