



**Legislative Assembly  
Province of Alberta**

No. 43

**VOTES AND PROCEEDINGS**

Second Session

Twenty-Ninth Legislature

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Wednesday, November 2, 2016

The Deputy Speaker took the Chair at 9:00 a.m.

Mr. Cooper, Hon. Member for Olds-Didsbury-Three Hills, requested the unanimous consent of the Assembly to revert to Notices of Motions.

Unanimous consent was not granted.

**Government Bills and Orders**

**Second Reading**

On the motion that the following Bill be now read a Second time:

Bill 21 Modernized Municipal Government Act — Hon. Ms Larivee

A debate followed.

Mr. Cooper, Hon. Member for Olds-Didsbury-Three Hills, moved that the motion for Second Reading of Bill 21, Modernized Municipal Government Act, be amended by deleting all the words after “that” and substituting the following:

Bill 21, Modernized Municipal Government Act, be not now read a Second time but that the subject matter of the Bill be referred to the Standing Committee on Resource Stewardship in accordance with Standing Order 74.2.

A debate followed on the amendment.

The question being put, the amendment was defeated. With Ms Jabbour in the Chair, the names being called for were taken as follows:

For the amendment: 11

Barnes	Fraser	Stier
Cooper	Loewen	Taylor
Cyr	MacIntyre	van Dijken
Drysdale	Orr	

Against the amendment: 42

Babcock	Littlewood	Piquette
Carson	Loyola	Renaud
Ceci	Luff	Rosendahl
Coolahan	Malkinson	Sabir
Cortes-Vargas	Mason	Schmidt
Dach	McCuaig-Boyd	Schreiner
Drever	McKitrick	Shepherd
Feehan	McLean	Sigurdson
Fitzpatrick	McPherson	Sucha
Ganley	Miller	Swann
Goehring	Miranda	Sweet
Gray	Nielsen	Turner
Hoffman	Payne	Westhead
Larivee	Phillips	Woollard

On the motion that the following Bill be now read a Second time:

Bill 25 Oil Sands Emissions Limit Act — Hon. Ms Phillips

A debate followed.

Mr. Dach moved adjournment of the debate, which was agreed to.

The following Bills were read a Second time and referred to Committee of the Whole:

Bill 21 Modernized Municipal Government Act — Hon. Ms Larivee

Bill 24 Forest and Prairie Protection Amendment Act, 2016 — Hon. Mr. Carlier

Mr. Cooper, Hon. Member for Olds-Didsbury-Three Hills, requested and received the unanimous consent of the Assembly to revert to Notices of Motions.

## **Notices of Motions**

Mr. Cooper, Hon. Member for Olds-Didsbury-Three Hills, gave oral notice of his intention to move that pursuant to Standing Order 15(6), the Legislative Assembly refer to the Standing Committee on Privileges and Elections, Standing Orders and Printing the deliberation in consideration of the Speaker's finding yesterday of a prima facie case of breach of privilege and the determination of an appropriate remedy.

### **Deputy Speaker's Ruling – Refer Speaker's Finding to the Standing Committee on Privileges and Elections, Standing Orders and Printing**

Having heard this proposed Notice of Motion, I am prepared to give a ruling on the proposed Notice of Motion under Standing Order 15(6) concerning a prima facie breach of privilege after an apology has been given.

Honourable Members, what we have today in the Assembly is a situation that is almost identical to what happened on December 3, 2013, and on that day, the then Member for Edmonton-Strathcona provided oral notice of her intention to move a motion pursuant to Standing Order 15(6), referring to the Standing Committee on Privileges and Elections, Standing Orders and Printing consideration of the Speaker's ruling of a prima facie breach of privilege on December 2, 2013.

Speaker Zwozdesky ruled that motion was out of order under Standing Order 48, because the Deputy Premier on behalf of the Government of that day offered an apology to the Assembly. He indicated that after an apology was given, the matter was concluded. His ruling can be found on pages 3303 to 3304 of Hansard for December 3, 2013. By way of additional authorities I reference Speaker Schumacher's ruling in 1993 on the effect of an apology. That can be found at pages 463 and 464 of Hansard for September 23, 1993.

Both Speaker Schumacher and Speaker Zwozdesky cited Joseph Maingot's Parliamentary Privilege in Canada on this matter, which states on page 267 of the second edition of that book, "An apology by the offending Member will invariably close the matter without the necessity of putting the motion to a vote." Yesterday the Deputy Government House Leader apologized on behalf of the Government after the Speaker's ruling of a prima facie contempt. I must rule the motion proposed by the Official Opposition House Leader out of order pursuant to Standing Order 48. The reason, once again, is that an apology was given, and according to the practices of this Assembly once an apology is given, the matter is concluded.

I consider the matter ended, Honourable Members, and let us move on.

## **Adjournment**

On motion by Hon. Mr. Mason, Government House Leader, the Assembly adjourned at 11:53 a.m. until 1:30 p.m.

## **ROUTINE**

### **Speaker's Statement – Oral Question Period Timing**

Honourable Members, before we start the clock on Oral Question Period, I committed to provide a response to the question which was raised yesterday with respect to stopping the clock. I would like to briefly comment on that matter as was raised by the Official Opposition House Leader. I remind Members that it is at the discretion of the Chair to stop the clock when providing comments or direction on proceedings of this House. Yesterday I provided caution to Members in the application of the sub judice rule during Oral Question Period, and I declined to stop the clock at that time. I think the particular point that was made and maybe intended by the Hon. Member at the time was the length of the sub judice which I wrote on the second day. In the future I will be conscious of that and will continue to use my discretion, however, as to when I apply the principle.

### **Members' Statements**

Mr. Cooper, Hon. Member for Olds-Didsbury-Three Hills, made a statement regarding a recent Speaker's ruling and the Government's spending on an advertising campaign for its Climate Leadership Plan.

Mrs. Littlewood, Hon. Member for Fort Saskatchewan-Vegreville, made a statement recognizing the Pysanka Festival, which showcases Ukrainian culture, held in Vegreville on the first weekend of each July, and thanking festival organizers.

Mr. McIver, Hon. Leader of the Progressive Conservative Opposition, made a statement regarding children's cancer, the health and mental difficulties faced by survivors of children's cancers, and the need to increase investment in research.

Mr. Westhead, Hon. Member for Banff-Cochrane, made a statement regarding the farewell tour for the rock band The Tragically Hip, lead singer Gord Downie's terminal cancer diagnosis, and Mr. Downie's recent efforts to bring attention to Canada's residential school legacy.

Mr. Kleinsteuber, Hon. Member for Calgary-Northern Hills, made a statement regarding the experiences of firefighters from Fire Department 31 in the Calgary-Northern Hills constituency, who responded to the May 2016 Fort McMurray wildfires.

Hon. Mr. Mason, 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.

Mr. Stier, Hon. Member for Livingstone-Macleod, made a statement regarding the actions the Government has taken to break the trust of Albertans.

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

Notice having been given:

Bill 26 Ukrainian-Canadian Heritage Day Act — Mrs. Littlewood

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

Bill 26 Ukrainian-Canadian Heritage Day Act — Mrs. Littlewood

## **Tabling Returns and Reports**

Mr. Rosendahl, Hon. Member for West Yellowhead:

Document dated October 27, 2016, entitled “Bovine Tuberculosis in southeastern Alberta,” prepared by the Government of Alberta

Sessional Paper 319/2016

Mr. Cooper, Hon. Member for Olds-Didsbury-Three Hills:

Document, undated, entitled “Community Housing – September 2016”

Sessional Paper 320/2016

List of estimated deferred maintenance costs for housing projects

Sessional Paper 321/2016

Global News website article dated December 3, 2013, entitled “Alberta Tories in trouble over brochure,” relating to comments made by Mr. Cooper during his Member’s Statement on November 2, 2016

Sessional Paper 322/2016

## **ORDERS OF THE DAY**

### **Government Bills and Orders**

#### **Second Reading**

Hon. Mr. Bilous, Deputy Government House Leader, requested and received the unanimous consent of the Assembly to waive Standing Order 77(1) to allow for Second Reading consideration of Bill 26, Ukrainian-Canadian Heritage Day Act.

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

Bill 26 Ukrainian-Canadian Heritage Day Act — Mrs. Littlewood

### **Committee of the Whole**

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

(Assembly in Committee)

And after some time spent therein, the Deputy Speaker assumed the Chair.

The following Bill was reported:

Bill 26 Ukrainian-Canadian Heritage Day Act — Mrs. Littlewood

### **Third Reading**

Hon. Mr. Bilous, Deputy Government House Leader, requested and received the unanimous consent of the Assembly to waive Standing Order 77(1) to allow for Third Reading consideration of Bill 26, Ukrainian-Canadian Heritage Day Act.

On the motion that the following Bill be now read a Third time:

Bill 26 Ukrainian-Canadian Heritage Day Act — Hon. Mr. Bilous on behalf of  
Mrs. Littlewood

A debate followed.

Mr. Cooper, Hon. Member for Olds-Didsbury-Three Hills, requested and received the unanimous consent of the Assembly to shorten the interval between division bells to one minute for Third Reading consideration of Bill 26, Ukrainian-Canadian Heritage Day Act.

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

For the motion: 70

Aheer	Hinkley	Notley
Anderson (Leduc-Beaumont)	Hoffman	Orr
Babcock	Horne	Panda
Bilous	Hunter	Payne
Carson	Jabbour	Piquette
Ceci	Jansen	Rodney
Clark	Jean	Rosendahl
Coolahan	Kleinsteuber	Sabir
Cooper	Littlewood	Schneider
Cortes-Vargas	Loewen	Schreiner
Cyr	Loyola	Shepherd
Dach	Luff	Sigurdson
Dang	MacIntyre	Starke
Drever	Malkinson	Stier
Drysdale	Mason	Sucha
Eggen	McCuaig-Boyd	Swann
Feehan	McIver	Sweet
Fildebrandt	McLean	Taylor
Fraser	McPherson	Turner
Ganley	Miller	van Dijken
Gill	Miranda	Westhead
Goehring	Nielsen	Woollard
Gray	Nixon	Yao
Hanson		

Against the motion: 0

The following Bill was read a Third time and passed:

Bill 26 Ukrainian-Canadian Heritage Day Act — Mrs. Littlewood

## **Adjournment**

On motion by Hon. Mr. Bilous, Deputy Government House Leader, the Assembly adjourned at 5:32 p.m. until Thursday, November 3, 2016, at 9:00 a.m.

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Hon. Robert E. Wanner,  
Speaker