



**Legislative Assembly  
Province of Alberta**

No. 63

## **VOTES AND PROCEEDINGS**

Second Session

Thirtieth Legislature

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Wednesday, November 4, 2020

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

### **Members' Statements**

Mr. Hanson, Hon. Member for Bonnyville-Cold Lake-St. Paul, made a statement regarding Remembrance Day.

Ms Goehring, Hon. Member for Edmonton-Castle Downs, made a statement regarding Government support for the arts sector.

Mrs. Pitt, Hon. Member for Airdrie-East, made a statement recognizing Remembrance Day and Bill Ward, a constituent of Airdrie-East who served in the Second World War.

MLA Irwin, Hon. Member for Edmonton-Highlands-Norwood, made a statement regarding racism.

Mr. Milliken, Hon. Member for Calgary-Currie, made a statement regarding Government accomplishments during the 30th Legislature.

Mr. Schmidt, Hon. Member for Edmonton-Gold Bar, made a statement regarding Campus Saint-Jean.

Mr. Neudorf, Hon. Member for Lethbridge-East, made a statement regarding the importance of relationships during the COVID-19 pandemic.

Ms Sigurdson, Hon. Member for Edmonton-Riverview, made a statement regarding the proposed phase-out of the Office of the Seniors Advocate.

Mr. Getson, Hon. Member for Lac Ste. Anne-Parkland, made a statement regarding Government policies.

### **Notices of Motions**

Hon. Mr. Nixon, Government House Leader, gave oral notice of the intention to introduce the following Bills:

Bill 46 Health Statutes Amendment Act, 2020 (No. 2) — Hon. Mr. Shandro

Bill 47 Ensuring Safety and Cutting Red Tape Act, 2020 (\$) — Hon. Mr. Copping

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

Oral notice having been given November 3, 3030:

Bill 45 Local Authorities Election Amendment Act, 2020 (No. 2) — Hon. Mrs. Allard

### **Tabling Returns and Reports**

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

3 recent e-mail messages from Lise Mayne of Nanton, one to Ms Notley, Hon. Leader of the Official Opposition; one to Mr. Schmidt, Hon. Member for Edmonton-Gold Bar; and one to Hon. Mr. McIver, Minister of Transportation, all expressing concern regarding plastic litter left by street sweeping equipment  
Sessional Paper 432/2020

Ms Pancholi, Hon. Member for Edmonton-Whitemud:

Report dated May 2020, entitled “Manning Regional Childcare Association: Benefit Assessment and Financial Analysis Final Report,” prepared by 180 Degrees Consulting  
Sessional Paper 433/2020

Mr. Turton, Hon. Member for Spruce Grove-Stony Plain:

2 excerpts, one from the Government of Canada website and one from Alberta Hansard, dated July 20, 2020, page PB-212, relating to comments made by Mr. Turton during Committee of the Whole consideration of Bill 204, Voluntary Blood Donations Repeal Act, on November 2, 2020  
Sessional Paper 434/2020

## Tablings to the Clerk

Clerk of the Assembly on behalf of Hon. Mr. Copping, Minister of Labour and Immigration, pursuant to the Government Organization Act, cG-10, sch10, s10(3):

Alberta Association for Safety Partnerships, Authorized Radiation Health Administrative Organization Annual Report for the period January 1, 2019, to December 31, 2019

Sessional Paper 435/2020

Alberta College and Association of Chiropractors, Authorized Radiation Health Administrative Organization Annual Report for the period July 1, 2019, to June 30, 2020

Sessional Paper 436/2020

Alberta Dental Association and College, Authorized Radiation Health Administrative Organization Annual Report for the period January 1, 2019, to December 31, 2019

Sessional Paper 437/2020

Alberta Veterinary Medical Association, Authorized Radiation Health Administrative Organization Annual Report for the period November 1, 2018, to October 31, 2019

Sessional Paper 438/2020

College of Physicians and Surgeons of Alberta, Authorized Radiation Health Administrative Organization Annual Report for the period January 1, 2019, to December 31, 2019

Sessional Paper 439/2020

University of Alberta, Authorized Radiation Health Administrative Organization Annual Report for the period April 1, 2019, to March 31, 2020

Sessional Paper 440/2020

University of Calgary, Authorized Radiation Health Administrative Organization Annual Report for the period April 1, 2019, to March 31, 2020

Sessional Paper 441/2020

Clerk of the Assembly on behalf of Hon. Mr. Glubish, Minister of Service Alberta, pursuant to An Act to End Predatory Lending, cE-9.5, s4(2):

Government of Alberta 2019 Report: An Act to End Predatory Lending

Sessional Paper 442/2020

## **Privilege – Government Motion 29**

Honourable Members, I am prepared to rule on the question of privilege raised yesterday, November 3, 2020, by the Official Opposition House Leader, which relates to events that occurred in the Assembly during the afternoon of November 2, 2020. The submissions of the Official Opposition House Leader, the Government House Leader, and the Member for Cypress-Medicine Hat relating to this question of privilege can be found at pages 2957 to 2960 of yesterday's Hansard.

Yesterday morning at 11:23 a.m. my office received written notice from the Official Opposition House Leader that she intended to raise a question of privilege that afternoon. That notice was copied to the Government House Leader. The Official Opposition did not provide notice to the Minister of Justice and Solicitor General, as was noted in the Government House Leader's argument.

I would like to remind all Members, and in particular the Official Opposition House Leader, of the requirement under Standing Order 15(2) to, if practicable, provide notice to any person whose conduct may be called into question when the question of privilege is raised in the Assembly. During the arguments provided, the Hon. Minister of Justice and Solicitor General's conduct was called into question, yet he was not included on the memo. It is an important principle that if a Member's conduct is called into question, the Member has the opportunity to defend themselves.

Notwithstanding that caution, that I would like to provide to the Opposition or any Member for the future, I find that the Official Opposition House Leader met the notice requirements under Standing Order 15(2) and has raised this matter at the earliest opportunity, as required under Standing Order 15(6).

The Official Opposition House Leader argued that on November 2, 2020, the privilege of all private Members, specifically the Member for Edmonton-Meadows, who is the sponsor of Motion Other Than a Government Motion 512, was breached when the Minister of Justice and Solicitor General moved Government Motion 29 on behalf of the Hon. Premier during a Monday afternoon sitting of the Assembly. The category of privilege on which the Official Opposition House Leader was relying was not clearly articulated in arguments, although I do note that the privilege of freedom of speech was referenced.

I will not recount the events of the afternoon of November 2, 2020, in detail, as Members may review the Votes and Proceedings for that day.

The Official Opposition House Leader is correct that Standing Order 8(1) sets out the items of business for consideration on Monday afternoons, which include Public Bills and Orders other than Government Bills and Orders as well as Motions other than Government Motions. However, Standing Order 8(1.1)(b) very clearly states the following:

if no items of business under suborder (1) stand on the Order Paper for consideration, the Assembly shall proceed to consideration of any items of Government business under suborder (2).

To be clear, there was no other item of private Members' business available for consideration.

The Official Opposition House Leader stated in her submissions that the Assembly could have proceeded to Motion other than a Government Motion 512 once consideration of Motion 511 concluded. While this is technically correct, in order to proceed to Motion 512, a motion of the sponsor would have been required under Standing Order 8(1.2), which reads as follows:

(1.2) Notwithstanding suborder (1.1) and (5), on a Monday afternoon following the conclusion of business for consideration of the Assembly under suborder (1), the Assembly may consider the motion other than a Government motion that is next in precedence on the Order Paper on passage of a motion made by the sponsor of that motion other than a Government motion.

For clarity's sake, this Standing Order sets out a procedure that allows for an item not otherwise available for consideration.

I was in the Chair during the relevant period of time on the afternoon of November 2, and I can assure the Assembly that if the Member for Edmonton-Meadows had risen to move a motion pursuant to Standing Order 8(1.2) following the announcement of the vote on the motion made by the Member for Cardston-Siksika under Standing Order 8(4), I would have recognized him to do just that. With no motion on the floor to this effect, the Assembly's only option was to proceed to Government business, and I recognized the Hon. Minister of Justice and Solicitor General to move Government Motion 29.

The Official Opposition House Leader stated in her arguments that no opportunity was granted to proceed to Motion 512. However, it was the responsibility of the sponsor in accordance with Standing Order 16 to rise if it was his intention to move a motion under Standing Order 8(1.2).

Accordingly, the Minister did not prevent the Assembly from proceeding to consideration of Motion 512.

I would like to assert that I take objection to the assertion that no opportunity was granted, as it would suggest that the Speaker in some way was a barrier to the Member for Edmonton-Meadows moving Motion 512.

Finally, I must address the statement by the Official Opposition House Leader that a tradition exists in this Assembly of requesting unanimous consent to proceed to Third Reading of a private Member's public bill upon the completion of the committee of the whole stage. Although this has occurred on occasion, it is a departure from the rules of the Assembly, and Members are not required to give their consent if such a request for unanimous consent is made. I would also point out that this type of request can be made at any time under any circumstance.

Although I sympathize with the arguments of the Official Opposition House Leader and the Member for Cypress-Medicine Hat, that the result of Monday afternoon's events did limit debate on private Members' business, I find that the procedures followed were consistent with the Assembly's Standing Orders.

While the Speaker has authority under Standing Order 2 to decide matters in all contingencies unprovided for, in this instance the rules the Assembly has set for itself are clear. To quote Speaker Schumacher on February 26, 1996, at page 224 of Hansard:

In this instance, if the Chair were to find that a prima facie question of privilege existed or that a contempt had been committed, the Chair would in effect have to find that the Standing Orders violated the privileges of the members. To make such a finding could cast doubt upon the House's ability to control its own proceedings, which the Chair is not about to do.

Accordingly, I do not find a prima facie case of privilege. However, as a final note, I want to emphasize that this Assembly has, since amendments to the Standing Orders were put in place in 1993, given significant opportunities to private Members to bring their proposals before the Assembly for consideration. This is a tradition that I strongly value and I encourage all Members to assist in ensuring that this tradition can continue.

I consider this matter dealt with and concluded.

## **ORDERS OF THE DAY**

### **Government Bills and Orders**

#### **Second Reading**

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

Bill 41 Insurance (Enhancing Driver Affordability and Care) Amendment Act, 2020  
— Hon. Mr. Toews

#### **Conflict of Interest**

Mr. Amery, Hon. Member for Calgary-Cross, declared a potential conflict of interest regarding Bill 41, Insurance (Enhancing Driver Affordability and Care) Amendment Act, 2020, and absented himself from consideration and the vote on the motion.

A debate followed.

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

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

Bill 42 North Saskatchewan River Basin Water Authorization Act — Hon.  
Mr. Nixon

### **Committee of the Whole**

According to Order, the Assembly resolved itself into Committee of the Whole and the Acting 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.

WEDNESDAY, NOVEMBER 4, 2020 — 7:30 P.M.

### **Government Bills and Orders**

#### **Committee of the Whole**

(Assembly in Committee)

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

The following Bill was reported:

Bill 42 North Saskatchewan River Basin Water Authorization Act — Hon.  
Mr. Nixon

Progress was reported on the following Bill:

Bill 37 Builders' Lien (Prompt Payment) Amendment Act, 2020 — Hon.  
Mr. Glubish

Ms Lovely, Acting Chair of Committees, tabled copies of an amendment considered by Committee of the Whole on this date for the official records of the Assembly.

Amendment to Bill 37 (A1) (Hon. Minister of Service Alberta) — Agreed to  
Sessional Paper 443/2020

## **Second Reading**

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

Bill 41 Insurance (Enhancing Driver Affordability and Care) Amendment Act, 2020  
— Hon. Mr. Toews

A debate followed.

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

## **Adjournment**

Pursuant to Standing Order 3(1.2) and on motion by Hon. Mr. Nixon, Government House Leader, the Assembly adjourned at 11:47 p.m. until Thursday, November 5, 2020, at 1:30 p.m.

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Hon. Nathan M. Cooper,  
Speaker