



**Legislative Assembly  
Province of Alberta**

No. 111

## **VOTES AND PROCEEDINGS**

Second Session

Thirtieth Legislature

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Tuesday, June 8, 2021

The Speaker took the Chair at 10:00 a.m.

### **Government Bills and Orders**

#### **Third Reading**

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

Bill 62 Red Tape Reduction Implementation Act, 2021 — Hon. Mr. Hunter

A debate followed.

Ms Pancholi moved adjournment of the debate, which was agreed to.

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

Bill 56 Local Measures Statutes Amendment Act, 2021 — Hon. Mr. McIver

A debate followed.

Debate adjourned.

### **Adjournment**

Pursuant to Standing Order 4(2.1), the Assembly adjourned at 12:00 p.m. until 1:30 p.m.

TUESDAY, JUNE 8, 2021 — 1:30 P.M.

## **ROUTINE**

The Speaker offered a prayer and a moment of silence was observed in honour of the memory of the victims of a hate-motivated vehicular attack against a Muslim family in London, Ontario, on June 6, 2021, that killed four people and left one in critical condition.

### **Members' Statements**

MLA Loyola, Hon. Member for Edmonton-Ellerslie, made a statement regarding the hate-motivated vehicular attack against a Muslim family in London, Ontario, on June 6, 2021, that killed four people and left one in critical condition.

Mr. Yaseen, Hon. Member for Calgary-North, made a statement regarding the hate-motivated vehicular attack against a Muslim family in London, Ontario, on June 6, 2021, that killed four people and left one in critical condition.

Mr. Long, Hon. Member for West Yellowhead, made a statement regarding the Government's economic recovery plan.

Ms Goehring, Hon. Member for Edmonton-Castle Downs, made a statement regarding the need for stronger leadership from the Premier.

Mr. Amery, Hon. Member for Calgary-Cross, made a statement regarding the hate-motivated vehicular attack against a Muslim family in London, Ontario, on June 6, 2021, that killed four people and left one in critical condition.

Ms Sigurdson, Hon. Member for Edmonton-Riverview, made a statement regarding Seniors' Week.

Mr. Neudorf, Hon. Member for Lethbridge-East, made a statement regarding the potential benefits of using small modular reactors in Alberta's energy industry.

Mr. Sigurdson, Hon. Member for Highwood, made a statement reflecting on the COVID-19 pandemic.

Mr. Smith, Hon. Member for Drayton Valley-Devon, made a statement regarding the recently proposed Alberta kindergarten to grade 6 curriculum.

## Notices of Motions

Mr. Sabir, Hon. Member for Calgary-McCall, gave oral notice of his intention to move the following motion under Standing Order 42:

Be it resolved that the Legislative Assembly

- (a) Acknowledge and mourn that four Muslim Canadians — a grandmother, a mother, father and teenage daughter — were killed yesterday, and a little boy seriously injured because of hatred, bigotry and terrorism in our society.
- (b) Denounce and take immediate actions to prevent anti-Muslim hate and the rise of hate crimes in Canada and Alberta, where a number of hate-motivated crimes have taken place across this province, including recently.
- (c) Urge the Government of Alberta to work with BIPOC communities and all parties of the Legislative Assembly to prevent hate crimes, support victims of hate crimes, fund public education and race-based data collection, and increase funding to and expand the mandate of the Alberta Human Rights Commission with respect to preventing hate crimes.
- (d) Further urge the Government of Alberta to:
  - (i) table the report and recommendations of the Alberta Anti-Racism Advisory Council by Thursday, June 10, 2021 and release a concrete Anti-Racism Action Plan by August 30, 2021; and
  - (ii) strike a bi-partisan committee of the Legislative Assembly, within three weeks of the passing of this motion, to co-develop, implement, and report progress on the Anti-Racism Action Plan.

Hon. Mr. Nixon, Government House Leader, gave oral notice of the following motion:

**84.** Be it resolved that the Legislative Assembly

- (a) express its deepest condolences to the loved ones of the four members of a Canadian family killed in a brutal act of Islamophobic terrorism in London, Ontario yesterday, while uniting in hope for the recovery of a young boy who was seriously injured in the attack;
- (b) convey its shared grief with Canada's entire Muslim community following this heinous hate crime, while affirming that Muslim Albertans must be able to live in security without fear;
- (c) denounce unequivocally the hatred of Islam which motivated this attack, while condemning all forms of hatred in our society;
- (d) call upon the Government of Alberta to strengthen law enforcement, educational and other efforts to combat Islamophobia, and all forms of bigotry and hatred;
- (e) encourage the Alberta Anti-Racism Advisory Council to study and report on hate crimes targeting religious and ethnic minority communities.

## **Privilege – Misleading the Assembly**

Honourable Members, I am prepared to rule on the point of privilege from yesterday. The point of privilege was raised on June 7, 2021, by the Hon. Member for Central Peace-Notley. The question has to do with statements made by the Hon. Premier and the Minister of Health in the Assembly during Oral Question Period on Thursday, June 3, 2021. The Member for Central Peace-Notley provided notice of the question of privilege to my office at 11:24 a.m. on June 7, with a copy to the Hon. Premier, the Minister of Health, the Government House Leader, and the Official Opposition House Leader, thereby meeting the notice requirements under Standing Order 15(2). I also find that this matter was raised at the earliest opportunity, as was required under the Standing Orders.

In his submission the Hon. Member for Central Peace-Notley referenced a number of comments made in response to questions posed by the opposition during Oral Question Period on June 3, 2021, on the matter of the gathering the Premier and Ministers and the Minister of Health, among others, attended on June 1, 2021, on the upper patio of the Edmonton Federal Building. The Member contends that these statements exemplify the Premier's and the Minister of Health's efforts to deliberately mislead the Assembly.

First, the Member for Central Peace-Notley highlighted a question posed by the Hon. Member for Edmonton-Glenora concerning the gathering, to which the Premier responded that "On Tuesday we moved forward with stage 1 of Alberta's open-for-summer plan, which included expanding outdoor gatherings to a maximum of 10 people. We had a business dinner, which we moved outside, with six people, that was fully rule compliant." These remarks can be found on page 5212 of Hansard for June 3.

The Member for Central Peace-Notley then referenced the Premier's response to the Member for Edmonton-City Centre's question on the same matter, to which the Premier stated in part, "With respect to rules, we made every reasonable effort to be physically distanced, outdoors, rather than doing an indoor meeting, fully compliant with the rules." These remarks can be found on page 5213 of Hansard for June 3.

In addition, the Member referenced the Premier's response to a question from the Member for Calgary-McCall, in which the Premier stated, in reference to the phase 1 reopening plan that "the same rules apply to everyone, and even Members of the Legislative Assembly." These comments may be found on page 5213 of Hansard for June 3.

Lastly, the Member for Central Peace-Notley highlighted a series of questions posed by the Member for Edmonton-South on gatherings to which the Minister of Health indicated in part that there were "no rules broken." This exchange can be found on page 5214 of Hansard from the same day.

In his arguments in response to submissions from the Member for Central Peace-Notley, the Deputy Government House Leader argued that although the Premier had expressed regret, compliance with the rules “may have fallen short at points during the event in question...this does not mean that the Assembly was misled” when it heard responses to the questions on June 3, and “it certainly does not mean that the Assembly was intentionally misled.” These submissions may be found on page 5240 of Hansard for June 7, 2021.

Honourable Members, it is not the first time during the 30th Legislature that a purported question of privilege concerning the matter of deliberately misleading the Assembly has been raised. Nevertheless, I wish to clarify at the outset that this type of question of privilege, which purports that a Member made statements to deliberately mislead the Assembly, is treated as a contempt of the Assembly. As indicated on page 307 of Erskine May’s Treatise on the Laws, Privileges, Proceedings and Usage of Parliament, 25th edition, with respect to the United Kingdom: “The Commons may treat the making of a deliberately misleading statement as a contempt.” And as noted on page 85, House of Commons Procedures and Practice, 3rd edition, “the provision of deliberately misleading information to the House or one of its committees by a Minister or by a Member” has been “raised as a matter of privilege.”

As noted on July 7, 2020, page 1764, and June 25, 2019, at page 1174 of Hansard for those days, the test for deliberately misleading the House is very difficult to meet. This test is set out in the fourth edition of Parliamentary Practice in New Zealand on pages 775 to 776.

While many Albertans and, certainly, the Member for Central Peace-Notley may believe that this case is cut and dried, in fact is not. The test has three elements, and in order to be seen as a point of privilege, it must meet all three parts of the test.

The statements must, one, in fact have been misleading. Now, given the benefit of hindsight, many Members of the Assembly may feel that the statement made by the Premier were misleading. Number two, the Member must have known that the statement was inaccurate at the time in which the statement was made. And number three, the Member must have intended to intentionally mislead the Assembly.

Based on the statements as made in Oral Question Period on June 3, and on the question of whether the statement is misleading, it is entirely conceivable that the Hon. Premier and the Minister of Health believed that they had been in compliance with the public health rules. The fact that these recollections changed in hindsight does not detract from the fact that when the statements were made, they may have believed them to be factual.

In addition, as the Deputy Government House Leader pointed out in his arguments, that can be found on page 5240 of Hansard for June 7, and paragraph 494 on page 151 of Beauchesne’s, and that read as follows: “It has been formerly ruled by Speakers that statements by Members respecting themselves and particularly within their own knowledge must be accepted.”

We must take a Member at their word even when it may be uncomfortable for the Speaker or other Albertans or when it may seem unlikely. Therefore, the first element of this test has not been met. The statements made by the Premier and the Minister of Health do not meet the threshold of deliberately misleading this Assembly and do not constitute a contempt. Accordingly, I do not find a prima facie breach of privilege, and this matter is concluded.

In addition, the Chair acknowledges that the Hon. Premier did in fact apologize for statements that had been made that are the subject of questions, and the Chair accepts the apology at its face value. The Premier did so a number of times during Question Period yesterday and expressed regret for the gathering during a public apology previously to that.

I consider this matter dealt with and concluded.

## **Motions Under Standing Order 42**

Mr. Sabir, Hon. Member for Calgary-McCall, requested the unanimous consent of the Assembly for consideration of the following motion:

Be it resolved that the Legislative Assembly

- (a) Acknowledge and mourn that four Muslim Canadians — a grandmother, a mother, father and teenage daughter — were killed yesterday, and a little boy seriously injured because of hatred, bigotry and terrorism in our society.
- (b) Denounce and take immediate actions to prevent anti-Muslim hate and the rise of hate crimes in Canada and Alberta, where a number of hate-motivated crimes have taken place across this province, including recently.
- (c) Urge the Government of Alberta to work with BIPOC communities and all parties of the Legislative Assembly to prevent hate crimes, support victims of hate crimes, fund public education and race-based data collection, and increase funding to and expand the mandate of the Alberta Human Rights Commission with respect to preventing hate crimes.
- (d) Further urge the Government of Alberta to:
  - (i) table the report and recommendations of the Alberta Anti-Racism Advisory Council by Thursday, June 10, 2021 and release a concrete Anti-Racism Action Plan by August 30, 2021; and
  - (ii) strike a bi-partisan committee of the Legislative Assembly, within three weeks of the passing of this motion, to co-develop, implement, and report progress on the Anti-Racism Action Plan.

Pursuant to Standing Order 42(1.1) and (1.2), Mr. Sabir and Hon. Mr. Nixon commented on the request for unanimous consent.

Unanimous consent to proceed was not granted.

## ORDERS OF THE DAY

Hon. Mr. Nixon, Government House Leader, requested and received the unanimous consent of the Assembly to waive Standing Order 39(1)(a) and proceed immediately to consideration of Government Motion 84.

### Government Motions

84. Oral notice having been given June 8, 2021, moved by Hon. Mr. Kenney:

Be it resolved that the Legislative Assembly

- (a) express its deepest condolences to the loved ones of the four members of a Canadian family killed in a brutal act of Islamophobic terrorism in London, Ontario yesterday, while uniting in hope for the recovery of a young boy who was seriously injured in the attack;
- (b) convey its shared grief with Canada's entire Muslim community following this heinous hate crime, while affirming that Muslim Albertans must be able to live in security without fear;
- (c) denounce unequivocally the hatred of Islam which motivated this attack, while condemning all forms of hatred in our society;
- (d) call upon the Government of Alberta to strengthen law enforcement, educational and other efforts to combat Islamophobia, and all forms of bigotry and hatred;
- (e) encourage the Alberta Anti-Racism Advisory Council to study and report on hate crimes targeting religious and ethnic minority communities.

A debate followed.

Mr. Sabir, Hon. Member for Calgary-McCall, moved that the motion be amended by striking out clause (e) and substituting the following:

- (e) urge the Government of Alberta to
  - (i) table in the Assembly the report and recommendations of the Alberta Anti-Racism Advisory Council by Thursday, June 10, 2021,
  - (ii) make public a concrete Anti-Racism Action Plan by August 30, 2021, and
  - (iii) establish, within three weeks of the passage of this motion, a bipartisan committee of the Legislative Assembly for the purpose of co-developing, implementing, and reporting on progress on the Anti-Racism Action Plan.

Sessional Paper 750/2020-21

A debate followed on the amendment.

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

For the amendment: 11

Bilous	Eggen	Loyola*
Carson	Goehring	Sabir
Dach*	Gray*	Shepherd
Deol*	Irwin*	

Against the amendment: 31

Aheer	Jones	Rowswell*
Allard*	Long	Rutherford
Amery*	Lovely	Savage
Copping	Madu	Schow
Dreeshen	Nally	Schulz
Fir	Neudorf	Sigurdson (Highwood)
Goodridge*	Nicolaides	Smith
Gotfried*	Nixon (Calgary-Klein)	Toews
Guthrie*	Panda	Turton*
Horner	Rosin*	Yaseen
Issik		

*\*Member voted remotely*

Debate adjourned on the main motion.

## **Adjournment**

The Assembly adjourned at 6:03 p.m. until 7:30 p.m.

TUESDAY, JUNE 8, 2021 — 7:30 P.M.

## **Government Motions**

**84.** Oral notice having been given June 8, 2021, moved by Hon. Mr. Kenney:

Be it resolved that the Legislative Assembly

- (a) express its deepest condolences to the loved ones of the four members of a Canadian family killed in a brutal act of Islamophobic terrorism in London, Ontario yesterday, while uniting in hope for the recovery of a young boy who was seriously injured in the attack;
- (b) convey its shared grief with Canada's entire Muslim community following this heinous hate crime, while affirming that Muslim Albertans must be able to live in security without fear;
- (c) denounce unequivocally the hatred of Islam which motivated this attack, while condemning all forms of hatred in our society;



(d) call upon the Government of Alberta to strengthen law enforcement, educational and other efforts to combat Islamophobia, and all forms of bigotry and hatred;

(e) encourage the Alberta Anti-Racism Advisory Council to study and report on hate crimes targeting religious and ethnic minority communities.

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

For the motion: 45

Aheer	Gotfried*	Nicolaides
Allard	Gray	Nixon (Calgary-Klein)
Amery	Hanson	Orr*
Armstrong-Homeniuk	Hoffman	Panda
Barnes	Horner	Rutherford
Ceci	Issik	Savage
Copping	Jones	Schow*
Dach	Kenney	Schulz
Dreeshen	Loewen	Shandro
Ellis	Long	Sigurdson (Highwood)
Feehan	Lovely	Smith
Fir	Loyola	Toews
Ganley	Madu	van Dijken
Glasgo*	Nally	Williams*
Goodridge*	Neudorf	Yaseen

Against the motion: 0

*\*Member voted remotely*

## **Government Bills and Orders**

### **Second Reading**

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

Bill 70 COVID-19 Related Measures Act — Hon. Mr. Shandro on behalf of Mr. Gotfried

A debate followed.

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

### **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)

The following Bill was taken under consideration:

Bill 66 Public Health Amendment Act, 2021 — Hon. Mr. Shandro

Debate continued on the amendment introduced by Mr. Barnes, Hon. Member for Cypress-Medicine Hat, on June 1, 2021, that the Bill be amended in section 16 by adding the following after the proposed section 52.1:

**Chief Medical Officer required to provide information to Legislative Assembly**

52.11 If an order declaring a state of public health emergency is made under section 52.1, the Chief Medical Officer must undertake the following until the order lapses or terminates:

- (a) at least once within each 90-day period that immediately and consecutively follows the making of the order, appear before the Standing Committee on Families and Communities to provide information to, and respond to questions from, Members of that Committee relating to the state of public health emergency, and
- (b) on a written request from a Member of the Legislative Assembly for information about the state of the public health emergency, provide that information in writing to the Member as soon as practicable.

The question being put, the amendment was defeated. With Mrs. Pitt at the Table, the names being called for were taken as follows:

For the amendment: 11

Barnes	Ganley	Hoffman
Ceci	Goodridge*	Loewen
Dach	Gotfried*	Loyola
Feehan	Gray	

Against the amendment: 31

Aheer	Kenney	Rutherford
Amery	Long	Savage
Armstrong-Homeniuk	Lovely	Schulz
Copping	Nally	Sigurdson (Highwood)
Dreeshen	Neudorf	Smith
Ellis	Nicolaidis	Toews
Fir	Nixon (Calgary-Klein)	Toor
Hanson	Orr*	van Dijken
Horner	Panda	Williams*
Issik	Rehn	Yaseen
Jones		

\*Member voted remotely

The following Bill was taken under consideration:

Bill 58 Freedom to Care Act — Hon. Mrs. Aheer

Ms Gray, Official Opposition House Leader, on behalf of Ms Goehring, Hon. Member for Edmonton-Castle Downs, moved that the Bill be amended by striking out section 1(g)(ii) and section 8(a).

The question being put, the amendment was defeated. With Mrs. Pitt at the Table, the names being called for were taken as follows:

For the amendment: 6

Ceci	Feehan	Hoffman
Dach	Gray	Loyola

Against the amendment: 32

Aheer	Long	Singh*
Amery	Lovely	Smith
Armstrong-Homeniuk	Nally	Stephan*
Copping	Neudorf	Toor
Dreeshen	Nicolaides	Turton*
Ellis	Nixon (Calgary-Klein)	van Dijken
Fir	Panda	Walker*
Hanson	Rehn	Williams*
Horner	Rutherford	Yao*
Issik	Schulz	Yaseen
Jones	Sigurdson (Highwood)	

\*Member voted remotely

The following Bill was taken under consideration:

Bill 72 Preserving Canada's Economic Prosperity Act — Hon. Mrs. Savage

MLA Loyola, Hon. Member for Edmonton-Ellerslie, on behalf of Ms Ganley, Hon. Member for Calgary-Mountain View, moved that the Bill be amended

- (a) in section 1 by adding the following immediately after clause (f):
  - (g) “refined fuels” means
    - (i) gasoline, diesel, aviation fuel and locomotive fuel, or
    - (ii) any other fuel or component used to produce refined fuels specified under a regulation made under this Act.
- (b) in section 2 by adding “, refined fuels” immediately after “natural gas” where it occurs,
- (c) in section 4
  - (i) by adding the following immediately after subsection (3):

(4) With respect to a licence for the export from Alberta of refined fuels, the Minister may impose different terms and conditions for the different types of refined fuels.

- (ii) by adding “, refined fuels” immediately after “natural gas” wherever it occurs,
- (d) in section 8 by adding “, refined fuels” immediately after “natural gas” wherever it occurs,
- (e) in section 9 by adding “, refined fuels” immediately after “natural gas” wherever it occurs, and
- (f) in section 11 as follows:
  - (i) by adding the following immediately after clause (a):
    - (a.01) specifying other fuels and components for the purposes of section 1(g)(ii);
  - (ii) in clause (h) by adding “, refined fuels” immediately after “natural gas”.

The question being put, the amendment was defeated. With Mrs. Pitt at the Table, the names being called for were taken as follows:

For the amendment: 10

Barnes	Gray	Loyola
Ceci	Hoffman	Stephan*
Dach	Loewen	Yao*
Feehan		

Against the amendment: 30

Aheer	Jones	Schulz
Amery	Long	Sigurdson (Highwood)
Armstrong-Homeniuk	Lovely	Singh*
Copping	Nally	Smith
Dreeshen	Neudorf	Toor
Ellis	Nicolaides	Turton*
Fir	Nixon (Calgary-Klein)	van Dijken
Hanson	Panda	Walker*
Horner	Rehn	Williams*
Issik	Rutherford	Yaseen

*\*Member voted remotely*

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

The following Bill was reported:

Bill 72 Preserving Canada’s Economic Prosperity Act — Hon. Mrs. Savage

Progress was reported on the following Bills:

Bill 58 Freedom to Care Act — Hon. Mrs. Aheer

Bill 66 Public Health Amendment Act, 2021 — Hon. Mr. Shandro

Mr. van Dijken, Acting Chair of Committees, tabled copies of all amendments considered by Committee of the Whole on this date for the official records of the Assembly.

Amendment to Bill 66 (A1) (introduced by the Hon. Member for Cypress-Medicine Hat on June 1, 2021) — Defeated on division

Sessional Paper 715/2020-21

Amendment to Bill 66 (A2) (Hon. Member for Central Peace-Notley) — Defeated

Sessional Paper 751/2020-21

Amendment to Bill 66 (A3) (Hon. Member for Central Peace-Notley) — Defeated

Sessional Paper 752/2020-21

Amendment to Bill 58 (A1) (Official Opposition House Leader on behalf of the Hon. Member for Edmonton-Castle Downs) — Defeated on division

Sessional Paper 753/2020-21

Amendment to Bill 72 (A1) (Hon. Member for Edmonton-Ellerslie on behalf of the Hon. Member for Calgary-Mountain View) — Defeated on division

Sessional Paper 754/2020-21

## **Adjournment**

On motion by Hon. Mr. Nally, Deputy Government House Leader, the Assembly adjourned at 12:43 a.m. Wednesday, June 9, 2021, until 9:00 a.m.

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Hon. Nathan M. Cooper,  
Speaker

Title: Tuesday, June 8, 2021