



**Legislative Assembly
Province of Alberta**

No. 123

VOTES AND PROCEEDINGS

Second Session

Thirtieth Legislature

Wednesday, November 3, 2021

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

Government Bills and Orders

Second Reading

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

Bill 75 Arts Professions Recognition Act — Hon. Mr. Orr

Debate continued on the amendment introduced by Ms Gray, Official Opposition House Leader, on October 27, 2021, that the motion be amended by deleting all of the words after “that” and substituting the following:

Bill 75, Arts Professions Recognition Act, be not now read a Second time but that the subject matter of the Bill be referred to the Standing Committee on Alberta’s Economic Future in accordance with Standing Order 74.2.

Sessional Paper 843/2020-21

Mr. Eggen moved adjournment of the debate on the amendment, which was agreed to.

Government Motions

101. Moved by Hon. Mr. Kenney [*This version of Government Motion 101 replaces the version of Government Motion 101 previously given oral notice.*]:

Be it resolved that the Legislative Assembly

- (a) recognize the results of the referendum held on October 18, 2021, where 61.7 per cent of voters supported removing section 36(2) of the *Constitution Act, 1982* - Parliament and the Government of Canada's commitment to the principle of making equalization payments,
- (b) reaffirm the principle articulated by the Supreme Court of Canada in the 1998 *Reference re Secession of Quebec* that it is "the constitutional right of each participant in the federation to initiate constitutional change," and that "this right implies a reciprocal duty on the other participants to engage in discussions to address any legitimate initiative to change the constitutional order,"
- (c) authorize *an amendment to the Constitution of Canada to be made by proclamation issued by Her Excellency the Governor General under the Great Seal of Canada* in accordance with the Schedule set forth below, and
- (d) direct the Government of Alberta to take all necessary steps to secure a fair deal for Alberta in the Canadian federation, including the reform of federal transfer programs, the defence of provincial powers enumerated in the Constitution, and the right to pursue responsible development of natural resources.

SCHEDULE

AMENDMENT TO THE CONSTITUTION OF CANADA

1. The *Constitution Act, 1982* is amended by repealing subsection 36(2) thereof.
2. This Amendment may be cited as the *Constitution Amendment, [year of proclamation]*.

MODIFICATION DE LA CONSTITUTION DU CANADA

1. Le paragraphe 36(2) de la *Loi constitutionnelle de 1982* est abrogé.
2. Titre de la présente modification : *Modification constitutionnelle de [l'année de la proclamation]*.

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

Adjournment

On motion by Mr. Schow, Deputy Government House Leader, the Assembly adjourned at 10:53 a.m. until 1:30 p.m.

ROUTINE

Members' Statements

Mr. Nixon, Hon. Member for Calgary-Klein, made a statement regarding nuclear energy.

Ms Goehring, Hon. Member for Edmonton-Castle Downs, made a statement regarding Remembrance Day.

Mr. Hanson, Hon. Member for Bonnyville-Cold Lake-St. Paul, made a statement regarding the Cree code system used during the Second World War.

Ms Gray, Official Opposition House Leader, made a statement regarding previously proposed wage rollbacks for nurses.

Mr. van Dijken, Hon. Member for Athabasca-Barrhead-Westlock, made a statement regarding the Government's emissions reduction strategy.

MLA Loyola, Hon. Member for Edmonton-Ellerslie, made a statement regarding the Government's response to the COVID-19 pandemic.

Mr. Neudorf, Hon. Member for Lethbridge-East, made a statement regarding the importance of freedom of conscience.

Mr. Shepherd, Hon. Member for Edmonton-City Centre, made a statement regarding the Government's response to the fourth wave of the COVID-19 pandemic.

Mr. Schow, Hon. Member for Cardston-Siksika, made a statement regarding the Alberta Restrictions Exemption Program.

Presenting Reports by Standing and Special Committees

Mr. Rutherford, Chair, Standing Committee on Private Bills and Private Members' Public Bills, presented the following report:

Standing Committee on Private Bills and Private Members' Public Bills Final Report, Bill 220, Employment Standards (Expanding Bereavement Leave) Amendment Act, 2021, Thirtieth Legislature, Second Session, November 2021
Sessional Paper 854/2020-21

Concurrence of the Assembly was requested with respect to the report that the Bill proceed.

A Member rose to speak to the motion. The Speaker advised that debate on the motion for concurrence will take place on the next available Monday.

Tabling Returns and Reports

Hon. Mr. Cooper, Speaker of the Legislative Assembly, pursuant to the Child and Youth Advocate Act, cC-11.5, s21(2):

Office of the Child and Youth Advocate Alberta Annual Report 2020-2021
Sessional Paper 855/2020-21

ORDERS OF THE DAY

Government Bills and Orders

Second Reading

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

Bill 76 Captive Insurance Companies Act — Hon. Mr. Toews

A debate followed.

Mr. Dach, Hon. Member for Edmonton-McClung, moved that the motion be amended by deleting all of the words after “that” and substituting the following:

Bill 76, Captive Insurance Companies 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.

Sessional Paper 856/2020-21

A debate followed on the amendment.

Ms Hoffman moved adjournment of the debate on the amendment, which was agreed to.

Government Motions

101. Moved by Hon. Mr. Kenney:

Be it resolved that the Legislative Assembly

- (a) recognize the results of the referendum held on October 18, 2021, where 61.7 per cent of voters supported removing section 36(2) of the *Constitution Act, 1982* - Parliament and the Government of Canada’s commitment to the principle of making equalization payments,

- (b) reaffirm the principle articulated by the Supreme Court of Canada in *the 1998 Reference re Secession of Quebec* that it is “the constitutional right of each participant in the federation to initiate constitutional change,” and that “this right implies a reciprocal duty on the other participants to engage in discussions to address any legitimate initiative to change the constitutional order,”
- (c) authorize *an amendment to the Constitution of Canada to be made by proclamation issued by Her Excellency the Governor General under the Great Seal of Canada* in accordance with the Schedule set forth below, and
- (d) direct the Government of Alberta to take all necessary steps to secure a fair deal for Alberta in the Canadian federation, including the reform of federal transfer programs, the defence of provincial powers enumerated in the Constitution, and the right to pursue responsible development of natural resources.

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AMENDMENT TO THE CONSTITUTION OF CANADA

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- 2. This Amendment may be cited as the *Constitution Amendment, [year of proclamation]*.

MODIFICATION DE LA CONSTITUTION DU CANADA

- 1. Le paragraphe 36(2) de la *Loi constitutionnelle de 1982* est abrogé.
- 2. Titre de la présente modification : *Modification constitutionnelle de [l'année de la proclamation]*.

A debate followed.

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

Adjournment

On motion by Mr. Schow, Deputy Government House Leader, the Assembly adjourned at 5:59 p.m. until 7:30 p.m.

Government Motions

101. Moved by Hon. Mr. Kenney:

Be it resolved that the Legislative Assembly

- (a) recognize the results of the referendum held on October 18, 2021, where 61.7 per cent of voters supported removing section 36(2) of the *Constitution Act, 1982* - Parliament and the Government of Canada's commitment to the principle of making equalization payments,
- (b) reaffirm the principle articulated by the Supreme Court of Canada in *the 1998 Reference re Secession of Quebec* that it is "the constitutional right of each participant in the federation to initiate constitutional change," and that "this right implies a reciprocal duty on the other participants to engage in discussions to address any legitimate initiative to change the constitutional order,"
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MODIFICATION DE LA CONSTITUTION DU CANADA

1. Le paragraphe 36(2) de la *Loi constitutionnelle de 1982* est abrogé.
2. Titre de la présente modification : *Modification constitutionnelle de [l'année de la proclamation]*.

A debate followed.

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

Government Bills and Orders

Second Reading

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

Bill 73 Infrastructure Accountability Act — Hon. Mr. Panda

A debate followed.

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

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

Bill 75 Arts Professions Recognition Act — Hon. Mr. Orr

Debate continued on the amendment introduced by Ms Gray, Official Opposition House Leader, on October 27, 2021, that the motion be amended by deleting all of the words after “that” and substituting the following:

Bill 75, Arts Professions Recognition Act, be not now read a Second time but that the subject matter of the Bill be referred to the Standing Committee on Alberta’s Economic Future in accordance with Standing Order 74.2.

Sessional Paper 843/2020-21

Mr. Dang moved adjournment of the debate on the amendment, which was agreed to.

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

Bill 74 Advanced Education Statutes Amendment Act, 2021 — Hon. Mr. Nicolaides

Debate continued on the amendment introduced by Mr. Dang, Hon. Member for Edmonton-South, on November 2, 2021, that the motion be amended by deleting all of the words after “that” and substituting the following:

Bill 74, Advanced Education Statutes Amendment Act, 2021, be not now read a Second time but that the subject matter of the Bill be referred to the Standing Committee on Alberta’s Economic Future in accordance with Standing Order 74.2.

Sessional Paper 849/2020-21

The question being put, the amendment was defeated.

The question being put on the motion for Second Reading, the motion was agreed to. With Mrs. Pitt in the Chair, the names being called for were taken as follows:

For the motion: 26

Aheer	Luan	Rutherford
Allard	Madu	Sawhney
Armstrong-Homeniuk	McIver	Schweitzer
Ellis	Nixon (Calgary-Klein)	Shandro
Glubish	Orr	Sigurdson (Highwood)
Guthrie	Panda	Smith
Jones	Rehn	van Dijken
LaGrange	Reid	Walker
Lovely	Rowswell	

Against the motion: 7

Dang	Phillips	Schmidt
Irwin	Renaud	Sigurdson (Edmonton-Riverview)
Nielsen		

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

Bill 74 Advanced Education Statutes Amendment Act, 2021 — Hon.
Mr. Nicolaides

Adjournment

On motion by Hon. Mr. McIver, Minister of Municipal Affairs, the Assembly adjourned at 10:27 p.m. until Thursday, November 4, 2021, at 9:00 a.m.

Hon. Nathan M. Cooper,
Speaker