



**Legislative Assembly
Province of Alberta**

No. 16

VOTES AND PROCEEDINGS

Third Session

Thirtieth Legislature

Monday, March 28, 2022

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

Members' Statements

Mrs. Allard, Hon. Member for Grande Prairie, made a statement regarding the final report of the Human Trafficking Task Force.

Ms Gray, Official Opposition House Leader, made a statement regarding the alleged actions of the Premier relating to United Conservative Party leadership events.

Mr. Walker, Hon. Member for Sherwood Park, made a statement regarding Government funding for a new school being built in his constituency.

Mr. Deol, Hon. Member for Edmonton-Meadows, made a statement regarding the alleged actions of the Premier relating to United Conservative Party leadership events.

Mr. Milliken, Hon. Member for Calgary-Currie, made a statement regarding Budget 2022.

Mr. Feehan, Hon. Member for Edmonton-Rutherford, made a statement regarding New Democratic Party policies.

Mr. Getson, Hon. Member for Lac Ste. Anne-Parkland, made a statement regarding his health experiences during the COVID-19 pandemic.

Mr. Bilous, Hon. Member for Edmonton-Beverly-Clareview, made a statement recognizing the efforts of Albertans to aid the people of Ukraine.

Mr. Schow, Hon. Member for Cardston-Siksika, made a statement regarding Budget 2022.

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 201, Eastern Slopes Protection Act, Thirtieth Legislature, Third Session, March 2022

Sessional Paper 47/2022

Concurrence of the Assembly was requested with respect to the report that the Bill not 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.

Notices of Motions

Mr. Schow, Deputy Government House Leader, gave oral notice of the following motion:

- 18.** Be it resolved that the Legislative Assembly call on the Government of Canada to stop its planned April 1, 2022, increase of the carbon tax to \$50 per tonne and its further plan to increase the carbon tax to \$170 per tonne, given that Canadian families are struggling with the highest inflation in 30 years.

Introduction of Bills (First Reading)

Notice having been given:

Bill 11 Continuing Care Act — Hon. Mr. Copping

Tablings to the Clerk

Clerk of the Assembly on behalf of Hon. Mr. Luan, Minister of Community and Social Services:

Responses to questions raised by Ms Renaud, Hon. Member for St. Albert, and Mr. Hunter, Hon. Member for Taber-Warner, March 10, 2022, Ministry of Community and Social Services, 2022-23 Main Estimates debate

Sessional Paper 48/2022

Privilege – Misleading the Assembly

Honourable Members, I am prepared to rule on the point of privilege that the Government House Leader raised on March 23, 2022. The question has to do with statements made by the Hon. Member for Edmonton-South in the Assembly on Tuesday, March 22, 2022.

The Government House Leader provided notice of the question of privilege to my office at 11:15 on March 23, with a copy to the Member for Edmonton-South, therefore fulfilling the notice requirement under Standing Order 15(2). This matter was raised at the earliest opportunity as required under this Standing Order.

In his notice of the purported question of privilege, the Government House Leader indicated that on March 22 the Member for Edmonton-South “stood in this Chamber to ask questions while denying that he was guilty of using the personal information of the Premier to hack vaccine records.” The Government House Leader argued in his submissions to the Assembly on March 23 that “publishing a document publicly detailing the steps that [the Member for Edmonton-South] took to use another MLA’s identity ... was enough to form the conclusion that the MLA was admitting his guilt.”

The Government House Leader contends that the Member for Edmonton-South made statements in the Assembly denying that he was guilty of using personal information of the Premier to gain access to the Premier’s COVID-19 vaccination records and, more broadly, denying that he broke the law. The Government House Leader claims that in making such statements, the Member for Edmonton-South was deliberately misleading the Assembly and, therefore, committed a contempt. Members can find these submissions on pages 358 to 360 of the March 23, 2022, Hansard.

On March 24 the Member for Edmonton-South presented arguments on the purported question of privilege. In his submission the Member indicated that, with respect to making misleading statements, he has “not admitted to committing any crimes,” and that he believes that “clearly, any statements [he has] made in the House are not misleading to this effect.” These submissions can be found on pages 410 and 411 of the Hansard for March 24, 2022.

Honourable Members, the Assembly has had this type of question of privilege – deliberately misleading the Assembly – before it on a number of occasions during the 30th Legislature. As noted in past rulings, this type of question of privilege is treated as a purported contempt of the Assembly. The reference is found in Erskine May’s Treatise on The Law, Privileges, Proceedings and Usage of Parliament, 25th edition, on page 307.

As noted in previous rulings, the test for deliberately misleading the Assembly is a very difficult test to meet. As set out in the fourth edition of Parliamentary Practice in New Zealand at pages 775 to 776, the test has three elements. The statement must have been misleading, the Member must have known that the statement was inaccurate at the time the statement was made, and the Member must have intended to mislead the Assembly.

Honourable Members, I have reviewed the Hansard of March 22 and, specifically, the statements made by the Member for Edmonton-South that day. I can find no reference by the Member denying that he was guilty of using the Premier's personal information to access vaccine records. In addition, I find that he made no statements confirming or denying that he is culpable of an offence in connection with the matter at hand.

As such, since there is no evidence that these statements were made, as the Member for Edmonton-South himself has indicated, there was no possibility to mislead the Assembly. Therefore, the first part of the three-part test has not been met. Accordingly, I find no prima facie question of privilege. I consider this matter dealt with and concluded.

ORDERS OF THE DAY

Motions for Concurrence in Committee Reports on Public Bills Other Than Government Bills

Debate continued on the motion moved on March 22, 2022, by Mr. Rutherford, Chair, Standing Committee on Private Bills and Private Members' Public Bills, that the Assembly concur in the report of the committee recommending that Bill 202, Public Health (Transparency and Accountability) Amendment Act, 2022, proceed.

The question being put, the motion was agreed to.

Motions Other Than Government Motions

504. Moved by Mr. Hanson:

Be it resolved that the Legislative Assembly urge the Government to continue working to improve access to health care for residents of northern Alberta by increasing opportunities for post-secondary training in healthcare fields for rural students who agree to work in areas of rural Alberta that require medical professionals, once they have completed their training.

A debate followed.

The question being put, the motion was agreed to.

Government Bills and Orders

Second Reading

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

Bill 9 Public's Right to Know Act — Hon. Mr. Shandro

A debate followed.

Debate adjourned, Hon. Mr. Madu speaking.

Adjournment

The Assembly adjourned at 6:00 p.m. until 7:30 p.m.

MONDAY, MARCH 28, 2022 — 7:30 P.M.

Government Bills and Orders

Second Reading

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

Bill 9 Public's Right to Know Act — Hon. Mr. Shandro

A debate followed.

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

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

Bill 10 Health Professions (Protecting Women and Girls) Amendment Act, 2022
— Mrs. Aheer

A debate followed.

MLA Loyola 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 5 Traffic Safety Amendment Act, 2022 — Hon. Mrs. Sawhney

Adjournment

On motion by Mr. Sabir, Hon. Member for Calgary-Bhullar-McCall, the Assembly adjourned at 10:16 p.m. until Tuesday, March 29, 2022, at 1:30 p.m.

Hon. Nathan M. Cooper,
Speaker