



**Legislative Assembly
Province of Alberta**

No. 6

VOTES AND PROCEEDINGS

Fourth Session

Thirtieth Legislature

Wednesday, December 7, 2022

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

Members' Statements

Mr. Singh, Hon. Member for Calgary-East, made a statement regarding the 100th birthday of His Holiness Pramukh Swami Maharaj.

Hon. Mr. Schmidt, Hon. Member for Edmonton-Gold Bar, made a statement regarding the opioid crisis and recognizing the life and legacy of Sebastian Heemskerck.

Mr. Stephan, Hon. Member for Red Deer-South, made a statement regarding the Canada Pension Plan and a proposed alternative Alberta pension plan.

Ms Lovely, Hon. Member for Camrose, made a statement regarding the need for additional resources to address rural crime in Flagstaff County.

Hon. Ms Phillips, Hon. Member for Lethbridge-West, made a statement regarding the work of Team Lethbridge.

Mr. Williams, Hon. Member for Peace River, made a statement regarding Bill 202, Alberta Personal Income Tax (Charitable and Other Gifts) Amendment Act, 2022.

Mr. Hanson, Hon. Member for Bonnyville-Cold Lake-St. Paul, made a statement regarding federal government tax policies affecting a food bank in the Bonnyville-Cold Lake-St. Paul constituency.

Presenting Petitions

Hon. Mr. Schmidt, Hon. Member for Edmonton-Gold Bar, presented a petition from 1,068 Albertans urging the Government to declare a state of public health emergency in response to the ongoing opioid crisis and to seek possible solutions through increased Alberta Health and social programs assistance along with a public awareness campaign.

Notices of Motions

Hon. Ms Phillips, Hon. Member for Lethbridge-West, gave oral notice of her intention to move the following motion under Standing Order 42:

Be it resolved that the Legislative Assembly

- (a) acknowledge the current lack of access to health care in Lethbridge, including
 - (i) the local intensive care unit at Chinook Regional Hospital being near capacity, potentially resulting in some new patients being diverted to other communities that are facing similar capacity challenges,
 - (ii) the chronic shortage of family doctors accepting new patients, resulting in an estimated 40,000 people who do not have access to primary care and are reliant on emergency care, and
 - (iii) reduced access to obstetric and birthing care due to only having one full-time obstetrician and gynaecologist working in the community;
- (b) express its concern about the negative impact on residents in Lethbridge resulting from the severe lack of access to health care;
- (c) urge the Government to make public, as soon as possible, a plan to increase access to health care in Lethbridge.

Introduction of Bills (First Reading)

Upon recommendation of Her Honour the Honourable the Lieutenant Governor, and notice having been given:

Bill 2 Inflation Relief Statutes Amendment Act, 2022 (\$) — Hon. Mr. Jones

Tabling Returns and Reports

Hon. Ms Hoffman, Hon. Member for Edmonton-Glenora:

Document dated Fall 2022, entitled “Alberta Classrooms, Pulse Research,” relating to comments made by Ms Hoffman during Oral Question Period on December 6, 2022

Sessional Paper 31/2022

Mr. Smith, Chair, Standing Committee on Legislative Offices, pursuant to the Auditor General Act, cA-46, s19(5):

Report of the Auditor General, November 2022

Sessional Paper 32/2022

Hon. Mr. Feehan, Hon. Member for Edmonton-Rutherford:

University of Calgary Faculty of Law Blog website article dated December 6, 2022, entitled “Running Afoul the Separation, Division, and Delegation of Powers: The Alberta Sovereignty Within a United Canada Act,” prepared by Martin Olszynski and Nigel Bankes, relating to comments made by Mr. Feehan in the Assembly on December 6, 2022

Sessional Paper 33/2022

Hon. Mr. Nally, Minister of Service Alberta and Red Tape Reduction, pursuant to An Act to End Predatory Lending, cE-9.5, s4(2):

An Act To End Predatory Lending, 2021 Report

Sessional Paper 34/2022

Tablings to the Clerk

Clerk of the Assembly on behalf of Hon. Mr. Copping, Minister of Health:

Pursuant to the Regional Health Authorities Act, cR-10, s14(3), Alberta Health Services 2021-2022 Annual Report

Sessional Paper 35/2022

Pursuant to the Health Professions Act, cH-7, s4(2):

College of Alberta Psychologists 2021-2022 Annual Report

Sessional Paper 36/2022

College of Acupuncturists of Alberta Annual Report 2021-2022

Sessional Paper 37/2022

College of Hearing Aid Practitioners of Alberta 2021 Annual Report

Sessional Paper 38/2022

College of Registered Dental Hygienists of Alberta 2021 Annual Report

Sessional Paper 39/2022

Physiotherapy Alberta College and Association 2021 Annual Report

Sessional Paper 40/2022

Motions Under Standing Order 42

Hon. Ms Phillips, Hon. Member for Lethbridge-West, requested the unanimous consent of the Assembly for consideration of the following motion:

Be it resolved that the Legislative Assembly

- (a) acknowledge the current lack of access to health care in Lethbridge, including
 - (i) the local intensive care unit at Chinook Regional Hospital being near capacity, potentially resulting in some new patients being diverted to other communities that are facing similar capacity challenges,
 - (ii) the chronic shortage of family doctors accepting new patients, resulting in an estimated 40,000 people who do not have access to primary care and are reliant on emergency care, and
 - (iii) reduced access to obstetric and birthing care due to only having one full-time obstetrician and gynaecologist working in the community;
- (b) express its concern about the negative impact on residents in Lethbridge resulting from the severe lack of access to health care;
- (c) urge the Government to make public, as soon as possible, a plan to increase access to health care in Lethbridge.

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

Unanimous consent to proceed was not granted.

ORDERS OF THE DAY

Government Bills and Orders

Second Reading

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

Bill 5 Justice Statutes Amendment Act, 2022 (No. 2) — Hon. Mr. Shandro

A debate followed.

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

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

Bill 3 Property Rights Statutes Amendment Act, 2022 — Hon. Mr. Shandro

A debate followed.

Debate adjourned, Mr. Deol speaking.

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

Bill 4 Alberta Health Care Insurance Amendment Act, 2022 — Hon. Mr. Copping

Adjournment

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

WEDNESDAY, DECEMBER 7, 2022 — 7:30 P.M.

Government Bills and Orders

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)

And after some time spent therein, the Acting Speaker resumed the Chair.

Progress was reported on the following Bill:

Bill 1 Alberta Sovereignty Within a United Canada Act — Hon. Ms Smith

Mr. Walker, 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 1 (A1) (introduced by the Hon. Member for Drayton Valley-Devon on December 6, 2022) — Adjourned

Sessional Paper 29/2022

Government Motions

14. Oral notice having been given December 6, 2022, moved by Hon. Mr. Schow:

Be it resolved that when further consideration of Bill 1, Alberta Sovereignty Within a United Canada Act, is resumed, not more than one hour shall be allotted to any further consideration of the Bill in Committee of the Whole, at which time every question necessary for the disposal of the Bill at this stage shall be put forthwith.

Pursuant to Standing Order 21(3), Hon. Mr. Schow commented on the time allocation motion.

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

For the motion: 25

Copping	Lovely	Shandro
Dreeshen	Luan	Smith (Drayton Valley-Devon)
Ellis	Madu	Turton
Fir	Nixon (Rimbey-Rocky Mtn. House-Sundre)	Walker
Guthrie	Pon	Williams
Hanson	Rehn	Wilson
Hunter	Rowswell	Yao
Jones	Schow	Yaseen
LaGrange		

Against the motion: 9

Carson	Eggen	Notley
Dach	Feehan	Phillips
Deol	Irwin	Sweet

Government Bills and Orders

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)

The following Bill was taken under consideration:

Bill 1 Alberta Sovereignty Within a United Canada Act — Hon. Ms Smith

Debate continued on the amendment introduced by Mr. Smith, Hon. Member for Drayton Valley-Devon, on December 6, 2022, that the Bill be amended as follows:

- A Section 1 is amended by adding the following after clause (e):
- (f) “regulation” means a regulation, order, rule, form, tariff of costs or fees, proclamation, bylaw or resolution enacted
 - (i) in the execution of a power conferred by or under the authority of an Act, or
 - (ii) by or under the authority of the Lieutenant Governor in Council, but does not include an order of a court made in the course of an action or an order made by a public officer or administrative tribunal in a dispute between 2 or more persons.

- B Section 3(b)(ii) is struck out and the following is substituted:
- (ii) causes or is anticipated to cause harm to Albertans on the basis that it
 - (A) affects or interferes with an area of provincial legislative jurisdiction under the Constitution of Canada, or
 - (B) interferes with the rights and freedoms of one or more Albertans under the Canadian Charter of Rights and Freedoms,

- C Section 4 is struck out and the following is substituted:

Powers of the Lieutenant Governor in Council

4(1) If the Legislative Assembly approves a resolution described in section 3, the Lieutenant Governor in Council, to the extent that it is necessary or advisable in order to carry out a measure that is identified in the resolution, may, by order,

- (a) if the Lieutenant Governor in Council is satisfied that doing so is in the public interest, direct a Minister responsible for an enactment as designated under section 16 of the Government Organization Act to, by order,
 - (i) suspend or modify the application or operation of all or part of a regulation authorized by that enactment, subject to the terms and conditions that the Lieutenant Governor in Council may prescribe, or
 - (ii) specify or set out provisions that apply in addition to, or instead of, any provision in a regulation authorized by that enactment,subject to the approval of the Lieutenant Governor in Council,
- (b) direct a Minister to exercise a power, duty or function of the Minister, or
- (c) issue directives to a provincial entity and its members, officers and agents, and the Crown and its Ministers and agents, in respect of the federal initiative.

(2) A directive issued in accordance with subsection (1)(c) may be general or particular in its application.

(3) Where there is a conflict or inconsistency between

- (a) an order made or an order that is directed to be made under subsection (1), and
- (b) a provision of a regulation to which the order relates,

the order prevails to the extent of the conflict or inconsistency.

(4) For greater certainty, a regulation as referred to in this section does not include an Act of the Legislative Assembly.

(5) Nothing in this Act abrogates any authority or power vested in the Legislative Assembly or the Lieutenant Governor in Council by any other enactment or by operation of law, including any authority or power of the Lieutenant Governor in Council to take action with respect to the federal initiative.

Pursuant to Government Motion 14, agreed to on December 7, 2022, and Standing Order 21(1), at 9:59 p.m. the question was immediately put on amendment A1 to Bill 1, Alberta Sovereignty Within a United Canada Act, which was agreed to. With Mrs. Pitt at the Table, the names being called for were taken as follows:

For the amendment: 27

Copping	Lovely	Schow
Dreeshen	Luan	Shandro
Ellis	Madu	Smith (Drayton Valley-Devon)
Fir	Neudorf	Turton
Guthrie	Nixon (Rimbey-Rocky Mtn. House-Sundre)	Walker
Hanson	Pon	Williams
Hunter	Rehn	Wilson
Jones	Reid	Yao
LaGrange	Rowswell	Yaseen

Against the amendment: 12

Bilous	Eggen	Irwin
Carson	Feehan	Notley
Dach	Goehring	Phillips
Deol	Hoffman	Sweet

Pursuant to Government Motion 14, agreed to on December 7, 2022, and Standing Order 21(1), at 10:16 p.m. the question was immediately put on the remaining clauses of Bill 1, Alberta Sovereignty Within a United Canada Act, which was agreed to. With Mrs. Pitt at the Table, the names being called for were taken as follows:

For the motion: 27

Copping	Lovely	Schow
Dreeshen	Luan	Shandro
Ellis	Madu	Smith (Drayton Valley-Devon)
Fir	Neudorf	Turton
Guthrie	Nixon (Rimbey-Rocky Mtn. House-Sundre)	Walker
Hanson	Pon	Williams
Hunter	Rehn	Wilson
Jones	Reid	Yao
LaGrange	Rowswell	Yaseen

Against the motion: 12

Bilous	Eggen	Irwin
Carson	Feehan	Notley
Dach	Goehring	Phillips
Deol	Hoffman	Sweet

Pursuant to Government Motion 14, agreed to on December 7, 2022, and Standing Order 21(1), at 10:20 p.m. the question was immediately put on the title and preamble of Bill 1, Alberta Sovereignty Within a United Canada Act, which was agreed to.

Pursuant to Government Motion 14, agreed to on December 7, 2022, and Standing Order 21(1), at 10:20 p.m. the question was immediately put that Bill 1, Alberta Sovereignty Within a United Canada Act, be reported, which was agreed to.

The Acting Speaker resumed the Chair.

The following Bill was reported with some amendments:

Bill 1 Alberta Sovereignty Within a United Canada Act — Hon. Ms Smith

Mrs. Pitt, 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 1 (A1) (introduced by the Hon. Member for Drayton Valley-Devon on December 6, 2022) — Agreed to on division
Sessional Paper 29/2022

Third Reading

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

Bill 1 Alberta Sovereignty Within a United Canada Act — Hon. Mr. Madu on behalf of Hon. Ms Smith

A debate followed.

Hon. Mr. Feehan, Hon. Member for Edmonton-Rutherford, on behalf of Ms Renaud, Hon. Member for St. Albert, moved that the motion be amended by deleting all of the words after “that” and substituting the following:

Bill 1, Alberta Sovereignty Within a United Canada Act, be not now read a Third time because the Assembly is of the view that the Government has not discharged its legal duty to consult with First Nation and Indigenous peoples in respect of the potential impact of the Bill’s provisions, if enacted, would have on their rights and treaties.

Sessional Paper 41/2022

A debate followed on the amendment.

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

Government Motions

15. Oral notice having been given December 6, 2022, moved by Hon. Mr. Schow:

Be it resolved that when further consideration of Bill 1, Alberta Sovereignty Within a United Canada Act, is resumed, not more than one hour shall be allotted to any further consideration of the Bill in Third Reading, at which time every question necessary for the disposal of the Bill at this stage shall be put forthwith.

Pursuant to Standing Order 21(3), Hon. Mr. Schow and Hon. Mr. Eggen commented on the time allocation motion.

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: 26

Copping	Lovely	Shandro
Dreeshen	Luan	Smith (Drayton Valley-Devon)
Ellis	Madu	Turton
Fir	Nixon (Rimbey-Rocky Mtn. House-Sundre)	Walker
Guthrie	Pon	Williams
Hanson	Rehn	Wilson
Hunter	Reid	Yao
Jones	Rowswell	Yaseen
LaGrange	Schow	

Against the motion: 9

Bilous	Eggen	Irwin
Carson	Feehan	Phillips
Dach	Goehring	Sweet

Government Bills and Orders

Third Reading

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

Bill 1 Alberta Sovereignty Within a United Canada Act — Hon. Ms Smith

Debate continued on the amendment introduced by Hon. Mr. Feehan, Hon. Member for Edmonton-Rutherford, on behalf of Ms Renaud, Hon. Member for St. Albert, on December 7, 2022, that the motion be amended by deleting all of the words after “that” and substituting the following:

Bill 1, Alberta Sovereignty Within a United Canada Act, be not now read a Third time because the Assembly is of the view that the Government has not discharged its legal duty to consult with First Nation and Indigenous peoples in respect of the potential impact of the Bill’s provisions, if enacted, would have on their rights and treaties.

Sessional Paper 41/2022

The question being put, the amendment was defeated.

Debate continued on the main motion.

Mr. Dach, Hon. Member for Edmonton-McClung, on behalf of Hon. Ms Gray, Official Opposition House Leader, moved that the motion be amended by deleting all of the words after “that” and substituting the following:

Bill 1, Alberta Sovereignty Within a United Canada Act, be not now read a Third time but that it be read a Third time this day six months hence.

Sessional Paper 42/2022

A debate followed on the amendment.

Pursuant to Government Motion 15, agreed to on December 7, 2022, and Standing Order 21(1), at 12:27 a.m. the question was immediately put on the amendment to the motion for Third Reading of Bill 1, Alberta Sovereignty Within a United Canada Act, which was defeated. With Hon. Mr. Cooper in the Chair, the names being called for were taken as follows:

For the amendment: 7

Bilous	Feehan	Phillips
Carson	Irwin	Sweet
Dach		

Against the amendment: 27

Copping	Loewen	Shandro
Dreeshen	Lovely	Smith (Brooks-Medicine Hat)
Ellis	Luan	Smith (Drayton Valley-Devon)
Fir	Madu	Turton
Guthrie	Nixon (Rimbey-Rocky Mtn. House-Sundre)	Walker
Hanson	Pon	Williams
Hunter	Rehn	Wilson
Jones	Rowswell	Yao
LaGrange	Schow	Yaseen

Pursuant to Government Motion 15, agreed to on December 7, 2022, and Standing Order 21(1), at 12:44 a.m. the question was immediately put on the motion for Third Reading of Bill 1, Alberta Sovereignty Within a United Canada Act, which was agreed to. With Hon. Mr. Cooper in the Chair, the names being called for were taken as follows:

For the motion: 27

Copping	Loewen	Shandro
Dreeshen	Lovely	Smith (Brooks-Medicine Hat)
Ellis	Luan	Smith (Drayton Valley-Devon)
Fir	Madu	Turton
Guthrie	Nixon (Rimbey-Rocky Mtn. House-Sundre)	Walker
Hanson	Pon	Williams
Hunter	Rehn	Wilson
Jones	Rowswell	Yao
LaGrange	Schow	Yaseen

Against the motion: 7

Bilous	Feehan	Phillips
Carson	Irwin	Sweet
Dach		

The following Bill was read a Third time and passed:

Bill 1 Alberta Sovereignty Within a United Canada Act — Hon. Ms Smith

Adjournment

On motion by Hon. Mr. Schow, Government House Leader, the Assembly adjourned at 1:01 a.m. Thursday, December 8, 2022, until 1:30 p.m.

Hon. Nathan M. Cooper,
Speaker