



**Legislative Assembly
Province of Alberta**

No. 13

VOTES AND PROCEEDINGS

First Session

Thirty-First Legislature

Monday, November 27, 2023

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

Members' Statements

Hon. Mr. Hunter, Hon. Member for Taber-Warner, made a statement regarding AgKnow and mental health support for farmers and ranchers.

MLA Calahoo Stonehouse, Hon. Member for Edmonton-Rutherford, made a statement regarding the addition of an Indigenous Land Acknowledgement in the Daily Routine.

MLA Arcand-Paul, Hon. Member for Edmonton-West Henday, made a statement regarding the lack of Government action to address pollution in the Athabasca Delta.

Ms Pitt, Hon. Member for Airdrie-East, made a statement regarding several volunteer organizations in Airdrie.

Mr. van Dijken, Hon. Member for Athabasca-Barrhead-Westlock, made a statement regarding inconsistencies in the application of the federal carbon tax.

MLA Brar, Hon. Member for Calgary-North East, made a statement recognizing Gurburab, the birthday of Guru Nanak Dev Ji.

Notices of Motions

Hon. Mr. Schow, Government House Leader, on behalf of Hon. Ms Smith, Premier, President of Executive Council, and Minister of Intergovernmental Relations, gave oral notice of the following motion:

16. BE IT RESOLVED that the Legislative Assembly approve, pursuant to section 3 of the *Alberta Sovereignty Within a United Canada Act*, the following motion:

1. The Legislative Assembly is of the view that
 - (a) in accordance with section 92A of *The Constitution Act, 1867*, the Alberta Legislature has exclusive legislative jurisdiction over, *inter alia*, the development, conservation and management of sites and facilities in Alberta for the generation and production of electrical energy,
 - (b) the Government of Canada has proposed the *Clean Electricity Regulations* (the “Federal Initiative”) with the intent of bringing them into force in the near future, and may consider amendments before that time,
 - (c) the Federal Initiative, by its pith and substance, seeks to regulate the development, conservation and management of electricity sites and facilities in the province for the generation and production of electrical energy,
 - (d) the Federal Initiative mandates a set of emissions standards and timelines that are unattainable within the context of Alberta’s electricity industry and available energy resources,
 - (e) the Federal Initiative is already having an extreme chilling effect on investment in Alberta’s electricity generation industry, and further, is slowing investments in emissions reducing technology and projects,
 - (f) the Supreme Court of Canada recently issued a reference opinion that the *Impact Assessment Act* (Canada) is largely unconstitutional as it is *ultra vires* the federal legislative jurisdiction under section 91 of *The Constitution Act, 1867*, due to the legislative scheme intruding into areas of exclusive provincial legislative jurisdiction outlined in section 92A, which includes, *inter alia*, the development, conservation and management of sites and facilities in Alberta for the generation and production of electrical energy, and
 - (g) the Government is actively implementing its Emissions Reduction and Energy Development Plan to achieve a carbon neutral power grid and economy by 2050, which is in line with Canada’s international commitments, but does not align with the Government of Canada’s arbitrary 2035 net-zero electricity grid targets.
2. The Legislative Assembly is of the opinion that
 - (a) the Federal Initiative is unconstitutional on the basis that it is not directed at a matter falling within section 91 of *The Constitution Act, 1867*, and impermissibly intrudes into an area of exclusive provincial jurisdiction, namely the development, conservation and management of facilities in the province for the generation of electrical energy as set out in section 92A of *The Constitution Act, 1867*,

- (b) the Federal Initiative will cause or is anticipated to cause harm as follows:
 - (i) the Federal Initiative is already having an extreme chilling effect on investment in Alberta's electricity generation industry, and further, is slowing investments in emissions reducing technology and projects;
 - (ii) the Federal Initiative proposes to mandate a set of emissions standards and timelines that are unattainable within the context of Alberta's electricity market and available energy resources, and as such the implementation of the Federal Initiative in Alberta presents a substantial and material risk to the health and safety of Albertans by
 - (A) jeopardizing the safety and reliability of the provincial electricity grid and availability of sufficient electrical energy supply which dramatically increases the likelihood of widespread blackouts and brownouts during severe cold and hot weather events stemming from a lack of reliable and dispatchable base load electricity, and
 - (B) jeopardizing the affordable access to electrical energy, and
- (c) the Federal Initiative threatens the economic well-being of Albertans and the economic viability of the Alberta economy by dramatically increasing the cost of access to electrical energy through mandating hundreds of billions of dollars of public and private monies to be spent within an approximate 10-year period in technologies still under development and yet unproven for the required commercial application and grid infrastructure and services.

AND BE IT FURTHER RESOLVED that the Legislative Assembly urge the Lieutenant Governor in Council to consider the following responses to the Federal Initiative:

- (a) ensure that the Government and any provincial entity defined in the *Alberta Sovereignty Within a United Canada Act*, to the extent legally permissible, refrain from recognizing the constitutional validity of the Federal Initiative, from enforcing or aiding in the enforcement of the Federal Initiative, or co-operating with the implementation of the Federal Initiative within Alberta in any manner;
- (b) in consultation and collaboration with the Alberta Electric System Operator, the Alberta Utilities Commission, the Market Surveillance Administrator, consumers, industry, Indigenous communities, and other relevant stakeholders, develop electrical system reforms necessary to

- (i) ensure a safe and reliable provincial electricity grid to guarantee Albertans and Alberta businesses access to reliable electricity at all times,
- (ii) ensure access to affordable electricity for Albertans and Alberta businesses,
- (iii) work towards a carbon neutral provincial electricity grid in alignment with the Government's Emissions Reduction and Energy Development Plan through incentivizing the advancement of emission reducing technologies and legitimate carbon offsets,
- (iv) ensure Alberta's electrical generation, transmission, and distribution systems will accommodate the expected high population and economic growth in Alberta over the coming decades, and
- (v) preserve the interests and value of the capital investments made in Alberta's electricity system by private generators, transmitters, and distributors, enabling continued competition for generation, and attracting continued private investment in Alberta's electricity sector

(collectively, the "Provincial Electrical System Objectives");

- (c) in consultation and collaboration with the Alberta Electric System Operator, the Alberta Utilities Commission, the Market Surveillance Administrator, consumers, industry, Indigenous communities, and other relevant stakeholders, explore the feasibility and effectiveness of the potential establishment of a provincial Crown corporation for the purpose of achieving and securing the Provincial Electrical System Objectives.

AND BE IT FURTHER RESOLVED that the Legislative Assembly urge the Government to use all legal means necessary to oppose the implementation and enforcement of the Federal Initiative in Alberta, including launching a legal challenge in the Alberta Courts and to otherwise advance the objectives and initiatives described in this motion.

Tabling Returns and Reports

Mr. Getson, Chair of the Standing Committee on Legislative Offices, pursuant to the Auditor General Act, cA-46, ss19(1) and 19(5):

Office of the Auditor General of Alberta Results Report for the year ended March 31, 2023

Sessional Paper 124/2023

Hon. MLA Ceci, Hon. Member for Calgary-Buffalo:

E-mail message dated November 22, 2023, from Anne Landry to Calgary City Council expressing concern regarding housing affordability in Calgary
Sessional Paper 125/2023

Pursuant to Standing Order 7(8), Hon. Mr. Schow, Government House Leader, provided notice to the Assembly that the Daily Routine shall continue beyond 3:00 p.m.

Ms de Jonge, Hon. Member for Chestermere-Strathmore:

Calgary Herald website article dated November 4, 2023, entitled “Yedlin: Clean Energy Regulations would carry huge consequences for Alberta”
Sessional Paper 126/2023

Dr. Metz, Hon. Member for Calgary-Varsity:

E-mail message dated November 8, 2023, from Chad Milroy to Dr. Metz, expressing concern regarding recent Government announcements to implement changes to the healthcare system
Sessional Paper 127/2023

Hon. Mr. Cooper, Speaker of the Legislative Assembly:

Pursuant to the Child and Youth Advocate Act, cC-11.5, s9.1(5), Office of the Child and Youth Advocate Alberta, Report to the Speaker of the Legislative Assembly, Mandatory Reviews of Child Deaths, for the period dated October 1, 2022, to March 31, 2023
Sessional Paper 128/2023

Pursuant to the Child and Youth Advocate Act, cC-11.5, s21(2), Office of the Child and Youth Advocate Alberta 2022-2023 Annual Report
Sessional Paper 129/2023

Tablings to the Clerk

Clerk of the Assembly on behalf of Hon. Ms Fir, Minister of Arts, Culture and Status of Women, pursuant to the Alberta Foundation for the Arts Act, cA-19, s14(2):

Alberta Foundation for the Arts 2022-23 Annual Report
Sessional Paper 130/2023

ORDERS OF THE DAY

Public Bills and Orders Other Than Government Bills and Orders

Second Reading

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

Bill 202 Education (Class Size and Composition) Amendment Act, 2023 —
Ms Chapman

A debate followed.

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

For the motion: 19

Arcand-Paul	Eremenko	Pancholi
Batten	Haji	Schmidt
Boparai	Hayter	Shepherd
Chapman	Ip	Sweet
Eggen	Kasawski	Tejada
Ellingson	Metz	Wright (Edmonton-Beverly-Clareview)
Elmeligi		

Against the motion: 44

Amery	Jean	Sawhney
Armstrong-Homeniuk	Johnson	Schow
Boitchenko	LaGrange	Schulz
Bouchard	Loewen	Sigurdson (Highwood)
Cyr	Long	Sinclair
de Jonge	Lovely	Singh
Dreeshen	Lunty	Stephan
Dyck	McDougall	Turton
Ellis	McIver	van Dijken
Fir	Nally	Williams
Getson	Neudorf	Wilson
Glubish	Nicolaides	Wright (Cypress-Medicine Hat)
Guthrie	Nixon	Yao
Horner	Petrovic	Yaseen
Hunter	Rowswell	

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

Bill 203 Foreign Credential Advisory Committee Act — Mr. Dyck

A debate followed.

Debate adjourned, Hon. Ms Armstrong-Homeniuk speaking.

Motions Other Than Government Motions

503. Moved by Ms Hayter:

Be it resolved that the Legislative Assembly urge the Government to consider taking the necessary steps to provide universal access to free prescription contraception, including oral hormone pills, contraceptive injections, copper and hormonal intrauterine devices, subdermal implants, and emergency contraception known as Plan B.

A debate followed.

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

For the motion: 17

Arcand-Paul	Elmeligi	Metz
Batten	Eremenko	Pancholi
Boparai	Haji	Schmidt
Calahoo Stonehouse	Hayter	Sweet
Dach	Hoffman	Wright (Edmonton-Beverly-Clareview)
Eggen	Kasawski	

Against the motion: 46

Amery	Johnson	Rowswell
Armstrong-Homeniuk	Jones	Sawhney
Boitchenko	LaGrange	Schow
Bouchard	Loewen	Schulz
Cyr	Long	Sigurdson (Highwood)
de Jonge	Lovely	Sinclair
Dreeshen	Lunty	Singh
Dyck	McDougall	Stephan
Ellis	McIver	Turton
Fir	Nally	van Dijken
Getson	Neudorf	Williams
Glubish	Nicolaides	Wilson
Guthrie	Nixon	Wright (Cypress-Medicine Hat)
Horner	Petrovic	Yao
Hunter	Pitt	Yaseen
Jean		

Adjournment

On motion by Hon. Mr. Amery, Deputy Government House Leader, the Assembly adjourned at 5:56 p.m. until Tuesday, November 28, 2023, at 1:30 p.m.

Hon. Nathan M. Cooper,
Speaker