



**Legislative Assembly
Province of Alberta**

Day 18

ORDER PAPER

First Session

Thirty-First Legislature

Tuesday, December 5, 2023

Prayers (1:30 p.m.)

ROUTINE (1:30 p.m.)

O Canada (First sitting day of each week)

Indigenous Land Acknowledgement (First sitting day of each week)

Royal Anthem (Thursday)

Oral Question Period (1:50 p.m. daily) (Day 1)

Introduction of Visitors

Introduction of Guests

Ministerial Statements

Members' Statements

Presenting Reports by Standing and Special Committees

Presenting Petitions

Notices of Motions

Introduction of Bills

Tabling Returns and Reports

Tablings to the Clerk

Deferred Divisions (Thursday)

ORDERS OF THE DAY

Government Motions

9. Hon. Mr. Schow to propose the following motion:

Be it resolved that

- a) the Personal Information Protection Act be referred to the Standing Committee on Resource Stewardship and the Committee shall be deemed to be the special committee of the Assembly for the purpose of conducting a comprehensive review pursuant to section 63 of that Act;
- b) the Committee may, without leave of the Assembly, sit during a period when the Assembly is adjourned or prorogued; and
- c) in accordance with section 63(2) of the Personal Information Protection Act, the Committee must submit its report to the Assembly within 18 months after beginning its review and that report is to include any amendments recommended by the Committee.

10. Hon. Mr. Schow to propose the following motion:

Be it resolved that

- (a) a Select Special Conflicts of Interest Act Review Committee of the Legislative Assembly of Alberta be appointed to review the Conflicts of Interest Act as provided in section 48 of that Act;

- (b) the Committee consists of the following Members:

Getson (Chair)	Ellingson	Ip	Wright (Cypress-Medicine Hat)
Long (Deputy Chair)	Ganley	Lovely	
Arcand-Paul	Hunter	Rowswell	

- (c) the Committee continues despite a prorogation of a session and may, without leave of the Assembly, meet during a period when the Assembly is adjourned or prorogued;
- (d) reasonable disbursements by the Committee for advertising, staff assistance, equipment and supplies, rent, travel, and other expenditures necessary for the effective conduct of its responsibilities shall be paid, subject to the approval of the Chair;
- (e) in carrying out its responsibilities, the Committee may utilize the services of employees of the Legislative Assembly Office or, with the concurrence of the head of a department or an Officer of the Legislature, utilize the services of employees of the public service employed in that department or office;
- (f) the Committee must submit its report to the Assembly, including any amendments to the Act recommended by the Committee, one year after commencing its review;

(g) if the Assembly is not sitting at the time the report of the Committee is completed, the Chair of the Committee may release its report by depositing a copy with the Clerk in accordance with Standing Order 38.1 and forwarding a copy to each Member of the Legislative Assembly.

12. Hon. Mr. Schow to propose the following motion:

Be it resolved that the Legislative Assembly approve the continuation of the following enactments:

- (a) Section 2 of the Rural Electrification Long-term Financing Act;
- (b) Sections 3 and 36 of the Rural Electrification Loan Act; and
- (c) Sections 32 and 33 of the Rural Utilities Act.

13. Hon. Mr. Schow to propose the following motion:

Be it resolved that pursuant to section 3 of the Statutes Repeal Act, SA 2013, cS 19.3, the following statutes, appearing on the list of statutes to be repealed, which was tabled in the Assembly by the Clerk of the Assembly on behalf of the Minister of Justice on March 8, 2023 (Sessional Paper 96/2022-23), not be repealed:

- 1. An Act to Strengthen Municipal Government (2017 c13) s.1(4), (39) to (41);
- 2. Missing Persons (Silver Alert) Amendment Act, 2017 (2017 c23).

15. Hon. Mr. Schow to propose the following motion:

Be it resolved that:

- (a) a Select Special Ethics Commissioner and Chief Electoral Officer Search Committee of the Legislative Assembly be appointed for the purpose of inviting applications for the positions of Ethics Commissioner and Chief Electoral Officer, and to recommend to the Assembly the applicants it considers most suitable to each position;
- (b) the Committee consists of the following Members:

Yao (Chair)	Irwin	Stephan
van Dijken (Deputy Chair)	Petrovic	Wright (Edmonton-Beverly-Clareview)
Dach	Pitt	
Dyck	Sabir	
- (c) reasonable disbursements by the Committee for advertising, staff assistance, equipment and supplies, rent, travel, and other expenditures necessary for the effective conduct of its responsibilities shall be paid, subject to the approval of the Chair;
- (d) in carrying out its responsibilities, the Committee may, with the concurrence of the head of the department, utilize the services of members of the public service employed in that department, and of the staff employed by the Assembly;

- (e) the Committee may, without leave of the Assembly, sit during a period when the Assembly is adjourned or prorogued;
- (f) when its work has been completed, the Committee shall report to the Assembly if it is sitting; during a period when the Assembly is adjourned or prorogued, the Committee may release its report by depositing a copy with the Clerk and forwarding a copy to each Member of the Assembly.

16. Oral notice having been given, moved by Hon. Ms Smith:

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.

Adjourned debate: Hon. Ms Smith

17. Hon. Mr. Schow to propose the following motion:

Be it resolved that, pursuant to Standing Order 3(9), the 2023 Fall Sitting of the Assembly shall stand adjourned upon the Government House Leader advising the Assembly that the business for the Sitting is concluded.

18. Hon. Mr. Schow to propose the following motion:

Be it resolved that

- (a) the 2022-2023 Annual Report of the Child and Youth Advocate be referred to the Standing Committee on Legislative Offices for review;
- (b) the Committee may, without leave of the Assembly, sit during a period when the Assembly is adjourned or prorogued;
- (c) in accordance with section 21(4) of the Child and Youth Advocate Act, the Committee shall report back to the Assembly within 90 days of the report being referred to it if the Assembly is then sitting or, if it is not then sitting, within 15 days after the commencement of the next sitting.

19. Hon. Mr. Schow to propose the following motion:

Be it resolved that when further consideration of Bill 2, Alberta Pension Protection 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.

20. Hon. Mr. Schow to propose the following motion:

Be it resolved that when further consideration of Bill 8, Justice Statutes Amendment Act, 2023, 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.

Government Bills and Orders

Second Reading

Bill 9 Miscellaneous Statutes Amendment Act, 2023 — Hon. Mr. Schow

Committee of the Whole

Bill 2 Alberta Pension Protection Act — Hon. Mr. Horner

Bill 8 Justice Statutes Amendment Act, 2023 — Hon. Mr. Amery

Third Reading

Bill 5 Public Sector Employers Amendment Act, 2023 — Hon. Mr. Horner

Bill 7 Engineering and Geoscience Professions Amendment Act, 2023 — Hon. Mrs. Sawhney

Private Bills

Committee of the Whole

Bill Pr1 St. Joseph's College Amendment Act, 2023 — Hon. Ms Sigurdson

Public Bills and Orders Other Than Government Bills and Orders

Second Reading

Bill 204 Municipal Government (National Urban Parks) Amendment Act, 2023 — Mr. Lundy (Time remaining: 71 minutes)

Debate adjourned, Mr. Sinclair speaking.

Committee of the Whole

Bill 203 Foreign Credential Advisory Committee Act — Mr. Dyck (Due Day 25)

Bills Awaiting Royal Assent

Bill 1 Alberta Taxpayer Protection Amendment Act, 2023 — Hon. Ms Smith

Bill 3 Opioid Damages and Health Care Costs Recovery Amendment Act, 2023 — Hon. Mr. Williams

Bill 4 Tax Statutes Amendment Act, 2023 (\$) — Hon. Mr. Horner

Bill 6 Public Health Amendment Act, 2023 — Hon. Mr. Amery

Motions Other Than Government Motions

505. Mr. Getson to propose the following motion:

Be it resolved that the Legislative Assembly urge the Government to

- (a) recognize the significant health, economic and environmental impacts on Albertans resulting from Alberta wildfires, and
- (b) introduce a Bill to amend the Forest and Prairie Protection Act to increase the penalties for committing an offence under that Act.

506. Ms Sweet to propose the following motion:

Be it resolved that the Legislative Assembly support the recommendations of the 2023 Alberta Beef Competitiveness Study and urge the Government to work with industry and the federal government to support Alberta beef producers by establishing a mandatory wholesale beef market information reporting system.

507. Hon. Ms Sigurdson to propose the following motion:

Be it resolved that the Legislative Assembly urge the Government to consider introducing a Bill to create incentives and supports aimed at reducing financial barriers to participation by seniors in senior wellness activities and exercise programs delivered by municipalities and private organizations.

508. Dr. Elmeligi to propose the following motion:

Be it resolved that the Legislative Assembly

- (a) recognize the importance of tourism on Alberta's economy and the need to balance visitor experiences and resident affordability, and
- (b) urge the Government to work with municipalities in Alberta's Rocky Mountains with tourism-based economies to establish funding and support programs that ensure municipal taxpayers do not bear the financial responsibility for the additional infrastructure requirements and operational demands on those municipalities due to tourism.

509. Ms Pitt to propose the following motion (replaced):

Be it resolved that the Legislative Assembly urge the Lieutenant Governor in Council to, in accordance with section 26 of the Judicature Act, refer to the Court of Appeal of Alberta the question of whether the federal Greenhouse Gas Pollution Pricing Act remains constitutional in light of the federal Governor in Council's recent exemption of only one type of carbon-based fuel, home heating oil, from the legislation's application resulting in an inequitable and disproportionate application of the legislation in different regions of the country, making indefensible the argument that it is a law made to address a national concern as a valid exercise of Parliament's peace, order and good government law making power under section 91 of the Constitution Act, 1867.

Be it resolved that the Legislative Assembly urge the Government to recognize the right of parents and guardians to have primary responsibility for the upbringing and development of their children, and that these duties should not be assumed by any other individuals or institutions within our society.

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Third Reading

Bill 7

And as per the Order Paper

Wednesday, December 6 Eve. – As per the Order Paper
Aft. – **Government Bills and Orders**

Committee of the Whole

Bill 2, 8

And as per the Order Paper

Eve. – **Government Bills and Orders**

Third Reading

Bill 2, 5, 8, Pr1

And as per the Order Paper

Thursday, December 7 Aft. – **Government Bills and Orders**

Third Reading

Bill 2, 5, 8

And as per the Order Paper

Hon. Nathan M. Cooper,
Speaker

Title: Tuesday, December 5, 2023