



**Legislative Assembly
Province of Alberta**

Day 20

(Issued Tuesday, February 27, 2024
pursuant to Standing Order 39(4))

ORDER PAPER

First Session

Thirty-First Legislature

Wednesday, February 28, 2024

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 3)

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

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

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.

Bill 205 Housing Statutes (Housing Security) Amendment Act, 2023 — MLA Irwin

Committee of the Whole

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

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.

510. Mr. Dyck to propose the following motion:

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.

NOTICES

Government Motions

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

Be it resolved that, pursuant to Standing Order 4(1), the Assembly shall meet in the evening on Monday, March 25, 2024, for consideration of Government business, unless the Government House Leader notifies the Assembly that there shall be no evening sitting that day by providing notice under Notices of Motions in the Daily Routine or at any time prior to 6 p.m.

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

Be it resolved that the Select Special Ethics Commissioner and Chief Electoral Officer Search Committee be authorized to meet during the consideration of the 2024-25 main estimates.

Hon. Nathan M. Cooper,
Speaker