



**Legislative Assembly
Province of Alberta**

No. 18

VOTES AND PROCEEDINGS

First Session

Twenty-Eighth Legislature

Tuesday, November 20, 2012

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

Members' Statements

Mrs. Leskiw, Hon. Member for Bonnyville-Cold Lake, made a statement regarding the fourth anniversary of the Ukrainian Famine and Genocide (Holodomor) Memorial Day Act being passed in the Assembly, and recognizing November 24, 2012, as Holodomor Memorial Day.

Mr. Anglin, Hon. Member for Rimbey-Rocky Mountain House-Sundre, made a statement regarding public meetings held last week in Vulcan and Sylvan Lake.

Ms Kubinec, Hon. Member for Barrhead-Morinville-Westlock, made a statement recognizing November 2012 as National 4-H Month.

Ms Johnson, Hon. Member for Calgary-Glenmore, made a statement congratulating the Alberta men's 65 plus hockey team on winning the gold medal at the 2012 Canada 55+ Games, held from August 29 to September 1, 2012, in Sydney, Nova Scotia.

Ms Calahasen, Hon. Member for Lesser Slave Lake, made a statement recognizing November 11 to 17, 2012, as Métis Week.

Dr. Swann, Hon. Member for Calgary-Mountain View, made a statement regarding the need for more action to eliminate child poverty.

Presenting Petitions

Mr. Casey, Hon. Member for Banff-Cochrane, presented a petition from 311 Albertans urging the Government to pass legislation requiring that all interviews conducted by Alberta Child and Family Services be videotaped.

Introduction of Bills (First Reading)

Notice having been given:

Bill 7 Election Accountability Amendment Act, 2012 — Hon. Mr. Denis

Tabling Returns and Reports

Mrs. Jablonski, Hon. Member for Red Deer-North:

Report, undated, entitled “Barrier-Free Health and Medical Services in Alberta,”
prepared by the Alberta Committee of Citizens with Disabilities
Sessional Paper 250/2012

Mr. Eggen, Hon. Member for Edmonton-Calder, on behalf of Mr. Bilous, Hon. Member for Edmonton-Beverly-Clareview:

Petition signed by 3,007 Albertans urging the Government to commit to an
achievable but early date for the completion of the twinning of Highway 63
Sessional Paper 251/2012

Mr. Hehr, Hon. Member for Calgary-Buffalo:

6 recent articles regarding Bill 2, Responsible Energy Development Act,
prepared by the University of Calgary Faculty of Law Blog on Developments in
Alberta Law
Sessional Paper 252/2012

Tablings to the Clerk

Clerk of the Assembly on behalf of Hon. Mr. Horner, President of Treasury Board and Minister of Finance, pursuant to the Gaming and Liquor Act, cG-1, s30(2):

Alberta Gaming and Liquor Commission, Annual Report 2011/2012
Sessional Paper 253/2012

ORDERS OF THE DAY

Government Bills and Orders

Committee of the Whole

According to Order, the Assembly resolved itself into Committee of the Whole and the Speaker left the Chair.

(Assembly in Committee)

The following Bill was taken under consideration:

Bill 2 Responsible Energy Development Act — Hon. Mr. Hughes

Mr. Hale, Hon. Member for Strathmore-Brooks, moved that the Bill be amended in section 2(1)(a) by adding “in a manner which respects landowners” after “Alberta”.

The question being put, the amendment was defeated. With Mr. Rogers at the Table, the names being called for were taken as follows:

For the amendment: 14

Anderson	Forsyth	Saskiw
Anglin	Fox	Starke
Blakeman	Hale	Stier
Donovan	Pedersen	Strankman
Eggen	Rowe	

Against the amendment: 31

Allen	Fraser	Kubinec
Bhardwaj	Fritz	Leskiw
Bhullar	Goudreau	Luan
Brown	Hancock	McDonald
Campbell	Horner	Olesen
Casey	Hughes	Pastoor
Cusanelli	Jeneroux	Quadri
DeLong	Johnson (Calgary-Glenmore)	Scott
Denis	Kennedy-Glans	VanderBurg
Dorward	Khan	Webber
Fenske		

Hon. Mr. Hancock, Government House Leader, requested and received the unanimous consent of the Assembly to shorten the interval between any further division bells in the afternoon sitting to one minute.

Adjournment

Pursuant to Standing Order 4(4), the Committee recessed at 6:00 p.m. until 7:30 p.m.

TUESDAY, NOVEMBER 20, 2012 — 7:30 P.M.

Government Bills and Orders

Committee of the Whole

(Assembly in Committee)

Hon. Mr. Hancock, Government House Leader, requested and received the unanimous consent of the Assembly to shorten the interval between division bells to one minute.

The following Bill was taken under consideration:

Bill 2 Responsible Energy Development Act — Hon. Mr. Hughes

Dr. Swann, Hon. Member for Calgary-Mountain View, on behalf of Mr. Hehr, Hon. Member for Calgary-Buffalo, moved that the Bill be amended in section 33 by adding the following after subsection (2):

(3) Subject to the regulations, the Regulator must render its decision within a specific prescribed time period based on the nature of the application.

The question being put, the amendment was defeated. With Mr. Rogers at the Table, the names being called for were taken as follows:

For the amendment: 14

Anderson	Fox	Strankman
Anglin	Hale	Swann
Bikman	Mason	Towle
Donovan	Rowe	Wilson
Forsyth	Stier	

Against the amendment: 31

Allen	Horne	Olesen
Bhardwaj	Horner	Olson
Brown	Johnson (Athabasca-Sturgeon-Redwater)	Quadri
Calahasen	Khan	Sandhu
Casey	Klimchuk	Sarich
Denis	Lemke	Starke
Dorward	Leskiw	VanderBurg
Drysdale	Lukaszuk	Weadick
Fenske	McDonald	Xiao
Griffiths	Oberle	Young
Hancock		

Mr. Hale, Hon. Member for Strathmore-Brooks, moved that the Bill be amended by striking out section 43 and substituting the following:

Notice

43 The Regulator shall provide a minimum of 60 days' notice of a reconsideration to any landowners, companies, or other persons directly affected by the decision and shall provide those persons with the opportunity to present evidence to the Regulator before the reconsideration is complete.

The question being put, the amendment was defeated. With Mr. Rogers at the Table, the names being called for were taken as follows:

For the amendment: 12

Anderson	Fox	Strankman
Anglin	Hale	Swann
Bikman	Mason	Towle
Forsyth	Rowe	Wilson

Against the amendment: 35

Allen	Hancock	Oberle
Bhardwaj	Horne	Olesen
Brown	Horner	Olson
Calahasen	Hughes	Quadri
Casey	Johnson (Athabasca-Sturgeon-Redwater)	Sandhu
Denis	Khan	Sarich
Dorward	Klimchuk	Starke
Drysdale	Lemke	VanderBurg
Fenske	Leskiw	Weadick
Fraser	Lukaszuk	Xiao
Goudreau	McDonald	Young
Griffiths	McQueen	

Mr. Hale, Hon. Member for Strathmore-Brooks, moved that the Bill be amended in section 5

- (a) in subsection (1) by striking out “2” and substituting “4”;
- (b) by adding the following after subsection (1):
 - (1.1) Members appointed to the board of directors of the Regulator shall include at least
 - (a) one individual with demonstrable expertise in property rights,
 - (b) one individual with demonstrable expertise in environment conservation, and
 - (c) two individuals with demonstrable expertise in the energy industry, each in different sectors of the industry.

The question being put, the amendment was defeated. With Mr. Rogers at the Table, the names being called for were taken as follows:

For the amendment: 9

Anderson	Fox	Strankman
Anglin	Hale	Towle
Bikman	Rowe	Wilson

Against the amendment: 36

Allen	Hancock	McQueen
Bhardwaj	Horne	Oberle
Brown	Horner	Olesen
Calahasen	Hughes	Olson
Casey	Johnson (Athabasca-Sturgeon-Redwater)	Quadri
Denis	Khan	Sandhu
Dorward	Klimchuk	Sarich
Drysdale	Lemke	Starke
Fenske	Leskiw	Swann
Fraser	Lukaszuk	VanderBurg
Goudreau	Mason	Weadick
Griffiths	McDonald	Xiao

Mr. Mason, Hon. Member for Edmonton-Highlands-Norwood, moved that the Bill be amended by adding the following after section 33:

Local interveners’ cost

33.1(1) In this section, “local intervener” means a person or a group or association of persons who, in the opinion of the Regulator,

- (a) has an interest in, or
- (b) is in actual occupation of or is entitled to occupy

land that is or may be directly and adversely affected by a decision of the Regulator in or as a result of a proceeding before it, but, unless otherwise authorized by the Regulator, does not include a person or group or association or persons whose business includes the trading in or transportation or recovery of any energy resource.

(2) On the claim of a local intervener or on the Regulator's own motion, the Regulator may, subject to terms and conditions it considers appropriate, make an award of costs to a local intervener.

(3) Where the Regulator makes an award of costs under subsection (2), it may determine

- (a) the amount of costs that shall be paid to a local intervener, and
- (b) the persons liable to pay the award of costs.

(4) The local intervener or a person who is determined by the Regulator to be liable to pay the costs awarded may request that the Regulator conduct a review of the award of costs.

(5) Where the Regulator conducts a review of the award of costs, the Regulator may

- (a) vary the award of costs,
- (b) refuse to vary the award of costs, or
- (c) deny the award of costs.

(6) If in the Regulator's opinion it is reasonable to do so, the Regulator may make an advance of costs to a local intervener and it may direct any terms and conditions for the payment or repayment of the advance by any party to the proceeding that the Regulator considers appropriate.

The question being put, the amendment was defeated. With Mr. Rogers at the Table, the names being called for were taken as follows:

For the amendment: 9

Anderson	Fox	Swann
Anglin	Hale	Towle
Bikman	Mason	Wilson

Against the amendment: 31

Allen	Hancock	McDonald
Bhardwaj	Horne	McQueen
Brown	Horner	Oberle
Casey	Hughes	Olesen
Denis	Johnson (Athabasca-Sturgeon-Redwater)	Olson
Dorward	Khan	Sandhu
Drysdale	Klimchuk	Starke
Fenske	Lemke	VanderBurg
Fraser	Leskiw	Weadick
Goudreau	Lukaszuk	Xiao
Griffiths		

During consideration of amendment A19 to Bill 2, Responsible Energy Development Act, Mr. Anderson, Official Opposition House Leader, raised a question of quorum pursuant to Standing Order 5(2). The division bells were sounded for one minute following which the Chair confirmed a quorum was present.

Consideration continued on amendment A19.

And after some time spent therein, the Deputy Speaker assumed the Chair.

Progress was reported on the following Bill:

Bill 2 Responsible Energy Development Act — Hon. Mr. Hughes

Ms Fenske, Acting Chair of Committees, tabled copies of all amendments considered by Committee of the Whole on this date for the official records of the Assembly.

Amendment to Bill 2 (A7) (Hon. Member for Edmonton-Calder on behalf of the Hon. Member for Edmonton-Highlands-Norwood) — Defeated
Sessional Paper 254/2012

Amendment to Bill 2 (A8) (Hon. Member for Strathmore-Brooks) — Defeated on division
Sessional Paper 255/2012

Amendment to Bill 2 (A9) (Hon. Member for Edmonton-Centre on behalf of the Hon. Member for Calgary-Buffalo) — Defeated
Sessional Paper 256/2012

Amendment to Bill 2 (A10) (Hon. Member for Calgary-Mountain View on behalf of the Hon. Member for Calgary-Buffalo) — Defeated on division
Sessional Paper 257/2012

Amendment to Bill 2 (A11) (Hon. Member for Calgary-Mountain View on behalf of the Hon. Member for Calgary-Buffalo) — Defeated
Sessional Paper 258/2012

Amendment to Bill 2 (A12) (Hon. Member for Edmonton-Highlands-Norwood) — Defeated
Sessional Paper 259/2012

Amendment to Bill 2 (A13) (Hon. Member for Strathmore-Brooks) — Defeated on division
Sessional Paper 260/2012

Amendment to Bill 2 (A14) (Hon. Member for Edmonton-Highlands-Norwood) — Defeated
Sessional Paper 261/2012

Amendment to Bill 2 (A15) (Hon. Member for Edmonton-Highlands-Norwood) — Defeated
Sessional Paper 262/2012

Amendment to Bill 2 (A16) (Hon. Member for Edmonton-Highlands-Norwood) — Defeated

Sessional Paper 263/2012

Subamendment to Bill 2 (A17-SA4) (Hon. Member for Edmonton-Highlands-Norwood) — Defeated

Sessional Paper 264/2012

Amendment to Bill 2 (A17) (Hon. Member for Strathmore-Brooks) — Defeated on division

Sessional Paper 265/2012

Amendment to Bill 2 (A18) (Hon. Member for Edmonton-Highlands-Norwood) — Defeated on division

Sessional Paper 266/2012

Amendment to Bill 2 (A19) (Hon. Member for Strathmore-Brooks) — Adjourned debate

Sessional Paper 267/2012

Third Reading

The following Bills were read a Third time and passed:

Bill 5 New Home Buyer Protection Act — Hon. Mr. Griffiths

Bill 6 Protection and Compliance Statutes Amendment Act, 2012 — Hon. Mr. Hancock on behalf of Mr. Jeneroux

Bill 9 Alberta Corporate Tax Amendment Act, 2012 (\$) — Hon. Mr. Horner

Bill 10 Employment Pension Plans Act — Hon. Mr. Horner on behalf of Ms Kennedy-Glans

Committee of the Whole

According to Order, the Assembly resolved itself into Committee of the Whole and the Deputy Speaker left the Chair.

(Assembly in Committee)

The following Bill was taken under consideration:

Bill 8 Electric Utilities Amendment Act, 2012 — Hon. Mr. Hughes

Mr. Anglin, Hon. Member for Rimbey-Rocky Mountain House-Sundre, moved that the Bill be amended by striking out section 3 and substituting the following:

3. Section 41.1 is repealed and the following is substituted:

41.1(1) A transmission facility designated as critical transmission infrastructure under section 41.1 of this Act as it read immediately prior to the coming into force of the Electric Utilities Amendment Act, 2012, shall be reviewed by the Commission which shall consider whether the facility for which approval is sought is and will be required to meet the present and future public convenience and need.

(2) In determining present and future public convenience and need under subsection (1), the Commission shall consider:

- (a) the benefit that may accrue to Albertans as a result of the new critical transmission infrastructure;
 - (b) whether the need of Albertans for critical transmission infrastructure can be met by the application of non-wire solutions or, in any less expensive but equally satisfactory way, such as upgrading an existing line, building electrical generators closer to the load and programs to reduce the load;
 - (c) whether the cost to Albertans of the new critical transmission infrastructure outweighs the public's social economic interest and benefit; and
 - (d) reasonable and economic operational alternatives to minimize system constraints, giving consideration to technical efficiencies, reliability and capital costs.
- (3) The Commission may, notwithstanding the Hydro and Electric Energy Act
- (a) refer the application back to the Independent System Operator with directions or suggestions for changes or additions,
 - (b) approve the application, or
 - (c) decline the application.

The question being put, the amendment was defeated. With Mrs. Jablonski at the Table, the names being called for were taken as follows:

For the amendment: 20

Anderson	Eggen	Smith
Anglin	Fox	Stier
Barnes	Hale	Strankman
Bikman	McAllister	Swann
Bilous	Notley	Towle
Blakeman	Pedersen	Wilson
Donovan	Rowe	

Against the amendment: 32

Allen	Griffiths	McDonald
Amery	Hancock	Pastoor
Bhullar	Horne	Quadri
Calahasen	Jansen	Quest
Cao	Jeneroux	Rodney
Casey	Johnson (Athabasca-Sturgeon-Redwater)	Sarich
Cusanelli	Johnson (Calgary-Glenmore)	Scott
DeLong	Kennedy-Glans	Webber
Fawcett	Kubinec	Woo-Paw
Fraser	Lemke	Young
Fritz	Luan	

Hon. Mr. Hancock, Government House Leader, moved adjournment of the debate on Bill 8, Electric Utilities Amendment Act, 2012, which was agreed to.

The following Bill was taken under consideration:

Bill 2 Responsible Energy Development Act — Hon. Mr. Hughes

Hon. Mr. Hancock, Government House Leader, requested and received the unanimous consent of the Assembly to shorten the interval between division bells to one minute.

Mr. Anglin, Hon. Member for Rimbey-Rocky Mountain House-Sundre, moved that the Bill be amended by adding the following after section 61:

61.1 Nothing in the rules made under section 61(r) shall limit the ability of the Regulator to award fair and just costs to an eligible person as defined under section 36(a).

The question being put, the amendment was defeated. With Mrs. Jablonski at the Table, the names being called for were taken as follows:

For the amendment: 11

Anderson	Donovan	Stier
Anglin	Hale	Strankman
Barnes	McAllister	Wilson
Blakeman	Pedersen	

Against the amendment: 36

Allen	Fraser	Leskiw
Amery	Fritz	Luan
Bhullar	Hancock	McDonald
Calahasen	Horne	Pastoor
Campbell	Jansen	Quadri
Cao	Jeneroux	Quest
Casey	Johnson (Athabasca-Sturgeon-Redwater)	Rodney
Cusanelli	Johnson (Calgary-Glenmore)	Sarich
DeLong	Kennedy-Glans	Scott
Dorward	Klimchuk	Webber
Drysdale	Kubinec	Woo-Paw
Fawcett	Lemke	Young

After sometime spent therein, the question was put that Bill 2, Responsible Energy Development Act, be reported, which was agreed to. With Mrs. Jablonski at the Table, the names being called for were taken as follows:

For the motion: 37

Allen	Fraser	Leskiw
Amery	Fritz	Luan
Bhullar	Hancock	McDonald
Blakeman	Horne	Pastoor
Calahasen	Jansen	Quadri
Campbell	Jeneroux	Quest
Cao	Johnson (Athabasca-Sturgeon-Redwater)	Rodney
Casey	Johnson (Calgary-Glenmore)	Sarich
Cusanelli	Kennedy-Glans	Scott
DeLong	Klimchuk	Webber
Dorward	Kubinec	Woo-Paw
Drysdale	Lemke	Young
Fawcett		

Against the motion: 12

Anderson	Fox	Stier
Anglin	Hale	Strankman
Barnes	McAllister	Towle
Donovan	Pedersen	Wilson

The Acting Speaker assumed the Chair.

The following Bill was reported:

Bill 2 Responsible Energy Development Act — Hon. Mr. Hughes

Progress was reported on the following Bill:

Bill 8 Electric Utilities Amendment Act, 2012 — Hon. Mr. Hughes

Ms Kennedy-Glans, Acting Chair of Committees, tabled copies of all amendments considered by Committee of the Whole on this date for the official records of the Assembly.

Amendment to Bill 8 (A1) (Hon. Member for Rimbey-Rocky Mountain House-Sundre) — Defeated on division

Sessional Paper 268/2012

Amendment to Bill 2 (A19) (introduced by the Hon. Member for Strathmore-Brooks on November 20, 2012) — Defeated

Sessional Paper 267/2012

Amendment to Bill 2 (A20) (Hon. Member for Strathmore-Brooks) — Defeated

Sessional Paper 269/2012

Amendment to Bill 2 (A21) (Hon. Member for Strathmore-Brooks) — Defeated

Sessional Paper 270/2012

Amendment to Bill 2 (A22) (Hon. Member for Edmonton-Centre on behalf of the Hon. Member for Calgary-Buffalo) — Defeated

Sessional Paper 271/2012

Amendment to Bill 2 (A23) (Hon. Member for Rimbey-Rocky Mountain House-Sundre) — Defeated on division

Sessional Paper 272/2012

Adjournment

On motion by Hon. Mr. Hancock, Government House Leader, the Assembly adjourned at 1:03 p.m. Wednesday, November 21, 2012, until 1:30 p.m.

Hon. Gene Zwozdesky,
Speaker

Title: Tuesday, November 20, 2012