



**Legislative Assembly
Province of Alberta**

No. 20

VOTES AND PROCEEDINGS

First Session

Thirty-First Legislature

Wednesday, February 28, 2024

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

Members' Statements

Mr. Long, Hon. Member for West Yellowhead, made a statement regarding proposed Government investments to construct a stand-alone Stollery Children's Hospital.

Ms Hayter, Hon. Member for Calgary-Edgemont, made a statement regarding Pink Shirt Day.

Mr. van Dijken, Hon. Member for Athabasca-Barrhead-Westlock, made a statement regarding Government action to address wildfire risk in Alberta.

MLA Arcand-Paul, Hon. Member for Edmonton-West Henday, made a statement regarding the Government's stance on transgender youth.

Mrs. Johnson, Hon. Member for Lacombe-Ponoka, made a statement regarding the loss of agricultural land to solar energy installations.

MLA Boparai, Hon. Member for Calgary-Falconridge, made a statement regarding the recent farmers' protests in India.

Notices of Motions

Hon. Mr. Schow, Government House Leader, gave oral notice of the following motions:

26. Be it resolved that the membership of the Assembly's committees be replaced as follows:
- a) on the Standing Committee on Public Accounts, that MLA Irwin replace Ms Pancholi as Chair, and Ms Renaud replace Hon. Ms Ganley;
 - b) on the Standing Committee on Resource Stewardship, that Hon. Mr. Eggen replace MLA Calahoo Stonehouse;
 - c) on the Select Special Conflicts of Interest Act Review Committee, that Hon. Mr. Sabir replace Hon. Ms Ganley.
27. Be it resolved that the Assembly approve in general the business plans and fiscal policies of the Government.

Ms Sweet, Hon. Member for Edmonton-Manning, gave oral notice of the intention to move the following motion under Standing Order 42:

Be it resolved that the Legislative Assembly

- 1. recognize that due to climate change, and water and land conditions, an unprecedented number of 58 wildfires are currently burning in Alberta, being 10 times more than the regular number of active wildfires for this time of year and indicating the possibility of an unprecedented fire season, creating significant health and safety risks to Albertans, and
- 2. urge the Government to
 - a. support a holistic and coordinated approach to wildfire management and emergency services in Alberta through the establishment of a multi-ministry Provincial Fire Service Advisory Committee as requested by the Alberta Fire Chiefs Association,
 - b. ensure that the membership of this advisory committee includes representatives from the Rural Municipalities of Alberta, Alberta Fire Chiefs Association, Alberta municipalities, Confederacy of Treaty Six First Nations, Stoney Nakoda-Tsuut'ina Nation, Blackfoot Confederacy, Metis Nation of Alberta, private industry contractors and subject-matter experts, and
 - c. establish, maintain and publish a public awareness and evacuation safety campaign to protect Albertans during these times of emergency.

Privilege – Threatening a Member

The Speaker invited Hon. Mr. Schow, Government House Leader, to speak to the purported question of privilege under Standing Order 15 raised by Hon. Ms Gray, Official Opposition House Leader, on December 6, 2023, regarding Hon. Mr. Schow allegedly making threatening remarks concerning Ms Pancholi, Hon. Member for Edmonton-Whitemud.

Apology by Member

Hon. Mr. Schow made a statement apologizing for his conduct in the Chamber on December 6, 2023.

The Speaker accepted the apology and declared the matter concluded.

Motions Under Standing Order 42

Ms Sweet, Hon. Member for Edmonton-Manning, requested the unanimous consent of the Assembly for consideration of the following motion:

Be it resolved that the Legislative Assembly

1. recognize that due to climate change, and water and land conditions, an unprecedented number of 58 wildfires are currently burning in Alberta, being 10 times more than the regular number of active wildfires for this time of year and indicating the possibility of an unprecedented fire season, creating significant health and safety risks to Albertans, and
2. urge the Government to
 - a. support a holistic and coordinated approach to wildfire management and emergency services in Alberta through the establishment of a multi-ministry Provincial Fire Service Advisory Committee as requested by the Alberta Fire Chiefs Association,
 - b. ensure that the membership of this advisory committee includes representatives from the Rural Municipalities of Alberta, Alberta Fire Chiefs Association, Alberta municipalities, Confederacy of Treaty Six First Nations, Stoney Nakoda-Tsuut'ina Nation, Blackfoot Confederacy, Metis Nation of Alberta, private industry contractors and subject-matter experts, and
 - c. establish, maintain and publish a public awareness and evacuation safety campaign to protect Albertans during these times of emergency.

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

Unanimous consent to proceed was not granted.

ORDERS OF THE DAY

Government Motions

24. Moved by Hon. Mr. Schow:

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.

The question being put, the motion was agreed to.

25. Moved by Hon. Mr. Schow:

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.

The question being put, the motion was agreed to.

Hon. Mr. Schow, Government House Leader, requested and received the unanimous consent of the Assembly to waive Standing Order 39(1)(a) in order to proceed to Government Motion 26.

26. Oral notice having been given February 28, 2024, moved by Hon. Mr. Schow:

Be it resolved that the membership of the Assembly's committees be replaced as follows:

- a) on the Standing Committee on Public Accounts, that MLA Irwin replace Ms Pancholi as Chair, and Ms Renaud replace Hon. Ms Ganley;
- b) on the Standing Committee on Resource Stewardship, that Hon. Mr. Eggen replace MLA Calahoo Stonehouse;
- c) on the Select Special Conflicts of Interest Act Review Committee, that Hon. Mr. Sabir replace Hon. Ms Ganley.

The question being put, the motion was agreed to.

16. Oral notice having been given November 27, 2023, 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.

A debate followed.

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: 46

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

Against the motion: 28

Al-Guneid	Elmeligi	Loyola
Arcand-Paul	Goehring	Metz
Batten	Haji	Phillips
Boparai	Hayter	Renaud
Brar	Hoyle	Sabir
Ceci	Ip	Sigurdson (Edmonton-Riverview)
Chapman	Irwin	Sweet
Deol	Kasawski	Tejada
Eggen	Kayande	Wright (Edmonton-Beverly-Clareview)
Ellingson		

Intersessional Deposits

Pursuant to Standing Order 38.1(3), the following documents were deposited with the Clerk of the Assembly and are deemed to have been laid before the Assembly:

Mr. Getson, Chair, Standing Committee on Legislative Offices:

Pursuant to the Auditor General Act, cA-46, s20(2), Report of the Auditor General, December 2023, deposited on December 14, 2023

Sessional Paper 201/2023

Pursuant to the Child and Youth Advocate Act, cC-11.5, s21(4), Standing Committee on Legislative Offices Report on the Review of the Offices of the Child and Youth Advocate 2022-2023 Annual Report, deposited on January 16, 2024

Sessional Paper 202/2023-24

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

Pursuant to the Legislative Assembly Act, cL-9, s39(3), Special Standing Committee on Members' Services Miscellaneous (Automobile Travel Allowance and Meal Per Diem) Amendment Order, 2024, MSC Order No. 01/24, deposited on January 29, 2024

Sessional Paper 203/2023-24

Hon. Mr. Nally, Minister of Service Alberta and Red Tape Reduction:

Pursuant to the Red Tape Reduction Act, cR-8.2, s2(2), Red Tape Reduction Annual Report 2022-23, deposited on February 2, 2024

Sessional Paper 204/2023-24

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

Pursuant to the Legislative Assembly Act, cL-9, s19(5), Special Standing Committee on Members' Services Constituency Services Amendment Order, 2024, MSC Order No. 02/24, deposited on February 6, 2024

Sessional Paper 205/2023-24

Hon. Mr. Horner, President of Treasury Board and Minister of Finance:

Pursuant to the Insurance Act, cI-3, s601(2), Automobile Insurance Rate Board 2023 Annual Report, deposited on February 21, 2024

Sessional Paper 206/2023-24

Adjournment

On motion by Hon. Mr. Schow, Government House Leader, the Assembly adjourned at 5:05 p.m. until Thursday, February 29, 2024, at 1:30 p.m.

Hon. Nathan M. Cooper,
Speaker

Title: Wednesday, February 28, 2024