



Province of Alberta

The 29th Legislature  
Third Session

# Alberta Hansard

Tuesday morning, December 5, 2017

Day 61

The Honourable Robert E. Wanner, Speaker

**Legislative Assembly of Alberta**  
**The 29th Legislature**

Third Session

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van Dijken, Glenn, Barrhead-Morinville-Westlock (UCP)  
Westhead, Cameron, Banff-Cochrane (NDP),  
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Woollard, Denise, Edmonton-Mill Creek (NDP)  
Yao, Tany, Fort McMurray-Wood Buffalo (UCP)  
Vacant, Calgary-Lougheed

**Party standings:**

New Democratic: 54 United Conservative: 26 Alberta Party: 2 Alberta Liberal: 1 Progressive Conservative: 1 Independent: 2 Vacant: 1

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## Legislative Assembly of Alberta

10 a.m.

Tuesday, December 5, 2017

[The Deputy Speaker in the chair]

### Prayers

**The Deputy Speaker:** Good morning.

Let us reflect. As we begin our work this week, let us proceed with the respect and honour our institution deserves, filling hearts and minds with wisdom and a determination to always do what's right for our constituents, for our province, and for our country.

Please be seated.

### Orders of the Day

#### Government Bills and Orders

##### Second Reading

##### Bill 30

##### An Act to Protect the Health and Well-being of Working Albertans

Mr. Gotfried moved that the motion for second reading of Bill 30, An Act to Protect the Health and Well-being of Working Albertans, be amended by deleting all of the words after "that" and substituting the following:

Bill 30, An Act to Protect the Health and Well-being of Working Albertans, be not now read a second time but that the subject matter of the bill be referred to the Standing Committee on Alberta's Economic Future in accordance with Standing Order 74.2.

[Adjourned debate on the amendment December 4: Ms Larivee]

**The Deputy Speaker:** Any hon. members wishing to speak to the bill? The hon. Member for Lacombe-Ponoka.

**Mr. Orr:** Thank you, Madam Speaker. I rise to speak in the House today in support of the motion for referral of Bill 30. It would benefit the bill and the people of Alberta as well as, actually, the work of the members of this House if we were to refer the bill to committee, as has been proposed by the Member for Calgary-Fish Creek.

As all members of the House know, this is a bill that would make substantial and sweeping changes to the legislation surrounding, actually, two major pieces of legislation in our province, the Workers' Compensation Act and also the Occupational Health and Safety Act. Both are very large bills that are substantial in their sweep and in their impact.

The changes we have before us in these bills would have a long-lasting and potentially a very significant impact on every worker in Alberta. They have the potential to redefine the workplace for all those Albertans who will not only be working now but coming into the workforce in the years ahead. To put it a bit in perspective, there are more than 2 million people actually currently employed in our province and, of course, also at any time lots of people looking for work. Especially in this time of downturn and retrograde legislation against our industries in Alberta there are a lot more people looking for work than there used to be. The legislation we make in this House regarding labour laws will in some way affect all those 2 million plus people. It'll affect whether or not their jobs continue to exist or whether or not new jobs are created for Albertans who are struggling to find work, and yes, this may have an impact on the work that is available for them in the future.

With all of the people who are therefore counting on us to make sure we get things like this right and with all those whose lives we may affect through our work here, we need to do everything we can to get this straight. And it impacts not just workers, quite honestly, but families and whole communities, our society at large. So it's much more than just the immediate impact. There's also the secondary impact, that impacts our children, that impacts whole extended families, all of the rest of that.

This means that we need to put a stop to this practice of a government that spends very little time on the consultation process, the practice of introducing omnibus bills just days before the end of session, the practice of trying to ram through legislation while ignoring the legitimate concerns of many members in this Assembly. Truthfully, I think we should all be here to try and find the best legislation, to create the best context, the best environment possible for employees and for families and for communities here in Alberta.

The people of Alberta deserve better than just having major pieces of legislation rammed through without the time for consultation, without the opportunity for the key stakeholders to be involved, to participate, to express their thoughts and their concerns. By referring this bill to committee, we would have the opportunity to invite some key people in, to hear what their thoughts are.

You know, the reality is that we're always better together than we are individually. When we put things through from one perspective only, there are all kinds of things that we overlook, that we're blind to, that we don't get. By listening to others, we actually benefit the people of Alberta. We actually improve the quality of the bill. This government could be producing work that would last for many generations if they would take the time to do it well. The people of Alberta deserve that. They deserve a legislative process that will make sure that we do more than just pass bills as fast as we possibly can. They deserve a process that ensures that we simply take some time to get the bills right in the first place. If we don't get it right on these kinds of issues, we aren't serving Albertans well, and if we don't get them right, we aren't doing our jobs, which may mean that they're not getting their jobs.

What can we do to make sure that we get this bill and others right? We can use the tools that have been available to us in this place and send the bill to committee for further review and consultation. Is that really too much to ask from a government? I would have thought the proper legislative review and careful scrutiny would be a given for a government that has such a poor track record with unintended consequences and problems with their past legislation. Too often we've seen legislation shoved forward in a hurry. Then even the government has to amend their own bills halfway through the process.

I know the government will say that they've done their consultation; they've had so many submissions and so many round-table meetings. I know that they'll say that there isn't time to review the bill. I know they'll say that it's fine without amendments. But the reality is that time will prove that, and the reality is that when the process is pressured and rushed, the end result is rarely the best that it could be. The fact is that these are just their tactics, their talking points to avoid being asked hard questions, to avoid facing the reality that so many Albertans are actually not onboard with their legislation and their ideological agenda. Just because they accidentally got elected doesn't give them an authority to push these kinds of things through. The reality is that trying to push the legislation through with an unwillingness to even consult with people, with the intent to try to shove it through so quickly that people don't have the opportunity to even understand it, let alone respond, is not good legislative practice.

Madam Speaker, governing for Albertans isn't supposed to be easy. It means listening to opposing opinions. It means facing evidence that doesn't fit with your narrative. It means putting our province and its people ahead of all else. NDP members don't come first; Albertans do. Union bosses don't come first; the Albertans that actually have to work for them do. Ideological dogma doesn't come first; Albertans do. While I know it will mean facing up to a reality and while I know it will mean a little more work for all of us, let's send the bill to committee for further review, for further consultation. Let's actually just do our job in this House, listen to the people of this great province, and make sure we get this legislation right.

I want to spend a little bit more time now addressing a couple of the potential problems that may arise with this bill. I know that it can be difficult to be one's own critic, so hopefully I can do something to lift the fog and help the government see some of the sections of this legislation that need work. I trust that I can impress the practical importance of spending more time on this particular piece of legislation.

First, I want to speak about the introduction of mandatory joint health and safety committees and health and safety representatives. This bill would universally mandate, depending on the number of employees in a workplace, a health and safety committee or representative. In the existing legislation the minister already has the power to mandate these situations where it makes sense. Why is this individual approach not sufficient? Do we really need to impose the hassle and cost of these committees and representatives on businesses who have good track records on health and safety and where no problem is apparent? Are we creating an environment of conflict where before there was an environment of co-operation, of support, of working together, and of team effort to create a safe workplace with people?

**10:10**

The government needs to be cognizant of the fact that while their intentions with this measure may be good, the costs may needlessly put an excessive burden on businesses or, worse, may actually distract from other health and safety programs that have been proven to be effective. This seems like more of a political move than anything else.

To try to put such a large bill through and push it through right at the end of session, hoping that the opposition members will just cave in because they want to go home for Christmas: that's not a good idea. We're not going to do that. We intend to stay here. We intend to speak up for Albertans. We would like to go to committee. We would like to work on this.

You have to question: is the government doing this deliberately, or is it through incompetence? I really am not sure. I mean, either they're deliberately trying to push a snow job over on Albertans because it's winter, push this stuff through, try to get it through before the media, before the people can even understand it, or they're just not ready. They haven't had time to get their act together. They hadn't finished writing the bill until the very last minute. They haven't allowed themselves time to take it to committee. Why wouldn't they allow time to actually take it to committee? I think that there are serious ways that this bill is being handled in trying to ram it through at the very end of session, a very large bill. It's not a good way to develop legislation.

There are a number of options that the government could have used. They could have delayed or postponed the start of the fall session until they were actually ready. They could have chosen to adjourn debate on the bill and then reconvene it in the spring, which would give opportunity for the people and stakeholders to have a good look at it, to make valuable contributions. They did this once

already with Bill 21, Modernized Municipal Government Act. That was probably a good practice. I commend them on that. Why don't they do the same thing again here and invite stakeholders to contribute to this in healthy and positive ways? Or they could just simply embrace the referral motion that we have before us now and allow the bill to go to committee. That would be the next best option. It would actually benefit the bill and the province, and it's something that I think needs to be supported by all members of this House. It's too late for some of the other options, but it's not too late to refer this bill to committee and to make sure that it gets the best treatment possible in this House.

I'd like to refer to another suggested change that I think would be valuable. I question the intent of replacing the Occupational Health and Safety Council with the Labour Relations Board. This is interesting. What it's doing is essentially trying to suggest that all employees in this province are labour representatives. They're not. In fact, less than 1 in 4 employees actually belong to a labour union, but here we have the Labour Relations Board being set up to resolve issues and to deal with this for employees who are not even labour employees.

The point is that the Alberta Labour Relations Board administers the Labour Relations Code, dealing with disputes between employers and trade unions, not with all the other employees in this province. I'm not belittling trade unions. I think that they actually have a value. I belonged to two of them in the past. There is a place for trade unions. But I don't quite understand why they're being tasked with a job that isn't within the definition of their mandate. This isn't what they're supposed to be doing, so why is the government turning it into something that it isn't? It's something that we need to look at and take serious consideration of.

There are a lot of issues with this bill. I will stick with the referral motion at the moment. The other details we'll address later, but I think there are serious concerns that need to be addressed. That's why this bill should go to committee, and I encourage all members to support the referral motion and please move forward with it.

Thank you.

**The Deputy Speaker:** Under Standing Order 29(2)(a) the hon. Member for Bonnyville-Cold Lake.

**Mr. Cyr:** Thank you, Madam Speaker. I have to agree with my colleague. He has brought up some very, very good points, that referring this to committee is something that we need to actually consider.

One of the points that he brought up specifically was the fact that maybe the government has not thought this through. One of my questions here revolves around a quote that has come out with the press release that was done by the Alberta government, Bill Would Improve Safety, Well-being of Albertans, on November 27, 2017. So on the day the bill was read in first reading, this press release came out. Now, one of the points here – and this is a good reason why we need to consider the referral motion. My question to my colleague is – the quote here says:

The Workers' Compensation Board (WCB) provides no-fault benefits and supports a safe return to work for injured workers. The proposed changes would mean an improved WCB system that [would provide] greater benefits to [employees] to support their return to work, with premiums that remain sustainable and affordable for employers.

One of the points that our caucus has brought up is that there's been really no economic impact study that's been done on the impacts on the WCB. We've had a government say that this is only going to cost something like \$94 million – I could be corrected if I'm wrong there – but we really don't know what this is going to

cost because of the fact that we're open-ending a lot of things to the point where the actuaries will not be able to give us a very clear indication of where this is sitting, the true cost of this.

Now, workers' compensation, in this quote, is very clear that they're all okay with making sure that our people that work in Alberta, who get injured in Alberta, who are covered under WCB have the ability to get better and get back to work. I don't think any one of my caucus would disagree with that. I don't believe one person would say: we don't want one of our injured workers to get the help that they desire. But the WCB board, after the quotes from the minister and two stakeholders, has stated that "premiums that remain sustainable and affordable for employers" are just as important to the WCB. They're saying: we need to get people the help that they need. We also are saying that this needs to be something that our employers have the ability to maintain the payments for or that does not become a serious hardship that will actually put them out of business.

My question to my colleague is: do you think that the consultation has been done well enough so that we have the understanding to be able to see that this WCB is sustainable and will remain sustainable and affordable for employers into the future? This is an important, important question because if we put WCB off the rails, this is something that we cannot get back on the rails when it comes to sustainability. If we end up trying to help people but harm them because the WCB fund is no longer sustainable, this is not okay. This is not okay.

To the member, that I respect: do you feel that a committee would help to flesh this out even further and, I guess, give more balance to what the WCB is saying within the quote that they have provided to our government, that this is such an important topic? To the gentleman, if he could please answer why it's so important to have a good referral motion move forward.

**The Deputy Speaker:** Lacombe-Ponoka, do you wish to respond?

**Mr. Orr:** Well, I think that the whole point of committees is that there's an opportunity for the stakeholders and the people of our province to express their thoughts and their concerns and to add to the value of the discussion that takes place. Without a fulsome discussion, quite frankly, we don't have answers to many, many of the questions, even the actuarial kinds of questions, sustainability questions . . .

**The Deputy Speaker:** Any other members wishing to speak to the referral motion? The hon. Member for Highwood.

10:20

**Mr. W. Anderson:** Thank you, Madam Speaker. I rise this morning to speak to the referral amendment to Bill 30, An Act to Protect the Health and Well-being of Working Albertans, to ask that this bill be referred to committee. There are many reasons why this bill needs to be referred, one being the size of the bill. For the government to bring forward a bill of this size with little debate time – it just makes sense to forward it to an all-party committee where issues with the bill can be hashed out properly. If the government's intent is that this piece of legislation be passed in this session and that we not delay, why didn't they introduce this bill sooner? It's not prudent to push through such a huge piece of legislation when there are so many disruptive implications for small and medium-sized businesses.

This bill makes sweeping changes to Alberta's workmen's compensation system, and these costly changes will make the system, I believe, unsustainable. We can't continue down this road, at every turn jeopardizing a positive employment environment. That is certainly not going to help all Albertans. We need to see

evidence from the government that they are indeed planning to fix what they think is a broken system. We do not need to take an unstable environment and make it more unstable with the flick of a switch. Something of this magnitude needs to be thoroughly discussed and understood before just throwing it out here at random, if only for an excuse to ram as much legislation out there as possible in this sitting.

I do want to say that there are many pieces in this legislation that have been needed for a while. Frankly, a lot of it was well thought out, I think. I'm positive that there has been a lot of consultation around many of those great pieces.

But there's also too much at stake here for the employment environment that could affect many small and medium-sized businesses. Small and medium-sized businesses will not be able to absorb the increased administrative burden resulting from supporting joint committees, added administrative training, and alternative work placements. It's just not feasible. Can the Minister of Labour please just think about that for a while?

Unfortunately, this bill makes some changes that I am very concerned about. These changes will make for some additional cost changes to the Workers' Compensation Act and, if enacted, will make the WC system potentially unsustainable. For this reason, I wholly support an amendment to refer this bill to committee. While, like I've stated before, I do believe there are some very good pieces of this legislation that are good and well-deserving, could they not be possibly crafted on their own?

But I would like to discuss some reasons why I think this bill should be referred to an all-party committee. For one, new reporting of serious injuries and incidents would require an excessive amount of administrative work. Reporting of near misses: a huge bureaucratic burden, I think, on small to medium-sized businesses. This adds significant red tape, something that may be needed, but if thought out and thought out well in an all-party committee, we could come up with options to help mitigate these costs for already struggling businesses here in Alberta. I'm not saying, "Hand out money," but all I am suggesting that we do is that we talk about some of the options.

Another serious issue affecting small to medium-sized businesses is the worry about higher premiums, the costs of maintaining and managing your small business. This could have significant financial repercussions, so why the rush? Let's refer this to committee and let the details be worked out there. A piece of legislation of this size and magnitude needs to be mulled over with all members.

Another problem is that while there may be good in this legislation, there is little trust in what legislation this government produces. I and many Albertans whom I have talked with on a regular basis do not trust that this government won't introduce legislation that will have serious economic repercussions in their daily lives. Take, for instance, the carbon tax. This NDP government did not campaign on the carbon tax in the last election. They didn't even bring it up. Now here we are, almost three years later, getting ready to absorb this massive tax that once again will be increased, by 50 per cent, this January.

There's no credibility with this government. They've destroyed all that. They've destroyed it with their risky and ideological pieces of legislation that they forced through this House. They've created morning sittings just for that purpose. They have hurt Albertans in so many ways and have hit them in all directions. There's absolutely no trust when it comes to any promises this government has to say. This is why we need a huge omnibus bill to be referred to committee. This bill is just another piece of legislation that has the potential to do just that.

Think about what just happened the week before last. The Minister of Finance stated that the economy is looking up, up, up,

up. He talked about what great fiscal management they have. He talked about how they're reducing spending. He talked about how great the economy is under their reign, and then the day after this fantastic promise Alberta gets hit for the sixth time in a row with a serious credit downgrade. Not the government but the S&P Global Ratings report said that unless this government undertakes "material fiscal reforms . . . to address budgetary shortfalls and . . . [stimulate] the economy . . . Alberta will continue to post, on average, significant after-capital deficits in excess of 23% of total adjusted revenues." This was right after the Minister of Finance's boasts of how great he and his government were handling the financial situation of this province.

I suggest that those on the other side of the House think for themselves and look at the facts. Don't just blindly follow what you're told. It is very obvious somewhere between this government's intent and what actually happens seems to get lost – we've continued to warn this government about reckless ideologies and have repeatedly warned that even though they sound all warm and fuzzy, they just do not work in the practical world.

If you haven't listened to us before, do so today. Refer this bill to an all-party committee, where we can discuss each issue and work together for the common sense and the common good of all Albertans. History has shown that this government has done minimum consultation with the workforce and with Albertans. Follow through on that. Refer this back to committee. Let's redo this in the springtime. Let's think this legislation through. I think it's extremely important that we spend time with Albertans, go through all the details so all Albertans will understand the impact of this bill.

Thank you, Madam Speaker.

**The Deputy Speaker:** Any questions or comments under Standing Order 29(2)(a)? Calgary-Hays.

**Mr. McIver:** Thank you, Madam Speaker. I appreciate the opportunity to rise under 29(2)(a) on the Bill 30 referral to committee. Now, I was listening to the hon. member. He made a lot of points that make sense to me, but I thought I would ask him to reflect on a few things.

Certainly, Bill 30: I tried to talk to people about this, because it popped out just late last week, while I was home on the weekend. I was curious about the hon. member's experience and whether it was similar to mine because what I really found and really noticed was that a lot of people that I talked to, in fact, just about everybody, had no idea what was in the bill. Of course, that matters because, as has been pointed out here, there are more than 2 million people who work in Alberta, and the WCB changes will affect virtually every one of them. So when you think about putting something into place right away that 2 million people have to be brought up to speed on, surely – I just wonder whether the hon. member heard anything similar or whether the people that he talked to in his riding and where he was on the weekend had a same or similar experience.

**10:30**

Of course, you know, Albertans are good people, Madam Speaker. They want to be law abiding, and they want to live within the rules of the land, but of course they can't do that unless they actually know what the rules are and understand them and have time to adjust. Of course, for those people in particular need in my riding and in the hon. member's riding and who may be in the middle of a WCB claim, one of the things that I'm sure they're unclear on – at least, I believe they're unclear on it now, and I'd be interested in the hon. member talking about any that he had talked to in his riding – is whether their claims will be under the new rules or the old rules.

That matters because a lot of claims before the WCB now could have been for an injury on the job six months ago, a year ago, two years ago, or it could have happened yesterday or tomorrow but before the legislation is proclaimed. That can make a big difference, so that's one of the reasons I wouldn't mind if the hon. member could expand on that.

The other piece that I would be interested in him addressing, of course, is on the employer side, if he's had a chance to talk to employers in his riding. Under the OHS rules, now you've got somewhere in the neighbourhood of 160,000 different employers in Alberta, and all the rules that they have and live under on occupational health and safety have to change all at once, too. Of course, I'm curious about anything that he might have said or heard between himself and the employers in his riding. Alberta's employers want to be law abiding, too. They want to be good citizens. They already try to keep their employees safe and do a great job, but there's a new set of rules and guidelines now, potentially, with this legislation, that they'll have to live under, including, of course, requirements for – I'll make sure I get the wording right here – prime contractors and service providers. A lot of businesses now probably don't have something that they call a prime contractor.

Certainly, employers from my riding were unaware of what's in the legislation and what their obligations are. Of course, it makes me curious about whether the hon. member who just spoke, the hon. Member for Highwood, had similar concerns or whether he had an opportunity to talk to employers in his riding. Again, Madam Speaker, this is important because this is a big chunk of legislation, 147 pages. It's a lot to consume for Albertans. It's a lot to consume at any time but particularly if this happens to be a busy time of their year. Indeed, if it's a slow time for businesses, it's tough, too. It's getting more expensive for them, if it's a slow time, to bring in extra staff to look at the ramifications in the bill, to perhaps put new accounting practices in, to perhaps . . .

**The Deputy Speaker:** Any other hon. members wishing to speak to the referral amendment? The hon. Member for Livingstone-Macleod.

**Mr. Stier:** Good morning, Madam Speaker, and good morning, all. Thanks for having the moments today for folks in the House to listen to what we have to say regarding this amendment. I think it's important to start out with a few comments with respect to what has gone on in my past experience here in the House with respect to the amount of time that has been spent in my constituency office regarding the subject of workmen's compensation. There have been probably hundreds of calls to my office regarding this subject, and it's one of the most sensitive issues that small-business owners and employees will probably have to deal with. It's also one of the most common subjects, I've heard, for every constituency office. Workmen's compensation has been problematic, to say the least.

But this morning I'd like to speak in favour of this referral amendment, which my hon. colleague has moved, and I would like to submit that the process for Bill 30 has not provided Albertans with adequate time to be consulted on the numerous and significant changes to the Workers' Compensation Board and the Occupational Health and Safety Act.

I know that not enough time was spent consulting with Albertans, and I know that not enough due diligence was done by the government before they introduced this bill. I know that because that is what this government tends to do on all of these bills. Bill 6 was a classic example of that. [interjections] Whether or not the government agrees is beside the point because the people out there are talking to us about this, and they have not had the opportunity.

They do not know about it. They didn't even know it was being dropped until last week, and it's 147 pages long.

They only held, apparently, I've been told – and I could stand to be corrected – eight consultation meetings prior to the drafting of this bill. They're relying on an online survey that did nothing more than confirm this government's radical biases, that we've known them to have before when they've introduced bills.

**An Hon. Member:** Radical biases?

**Mr. Stier:** Radical biases, yes.

Every time this government has brought in huge bills, it's common knowledge, Madam Speaker, that the government tends to load up a bunch of questions at some of these open houses, suggests things that aren't necessarily the case to try to persuade people to agree with what's being presented.

I am supporting this amendment in part because the government has not shown it has taken the proper steps; specifically, to consult after they've introduced the bill in the Legislature. That's where all this comes out. Let's face it. The information that we get about these bills comes out after they introduce it. It's one thing to consult on ideas. I think the phrase that's often used when referring to this type of consultation is that it takes a 30,000-foot view, so let's take a 30,000-foot view of this.

What I mean is that stakeholders are asked to provide feedback and suggestions on broad statements that describe the intent behind the proposed changes. The consultation will also ask for people's ideas or suggestions on things that they would like the legislation to cover but, again, nothing specific. The important thing to note is that no one outside of the government really knows what the specific changes are going to be. That will probably come down in regulations or some other form of double whammy that always takes place when legislation goes through.

I don't profess even to have been at these consultations. I didn't know that they were going on. But if I was to wager a guess as to how they went, I think they probably went something like this. The meetings were probably held at a community hall, a union hall, or another public place like a library. I don't know, but I bet they could have been there, some place with a lot of room for people to get up and walk around. Before the formal consultation process began, the minister or the deputy minister probably opened up the meeting by welcoming everyone and telling them how great it was that everyone could be there. Of course, they undoubtedly thanked them for taking the time out of their busy schedule to do the really important work of improving the occupational health and safety and WCB acts. That would be the normal process.

Following that, everyone was probably given instructions on how the session would proceed and how the participants' input would be collected. I wouldn't be surprised if the participants were told to keep an open mind and that the process was really about the government gathering ideas that it can take back to the drawing-room table when they begin the job of crafting the legislation.

I'm going to guess that there were probably stations set up around the room and that government representatives whose expertise was in a specific area that the government wanted to gather feedback on were there. These representatives were there to answer, possibly, any specific questions that a participant had and to encourage an open dialogue. I'm sure that did take place, but I'm going to go out on a limb here and bet that each station level probably already had a really high-level, biased concept of what they were trying to achieve, that the participants were to consider and then provide their feedback on by writing their ideas or suggestions on sticky notes or flash cards that the government would collect at the end.

As to the specific questions or aspirational statements the government asked, the participants possibly would consider a lot of questions, but I submit that they probably sounded in many ways like the following list that I'm going to provide.

What areas of the current legislation work well? What areas of the current legislation don't work well?

Another would perhaps be: would you support changes in improved access to the medical and financial supports injured workers need to get healthy, to care for their families, and to ultimately return to work? Would you support changes to legislation that would modernize Alberta's health and safety system to reflect the modern workplaces of the 21st century? I bet they would all answer in a preconceived way to that.

**10:40**

Another would be: would you support an improved Workers' Compensation Board system that provides greater benefits to workers to support their return to work, with premiums that remain sustainable and affordable for employers? I'm sure they would have said something like that.

Another one: do you support changes that better protect workers to ensure that they have the same rights and protections as other Canadians? Well, that makes sense. I'm sure they might have asked that.

Another one: do you think that Alberta's current occupational health and safety and workers' compensation legislation effectively empowers Alberta workers to take a participatory role in promoting healthy and safe workplaces? I'm sure they would ask that.

Another one: did you know Alberta currently does not have an independent office tasked with assisting Alberta workers injured at work to help them navigate the complex WCB system? I'm betting they would have thought of that, I hope. If Alberta were to adopt an independent office, what do you think their responsibilities should be? Perhaps that was asked then, too.

Another. Currently Alberta workers have a duty to refuse unsafe work. This has caused some Alberta workers to be confused as to whether they have a right to refuse unsafe work. Do you support clarifying what Alberta workers' rights are? I'm sure that that question, too, was probably asked at one of those meetings.

Yet another. Currently Alberta workers injured at work are only able to collect wage benefits up to \$98,700. However, many Alberta tradespeople earn significantly higher annual incomes. Do you think Alberta workers should be eligible to receive more of their wages if they suffer a workplace injury? Likely that was asked, I suspect.

Another. Under the current legislation workplaces with 19 or fewer employees are not required to form health and safety committees. I know that I spent many years downtown working in offices in the oil and gas sector, and this came up at that time, 15, 20 years ago, as well, to some extent. I know we were always scratching our heads downtown. Were we really scared of that photocopier? Was it going to hit us in the head one day? I know that we used to try to kick it a lot of times and make it work a little better, but what were we to be scared of in our offices downtown when they tried to raise that issue before? What are we going to do about that now? That is what I'm worried about. Are we going to figure out some way to put a safety cage around our photocopiers? I don't know.

Maybe, perhaps, they might have asked about that: do you support expanding the mandate of the health and safety committee to include all Alberta workers? That's the point here, folks. We know that those photocopiers can be animals from time to time. I know the ones in our offices certainly are. They're in fixing it again this morning.

Yet another question. Under the current legislation, when an employee is injured at work, their employer's obligations to accommodate their return to work are not clearly articulated. Perhaps they might have asked: would you support changes that clarify what an employer's obligations are when an employee is injured in the workplace? I'm sure they would have asked that. That should have been in there for many years. That's usually part of any regular office operations, any workplace operations. That's normally the case.

I won't belabour my point with any further examples, folks, this morning because I think I've made my point, and I thank you for your attention and interest in what I've had to say. None of the questions the government probably asked nor the feedback they received from stakeholders prior to the introduction of this bill in the Legislature probably dealt with specifics that we're now having to deal with. They probably skipped over some of the sensitive things. They probably didn't include some of the stuff that's in this bill. Oh, by the way, as the previous members have said this morning, it's a fairly large bill. It's got 147 pages.

**An Hon. Member:** A hundred and forty-seven pages is scary.

**Mr. Stier:** Scary 147 pages: I agree, hon. member. Really scary.

It couldn't have dealt with all the specifics in those open houses because we're going to have to do that. We're not going to be able to deal with all of the specifics here today either nor in the next few days, I would suggest, because it's too important and it's too difficult. Why this was brought to us in this manner at this time, at the end of the session, is beyond me. It's again, obviously, another attempt at trying to slide something through without giving it proper attention.

The examples that I provided illustrate that very fact. There's a fundamental difference between consultations held prior to a bill being introduced versus consultations held after the legislation has been tabled in the Legislature. There's a difference between asking a stakeholder if they support expanding the mandate of health and safety committees to include all Alberta workers versus asking a stakeholder for actual feedback on whether they support something specific, including:

If there are 5 to 19 workers in total from 2 or more employers or employers and self-employed persons or one or more employers and one or more self-employed persons at a work site and the work is expected to last 90 days or more, the prime contractor or, if there is no prime contractor, all employers and self-employed persons shall coordinate the designation of a health and safety representative for that work site.

Now, that bunch of gibberish is part of this bill's section 17(3). I bet that wasn't asked in one of those meetings.

I'm not claiming that stakeholders or particular employers are against it, including the proposed section 17, that was quoted. What I am saying, though, is that asking someone to provide feedback on the ideas of expanding the mandate of the health and safety committees versus asking that same person for feedback on the very specific language that legislates the expansion of health and safety are two entirely different things. Claiming, as this government has, that they are the same is not just incorrect. It's wrong, and it's misleading.

If the government truly doesn't understand the difference between consulting on an idea versus consulting on a written piece of legislation, then they shouldn't be introducing this legislation in the first place. We need a long discussion on this bill. It is one of the most sensitive things to every person that works in Alberta and across this country, and it has been the most controversial issue for decades. Why, then, should we be faced with having to just smash this through the House at the end of session? We should not.

That's why I'm supporting this proposed amendment to refer this bill to committee, Madam Speaker. Despite the partisanship that goes on in this room, I would encourage all members to consider all of their constituents, all of the workers in Alberta, all of those people that don't normally deal with legislation, all of the people that may be affected by this, take this into account, and support us in moving this to committee.

Thank you very much.

**The Deputy Speaker:** Any questions or comments under Standing Order 29(2)(a)? Bonnyville-Cold Lake.

**Mr. Cyr:** Thank you, Madam Speaker. I have to say that my colleague for Livingstone-Macleod brings up some very good points. You know, to reinforce some of the points that he brought forward, I just want to read a business alert that was put out by the Alberta Chambers of Commerce to get a better understanding of where the business community is sitting in this regard and why it is so important that this needs to go to committee.

The ACC . . .

That is the Alberta Chambers of Commerce.

. . . has recommended that the Alberta Government send Bill 30 to a committee for further review and analysis following First and Second Reading. Taking this step will help identify how employers and employees can best adjust to changes introduced with the new legislation, which are intended to prevent illness and injury in the workplace.

That's pretty clear. I can't think of anything more clear.

**10:50**

They're putting out a business alert saying that businesses across Alberta should be talking with their local MLAs to make sure they understand that we need to have more fulsome, more thorough discussions when it comes to this legislation. I really feel that, in the end, when we see the Alberta Chambers of Commerce putting forward letters like this, they don't do it lightly. They don't say: gee, are we here just to make the government's life more difficult? I believe that they truly want to be included in the process.

Now, as I stated before, what we've got here in the Alberta government's technical briefing is that there was not a fulsome consultation. I do not mean to belittle the people that did participate because – you know what? – their points of view are important. The question is: was it sufficient for the gravity that this legislation will bring forward for all Albertans who work?

Like, the fact that over 1,300 online survey responses were done seems like a lot, but then you look at the fact that when we sent the daylight savings time act to the committee, we had over 14,000 people do responses. Nearly 90 written submissions sounds like a lot, but the bill itself has such a large number of pages that it's hard for us to be able to see if those submissions – those 90 submissions, those 1,300 responses, those eight in-person, facilitated round-table discussions – and the points that they brought up are actually reflected in this legislation.

But we're not going to find out because we're going to rush through this so fast. This referral is saying: let's slow the process down just a little bit, make sure that we get it right, make sure that we have a sustainable WCB that moves forward so that we protect Albertans who are workers that get hurt on the job site into the future. That is what we are asking for. This is important to Albertans.

Now, to move on in that same business alert, there's another concern that was brought up.

WCB premium surpluses collected from employers in 2016 are approximately 350 Million, with similar surpluses expected for 2017. Past practice of the WCB has been to rebate surpluses back

to employers because the WCB is fully employer funded. The ACC is pleased that the Alberta Government rejected the WCB Review Panel's recommendation to not rebate . . .

**The Deputy Speaker:** Just a reminder, hon. member, that you should table those documents you were quoting from later, please. Thank you.

Any other speaker to the amendment motion? The hon. Member for Chestermere-Rocky View.

**Mrs. Aheer:** Thank you, Madam Speaker. Thank you for the opportunity to speak to the referral motion, which I will be voting in favour of. There are so many things that I want to talk about with respect to this bill and with respect to the referral motion. In order to be able to make my point clearly, I think I'm going to have to go back to a few other bills that we've wanted to refer and the reasons for that.

But before I do that, Madam Speaker, one of the things that I wanted to talk about – and I think that a lot of the members on this side have spoken to this – is just the size of this bill. It's just a massive bill. It's a complicated bill. There's a lot in there that needs to be discussed. I cannot imagine, again, the amount of work that goes into something like this. There's just so much information in here, but there are a couple of key points that I'd like to speak about. One of the things is that when a piece of legislation like this makes it to us, especially in the opposition, we are obviously tasked with making sure that we speak to the people, that we reach out, that we have the opportunity to explain what's behind the legislation, what we think and what we understand is going on.

The biggest thing that's actually come across my desk in the few days that we've had this bill is: where was the consultation? Now, I'm not saying that there wasn't consultation but obviously not adequate consultation, Madam Speaker. Honestly, people are questioning where the government was on consultation with this. I'll bring up some specific areas that I've been asked about, and I'd love to hear some answers from the government. Specifically, the reason for needing to go to referral on this is due to the nature of bringing in stakeholders, bringing in folks that are experts in this.

I mean, I can only speak for myself, but the privilege of being in here has taught me many things. One of those things is that I don't know a whole lot about a whole lot of things, but I also know a whole lot about a lot of little things. The only reason why I know those things is because I've had the privilege of speaking to a lot of people who have educated me. This province is full of savvy, intelligent, incredible people that are really experts in so many fields. You know, I'm a person who loves people. I love speaking with people. I love hearing what they have to say. I've learned so much. The biggest thing that I've learned is that when people aren't consulted properly, you're told about it right away. I'm sure I'm not the only one. I'm sure the government side has had people asking them questions about this legislation, too, because it's so humongous.

One of the things that I think needs to happen is, potentially, to pull the bill into two pieces. We ask about this all the time. There are pieces of this bill where there are some really good things that are happening that needed to happen, but there are also chunks of this bill that I really, really believe would do so much better for us if we took the time to have adequate consultations.

If I may, Madam Speaker, I just want to delve into the past a little bit. You know, when I was reading this bill and going back to some of the issues, I was reminded of when we were in here discussing bills 25, 27, and 34, so that's the Oil Sands Emissions Limit Act, the Renewable Electricity Act, and the Electric Utilities Amendment Act, 2016. We'll start with Bill 25, the Oil Sands

Emissions Limit Act. I mean, this was such a huge gamble with industry – such a huge gamble – and we spoke on and on about the industry's place, about how that was going to impact industry wanting to be here, especially because the other countries that we're dealing with with respect to oil sands and oil production do not have the same kinds of restrictions that were being put on by this oil sands cap.

One of the things that we had said over and over again was that the industry itself – and we're not even talking about the larger industries but the smaller businesses, the fabric of what makes up this province, Madam Speaker, especially when it comes to oil and gas, and how so many of these smaller businesses that were involved in the oil sands were not going to be able to see those leases go to fruition. This was a huge, huge impactful piece of legislation, and there was absolutely zero consultation with these smaller groups that are going to eventually be eaten up by these larger groups, which ultimately reduces competition. Then, on top of that, we who produce the greenest product in the world and should be the most proud of our resource development are going to lose out to other countries because of carbon leakage and many, many other things, which we've gone into over and over again.

There was so much less public discussion on the oil sands emissions than there was even on the climate leadership plan. If you look at the consultation – I was at all of the consultations for the climate leadership plan, and I saw all of the sticky notes. I actually have pictures still, after going to all of those meetings, of all the sticky notes of everything that people said about phasing out coal and all those kinds of things. We've talked about this at length.

However, one of the things that we realized during this, going through that whole process, was that the industry had not been adequately consulted, and even aside from the industry, the public wasn't. As Albertans and Canadians we own the resources. It is something that Albertans, in particular, are savvy about. There's not a single person in this House or anywhere in this province that is not touched by our resources or some offshoot of business that is impacted by how well or how poor we do in this industry and a policy that impacts it. I mean, we sent, I think, several amendments asking for referrals, all sorts of things on that.

**11:00**

Another one is Bill 27, the renewables act. Here's an interesting one, Madam Speaker. Just to speak about consultation again, because that's why we're doing this referral, coal phase-out wasn't even adequately defined in Bill 27. There was no definition for what coal phase-out was actually going to look like.

More interesting than that, did you know that the AESO didn't even make its recommendations public until the day that the bill was delivered to our desks on November 3? I remember personally scrambling to try and figure out how we were going to understand what the AESO's recommendations were, some of which the government took. A good chunk of things were actually not taken into consideration; for example, what was going to happen with respect to the PPAs? How were the taxpayer and the ratepayer, who are the same person, I might add, going to be impacted by that?

The recommendations were made public exactly at the same time that the bill came out. Interestingly enough, this is very similar to that. We have three or four humongous pieces of legislation being rammed through right before the end of session.

Now, as an opposition member my responsibility is to ask questions. So I'm looking at this, and I'm wondering a lot of different things. The whole point of doing a referral is because there are good things in this legislation, but there is a lot that really, really need some serious time, Madam Speaker, and I don't think that there's enough. I don't have enough energy to express how

important it is that a piece of legislation this large go to committee and that we have an opportunity to speak about it.

Bill 34, the electric utilities act, is my favourite. What was it? The minister defined it as her receiving a volatile electricity system. Well, “volatile” is a good word that I would use for the decisions that the government made, based specifically around the fact that it rendered the PPAs unable to be able to – being that the Balancing Pool would have no money, \$65 million, to be exact, that goes to making sure that the Balancing Pool can do its job.

Under the previous act we would’ve already had the responsibility to do that. The taxpayer is on the hook for the Balancing Pool as it runs out of cash, and the government, who is responsible for making the PPAs unprofitable, did not want to go to referral and talk about the issues therein. Instead, we had another massive piece of legislation which also gave the minister the ability to bring on renewables without bringing it in front of this Legislature. She had the complete capacity to make those decisions without anybody else knowing what was going on.

This is another reason that we wanted to go to referral on this. Lookit, if there is a reason and a capacity for these things to change, and as you speak with industry, there’s a lot of desire to go forward, it is the responsibility of government to be transparent with the people of this province about how that’s going to impact their livelihood. There needs to be buy-in, Madam Speaker; hence, the reason why going to referral is so important and going back into committee is so important.

They can ram through as much legislation as they want on any given day, Madam Speaker. The government has the majority. They certainly have the ability to do that with or without our blessing. However, we represent a humongous chunk of people on this side as well. It would behoove the government to actually listen and understand that the reason for going to committee is to actually justify some of the legislation and potentially strengthen legislation that’s going to go through with the help of the opposition. Ideally, that would be the way that things go. This is a collaborative approach. This is the way that we get things done. We can make some very, very good tweaks and bring in the people.

I want to go to the bill, just for a second, Madam Speaker. The one I found most interesting – and there are a lot of interesting things, but this is my particular piece for today – is the creative sentencing options. Doesn’t that sound like fun? Creative sentencing options. What is this relating to? Well, this is relating to the fact that the levies and the fines in the previous act are – the way that the levies and fines were in the previous act are still being held over. However, the court has now the ability to use creative sentencing options for employers found in contravention of the act. What does that mean?

I would love to understand the definition of that. I can’t even fathom what that’s going to look like in regulations, and the best part about that, Madam Speaker, is that we’re not going to know. We are not going to have the ability to say: “Wow. Creative sentencing options. What does that mean? What does that look like?” It seems like an awful lot of oversight for a body in the sense that the regulations are going to be made by cabinet and the government and the minister, which will have absolutely no space in here for us to talk about it, and then it’s going to go out into the world in some capacity with people not understanding not only the contravention of the act, because they have to learn and understand how they’re contravening the act, but more importantly how they are going to deal with that.

My goodness, as far as I understand, a court is an interpretive body. They’re going to interpret the law. So you will have interpretation and creative in the same sentence. It’s great for a song, musical theatre. I’m sure even Beethoven would approve. But

I don’t think that this is something that we should be putting into law without actually discussing what creative sentencing options actually means. I would really, really appreciate the government at any point being able to point out for me exactly what that means. That’s just one of them, and that one made me really, really nervous.

The other thing that I wanted to talk about, too, is that when we were talking about Bill 17 in the past, the FOIP documents showed that the consultation workplace laws last spring had a predetermined outcome. So what do we mean by that? Well, if you look at the way the consultation went, Madam Speaker, the questions are designed in such a way that a certain answer will come. There are only a couple of options. This has the exact same feel. It harkens back to that space of: wow. This was: “I’ll lead, and you follow. I’m going to set this in stone. I’m going to say that I consulted with you, but I’m going to lead the discussion, and you’re going to say okay.” That’s how this feels, and this is a humongous piece of legislation.

The other interesting thing is that if we’re looking at small and medium-sized businesses, if we’re talking about the costs that need to be absorbed as a result of what’s going to happen with the Workers’ Compensation Act, it is completely unsustainable. I would love to know the amount of consultation that was done with small and medium-sized businesses. Or are they just not important? Again, it reminds me Bill 25, the Oil Sands Emissions Limit Act, where the smaller companies and smaller leaseholders were not consulted and were not brought into the discussion. Ultimately, they’re the ones that will pay the price for the billions of dollars they’ve already sunk into the leases that will not come to fruition as a result of the cap.

I’m curious: how is it that the government expects small and medium-sized businesses that are at risk, because they’re not able to support those administrative costs, to support the joint committees that have been added to the ministry of training and alternative work placements? Wouldn’t it be better, Madam Speaker, to be able to bring in some of the associations, the chambers, anything, to be able to discuss this so this legislation is as strong as it needs to be? Obviously, there are changes that needed to be made.

**The Deputy Speaker:** Any questions or comments under Standing Order 29(2)(a)? Bonnyville-Cold Lake.

**Mr. Cyr:** Thank you. Having listened to my hon. colleague go through such an important thing like a referral motion, I truly want to hear the rest of her thoughts on this because I believe that she’s passionately encouraging this government to really look at the direction they’re going in, especially when the fact is that we seem to be running if not galloping towards a result that was predetermined by a very select few within this government. So if the member wouldn’t mind talking a little further on the fact that there doesn’t appear to be enough consultation, and how it would affect her constituents.

Thank you.

**The Deputy Speaker:** *Chestermere-Rocky View.*

*11:10*

**Mrs. Aheer:** Thank you, Madam Speaker. Thank you for the opportunity to continue to speak. Consultation is an interesting concept, isn’t it? Again, with all the humility that I could possibly muster, in my experience in the last, you know, two and a half or so years the consultation aspect for me has been more just sitting and listening and trying to understand and then trying to figure out how that would fit into a piece of legislation. I’ve really tried with all my

heart to not lead a person into a way of thinking. It's been more that they direct, and I take notes.

I think I can speak for most of us. I mean, I've been in consultations with a lot of my friends on this side of the House. I haven't been in a lot with my friends on the other side. But my assumption is that when we have people coming into our offices, as MLAs, you know, a good chunk of our job is to listen, to take notes, and then for us on this side we'll usually go to the minister that's responsible for that and try and bring forward suggestions and ideas or at least give some heads-up about a particular situation.

That can only happen, Madam Speaker, if you actually have the ability to sit and listen, not come and be told, not be directed. It's actually sitting down and listening to the people. As I've said on many occasions and I will continue to say, the people of this province are highly intelligent, thoughtful, common-sense, resilient human beings, and it just makes me beyond proud to be able to work in this beautiful place and to be able to represent them.

Consultation is actually for me a word of respect. It's a word of collaboration. It is a word that means that more than one idea can come to the table and that the conversation will be respectful and thoughtful and kind even if you're on completely opposing sides of an ideology or a thought process or anything. It's a very, very respectful dialogue that takes into consideration the feelings of the people that are going to be mostly impacted.

Over the course of the privilege of being in this House, the most consistent thing that I hear over and over and over again is: "Where was the consultation? We didn't know this was coming. They didn't reach out to us." These are, like, actual stakeholders that have a real, real stake in this game, that have the ability to actually direct government, which my understanding was, at least to some degree, how that's going to go.

Obviously, government is not going to make everybody happy. That's okay. I think all of us can live with that if there's common sense behind this. But you bring in this level of legislation that has two completely different components and smooch it together in, well, what should have been the last week of the Legislature. Obviously, we're going to go on, smooch it into this little-bitty time, expect us to consult, and then everything that we bring forward with amendments is not respected even though we're not making this stuff up. This is coming from consultation, Madam Speaker.

This is about referring it to committee so that we have the ability to actually talk to these people. I would think that the government would love to get that extra buy-in. This would be good for the government to do this. This is about gaining approval from the people that we represent, not getting approval for your own ideas. That's a completely different thing. This is actually about respectful discourse, actually having a discussion come out of that and coming to a conclusion. Like I said, you're not going to make everybody happy – I wish that was the case, but that's not going to happen – but listen to the public with an open mind.

**The Deputy Speaker:** The hon. Member for Calgary-Hawkwood.

**Connolly:** Thank you, Madam Speaker. I know we are proud to see the response from Albertans on this review. We (a) received more than 1,300 online responses, (b) received nearly 90 written submissions, and (c) conducted eight in-person round-table discussions with more than 200 stakeholders across Alberta. On top of that, we had the independent WCB panel's recommendations for a workercentric system that were posted online on July 6, 2017, and Albertans had until September 30, 2017, to provide feedback. The panel received more than 1,700 questionnaires, 200 written submissions, and 67 workbook responses, and over 60 responses were submitted in response to the panel's report.

However, I would like to thank the opposition for wildly speculating, and I look forward to more wild speculations coming in the future. But at this moment I would like to adjourn debate on the amendment.

[The voice vote indicated that the motion to adjourn debate carried]

[Several members rose calling for a division. The division bell was rung at 11:15 a.m.]

[Fifteen minutes having elapsed, the Assembly divided]

[The Deputy Speaker in the chair]

For the motion:

Anderson, S.	Eggen	Malkinson
Babcock	Fitzpatrick	McKittrick
Carlier	Goehring	Miller
Carson	Gray	Nielsen
Ceci	Hoffman	Payne
Clark	Horne	Piquette
Connolly	Kazim	Renaud
Coolahan	Kleinstauber	Rosendahl
Cortes-Vargas	Larivee	Schreiner
Dach	Littlewood	Shepherd
Dang	Loyola	Sigurdson
Drever	Luff	Sucha

Against the motion:

Aheer	Loewen	Pitt
Barnes	McIver	Schneider
Cyr	Panda	van Dijken
Gotfried		

Totals: For – 36 Against – 10

[Motion to adjourn debate carried]

### Bill 31

#### A Better Deal for Consumers and Businesses Act

[Debate adjourned December 4]

**The Deputy Speaker:** Any hon. members wishing to speak to Bill 31? The hon. Member for Grande Prairie-Smoky.

**Mr. Loewen:** Thank you, Madam Speaker. I'd like to rise today to speak to Bill 31, and I would like to actually start off by bringing forward an amendment.

**The Deputy Speaker:** This amendment is REF1. Go ahead, hon. member.

**Mr. Loewen:** Thank you, Madam Speaker. I move that the motion for second reading of Bill 31, A Better Deal for Consumers and Businesses Act, be amended by deleting all of the words after "that" and substituting the following:

Bill 31, A Better Deal for Consumers and Businesses Act, be not now read a second time but that the subject matter of the bill be referred to the Standing Committee on Families and Communities in accordance with Standing Order 74.2.

Madam Speaker, I would like to speak to this amendment, in support of it, of course. This bill is an ambitiously titled bill whose accuracy is yet to be determined. I say that because this bill is flawed in so many ways that you have to wonder if this bill is even salvageable in its present form. This bill is a piecemeal legislation attempting to fix problems where none existed. It will attempt to fix perceived shortcomings in areas such as lender credit rates, motor vehicle repair and sales, concert and event ticket sales and resale,

and even veterinarian medicine. I think we can tell by the diversity of the things covered in this bill that it's trying to cover a lot more than what any one bill should be trying to cover.

On top of this, we see a policy proposal that doesn't contain any enforceable items but seemingly exists only as a type of consumer information brochure, which is why my fellow MLAs and I believe that if there is to be any hope of making all parts of this bill work, it needs to go to committee so additional consultation and fulsome examination of its merits and shortcomings can be discussed properly.

Madam Speaker, to be honest, this bill as it's presented is a Frankenstein of sorts, parts of previous failed bills jammed together with changes to other pieces of legislation. We have elements of both Bill 203, Fair Trading (Motor Vehicle Repair Pricing Protection for Consumers) Amendment Act, 2016, and Bill 207, Veterinary Profession (Clear and Timely Price Disclosure) Amendment Act, 2016, with a smattering of the agencies, boards, and commissions review thrown in for good measure. This bill is then fleshed out with a concert and entertainment ticket reform section, that attempts to enforce an almost assuredly unenforceable problem.

Let's start there, Madam Speaker. What the government is trying to do is deal with, among other issues, software programs, or bots, that companies use for online ticket sales to concerts and events. This legislation would prohibit the use of any software which circumvents security measures designed to control and regulate ticket sales, the use of which tries to establish measures meant to reduce mass purchases which restrict access while also inflating resale prices.

This section causes us to question the enforceability of these provisions. The legislation would prohibit the resale of tickets that one knows were acquired using such software. Unfortunately, this places legal onus on primary sellers such as Ticketmaster, et cetera, to exercise reasonable diligence to prevent tickets from being purchased this way and cancel any that are believed to be bought in violation of this with this new bill. How are they going to enforce what someone may or may not believe? How is this government going to enforce bots that are out of province or out of country?

In fact, our neighbours to the south under the Obama administration passed an antibots-style of legislation as well. It didn't work. Bots keep operating, and legislation is unenforceable. Let's face it. As we bring any kind of legislation forward, when it comes to operating anything like this with these bots and that sort of thing, as long as there's somebody willing to come up with a system to stop it, there's somebody willing to come up with a system to bypass it. That's what hackers do. That's what they do all the time.

The government hasn't got any answers to these important questions. That's the problem, Madam Speaker. We have these issues with this bill, and there are no answers to these issues. Of course, the government that wants to bring forward legislation like this has to be willing to think of all these things and plan for these things and come up with answers. If there are no answers, then obviously the legislation is flawed.

Let's make sure that this section will actually achieve what it's trying to accomplish. I mean, the goal is a worthy goal, but if it can't be accomplished by this legislation, then it's a waste of time. It needs to go to a committee to make sure that every opportunity to enforce these goals is made. That's where we can have those kinds of discussions. We can bring in experts. We can have all of these things going on. But, obviously, this government can't answer those questions on how to solve these problems, and committee would give a great opportunity to have that discussion and have the experts come in and, hopefully, work out a solution to make this work.

Now, as to the portion dealing with veterinary medicine, I can tell you that the vets I've heard from and we've heard from over here – and I'm sure that side has heard from them as well though maybe they won't admit it, but they have – are not impressed to see their profession tacked on to a consumer protection bill. They believe that this does a disservice to their professional image by being lumped in with high-cost lenders, scalpers, and the dubious reputation of the auto industry. Of course, probably only one group of people that's got a worse reputation than the auto industry is possibly politicians. When we're dealing with legislation like this, there's no wonder, I guess.

11:40

Now, they are highly disappointed that they weren't consulted on these changes. Well, that can be remedied simply by inviting the ABVMA to appear before the designated committee. It'd give them the perfect opportunity to have a say in this legislation because, obviously, they've never seen this. They weren't consulted, and they haven't seen this legislation till now. But now they've seen it, now they've reacted to it, and in a committee they could have a chance to explain themselves to us as legislators what their problems are with this.

After all, you are now taking a self-regulating industry, such as the veterinarians enjoy, and putting it under ministerial control. That will give other self-regulating industries reason to be concerned. Who will be next? Again, it seems like in this Legislature we spend a lot of time trying to solve problems that don't exist. If the problem does exist, we go about it the wrong way. We don't consult with the people that are most affected by it.

In regard to the legislation itself they would have a chance to share their concerns about the powers given to cabinet in the regulations. They haven't had that opportunity yet. This bill along with a couple other of the biggest bills we've seen this session have been dropped on us at the very end of the session. They're big bills, they're very comprehensive, they're far encompassing, and they're dropped on us at the end of the legislative session. It's not just dropped on us as opposition; it's dropped on all Albertans. It's dropped on veterinarians, so they have minimal opportunity to respond and contact the people that represent them to have a say in this. That's why it's so important that we have this opportunity to send this to committee.

The Alberta Veterinary Medical Association has recently updated policy regarding advertising fees, and they offered to put this into bylaws as opposed to doing so by changing legislation. So some of these concerns they've already brought forward themselves and are willing to solve themselves. Of course, now the know-all government decides: "Okay; this is the way we have to do this. We're going to legislate it. We're going to ram it down their throats." Where do the concerns the government seems to have with the ABVMA stem from? Where do they come from? Where have these concerns come from? Why didn't this government take a more fulsome, collaborative approach to this? Why not work together via committee and do exactly that?

Since the consultation wasn't done beforehand, by sending it to committee, we at least have the opportunity to have the consultation afterwards. That's not the best way to do legislation, but when we're dealt this kind of deal and the people of Alberta are dealt this kind of deal, then this is an opportunity we have to fix this. Again, it's not the best option, but it's the only option we have right now.

Finally, I want to touch on the operations of AMVIC, the Alberta Motor Vehicle Industry Council, which is Alberta's automotive industry regulator. AMVIC is an independent delegated authority and is accountable to the Alberta government through a delegation agreement with the Minister of Service Alberta. This was done under

regulations laid out in the Fair Trading Act. There's already a strong connection with government through this delegated authority.

Questions arise as, after all, only recently an independent review was completed of AMVIC, with 23 recommendations listed that have yet to be implemented. So the government has had this independent review done. It's come up with 23 recommendations, but of course has the government given AMVIC any time to implement those changes? Nope. Straight into legislation. Ram it through last minute in the House with as little input as possible. Again, we have an opportunity to have more input. The implementation of these recommendations may have just negated the need for this increase in government control. This is something they could have done themselves.

Changing AMVIC to a government agency creates uncertainty for the industry. There's concern that they may not have adequate representation on the new board of the government agency, and this then creates concern about the ability to educate the public members about AMVIC's roles and responsibilities.

It's important to point out that the minister neglected to fill empty board seats for up to two and a half years, including seats she added after the independent review came out. The minister wants to take all this control from AMVIC but wasn't able to fill board seats in two and a half years. It doesn't make sense, Madam Speaker. Again, this is why this needs to go to committee. These things don't need to be rammed down the throats of Albertans. They need to be discussed fully and have an opportunity for this input.

Obviously, if the minister is having problems filling board seats for two and a half years – I know it's not an issue with finding people to do it. It's actually doing it, making a decision and doing it. I'm sure there are plenty of people that would sit on these boards to help make these decisions and help these organizations do their business, but when the board sits with empty seats and the minister knows it, then how are they supposed to operate?

There are other issues at play, not just the issues that this bill is trying to fix. I guess I don't see anything in this bill that says that the minister must fill empty board seats within six months. That might have been a good part of this bill so that boards don't go two and a half years without having a full board. I know we've seen that with colleges and other boards across Alberta, too, where they waited months and months and years for this government to pick board members to replace board members.

What that does is that it creates other problems for those boards. You know, they want to train new board members, get them up to speed on how the board operates and on what their responsibilities are, but when they're sitting there with half their board gone and all of a sudden it gets replaced just like that, they don't have any chance to bring on new board members one or two at a time over a period of time so that they can train them, get them used to the system and to understand their responsibilities, and move forward. But when you wait two and a half years to appoint board members and then all of a sudden you have to do a whole bunch all at once, it's hard for the boards, it's hard for the chairs, and it's hard for the organizations to have to deal with such a large turnaround at one time.

This includes a time period of six months when there were no public appointees on the board at all. A period of time of six months with no public appointees on the board. Even now there are two more public . . .

**The Deputy Speaker:** Any questions or comments under Standing Order 29(2)(a)?

**Mr. Cyr:** I was very disappointed to hear from you, sir, that the Service Alberta minister has had difficulty even appointing public

board members to the board. Now she wants to actually take control of the board. If you wouldn't mind finishing your thoughts. You know, this is an important fact that I think all Albertans need to understand, that when we can't even trust the Service Alberta minister with the simple task of appointing board members, do they feel safe with the minister taking control of AMVIC?

**The Deputy Speaker:** Grande Prairie-Smoky.

**Mr. Loewen:** Thank you very much. I appreciate the question. Yes, I can't see how they could have any confidence in a government and a minister that can't in a timely manner replace board members and that leaves periods of time of six months where there are no public appointees. I mean, there's a reason why you have public appointees on a board. There's a reason for that. To have none on for six months: I mean, it can't leave these organizations with much confidence in the system.

Now, I just want to go back to these 23 recommendations. I don't understand. Why not allow a chance for AMVIC to implement those 23 recommendations? Why the heavy-handed approach? Why not take the additional time and consult and perhaps implement some of these recommendations? At the very least, let's discuss them openly with AMVIC in a multiparty committee. When I hear of situations such as this, where the government appears to be riding roughshod over certain groups, I'm reminded of the old expression: "It's okay. We're from the government. We're here to help." Well, it doesn't appear that there was very much help there with the simple job of replacing board members.

11:50

Now, we've already heard that some of the stakeholders are concerned that this government has already demonstrated a lack of understanding as far as the AMVIC compensation fund goes. How can we be sure that they are prepared for the added responsibilities that these changes will require? Again, Madam Speaker, lots of questions. Lots of questions and no answers. This bill tries to be the solution to fix some problems that don't exist. While some aspects of this legislation have goals that are laudable, such as dealing with suspect lending rates, the legislation taken as a whole makes the other aspects of this bill unnecessary, unwanted, and unenforceable.

Let's face it: this is a dog's breakfast. We've got ticket sale legislation, automotive sales and repair legislation. We've got high-cost credit legislation, we've got AMVIC legislation, and we've even got veterinarians thrown in there, too. So what have we got? We've got ticket scalpers, used-car salesmen, high-cost credit – I guess loan sharks, whatever you want to call them – and you're throwing all these together in one bill? I'm sure the automotive sales and repair industry doesn't like to be thrown in with ticket scalpers. I'm sure that the veterinarians don't like it either. Lending agencies, AMVIC: what's the relativity of all these things? They say that it's consumer protection, but I don't see that. Where are the problems that resulted in this legislation?

This bill is simply an overreach and, taken as presented, is just not a bill that should proceed without a longer look, and that committee will give us that opportunity. We need to have this opportunity. Now, it seems that this government doesn't like committee work for some reason. You know, they did send one bill to committee, which was the time act bill. They sent that to committee after consulting. What did they say? It was, like, 30,000 people who had input into that. I don't know how many people had any input into Bill 31, but one thing I know is that none of these people had seen this bill until the last few days, when it was presented in the House. So they definitely haven't had a chance to have input on the bill.

Now, if we look at Bill 31, it's a pretty good-sized document. I don't know what it is, maybe 50 pages or something like that. Of course, it's thrown in at the same time as Bill 30 and Bill 32, which are both probably about 200 pages and brought in in the last week of the legislative sitting.

**The Deputy Speaker:** Are there any other members wishing to speak to the referral motion? The hon. Member for Barrhead-Morinville-Westlock.

**Mr. van Dijken:** Thank you, Madam Speaker. I speak to the amendment to refer Bill 31, A Better Deal for Consumers and Businesses Act, to committee. I speak in favour of the amendment. I believe that this Bill 31 makes several changes to the Fair Trading Act and includes the changing of the name of the act to the consumer protection act. A number of the changes may include regulatory powers granted to the minister. That does concern me with a number of these cases where we have more government overreach into the marketplace. I believe that there is potential, especially with the Veterinary Profession Act, for interference in a professional agency, quantifying it as essentially commodity protection under consumer protection. These types of things need to be discussed in committee, with individuals and professionals brought forward to ensure that what's being proposed is going to actually help and not hinder, is actually going to strengthen and not harm the people that are being affected by this.

The one thing that I will recognize is that Alberta is a car and truck driving and owning province, and now the NDP wants to change the Alberta Motor Vehicle Industry Council. This is a body that makes sure that people are protected when they're purchasing automobiles, used automobiles primarily. This bill, Bill 31, aims to change AMVIC from being incorporated as a society to a corporation and a delegated regulatory body. AMVIC will be the only such body to exist, and the government claims not to have designs on creating any others, but I am not necessarily convinced that the government is being completely transparent with their claims. I do have concerns that we're setting a precedent here that is concerning. We know that the Canada free trade agreement is allowing the government to set up a Crown corporation to administer all government procurement, so the statement that AMVIC is the only corporation the NDP are going to set up may possibly not be accurate.

Changing AMVIC to a government agency creates uncertainty for the industry that they will have adequate representation on the new board of the government agency. I believe that all individuals that are within this industry have the right to have their say in a

transparent manner, and I believe that doing this through committee is a very necessary part of bringing forward clear legislation, transparent legislation so that all Albertans can be confident that the right legislation has come forward.

When we have uncertainty in the industry on adequate representation on the new board of the government agency, this creates concern about the ability to educate the public members about AMVIC's role and responsibilities. I witnessed that the minister neglected to fill empty board seats for up to two and a half years, and this is concerning, including seats she added after the independent review came out. This includes a time period of six months when there were no public appointees on the board at all.

Now, Service Alberta is also known for red tape and the red tape that it administers, and Bill 31 requires disclosure, creation, and use of a standard bill of sale for all automobiles. But disclosure is meant to be worked out in the regulations, and a standard bill of sale still represents a concern to industry as it would need to take into account both large and small vendors. We won't get to see what the NDP is proposing for regulations for some time. This is a lot of stuff for the automobile industry to digest, and as such, I believe the referral amendment to be quite in order.

When it comes to veterinary medicine under Bill 31, Bill 31 would require estimates and customer authorization for all veterinary medicine requests and seeks to legislate advertising and, on top of that, more regulatory powers. I have received communication from local veterinarians in my constituency that have significant concerns over this. I received a letter this morning where the individual, a doctor in veterinary medicine, says that veterinary medicine has many pillars to it but two very important pillars, the first being a valid client-patient relationship and the second being responsible stewardship of the antibiotics. Why I bring that up is that I believe that we can't necessarily legislate veterinary medicine in the same way that we would legislate other commodities that are being offered for sale and offered for consumer use.

Not all aspects of the commercial world apply to the medical world, and I think we have to be careful in how we move forward with this type of legislation and how we see that it can have significant damage, can present significant . . .

**The Deputy Speaker:** I hesitate to interrupt, hon. member, but pursuant to Standing Order 4(2.1) the House stands adjourned until 1:30 this afternoon.

[The Assembly adjourned at 12 p.m.]





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