



Province of Alberta

The 29th Legislature
Fourth Session

Alberta Hansard

Tuesday afternoon, November 6, 2018

Day 46

The Honourable Robert E. Wanner, Speaker

Legislative Assembly of Alberta

The 29th Legislature

Fourth Session

Wanner, Hon. Robert E., Medicine Hat (NDP), Speaker

Jabbour, Deborah C., Peace River (NDP), Deputy Speaker and Chair of Committees

Sweet, Heather, Edmonton-Manning (NDP), Deputy Chair of Committees

Aheer, Leela Sharon, Chestermere-Rocky View (UCP),

Deputy Leader of the Official Opposition

Anderson, Hon. Shaye, Leduc-Beaumont (NDP)

Anderson, Wayne, Highwood (UCP)

Babcock, Erin D., Stony Plain (NDP)

Barnes, Drew, Cypress-Medicine Hat (UCP)

Bilous, Hon. Deron, Edmonton-Beverly-Clareview (NDP)

Carlier, Hon. Oneil, Whitecourt-Ste. Anne (NDP)

Carson, Jonathon, Edmonton-Meadowlark (NDP)

Ceci, Hon. Joe, Calgary-Fort (NDP)

Clark, Greg, Calgary-Elbow (AP),

Alberta Party Opposition House Leader

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Coolahan, Craig, Calgary-Klein (NDP)

Cooper, Nathan, Olds-Didsbury-Three Hills (UCP)

Cortes-Vargas, Estefania, Strathcona-Sherwood Park (NDP),

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Dach, Lorne, Edmonton-McClung (NDP)

Dang, Thomas, Edmonton-South West (NDP)

Dreeshen, Devin, Innisfail-Sylvan Lake (UCP)

Drever, Deborah, Calgary-Bow (NDP)

Drysdale, Wayne, Grande Prairie-Wapiti (UCP)

Eggen, Hon. David, Edmonton-Calder (NDP)

Ellis, Mike, Calgary-West (UCP)

Feehan, Hon. Richard, Edmonton-Rutherford (NDP),

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Ganley, Hon. Kathleen T., Calgary-Buffalo (NDP),

Deputy Government House Leader

Gill, Prab, Calgary-Greenway (Ind)

Goehring, Nicole, Edmonton-Castle Downs (NDP)

Goodridge, Laila, Fort McMurray-Conklin (UCP)

Gotfried, Richard, Calgary-Fish Creek (UCP)

Gray, Hon. Christina, Edmonton-Mill Woods (NDP)

Hanson, David B., Lac La Biche-St. Paul-Two Hills (UCP)

Hinkley, Bruce, Wetaskiwin-Camrose (NDP)

Hoffman, Hon. Sarah, Edmonton-Glenora (NDP)

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Deputy Government Whip

Woollard, Denise, Edmonton-Mill Creek (NDP)

Yao, Tany, Fort McMurray-Wood Buffalo (UCP)

Party standings:

New Democratic: 53 United Conservative: 26 Alberta Party: 3 Alberta Liberal: 1 Freedom Conservative: 1 Independent: 2 Progressive Conservative: 1

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Legislative Assembly of Alberta

1:30 p.m.

Tuesday, November 6, 2018

[The Speaker in the chair]

The Speaker: Good afternoon. Please be seated.

Introduction of Guests

The Speaker: The hon. Member for Strathcona-Sherwood Park.

Cortes-Vargas: Thank you, Mr. Speaker. I would like to introduce to you and through you to all members of this Assembly an incredible school that I had the pleasure of being at during the grand opening, Ardrossan elementary school, and their chaperones, accompanied by Karson Campbell, Cyrille Wandji – sorry if I've mispronounced your name – Brant Halbert, Sydney Munsterman, and numerous parents that are with them here today. It was a pleasure to visit them when we opened their school, but it is a pleasure to have them here at the Legislature. I would ask them to stand and receive the warm welcome of the Assembly.

The Speaker: Welcome.

Are there any other school groups, hon. members?

The hon. Minister of Finance.

Mr. Ceci: Thank you, Mr. Speaker. I rise today to introduce to you and through you to all members of this Legislature members of the Insurance Brokers Association of Alberta: Mr. Paul VanderHooft, president of the Insurance Brokers Association of Alberta; Jonathan Brown, president of the Professional Young Insurance Brokers; and George Hodgson, CEO of the Insurance Brokers Association of Alberta. Along with a contingent of brokers from across this province, they are a dedicated group who work to preserve and strengthen the insurance broker industry throughout the province, and they will have a reception later on tonight. I ask my guests to rise and receive the traditional warm welcome of the Assembly.

The Speaker: Welcome.

The hon. Member for Edmonton-Castle Downs.

Ms Goehring: Thank you, Mr. Speaker. I have two introductions today, distinguished guests from the Royal Canadian Navy and from the Royal Canadian Air Force. I'm honoured to introduce to you and through you to members of the Assembly distinguished guests from the Royal Canadian Navy. Commodore Angus Topshee is a naval warrant officer in the Royal Canadian Navy. His diverse academic background includes military and civilian institutions on three continents. While deploying on ships around the world, he has accumulated sea stories involving pirates, sharks, terrorists, volcanoes, whales, fires, and all manner of things that keep life at sea interesting. In July 2018 he assumed command of the Canadian Fleet Pacific, based out of Esquimalt, B.C. Joining Commodore Topshee are Lieutenant Noelani Shore and Chief Petty Officer First Class Sylvain Jaquemot. Please stand and receive the traditional warm welcome of this Assembly.

The Speaker: Welcome, and thank you for your service. We don't get many sailors in this particular province.

The hon. Minister of Labour and minister responsible for democratic renewal.

Ms Gray: Thank you very much, Mr. Speaker. It's a pleasure to introduce to you and through you to all members of this Assembly

39 friends from the Building Trades of Alberta. They're in the Legislature today to advocate for the workers of our province. The organization's history dates back to 1906, when they represented local lathers, plumbers, typographers, bricklayers, painters, and carpenters. Today Building Trades represents the interests of 16 Alberta trade unions and 75,000 hard-working Albertans in residential, commercial, and industrial construction, maintenance, and fabrication industries. I'd like to thank them for taking the time to come out and to speak to us about several important issues that affect our trades and our workers. I will not name all 39, but I would like them to all stand and receive the traditional warm welcome of this Assembly.

The Speaker: Welcome.

Hon. Member for Edmonton-Castle Downs, I believe you had some other introductions.

Ms Goehring: Thank you, Mr. Speaker. I'm honoured to introduce to you and through you to members of the Assembly distinguished veterans from the Royal Canadian Air Force. Beyond their distinguished service in the air force these are members of the Griesbach RCAF Commemorative Society, that has helped to raise \$258,000 to have the *Ad Astra* sculpture and storyboards installed in the beautiful village of Griesbach. The storyboards and the RCAF history are currently on display in the pedway connecting the Legislature to the Federal Building. These distinguished guests truly exemplify the RCAF motto, to the stars. Please stand as I introduce you: Brigadier General (Retired) Bill Buckham, and Ms Keatha Buckham; Honorary Colonel Bart West and Ms Carole West – on a side note, Carol and Bart's granddaughter Claire is a page here with us at the Legislature – Lieutenant-Colonel Dave Ives, retired, and Ms Maureen Ives; Captain (Retired) Ed Lindberg, and Ms Marilyn Lindberg; Lieutenant-Colonel (Retired) Jim Gillespie, and Ms Molly Gillespie; Major (Retired) Ken Usher; Mr. Marvin Neumann, director of Canada Lands; Mr. Joe Linzen, CEO of Stainless Dreams Ltd.; and Ms Sue Castall, Griesbach RCAF Commemorative Society. I would ask all my guests to remain standing as they receive the traditional warm welcome of this Assembly.

The Speaker: Welcome, and thank you.

To the grandparents of the page, I understand the special opportunity you have to see your granddaughter here at work.

The hon. Minister of Health.

Ms Hoffman: Thank you very much, Mr. Speaker. I have two introductions today. The first is to recognize members of the Lung Association of Alberta & NWT, who are seated in the members' gallery. Today is lung health day, and I hope my colleagues were able to stop by the display downstairs to assess how their lungs are working. I encourage Albertans to join me in recognizing lung health month this November and to offer their support to people in our province living with respiratory illness. I ask that Leigh Allard, president and CEO, as well as Deb Anderson, who did my test, rise and receive the warm welcome of our Assembly.

I also rise to recognize some of Alberta's medical radiation technologists, who are also seated in the members' gallery. I'm honoured to have these health professionals from across the Alberta Health Services, Edmonton zone, join us during MRT Week to celebrate the outstanding contributions of MRTs to the well-being of Albertans. These technologists use their specialized knowledge of image and radiation therapy equipment to support the diagnosis and treatment of Albertans. Certainly, I know that many people who live with cancer spend more time with their MRT than they do any other health professional during that journey. I'd ask that those who are

here, including Kim, Darren, Steve, Cuong, Kristy, Runell, Heather, Patricia, Megan, Adwait, Nancy, Fern, Rebecca, Alicia, Deena, Chris, and Tyson, please rise and receive our warm welcome and our appreciation.

The Speaker: Welcome.

The hon. Member for Edmonton-Decore.

Mr. Nielsen: Well, thank you, Mr. Speaker. It's a real honour to be able to rise today and introduce to you and through you to all members of the Assembly a group of very hard-working individuals from On Site Placement. Today with us we have Patricia Pasemko, executive director; Jeff Howlett, business development manager; program managers Katherine Macdonald and Marian Saunderson; and Tracy Smith, temp agency co-ordinator. Since 1981 On Site Placement has been operating as a nonprofit, with a vision of creating employment placement opportunities by matching the skills and abilities of individuals to contribute in a meaningful way to the success of their business community partners. I would like to thank OSP for their contributions to our community and for attending my A Taste of Decore event for the last two years. I would ask my guests to please rise and receive the traditional warm welcome of this Assembly.

1:40

The Speaker: Welcome.

The hon. Member for Edmonton-Whitemud.

Dr. Turner: Thank you, Mr. Speaker. To you and through you to all members of the Legislature I'd like to introduce Mr. Slavo Cech. Slavo is up behind me. Slavo Cech from Metal Urges in Edmonton has been creating hand-forged artwork for homes, commercial spaces, and public venues such as the Royal Alberta Museum and the Legislature for over 20 years. I'll be presenting a member's statement on the Royal Alberta Museum later today. I'd ask Slavo to stand and receive the usual warm reception of this House.

The Speaker: Welcome.

Mr. Schmidt: Well, Mr. Speaker, I am pleased to make two introductions today. First of all, I rise to introduce representatives from the Council of Alberta University Students. They're here at the Legislature this week to meet with me and many of my colleagues in this House about issues that matter to Alberta students. Our government is listening to students, which is why last week we were proud to introduce Bill 19. Our bill builds on five years of frozen tuition by capping future tuition increases to inflation. This is exactly what the students of CAUS have been advocating for, and we're proud to be a government that listens to students. I ask that the following please rise as I say your names: Andrew Bieman, Amanda LeBlanc, Parvin Sedighi, Andrew Nguyen, Victoria Schindler, Reed Larsen, Adam Brown, Sagar Grewal, Anayat Sidhu, and Shifrah Gadamsetti. Please accept the warm traditional greeting of this Assembly.

The Speaker: Welcome.

Mr. Schmidt: For my second introduction, Mr. Speaker, it's a pleasure to introduce an outstanding member of Alberta's apprenticeship family and some folks important to his support system. Arden Callsen received a top apprentice award from my ministry's apprenticeship branch. He is a registered journeyman, red seal ironworker, and now teaches in the Trade Winds program. He's joined by some important people in his life: his brother Lars, and she is not his younger sister but, in fact, his mother, Mary-Jane. With him is also Gary Savard of the Ironworkers local 720. I ask

that my guests please rise and receive the traditional warm welcome of this Assembly.

The Speaker: Welcome.

The hon. Member for Cypress-Medicine Hat.

Mr. Barnes: Thank you, Mr. Speaker. I rise to introduce to you and through you to this Assembly two of our city's bravest, who are seated in your gallery. It cannot be understated, the duty of first responders, who Albertans count on to perform dangerous tasks on a daily basis at a moment's notice. While firefighters face personal scares in battling fires, they are also subject to unseen harms by way of exposure to great scenes of tragedy, that can cause the deepest of scars to one's psyche. So I share great pleasure with you in this Assembly in introducing two of Medicine Hat's finest firefighters, who also find the time to advocate on behalf of their colleagues and Alberta rules. I would like to ask two of Medicine Hat's finest department firefighters, Gerald Bodnaruk and Patrick Jerome, to rise and accept the traditional warm welcome of this Assembly.

The Speaker: Welcome. It's an important honour and privilege to have you here with us, and I'm glad my peer talked about Medicine Hat.

The hon. Member for Calgary-Elbow.

Mr. Clark: Thank you very much, Mr. Speaker. It's a tremendous privilege to rise and introduce to you and through you to members of the Assembly Mr. Doug Van Helden. Mr. Van Helden is a constituent, a neighbour, and he is my insurance broker. It was wonderful to run into Doug earlier today, and I ask him to now please rise and receive the traditional warm welcome of the Assembly.

The Speaker: Welcome.

The hon. Member for Fort Saskatchewan-Vegreville.

Mrs. Littlewood: Thank you very much, Mr. Speaker. It's my pleasure to introduce to you and through you Mr. Dean Murray, who is a business agent with local 720 of the Ironworkers. He resides in Fort Saskatchewan with his lovely family, who own and operate the Daisy-A-Day floral shop. I will recommend it to all of my colleagues. It not only will help you out in a jam with a loved one, but it also makes some very beautiful arrangements when we've needed them in times of sympathy for our neighbours. If he could stand and receive the traditional warm welcome of the House.

The Speaker: Welcome.

Members' Statements

The Speaker: The hon. Member for Edmonton-Whitemud.

Royal Alberta Museum

Dr. Turner: Thank you, Mr. Speaker. Alberta is blessed with 21 provincial historic sites and museums, which can be found in every corner of Alberta. They are a tremendous resource to Albertans by making our fascinating history accessible to Albertans of all ages and to a burgeoning number of tourists eager to experience our paleontological, geological, indigenous, industrial, and multicultural heritage.

On October 3 the new Royal Alberta Museum was opened. What a tremendous facility. The architecture is stunning, and I was so pleased to see the preservation of the large exterior murals that had adorned the post office building replaced by RAM. On opening day I spent several hours touring the galleries, including the high-profile

Natural History room, with its dinosaurs, mastodons, and dioramas, and the Bug Room as well as the extensive indigenous culture exhibits, which integrate indigenous belief systems into the museum. I was particularly touched by the power of the Manitou Stone.

During my visit to the Human History Hall I came across two exhibits which had particular resonance with me. One of them was an iron lung from the Aberhart hospital. It looks like the boiler chamber from an old-fashioned farm tractor, but it was a life-saving contraption for Albertans like Gary McPherson in the '50s and '60s, who had polio. Gary survived because of the machine and the care of doctors such as Dr. Brian Sproule and nurses such as Val Kamitomo, who became Gary's wife. I think of Gary's heroism a lot, particularly when vaccination campaigns are questioned.

The other evocative exhibit is right next to the iron lung. It's an important relic of west Edmonton's cultural history. The original thunderbird totem pole from the CFRN station on Stony Plain Road has been salvaged and rehabilitated by CFRN employees and the grandson of the original carver, who has ensured that it is a respectful recognition of indigenous culture.

The new Royal Alberta Museum is a world-class facility, and I encourage all Albertans to come and enjoy it.

Diwali

Mr. Kenney: Mr. Speaker, on behalf of the Official Opposition I'm pleased to rise to wish all Albertans celebrating a happy Diwali and a happy Bandi Chhor Divas. Alberta is blessed to be the home of tens of thousands of new Canadians and their descendants of Indian origin, so many of whom are part of the ancient Hindu tradition and faith.

I recently had an opportunity, on my fifth visit to India with two of my colleagues, to reacquaint myself with that magnificent tradition, visiting the second-largest mandir in the world at Akshardham, near New Delhi, and also celebrating the Ganesh Chaturthi in a large mandir in Mumbai.

But this week, of course, Hindus around the world will be celebrating Diwali as the festival of lights, a tradition that goes back thousands of years and represents the victory of light over darkness, of good over evil, and of knowledge over ignorance. I believe that on behalf of all members I'd like to wish members of Alberta's vibrant and successful Hindu community a happy Diwali and to members of our Sikh community as well a happy celebration of Bandi Chhor Divas. [Remarks in Punjabi]

The Speaker: The hon. Member for Lethbridge-East.

Mark Sandilands

Ms Fitzpatrick: Thank you, Mr. Speaker. Today I say goodbye to my friend Mark Sandilands. This evening my spirit will be with Leona and all of those whose lives have been touched by Mark. They may be students, skiers, skaters, windsurfers, dragon boat racers, swimmers, those who competed against him and those he coached, political junkies or social activists, who looked forward to his impassioned contributions to the *Lethbridge Herald* to set the record straight.

Mark was engaged in our community. A professor at U of L for over 32 years Mark served on the University of Lethbridge Faculty Association in many roles. He was a learned man and utilized his knowledge in life through his interaction with many community organizations such as Lethbridge Family Services; the Society for the Prevention of Child Abuse and Neglect; Alberta mental health, victims, and families subcommittee; Alberta community corrections

as a cofacilitator of educational groups for abusive men; the city of Lethbridge's Domestic Violence Action Team.

I met Mark in 2012, just before Christmas, when he engaged me to get involved at the executive level. I am where I am today in part because he asked me and supported me to run. Despite my sadness at the loss of my friend, I know I have been so fortunate to have known Mark. He gave me his friendship and his sage advice through thoughtful discussion. I felt valued and empowered, as I do today.

He ran twice provincially and twice federally, improving his numbers every time, and was a staunch NDP supporter because he believed, as we do, that governments can work and fight for the people. Thank you.

1:50

Oral Question Period

The Speaker: The hon. Leader of the Official Opposition.

Investment in Alberta and Job Creation

Mr. Kenney: Thank you, Mr. Speaker. Yesterday I asked the Premier about what plan the government has to address the growing jobs crisis in Alberta with 184,000 unemployed Albertans and six months of growing unemployment. We didn't get an answer, and it sounds like it just means more taxes, regulation, and debt. But that's being reflected – one of the reasons for the unemployment is a crisis of investor confidence. Imperial Oil finally got approval after five years on a \$3 billion investment, but they're not sure that they will proceed. What does the Premier plan to do to restore investor confidence in Alberta?

Ms Notley: Well, Mr. Speaker, thank you to the member for the question. What we're going to do is continue to do what we have been doing. Let me just, you know, set the context. Cast your mind back to 2015. The folks over there were in power, oil prices had collapsed, and tens of thousands of jobs had already been lost. What did they propose? A new health care levy on all Albertans, and 12,000 students going to school without a new teacher. Fast-forward three years: 90,000 new jobs created, fastest growing economy in the country. Do we have more work to do? Yes, we do, but we're not going to stop fighting for Alberta.

Mr. Kenney: You heard it right there from the Premier, Mr. Speaker. More of the same is their message to 180,000 unemployed Albertans and tens of thousands of others who have given up looking for work. In fact, there are 42,000 more unemployed Albertans today than when the NDP came to office.

Now, EnCana, one of our major companies, has just moved nearly \$8 billion of Alberta capital to the United States. Now most of their operations are in the U.S. That is capital that could be creating jobs here in the province. How is the Premier going to bring investment like that back to Alberta with . . .

The Speaker: Thank you, hon. member.

Madam Premier.

Ms Notley: Well, thank you, Mr. Speaker. What we're going to continue to do is fight for market access for Alberta's oil and gas industry. That is a fundamentally important piece to growing our important oil and gas economy in this province. As the member opposite knows after 10, 20 years in Ottawa, they were unable to get a new pipeline to tidewater. We're going to keep pushing for it. We know that's a fundamental problem with the issues that he identifies, and we're going to keep fighting for our oil and gas industry and for the workers that they employ across this province.

Mr. Kenney: Mr. Speaker, the Premier just repeating ad nauseam falsehoods doesn't make them any more true. The Harper government got four pipelines built, that increased shipments of oil by 1.72 million barrels per day, while this Premier, of course, endorsed Justin Trudeau's veto of Northern Gateway, said nothing about his killing Energy East, and has allowed her New Democrat friends in British Columbia to run roughshod over Trans Mountain. It's not just EnCana that shifted job-creating capital out of Alberta. We've lost a hundred billion dollars of investment. What does the Premier plan to do apart from raising taxes and more red tape?

The Speaker: Thank you, hon. member.

Ms Notley: Well, you know, Mr. Speaker, the member opposite talks about taxes, and I appreciate that his primary goal is to give a \$700 million tax break to the top 1 per cent. He never talks about how he's going to pay for it.

But what I know is that what we've been doing is we have worked. We have created 90,000 jobs in the last year. Retail sales are up. Manufacturing is up. We're leading the country in economic growth. What we didn't do was throw teachers and nurses out of work to give the top 1 per cent a bigger tax break. I know that's the member opposite's plan. It is not ours.

The Speaker: Second main question.

Mr. Kenney: Mr. Speaker, our primary goal is to reignite Alberta's economy to get these people back to work, the 184,000 Albertans who are looking for work today. Now, yesterday the Alberta Chambers of Commerce said that the foundations of our prosperity are being eroded. The cost of doing business in Alberta is high relative to other jurisdictions due in part to the carbon levy, onerous labour law reforms, and a burdensome regulatory environment. Why is the NDP, according to the Chambers of Commerce, making a bad situation worse for Alberta job creators?

The Speaker: The hon. Premier.

Ms Notley: Well, thank you very much, Mr. Speaker. I appreciate that the member opposite and many people in his caucus do not support the kinds of things we brought forward, for instance the minimum wage. But, you know, I think it really says a lot about a leader of a party when what he wants to do is give a \$700 million tax break to the richest 1 per cent of Albertans and at the same time gets up in this House and complains about things like a living wage for single moms, single parents, trying to make ends meet across this province. Three hundred thousand people are now helped by that minimum wage, and we are proud of that.

Mr. Kenney: Mr. Speaker, I'll remind the Premier that since she raised taxes on Albertans, they're generating less, not more, revenue from both personal and corporate income taxes. The Alberta chamber, whose opinion, apparently, she doesn't have any concern for, also said yesterday that

corporate tax increases along with the provincial carbon [tax] and costlier environmental regulations have resulted in weak job growth, layoffs, and the highest unemployment rate outside of Atlantic Canada.

Is the Premier saying that this organization that represents job creators is wrong?

Ms Notley: Well, Mr. Speaker, we have been very happy to work with a number of key job creators across this province. We've introduced the capital investment tax credit and the investor tax credit. We've actually cut the small-business tax by a third. So, in fact, we have worked very collaboratively with the business

community. At the same time we are also doing things like ensuring that there is a minimum wage in this province that allows people to put food on the table and keep a roof over their heads without stopping at the food bank on the way home, and I would suggest that the member opposite ought to start thinking about those folks as well because – you know what? – they vote, too.

The Speaker: Thank you, hon. Premier.

Mr. Kenney: Well, Mr. Speaker, under the NDP's failed economic plan of higher taxes, higher debt, and more red tape, there are more Albertans, not fewer – more Albertans – using food banks. There are more Albertans who are unemployed than before. There's a hundred billion dollars of capital that has fled these policies, leading to this jobs crisis, and her only answer is to raise the carbon tax by 67 per cent and drive our debt to nearly a hundred billion dollars. When will the Premier and the NDP start listening to the people who actually create jobs in our economy and reduce the cost of doing business and creating jobs?

The Speaker: Thank you, hon. member.

Ms Notley: Well, you know, Mr. Speaker, I find it very ironic that the member opposite on one hand is talking about debt and deficit, yet all he wants to actually do is cut taxes for the top 1 per cent of the province. It doesn't add up. You know what? The member opposite should not be focusing so much on unicorn-type ideas. He needs to start being more practical. The reality is that we are working with businesses. We've had Flair Air move their headquarters from Kelowna, B.C., to Edmonton; CN Rail investing \$320 million in Alberta for new upgrades; and Nexen investing \$400 million to expand their Long Lake oil sands. The list goes on. We will continue to work to create jobs . . .

The Speaker: Thank you, hon. Premier.

Third main question.

Mr. Kenney: Mr. Speaker, what doesn't add up is raising taxes on job creators and generating less revenue. We're now three and a half years into the NDP's failed economic experiment: higher tax rates, lower revenues, less for public services. We are spending more. I'll grant the NDP that. We're spending billions more on interest payments to bankers and bondholders instead of on schools and hospitals. Why won't the government listen to Alberta's job creators and stop layering more and more costs and red tape on those . . .

The Speaker: Thank you, hon. member.

The hon. Premier.

Ms Notley: Well, thank you very much, Mr. Speaker. The fact of the matter is that in Alberta Albertans enjoy an over \$11 billion tax advantage over the next lowest taxed province in the country. So we are maintaining that competitive advantage. You know, the member opposite sometimes likes to picture himself as a master of logic, but it's a little bit disingenuous to fail to talk about the historic drop in oil prices as being a factor in what this government is managing. The previous government left this province unprepared to deal with that drop in oil prices, and we are . . .

The Speaker: Thank you, hon. Premier.

Mr. Kenney: There we go again, blaming oil prices, Mr. Speaker. I'll remind the Premier that in U.S. states that are similarly dependent on oil and gas, like North Dakota, Colorado, and Texas, the unemployment rate is at 3 per cent or less. In Alberta it's 7.2 per

cent and climbing. The NDP can't blame the bogeyman of oil prices anymore. The Alberta Chambers of Commerce, the Edmonton and Calgary chambers of commerce, the Canadian Federation of Independent Business, the job creators are all saying the same thing: the carbon tax, higher taxes, and more red tape are killing jobs. When will the NDP listen?

2:00

The Speaker: Thank you, hon. member.
The hon. Premier.

Ms Notley: Well, thank you very much, Mr. Speaker. What we will continue to do is to invest in Albertans and invest in Alberta and continue the path where, notwithstanding the most significant recession in this province's history in the last couple of generations, we continue creating jobs, as we've said, over 90,000 in the last year and a half. Definitely – definitely – more work to do. But the path to better outcomes is not laying off 4,000 teachers, it is not laying off 4,000 nurses, and it is not getting rid of the kinds of things that protect Alberta's most vulnerable workers. All Albertans need to benefit as we come through this, not just their friends and insiders.

The Speaker: Thank you, hon. Premier.

Mr. Kenney: Mr. Speaker, the most vulnerable Albertans, every one of them, have to pay the NDP's carbon tax, that they plan to raise by 67 per cent without any increase in the rebate, becoming a massively regressive tax on the poor. So much for the most vulnerable. I'm concerned about these 184,000 vulnerable unemployed Albertans, 42,000 more than were in the jobless queue when the NDP came to office. Is it really the case that the NDP's promise to those people is higher taxes, more red tape, more debt, and less hope?

The Speaker: The hon. Premier.

Ms Notley: Thank you very much, Mr. Speaker. No. Our promise to these folks is 240 new schools. Our promise to these folks is class sizes in which their kids can learn now and in the future. Our promise to these folks is affordable tuition so that their kids can go to university in the future and create jobs throughout this economy. Our promise to these folks is a health care system that will be there for them when they need it and when their loved ones need it. Our promise to these folks is to make sure that this economic recovery is shared by all Albertans, not just the top 1 per cent.

The Speaker: The hon. Member for Calgary-Elbow.

Public Service Workplace Bullying and Harassment Policies

Mr. Clark: Thank you, Mr. Speaker. A question for the Premier: if a member of Alberta's public service wanted to raise a question about a culture of fear and intimidation in the workplace, how would they go about it?

The Speaker: The hon. Premier.

Ms Notley: Well, thank you very much, Mr. Speaker. As the member opposite knows, our government did bring in legislation to improve our whistle-blower process. That is indeed in place, and of course I believe it has been working appropriately since it's been put in place.

The Speaker: First supplemental.

Mr. Clark: Thank you, Mr. Speaker. Again to the Premier: does Executive Council or the government of Alberta have policies in place to ensure a harassment-free workplace for all public servants, and do those protections extend to Members of the Legislative Assembly?

The Speaker: The hon. Deputy Premier.

Ms Hoffman: Thank you very much, Mr. Speaker and to the member for the important question. It's a fundamental belief of our government that everyone deserves to go to work free of harassment, intimidation, bullying, or assault. That, of course, includes all members of the public service, elected officials, and all Albertans. We have no tolerance for bullying or harassment of any kind.

The Speaker: Second supplemental.

Mr. Clark: Thank you, Mr. Speaker. With respect, we've now had two members of this Assembly raise very serious allegations, including the alleged cover-up of inappropriate behaviour on the part of members on both sides of the House.

The Speaker: Hon. member, I hope the focus is on government policy. I hope that's where this is going.

Mr. Clark: Again to the Premier: how can Albertans or those who work in the public service have faith in the antibullying policies that are in place when your own government doesn't seem to play by the same rules?

Ms Notley: Well, thank you very much, Mr. Speaker. You know, let me just say that I'm obviously very disappointed with the decision that was taken by the Member for Calgary-East. But let me also say how proud I am of the team that sits with me here on this side of the House. As Premier I could not be more fortunate. They are doing extraordinary jobs, they act with integrity, and they know that the hard work of change sometimes comes with good days and bad days and hard days and easy days. But they never take their eye off the ball, and together our caucus is fighting for a better Alberta. [some applause]

The Speaker: Order, please. Order.

Promotion of Alberta's Technology Sector

Mr. Nielsen: Mr. Speaker, the tech sector is a burgeoning industry in Alberta. It will help diversify our economy and create good-paying jobs. Can the Minister of Economic Development and Trade tell the House how the interactive digital media tax credit is supporting this very rapidly growing industry in Alberta?

The Speaker: The Minister of Economic Development and Trade.

Mr. Bilous: Thank you very much, Mr. Speaker. I'll thank the member for the important question. Frankly, for far too long previous governments neglected our tech sector. They didn't listen to businesses who were asking for a level playing field. I'm very proud of the fact that we have introduced the interactive digital media tax credit, which is levelling the playing field between Alberta, Quebec, and B.C., that have enjoyed tax credits for many, many years and, because of it, have a burgeoning tech sector. I'm very proud of the fact that our plan is already working. A company called Improbable, a billion-dollar U.K. tech company, is relocating here to Edmonton because of the ...

The Speaker: Thank you, hon. minister.

Mr. Nielsen: Mr. Speaker, Silicon Valley is known world-wide as the tech hub. However, given labour costs many leading organizations are looking at moving operations to places with significant talent. Alberta has that significant talent. What are we doing to make sure that Alberta is on the radar of these organizations?

The Speaker: The hon. minister.

Mr. Bilous: Thank you, Mr. Speaker. Not only does Alberta have incredible talent; we have no sales tax, no health care premiums, and no payroll tax in addition to the best talent in the world. I'm very proud to work with the Minister of Advanced Education to increase the number of student graduates in the tech space. We also have a new direct flight from Edmonton to Silicon Valley, and recently we hired a company called Connection Silicon Valley to help build those relationships between Alberta businesses and the valley and to attract investment from Silicon Valley back here to Alberta. I'm very proud of that. We are working with companies that are looking at setting up shop here in Alberta.

The Speaker: Thank you, hon. minister.
Second supplemental.

Mr. Nielsen: Thank you, Mr. Speaker. Given that women, indigenous peoples, and people living with disabilities have historically been underrepresented in the tech sector, what is the government doing to ensure that as our tech sector grows, historically underrepresented groups are being represented?

The Speaker: The hon. minister.

Mr. Bilous: Thank you, Mr. Speaker. You know what? I'm very proud of the fact that our interactive digital media tax credit comes with an additional refund for payroll costs for underrepresented workers, the first of its kind in Canada. This way, we are incentivizing businesses to hire qualified, diverse staff. You know what else? Companies that have a diversity of workers and board members do better, they are more successful companies, and they have higher and better balance sheets. I can tell you that we're very proud of this. I'm curious to know why the Leader of the Opposition wants to kill this tax credit and others that are supporting the very job creators in Alberta.

The Speaker: Thank you, hon. minister.
The hon. Member for Calgary-Mountain View.

Liability for Energy Industry Environmental Damage

Dr. Swann: Thank you, Mr. Speaker. The current oil well programs – the licensee liability rating program, the Orphan Well Association, and the mine financial security program – are premised on a robust oil and gas industry, that allows companies to effectively defer abandonment and reclamation indefinitely. We know that there are fiscal and environmental liabilities now approaching \$260 billion, according to the most recent Energy Regulator estimates, that will otherwise default to present and future generations. To the minister: can you tell the House, after three and a half years, what has changed since your government committed to address these . . .

The Speaker: Thank you, hon. member.
The hon. minister.

Ms McCuaig-Boyd: Thank you, Mr. Speaker. You know, we know that Albertans are concerned about aging oil and gas infrastructure and about tailings ponds and that kind of thing, and we absolutely are, too. When we first formed government, we began looking at

the whole liability situation and fixing it, and we got a full picture. To be clear, we take it very seriously. For too long in the previous government, as was mentioned, there was no attention to that, and I can assure Albertans that we are paying attention.

The Speaker: Thank you.

Dr. Swann: I'll take that to mean that nothing has changed, Mr. Speaker.

Given that the licensee liability rating system is clearly failing to address growing numbers of orphan wells and cleanup costs and that the mine financial security program has on deposit a small fraction of what is needed to cover the costs, why in 2018 has there been no change to honestly and responsibly address these massive looming public liabilities?

2:10

The Speaker: The hon. minister.

Ms McCuaig-Boyd: Thank you, Mr. Speaker. In fact, there has been quite a bit of change since we took government. Under our climate leadership plan we have provided incentives for companies to do clean technologies such as CNRL's new technology for dry tailings. Shell and Suncor are collaborating on a new process that dewater mature tailings, meaning faster reclamation, slower growth. And we have revamped the tailings management framework and strengthened reclamation standards to ensure that fluid tailings are trending to long-term reclamation outcomes.

Dr. Swann: With all due respect to the minister, she's ignoring the elephant in the room.

The Speaker: No preamble, hon. member. Keep going.

Dr. Swann: The new Energy Regulator report suggests \$260 billion of liability potentially falling to the public after a government's estimate, over many years, of \$56 billion. We're talking about a fivefold increased risk, yet the vice-president of the Alberta Energy Regulator said that it's likely to grow as more data becomes available, not cut back. Should Albertans believe . . .

The Speaker: Thank you, hon. member.
The hon. Minister of Environment and Parks.

Ms Phillips: Thank you very much, Mr. Speaker. The numbers that the member is referencing represent a snapshot in time, and the number is closer to \$50 billion. The fact of the matter is that regardless of what it is, we have taken four actions: we've provided that loan to the Orphan Well Association, cleaning up wells faster, employing 1,600 people; we've tightened up the rules and the loopholes the previous government left in place; we've made a number of clean tech investments; and four, we are seeking long-term solutions to a long-term problem, calling on the federal government to amend the Bankruptcy and Insolvency Act in response to the Redwater decision.

Mr. Barnes: Mr. Speaker, for the record, this question was not given to me from a minister.

Calgary's 2026 Winter Olympics Bid

Mr. Barnes: In one week from today, though, Calgarians will be voting on whether or not Calgary should proceed with their 2026 Winter Olympics bid. To make an informed decision, Calgarians need transparency and full understanding of costs and potential

implications for taxpayers. A 2012 Oxford University study found that, on average, cost overruns for Winter Olympic Games between 1960 and 2012 were 135 per cent – 135 per cent – Mr. Speaker. To the minister: who will be responsible for cost overruns should they occur?

The Speaker: Thank you, hon. member.

The Minister of Finance and President of Treasury Board.

Mr. Ceci: Thank you very much. With regard to Olympic financing, Mr. Speaker, we have been very clear. From the government of Alberta \$700 million is all we can do towards the Olympic financing. That has been clear. We've shared that with our partners. We've shared that with Calgarians because we came out with that information 30 days before the plebiscite of November 13. So it's well understood that \$700 million is it from the government of Alberta.

The Speaker: First supplemental.

Mr. Barnes: Thank you, Mr. Speaker. Given that the federal government has said that they are not responsible for cost overruns as part of their hosting policy and given that they also made clear this week that this precludes any security cost overruns and given that the recent Vancouver Winter Olympics planned \$175 million for security but spent nearly five times that, \$900 million, to the minister: has the province made any contingency plans should a cost overrun occur, or do they expect cost overruns to be shifted to the Alberta taxpayer?

Mr. Ceci: Mr. Speaker, I've been clear about how much money is coming from the government of Alberta in my last answer. What I can tell you is that contingencies are built into all of the parts of the budget and the budget lines. You know, the BidCo people are the ones who have put that together. We've had people sitting on that as well. We've been clear up front: \$700 million is it. You'd need to speak to the other two orders of government with regard to your questions.

Mr. Barnes: Mr. Speaker, given that the city of Calgary is already facing challenges, including the country's second-highest unemployment rate, struggling to collect property taxes given the depressed downtown property values and given that the \$390 million municipal portion has been estimated to result in a 1.3 per cent increase in Calgarians' property taxes and that cost overruns could make that amount even higher, again to the minister: can you tell Albertans if your officials have done any analysis on the economic impact of raised property taxes on the Calgary economy, and would you commit to releasing that to the House, please?

The Speaker: The hon. minister.

Mr. Ceci: Thank you. What I can tell Calgarians is that they'll have an opportunity to vote on whether they want to see the Olympics in their city. Advance polls start today and go tomorrow, and on November 13 there are polls across the city as well. Calgarians have the information from the government of Alberta – \$700 million is assured from this order of government – and they have the opportunity to put an X where they want to with the plebiscite.

United States Tariff on Steel

Mr. Dreeshen: Mr. Speaker, this NDP government did a disservice to Albertans and workers during the NAFTA renegotiations. Their do-no-harm trade negotiation tactic obviously didn't work. Alberta

steel producers are left with a carbon tax and a 25 per cent tariff. A local steel producer here in Edmonton estimates that 60,000 tonnes of steel exported to the United States are now subject to this tariff. Given that the NDP's good friend and ally Justin Trudeau today just admitted that the 25 per cent tariff will remain even if the USMCA is ratified, why has the NDP trade minister not made this tariff reduction a priority?

The Speaker: The Minister of Economic Development and Trade.

Mr. Bilous: Thank you, Mr. Speaker. I'm happy to share with the new member of the House that I've been in constant communication with the federal government talking about the implications of the steel tariffs that the U.S. imposed on Canada, also ensuring that Ottawa is well aware of the implications of Canada's countertariffs and how that's going to impact Alberta, not just our steel producers but also our consumers. That's where and who is being hit very, very hard. I can tell you that the USMCA is a trade agreement that is critical to the future of Alberta and of Canada, and we ensured that we were standing up for Alberta interests and communicating that to the federal government.

The Speaker: Thank you, hon. minister.

Mr. Dreeshen: Mr. Speaker, quite simply, will the Minister of Economic Development and Trade commit that he will lobby his Trudeau Liberal allies to not sign the new USMCA trade deal until an agreement is in place to remove this tariff?

The Speaker: The hon. minister.

Mr. Bilous: Thank you, Mr. Speaker. I'm not sure if I'm going to agree to that because the USMCA has significant repercussions on a number of different industries. I'd love for the hon. member to go consult with the forestry sector, the agriculture sector, our energy sector, who actually is quite satisfied with the USMCA and the fact that energy is not being either penalized or hurt through this deal. They understood because we worked very closely with them on the potential repercussions of a trade deal. Now, what I can tell the member is that I've written a number of letters to the federal government and will continue to stand up for our steel producers and for our consumers but not at the expense of other industries.

The Speaker: Thank you, hon. minister.

Mr. Dreeshen: Mr. Speaker, given that Alberta steel producers export around half a billion dollars' worth of steel to the United States, why is the minister playing politics with the livelihoods of so many working Albertans? Why won't they champion Alberta's interests and stand up against their Trudeau Liberal allies in Ottawa?

The Speaker: The hon. minister.

Mr. Bilous: Thank you, Mr. Speaker. You know, the Conservatives are saying that we shouldn't sign this deal at any cost, not realizing the billions of dollars that it would cost Albertans, Alberta companies, and Alberta workers and communities. They have no plan to diversify the economy. Our government has been working very, very diligently at diversifying the economy, working with our job creators. We will continue to work with the steel sector as well as every other sector to ensure that Alberta continues to remain competitive, and we will lobby Ottawa on their behalf, but I'm not about to take advice from that side of the House.

The Speaker: The hon. Member for Fort McMurray-Wood Buffalo.

Opioid-related Deaths

Mr. Yao: Thank you, Mr. Speaker. Over 8,000 Canadians have died from opioid overdoses since 2016. Alberta has been hit hard by this crisis. We have the second-highest death rate nationally. In 2016 545 Albertans died from overdoses. So far this year, with two months to go, we already have 609 Albertans that have died from overdoses, and it doesn't end there. This summer the Calgary fire department reported a sixfold increase in their opioid responses from last year. These stats are completely unacceptable. What is this government doing to stop this growing crisis, and more importantly will they finally declare this a crisis?

The Speaker: The hon. Minister of Health.

Ms Hoffman: Thank you very much, Mr. Speaker and to the member for the important question. Certainly, our hearts go out to every family, every community member, every friend who's been impacted by these deaths. These were people that were loved by somebody and who have now died. We certainly want everyone who is struggling with opioids to know that they're not alone, that the crisis continues to have devastating effects on families across the province and the country. That's why we're expanding treatment options throughout our province. That's why today we're opening more supervised opioid consumption services, because we want people to have the opportunity to live another day, and we will continue to fight for them every day in this House and outside.

2:20

Mr. Yao: Mr. Speaker, if this government considered this a crisis, they would have officials from Health and Justice and human services all working together along with their partners at the municipal, provincial, and federal levels. You're simply a facilitator. Why exactly did this government choose not to work with our confederation to study this issue? Why did you opt out of a national study on this opioid crisis? Why could you not work concurrently with this federal study while you worked on your provincial review? Is multitasking difficult?

The Speaker: The hon. minister.

Ms Hoffman: Thank you, Mr. Speaker. We are certainly working every day to save lives, and we won't back down from that cause. We have 4,000 more treatment spaces available in Alberta today because this government is fighting every day for the front lines, fighting for folks who are dying, and fighting to make sure that we have more opportunities for them to live another day. We've distributed over 80,000 life-saving naloxone kits, and more than 4,500 overdose reversals have been reported back to us. It's probably even more than that. Supervised consumption services continue to save lives. We're going to keep moving on all of those fronts. We'll continue to work with our partners in the federal government, but Alberta and B.C. are leading on this file, and we will continue to do so.

Mr. Yao: Mr. Speaker, this minister claims that she's getting results, that she's addressing the crisis at hand, yet two Albertans every day are dying from this opioid crisis. The government's role model in combatting this opioid crisis, B.C., has seen its life expectancy drop by six months. Tens of thousands of Narcan kits have been distributed, yet we see still an upward trend in overdoses and drug abuse. This government is increasing dependency with these extended . . .

Speaker's Ruling Preambles

The Speaker: Hon. member, I want to just caution you, again, about the preambles. You're an experienced member of this House and would know that. I'd appreciate it if you'd address a specific question. The last two times you've given quite an exaggerated preamble without the question coming. I would ask that you focus at this point. What's your question? One sentence or less.

Opioid-related Deaths (continued)

Mr. Yao: The problem is obviously getting worse, not better. This government has demonstrated it doesn't want to work with our confederation to study the issue. When will the provincial . . .

The Speaker: Hon. member. [interjection] Hon. member.
Could I have the Member for Barrhead-Morinville-Westlock.

Carbon Levy and Agricultural Costs

Mr. van Dijken: Thank you, Mr. Speaker. Alberta farmers are part of the climate change solution through the amount of carbon they sequester by using new technology. Alberta farmers practise no till and minimum till, helping to retain carbon in the soil. They practise nutrient stewardship, applying the right fertilizer at the right rate, at the right time, and in the right place. Canadian canola growers have used biotechnology to reduce emissions by 1 billion kilograms, the equivalent of taking 500,000 cars off the road. Yet this NDP government penalizes the agricultural industry with ever-increasing carbon taxation. Why?

The Speaker: The hon. Minister of Environment and Parks.

Ms Phillips: Well, thank you very much, Mr. Speaker. You know, the hon. member is quite right that there were a number of examples of climate leadership even before our government put in place our policies. Under the Conservative carbon tax there were a number of offset protocol opportunities for farmers that they took advantage of and that they continue to take advantage of. That's one way that the agricultural sector is certainly doing its part. Another way is through the \$80 million worth of reinvestments that we have made of carbon levy funds into agricultural sector efficiency. All of those investments would be cancelled if we do as they ask and . . .

The Speaker: Thank you, hon. minister.

Mr. van Dijken: Mr. Speaker, given that carbon taxation adds costs to farm inputs and transportation, making it more expensive to produce food in Alberta, and given that our key competitors around the world are not exposed to carbon taxation, why does this NDP government continue to punish our agricultural industry, a trade-exposed industry, with carbon taxation?

The Speaker: The hon. minister.

Ms Phillips: Well, thank you very much, Mr. Speaker. First of all, of course, we have a marked fuel exemption. We have the \$80 million worth of investments in efficiency that I talked about. All of those investments would be cancelled if we allowed Justin Trudeau to impose his plan on Alberta, as is the preferred strategy by the folks opposite. But, also, we have brought in output-based allocations, in particular for our oilseeds producers. What we're looking for is for that system to prevail and take some national

leadership so that we have a level playing field for everyone, because our system was developed in consultation with those industries.

The Speaker: Thank you, hon. minister.

Mr. van Dijken: Mr. Speaker, given that carbon policy needs to recognize both emissions and sequestration and given that farmers sequester more carbon in farm crops and grasses than they emit and given that I am now hearing that the NDP is devaluing the carbon emission offset credits available for investment under the CCIR, is what I'm hearing true? If so, why is the government increasing taxation on farmers while at the same time lowering the value of carbon credits in this province?

Ms Phillips: Well, the fact of the matter is that our carbon offsets have increased in value, Mr. Speaker, so that's the first place where the hon. member's facts are incorrect. But here's the thing. The entire system will be repealed and a system imposed on us by Ottawa. All of the system that we have carefully crafted in consultation with our fertilizer producers, with our canola crushers, with our farmers: all of that disappears if these folks have their way and they roll out the red carpet for Justin Trudeau to do whatever he wants, because that's apparently the preferred Conservative strategy.

The Speaker: The hon. Member for Calgary-South East.

Municipal Election Financing

Mr. Fraser: Thank you, Mr. Speaker. When the government introduced their first bill to regulate campaign financing, they claimed that they were taking big money out of politics. During the debate on the bill many members of this House pointed out that their bill was actually more likely to just drive that big money into less transparent and accountable areas. Intended or not, your government encouraged the growth of third-party advertisers and political action committees. Big money hasn't left politics; it's just found a new home. To the Minister of Municipal Affairs: does your plan to regulate municipal campaign finances address the issue of PACs, or do you want to keep this glaring loophole intact?

Mr. S. Anderson: Thank you for the question. We've listened hard to people all across this province who want big money out of municipal elections, local elections, and that includes municipalities, Métis settlements, school boards, and irrigation districts. Our focus is on making sure that it's about big ideas and not about big pockets, Mr. Speaker. We've heard it, and we are making sure that we get that done.

The Speaker: First supplemental.

Mr. Fraser: Thank you, Mr. Speaker. Given that incumbents in elections already have a number of advantages over challengers and given that one of these advantages is the ability to fund raise in a greater capacity and given that municipal donations do not qualify for a tax receipt, making fundraising even more difficult, and given that all of these concerns mean that challengers from minority and underrepresented groups are going to face even more barriers to running, to the same minister. Your proposed changes to municipal campaign finances are going to stack the deck in favour of the incumbent. What are you doing to offset those barriers?

Mr. S. Anderson: Thank you to the member for the question, Mr. Speaker. This is on the Order Paper right now. The name of it is an Act to Renew Local Democracy in Alberta. We are going to debate that, all of the facts. I will have all that information for him during

the debate in the House, and I will gladly make sure that I answer those questions in the fulsome way that I can during that debate, in particular in Committee of the Whole.

The Speaker: Second supplemental.

Mr. Fraser: Thank you, Mr. Speaker. Given that fundraising as an individual is going to get harder and given that third-party advertisers and political action committees have access to more resources than any individual candidate and given that this will provide an incentive for individual candidates to align themselves with PACs and third-party advertisers to gain support and resources, leading to municipal politics being dominated by ideological slates, to the same minister: what, if anything, are you doing to ensure that municipal elections remain free from outside influence by dark money groups?

Mr. S. Anderson: Again, it's on the Order Paper, and we'll be able to debate it in fulsomeness during Committee of the Whole. But I don't understand if the member doesn't get what freedom of speech is and how PACs work. It's unconstitutional to ban those types of things. Would he like to put more, you know. . .

An Hon. Member: Parameters.

Mr. S. Anderson: . . . parameters around it? I guess that is probably the word I'll use. Yeah, a hundred per cent we will, and if he'd read the bill, he would know that.

The Speaker: The hon. Member for Calgary-West.

Crime Rates

Mr. Ellis: Well, thank you, Mr. Speaker. Last week the Leader of the Official Opposition noted Calgary's spiking crime statistics, and the Minister of Justice shrugged him off. So allow me to provide some other crime-related stats which may surprise Albertans and perhaps even the minister herself. I'll start with Alberta's crime severity index. In 2014 it was at 87, and since then it has spiked to 110. Minister, why did the NDP government burden police with carbon tax when they need that money to fight the increase in crime?

The Speaker: The hon. Minister of Justice and Solicitor General.

Ms Ganley: Thank you very much, Mr. Speaker. Certainly, one of the things that our government noticed last year before we introduced our plan to combat rural crime – I understand that crime goes throughout the province, but certainly that's the portion that's within our jurisdiction. We hope that cities will step up and do the same. One of the reasons we did that was because we saw that uptrend in crime statistics and we felt that we needed to take immediate action to help Albertans, as opposed to the opposition, who voted against that money.

2:30

The Speaker: First supplemental.

Mr. Ellis: Mr. Speaker, thank you. Now, given that last year Edmonton posted the second-highest crime severity index among Canada's 25 largest cities and given that according to the EPS website this index is continuing its climb in 2018, Minister, if, as you claim, this government is addressing Alberta's crime wave, then why is the crime severity index still increasing?

The Speaker: The hon. minister.

Ms Ganley: Thank you very much, Mr. Speaker and to the member for the question. We certainly do know that there have been challenges with crimes, and we know that that rate is coming down. We have good numbers from the RCMP with respect to that, but we know that that is not felt equally throughout the province. That's why we're continuing to work with our law enforcement to make sure that we are investing in front-line services as opposed to the opposition, who voted against 59 additional RCMP officers, against 20 additional Crown prosecutors, against 40 new RCMP civilian personnel, and the list goes on.

The Speaker: Second supplemental.

Mr. Ellis: Thank you very much, Mr. Speaker. Now, given that Albertans were the victims of 30,000 break and enters just last year and that that's a 35 per cent increase in the number of B and Es since 2014 and given that when the Member for Calgary-Lougheed confronted the minister just last week with stats outlining Alberta's crime wave she could only say, "We need to continue working with our police partners to address these issues" – Minister, working with police partners is and should be a given, so what are you actually doing to address this issue?

Ms Ganley: Well, Mr. Speaker, I think one of the most important things we're doing is that we're continuing to support our municipal partners with more than half a billion dollars in police funding. Interestingly, half a billion dollars is slightly lower than the \$700 million tax giveaway that the opposition would like to give to the richest 1 per cent, that would wipe out the entire police budget. So what we're going to continue to do is invest in services, invest in front-line police officers. I wonder whether the opposition regrets voting against those things.

The Speaker: The hon. Member for Drayton Valley-Devon.

Provincial Achievement Tests

Mr. Smith: Thank you, Mr. Speaker. I regret to inform you that the Minister of Education has not achieved an acceptable result in his responses to the questions about why a passing score for the math PATs was set at 42 per cent, also known as a cut score. The minister knows that this is not a problem that will be solved solely by a new curriculum because the PATs are tailored to the curriculum. To the Minister of Education, a multiple-choice question: is the cut-score problem caused by (a) bad resources, (b) bad assessments, (c) bad teaching methodology, or (d) all of the above?

The Speaker: The hon. minister.

Mr. Eggen: Thank you, Mr. Speaker. Certainly, the hon. member has an amusing perspective on what is a very serious issue, and that is around ensuring that we have basic skills for kids in mathematics and in language arts in the province of Alberta. We are doing that. We are building new curriculum. More importantly, we are making the investment in education to make sure that kids have teachers in front of them. You don't improve the situation by taking 4,000 teachers out of the system, which they are planning to do.

The Speaker: First supplemental.

Mr. Smith: Thank you, Mr. Speaker. Given that Alberta parents have been asking that the cut scores be released and explained and given that this is a reasonable expectation on the part of parents and given that parents are becoming frustrated by the secrecy and evasiveness of the minister, to the same minister. True or false: the Minister of Education will publish and explain cut scores for future PATs?

The Speaker: The hon. minister.

Mr. Eggen: Well, thank you, Mr. Speaker. I must say that we are very proud of our provincial achievement exam results here in this last year. We saw marked improvements in mathematics in grade 12 and in grade 6 and part of grade 9 as well. We weren't afraid to ask the hard question of kids writing in grade 9 and now in grade 6 having a no-calculator section. That's what parents were looking for. That's what basic skills are all about, and you don't achieve those basic skills by making a \$700 million cut to the budget to give it to their rich friends when we could actually use that money in schools.

The Speaker: Second supplemental.

Mr. Smith: Thank you, Mr. Speaker, I guess the answer was: false. Given that the cut score for question period today has been set at 66 per cent and given that the minister's nonanswers to my previous questions mean that he has once again failed to achieve an acceptable result and given that assessments are tailored to the curriculum that is taught, which means that even a perfect curriculum could not magically solve this problem, to the same minister: a homework assignment. What are you going to do to address the problem of cut scores?

The Speaker: The hon. minister.

Mr. Eggen: Well, thank you, Mr. Speaker. I must say that when we introduced the grade 6 no-calculator portion two years ago, the kids struggled. This year they ended up with a 7.2 per cent increase in that one part of the exam. I'm not going to apologize for teaching basic skills and having that expectation in our classrooms. If people want to evade that or misconstrue it as anything but an improvement, then that's just not good mathematics, and that's just bad education. You know, I think we are doing an excellent job.

The Speaker: The hon. Member for Chestermere-Rocky View.

Federal Bill C-69

Mrs. Aheer: Thank you, Mr. Speaker. Alberta's energy competitiveness is impacted by the cumulative cost of poor government policy such as not standing up with this side of the House against Bill C-69. Does the government not understand that we will continue to lose over \$75 million a week and thousands of good-paying jobs? How is this standing up for Albertans?

The Speaker: The hon. Minister of Environment and Parks.

Ms Phillips: Well, thank you very much, Mr. Speaker. With respect to Bill C-69 the province has taken Alberta's concerns straight to Ottawa's doorstep. We are fighting for Alberta. We are engaging at every level, and in fact the Deputy Minister of Environment and Parks is in Ottawa today meeting with senior officials in multiple departments to follow up on the meetings that I had in Ottawa. We're meeting with Senators and anyone who will listen to ensure Alberta's constitutional authority as the owner and regulator of natural resource development is respected.

Mrs. Aheer: Mr. Speaker, to be clear, the government voted twice against standing in unity with us against Bill C-69.

Given that as big energy projects wrap up, capital spending and resource development is falling because the big projects are not being replaced because we are uncompetitive and given that there are bottlenecks to getting our product to market and now we're more reliant on trucks and trains for transport, why will the

government not stand up with us in unity to oppose Bill C-69 and get our products to market?

The Speaker: The hon. Minister of Economic Development and Trade.

Mr. Bilous: Thank you, Mr. Speaker. You know what? I'm very proud of the work that the Minister of Energy and the Minister of Environment and Parks and our Premier have done talking, engaging with Ottawa for the past year and a half, outlining our concerns with C-69. I'll tell you what we have done. Our Minister of Energy has modernized our royalty review to ensure that drilling is even more competitive and to incentivize companies to get going right away. We've also worked with the AER to make it easier to navigate through regulations. We know that we have incredible companies doing incredible work. I can tell you that there's a lot of work that has been done and is ongoing on this side of the House despite the fact that the members opposite . . .

The Speaker: Thank you, hon. minister.
Second supplemental.

Mrs. Aheer: Thank you. Well, Mr. Speaker, Bill C-69 needs to go away right away. Given that capital is fleeing Alberta, jobs are fleeing Alberta, business is fleeing Alberta, and we are not competing on the global scale because of actions like Bill C-69, why is this government helping to handcuff our people, our resources, and our prosperity?

The Speaker: The hon. Minister of Energy.

Ms McCuaig-Boyd: Thank you, Mr. Speaker. You know, we're working very hard every day for what matters to Alberta families, and that's getting pipelines, that's diversifying our economy, and that's creating the good jobs that the energy sector brings. We've worked very hard on our diversification plans. Inter Pipeline is currently building in Alberta, and they're going to bring value add, more value staying in Alberta for Albertans. We have one more project about to do an FID. This year we introduced Bill 1, which is going to provide a lot more incentives for people to bring diversification here to Alberta.

The Speaker: Thank you, hon. minister.
The hon. Member for Calgary-Acadia.

Climate Leadership Plan

Ms Payne: Thank you, Mr. Speaker. In October the UN panel on climate change report had dire warnings for the future if we aren't able to slow the pace of climate change. I'm hearing from Calgarians who are concerned about the impact on future generations and want to see action. Meanwhile crickets from the opposition. I'd like the minister responsible for the climate change office to outline how our government is working to support Albertans to reduce their carbon footprint.

The Speaker: The hon. minister.

Ms Phillips: Well, thank you very much, Mr. Speaker. Certainly, our preliminary data is showing that Alberta was reducing its greenhouse gas emissions last year and even this year largely out of the electricity sector. There are a number of different ways that Alberta is seeing results from the climate leadership plan. For example, with Energy Efficiency Alberta Albertans are saving \$10 for every \$1 they invest in residential energy efficiency. It's created 3,000 private-sector jobs and added half a billion dollars to the GDP through Energy Efficiency's one year of operation alone. Albertans

have saved \$400 million in energy costs. That is a massive savings for all Albertans.

2:40

The Speaker: First supplemental.

Ms Payne: Thank you, Mr. Speaker. While the changes that individual Albertans are making have an impact on our carbon footprint and on individual pocketbooks, industrial carbon use is also a critically important part of the picture. How has government worked with the industry to address this, and what are some industrial leaders saying?

The Speaker: The hon. minister.

Ms Phillips: Well, thank you very much, Mr. Speaker. I can only quote from people like Brian Ferguson, who was the president of Cenovus, who said:

We fully support Alberta taking a leadership role in addressing climate change and we believe that one of the best ways to do that is through an economy-wide carbon levy as well as by supporting the development of carbon-reducing technologies.

I'll tell you how we've done that in the oil and gas industry, Mr. Speaker. It's through our methane reduction. We're already seeing companies grow by 1 to 300 per cent, the methane industry alliance advises us, based on the kinds of investments that we've made and the kinds of policies we've put in place.

The Speaker: Second supplemental.

Ms Payne: Thank you, Mr. Speaker. Given that members opposite have made it clear that they don't believe in climate change or in the commonly accepted methods of addressing it such as carbon pricing, to the same minister: what are the consequences of rolling back these efforts, as the Official Opposition has pledged to do . . .

Mr. Nixon: Point of order.

The Speaker: Point of order noted.

Ms Payne: . . . and what is the consequence of literally doing nothing in the face of one of the greatest issues of our time?

The Speaker: The hon. minister.

Ms Phillips: Well, thank you very much, Mr. Speaker. There is no question that a plan imposed on us by Ottawa, as the Conservatives opposite would prefer to have done, would be very negative for Alberta. Investments in the green line and the Edmonton LRT: cancelled. Small-business tax cut: cancelled. Policies that increase demand for natural gas in our electricity sector: cancelled. Biggest renewable opportunities in Canada: cancelled. Policies that help oil and gas invest in clean tech investments: cancelled. Policies for Alberta's farmers, our indigenous climate leadership programs – I know that the members opposite don't care – also cancelled.

The Speaker: Hon. members, we will continue with Members' Statements in 30 seconds. [interjections] Hon. members.

Members' Statements (continued)

Official Opposition and Government Policies

Mr. Loewen: For those Albertans who watch question period, it can be frustrating. Questions are asked, and the responses rarely have answers and usually contain a tirade of partisan attacks where

the truth is misrepresented and Albertans are misled. Here's a myth. They like to fearmonger about us only giving a tax break to the rich. The truth: UCP will give a \$3 billion tax break to all Albertans by just cancelling the carbon tax, unlike the NDP that massively raised taxes on all Albertans along with giving \$2 billion plus a year in interest to bankers and foreign investors.

Another fallacy. They say a change in government will mean thousands of nurses and teachers losing their jobs. The truth: these accusations are baseless and completely untrue, and they know it. The UCP will protect front-line workers like teachers and nurses. They always said that the opposition couldn't reduce the deficit without firing thousands, and now they claim to have done it. Obviously, it can be done.

Here is another tale. They claim that Conservative governments could not get a pipeline built. The truth: four major pipelines were built, and every major pipeline proposal was approved. You can't build pipelines that haven't been proposed. On the other hand, two major pipelines have been cancelled under this NDP government and their ally Trudeau, and other pipelines are in limbo. The NDP have watched private pipeline investment flee and can't even get one built when it is backed by billions of taxpayer dollars.

The NDP even have the gall to say that Conservatives are cheering for pipeline failures. The fact is that we've been ahead of the government at every step when it comes to supporting pipelines. In fact, just about every strategy the government has to get pipelines built was taken from the UCP playbook. The problem is that they were months or years too late.

This government even attacks our friends and neighbours in Saskatchewan. Perhaps their NDP friends there forgot to tell them that after decades of fiscal mismanagement and struggling public services, it was Brad Wall who got the books in order, spurred investment, and hired teachers, doctors, and nurses.

The NDP government has said that their policies are making life better for Albertans. If they think that massive tax increases, high unemployment, driving out billions of dollars in investment, attacking rural Alberta, increasing surgery wait times, and failing on getting pipelines built is making life better, then I'd hate to see what making life worse is.

The Speaker: The hon. Member for Edmonton-Centre.

Member's Tribute to His Father

Mr. Shepherd: Thank you, Mr. Speaker. Today I rise to pay tribute to my father, Junior Rulon Ruthven Shepherd, born in Marabella, Trinidad, on February 14, 1945, the fourth of 10 children. He loved electronics and working with his hands, which led him to vocational school and at 16 an apprenticeship with Texaco for 33 cents an hour. Two of his co-workers invited Dad to their church, where he adopted the faith that would define and shape the rest of his life. He spent six and a half years at Texaco. He taught himself to play guitar and harmonica, which he played at church, sometimes leading singing. You see, Dad had a beautiful baritone. I have many fond memories of sitting in the living room while he led family singalongs.

In 1966 Dad heard about jobs in Canada, and he leapt at the chance for a fresh start, touching down in August 1967 in the city where he'd spend the rest of his life, Edmonton. He quickly found work and became a journeyman electrician. He attended Sharon gospel chapel, where he met my mother, Annette. They started dating in 1969 and married the next year. By 1979 he had three daughters and one son. He worked incredibly hard to support us, including weeks as far away as Yellowknife when work here grew scarce. At 42 Dad enrolled at NAIT to pursue his original dream of

studying instrumentation, and that led to work repairing equipment at the Royal Alex hospital, where he worked until he retired. Dad remained devoted to his Christian faith, leading Bible studies, serving as a deacon and elder, tirelessly helping others, and welcoming newcomers.

In '99 Dad was diagnosed with prostate cancer but after treatment enjoyed good health in remission for many years. He was a devoted grandfather, helping raise four grandchildren and ensuring the other nine never ran short of teasing and dad jokes. In early 2016 we learned that Dad's cancer was back. He kept working in his church for as long as he could, and we had many more good days before he passed on June 14 of this year.

Dad and I held very different beliefs, but he taught me a lot. He gave me my first taste of music, my love of the mountains, and a strong work ethic. His memory will always be with me and now will also live in the record of this House.

Thanks, Dad. Rest in peace.

The Speaker: The hon. Member for Calgary-Hays.

Freedom

Mr. McIver: Thank you, Mr. Speaker. Last Friday morning I was honoured to attend the flag raising at the field of crosses memorial project in Calgary on Memorial Drive. A ceremony happens daily at sunrise, and there is a ceremony at sunset, where the flags are lowered each day. If you go there, you will see 3,400 white crosses, each carrying the name, rank, regiment, date of death, and age at death of a Canadian from southern Alberta who has given their life in the military protecting our freedoms and quality of life.

It is a powerful image, showing in stark terms that our freedom is not free and never has been. On November 11 I expect that all members of this Legislature will find a place to go out in public and honour our women and men who serve in the military while remembering those who have served in the past, creating and protecting our freedoms. Mr. Speaker, we need to hold our freedoms closely every day and not take them for granted during the rest of the year.

Here are some freedoms that are under attack currently. The freedom for a person who tucks a child into bed at night to choose where and how that child is educated. There is a movement currently in Alberta to take away parents' choice in how they educate their children. We must resist this with all of our strength.

The freedom to practise the faith of our choice or indeed to practise no faith at all, if that is preferred, is under attack. Mr. Speaker, we recently saw the aftermath of active hate in Pittsburgh, where a person opened fire at a synagogue where people were peacefully praying. In recent memory innocent people at a mosque in Quebec were murdered out of hate while practising their faith. Many other faith communities around the world suffer unprovoked attacks fuelled by hate.

Every time one of these events takes place, all of our freedoms are under attack. In many countries basic freedoms that we take for granted here are not respected. Women, people of a particular sexual orientation, and minority groups are routinely treated brutally in these countries.

Mr. Speaker, my desire is to have all of us think about our freedoms and thank those soldiers, sailors, and aircrew that have provided them, and my wish is that we remember every day and not just on November 11.

2:50

Notices of Motions

The Speaker: The hon. Member for Calgary-Mountain View.

Dr. Swann: Thank you very much, Mr. Speaker. I have submitted to Parliamentary Counsel a request for an emergency debate, SO 30, today on the \$260 billion in unfunded oil patch liabilities.

Tabling Returns and Reports

The Speaker: Hon. Member for Calgary-Mountain View, do you have some reports as well?

Dr. Swann: Yes. Thank you, Mr. Speaker. In relation to the SO 30 today are the appropriate number of copies of a PowerPoint presentation by the vice-president of liability, Mr. Robert Wadsworth, of the Alberta Energy Regulator. This has been circulated to members of the Legislature in preparation for this debate. It also highlights the inadequate representation of risk that has gone on for decades in this province, and it would give some very practical and concrete numbers for the members.

Thank you.

The Speaker: Hon. members, I believe we had one point of order. The Member for Rimbey-Rocky Mountain House-Sundre.

Point of Order

Questions outside Ministerial Responsibility

Mr. Nixon: Well, thank you, Mr. Speaker. I will be brief. I rise on a point of order. I will refer you to *House of Commons Procedure and Practice*, third edition. I am looking at the section on principles and guidelines for oral questions, specifically page 509, the second bullet point, which I will quote to you: “ask a question that is within the administrative responsibility of the government or of the individual Minister addressed.”

What I have noticed today, Mr. Speaker – and I could have called a point of order several other times throughout the day, but I decided to let it go; on that question it just got so far that I think it’s become a bit ridiculous – is that the government has started each of their questions now spending time talking about what is hypothetically, maybe or maybe not, an opposition policy and then started to ask questions of the minister like: if that opposition policy was a policy, what does the minister think of it? Clearly, the process in question period is to ask a minister about the minister’s responsibilities, not hypothetical situations associated with the opposition, that, by the way, are not true. But that’s irrelevant to this point.

I think the government should, same as us, same as any backbencher or private member inside this Assembly, take the time and ask the minister about situations that have to do with their ministry, as per the process in this House. I recognize that the government doesn’t want to run on their record; however, in this Assembly they should at least participate in the process appropriately.

The Speaker: The Deputy Government House Leader.

Mr. Feehan: Thank you, Mr. Speaker. I appreciate the opportunity to respond to this point of order. We do concede that the point of order reflects a concern that a question should be directed toward government policy. It would seem that it is fair that government policy can be questions as to not only what has been instituted but what policies may be instituted or what alternatives are being pursued, as is often a question from the other side of the House in terms of the nature of choices that are made. We recognize that sometimes, in seeking to pursue some of those choices and the decisions that are made subsequent to those choices, our members

may slip up and word a question in such a way that it implies asking about policies by others than the members in government.

Knowing that we are on occasion apt to slip up in our words, on this side of the House we will endeavour to ensure that we are a bit more careful when we ask questions about alternative policy possibilities that government are considering. We would acknowledge that in this particular case we need to be a bit more precise in our language, and we will endeavour to do so in the future.

The Speaker: Just for clarity, are you agreeing that you will withdraw the comment?

Mr. Feehan: Mr. Speaker, we will ask the member to withdraw the last part of her question for the record at this time.

The Speaker: Hon. member.

Ms Payne: Yeah. I withdraw that portion of the question. Thank you.

The Speaker: Thank you.

I think we are now proceeding to the Standing Order 30.

Request for Emergency Debate

The Speaker: The hon. Member for Calgary-Mountain View.

Liability for Energy Industry Environmental Damage

Dr. Swann: Thank you, Mr. Speaker. Pursuant to Standing Order 30 I’m calling the attention of the Legislative Assembly to discuss a matter of urgent public importance; namely, the protection of Alberta taxpayers from skyrocketing cleanup and reclamation liabilities for the oil and gas industry given that cost estimates could be as high as \$260 billion, raising questions about the adequacy of the orphan well program and the mine financial security program and considering that the Alberta Energy Regulator and the Alberta government have provided conflicting estimates that differ by more than \$200 billion.

Let me begin by expressing my profound gratitude to Mr. Robert Wadsworth, vice-president of closure and liability at the Alberta Energy Regulator, a true public servant who, at risk to his job, is addressing a private audience in the oil and gas industry and other stakeholders and identified our collective liability of \$260 billion. He asserted that this number is most likely going to grow, and it is five times higher than that reported by the Energy department in the past. This is a matter of urgent public importance and, Mr. Speaker, public trust. Albertans are demanding clear, transparent, valid estimates of our liabilities to present and future generations. Coincidentally, the day after this report was made public, Jim Ellis, the CEO of the Alberta Energy Regulator, resigned.

Let’s remember, Mr. Speaker, that the Auditor General in 2015 investigated and raised concerns about the serious inadequacy of reporting by Alberta Energy on liabilities, which potentially in relation to cleanup and reclamation could leave taxpayers on the hook. The minister of environment agreed at the time that the program needed to be reviewed, but nothing seems to have changed since then except the shocking revelation that we have been grossly underestimating these liabilities.

Why is it urgent, even critical that we debate this and put aside House business? Fundamentally, because the magnitude and seriousness of our collective liability in relation to the oil and gas industry in the past hundred years is, I believe, being made clear, albeit in a confidential way where it was presented but has now

become public and certainly in the public interest. It contradicts the unverified reports that consistently come out of the minister's office. This represents a potential fiscal, economic, and environmental crisis if it is not addressed appropriately. It begs, Mr. Speaker – not blames, but it begs – solutions, solutions that start with our collective awareness of the true liabilities that present to our economy, to our investors in the oil industry, to the public, and to the environment.

It's now clear that our Energy Regulator has in the past (a) not accurately reflected the public liability for cleanup of oil and gas facilities and (b) has for whatever reasons kept the reality of this liability from the public.

The Speaker: Hon. member, I want to urge you to get to the question of urgency. I hope that's where you're heading.

Dr. Swann: I hope that I'm making that case, Mr. Speaker.

This is a question not only of financial and environmental liability; it is a question of public trust in our Energy Regulator and in this department, in this government. The licensee liability rating for oil wells and the Orphan Well Association were designed to protect the public from liability, and it is based on a system that is easily gamed by overstating the assets and understating the liabilities. That's been clear as we see an orphan well fund that is nowhere near what is needed to clean up orphan wells in this province, let alone large facilities and SAGD oil sands, mines, and tailings ponds.

3:00

In truth, Mr. Speaker, assets are declining in value as liabilities continue to increase in this province. The longer we wait, the higher the price. More companies go away. More good people in Alberta, including your and my families, will pay toward a staggering estimate, currently \$260 billion.

Another revelation, Mr. Speaker: remediation costs – that is, the cost of cleaning contaminated soils – are not generally included in these costs under the LLR program. There are a number of these unmeasured costs that will add further to this very high estimate of liabilities. If not now, when will we, in these august chambers, address this silent financial tsunami? It includes not only contaminated lands, surface water, and groundwater – I'm just about finished.

The Speaker: Please focus on the urgency matter. If it's agreed in the House, you will get the opportunity to . . .

Dr. Swann: I am feeling a great urgency about this, Mr. Speaker.

The Speaker: I can sense that.

Dr. Swann: I hope you're getting it.

This financial tsunami includes not only contaminated land, surface water, groundwater; it also includes unfathomable fiscal liability for us and our future generations.

It's also a profound financial risk for our banking institutions, including our own ATB, which has been operating on the basis of faulty information and investments. We now must recognize that they have been receiving discredited calculations and annual liability reporting on financial accounts in the oil and gas industry that have not reflected the true risk. The urgency . . .

The Speaker: Hon. member.

Dr. Swann: . . . and the scope of this long-ignored issue speaks for itself, Mr. Speaker. The time for denial and inaction is over.

The Speaker: With the greatest respect, hon. member, we need to address the urgency . . .

Dr. Swann: Have I convinced you yet, sir?

The Speaker: My eyes are blind to the issue.

Are there any other members who wish to speak to the order by Calgary-Mountain View? I have to acknowledge you. The Deputy Government House Leader.

Mr. Feehan: Thank you, Mr. Speaker. I am pleased to respond on behalf of the government to the request made by the Member for Calgary-Mountain View for emergency debate under Standing Order 30 this afternoon. I think that this Chamber can all agree that developing Alberta's energy resources is a privilege and not a right. And I think it's also quite evident that this is a long-standing problem for many years. There's no question that the previous government allowed this matter to fester for far too long. They stood back and admired the problem from afar. But, unlike previous governments, this government is seized by the importance of the issue.

Mr. Nixon: Point of order.

Point of Order Urgency

Mr. Nixon: Mr. Speaker, the issue is urgency, as you've already pointed out to the Member for Calgary-Mountain View. The government is now trying to make a statement which may be relevant if you had granted a debate. The problem with that is that if this is allowed to continue, if you don't grant a debate, then other members are not allowed to respond in the same way as the government. The government should be responding to the urgency issue.

The Speaker: Hon. member, I noted that and will continue to focus on that, but the information decision rests with me, and I was gracious before.

The hon. Deputy Government House Leader.

Mr. Feehan: Thank you, Mr. Speaker.

Debate Continued

The Speaker: I would urge that the hon. minister address the point that the . . .

Mr. Feehan: My comments do speak to the point at hand, and I will speak to the relevant pieces of *Beauchesne's* that address this. But I need to point out that this government began a review of the liability management system, a review that included meetings with stakeholders from industry, environment, NGOs, landowners, municipalities, and indigenous communities.

The Speaker: Urgency.

Mr. Feehan: Well, it speaks to the fact that there are two sets of rules with regard to what makes something urgent. I'm just speaking to the fact that this government has in fact addressed it, which means that it's not an urgency. *House of Commons Procedure and Practice* states very clearly that "matters of chronic or continuing concern, such as economic conditions, unemployment rates and constitutional matters, have tended to be set aside," meaning that they tended to not merit consideration as emergency debates.

Mr. Speaker, the issue of orphan well cleanup is indeed a significant one. It is an issue that has been years in the making, did not pop up overnight, and it is in my view a chronic concern rather than an acute one. The broad review that I believe the member wants, one that will determine long-term, made-in-Alberta solutions, is already under way.

My point, why I was making it, with regard to the statement in *Beauchesne's – Beauchesne's* further states that one Speaker ruled that the emergency debate provisions cannot be used to debate items which, in a regular legislative program with the House of Commons and regular legislative consideration, can come before the House by way of amendments to existing statutes, which, I have been explaining to you, we have done, or in any case will come before it in other ways.

Mr. Speaker, I believe that there are other avenues open to the hon. member that he could raise this issue. For example, today in question period the member had a question that was raised on this and had an opportunity to debate it with the minister; ergo, he has had the opportunity. He's also had opportunities for Members' Statements. He's also had an opportunity to debate a current bill that this government has put into place, Bill 14, An Act to Support Orphan Well Rehabilitation, which was an important bill that was debated in this House.

Again . . .

The Speaker: Hon. minister.

Mr. Feehan: . . . *Beauchesne's* says that if there are other opportunities, which I am detailing to you now, he should take the opportunity to avail himself of them. He either has or has not but does not need an emergency debate to do that.

In conclusion, I think that this is an . . .

The Speaker: Hon. minister.

Mr. Feehan: . . . important matter but does not rise to the level of urgency, Mr. Speaker.

Speaker's Ruling Brevity

The Speaker: Hon. minister and Member for Calgary-Mountain View and others in the House, I would draw to your attention: you both referenced Standing Order 30, which does, I believe, make reference to brief comments so that the Speaker might make a decision. Brevity was not in the minister's particular case today, nor yourself, hon. minister.

But we may have a question from the – are there other members who wish to speak to this? The Member for Rimbey-Rocky Mountain House-Sundre.

Debate Continued

Mr. Nixon: Well, thank you, Mr. Speaker. I do agree with you that comments are to be brief, so I will attempt to be brief. I do not think that the Member for Calgary-Mountain View has met the test. That, of course, will be up to you to determine. That does not take away from the importance of this issue and, certainly, the need for the government to address it, but I did not hear anything in the Member for Calgary-Mountain View's remarks that would indicate the urgency that is required.

Dr. Swann: Public trust, Mr. Speaker.

The Speaker: With respect, hon. member, if I gave yourself another point to speak to SO 30, I fear that it might creep into the debate actually taking place in this House rather than the urgent matter itself.

Dr. Swann: One sentence, Mr. Speaker?

The Speaker: Not even one sentence. I think this is a matter, if you – I think *Hansard* will adequately address the many legitimate points that you made, and I trust that all of the members will look at that again.

I am prepared to rule on the matter. The Member for Calgary-Mountain View has met the requirement, first of all, of providing at least two hours' notice to the Speaker's office by providing required notice at 2:46 p.m. yesterday.

The proposed motion submitted to my office reads as follows. I believe you have a copy of that.

Pursuant to Standing Order 30 be it resolved that the ordinary business of the Legislative Assembly be adjourned to discuss a matter of urgent public importance; namely, the protection of Alberta taxpayers from skyrocketing cleanup and reclamation liabilities for the oil and gas industry given that cost estimates could be as high as \$260 billion, raising questions about the adequacy of the orphan well program and the mine financial security program, and considering that the Alberta Energy Regulator has provided conflicting estimates that differ by more than \$200 billion.

3:10

As stated earlier in my comments, my job here at this point is to determine whether or not the request for leave to move to adjourn the ordinary business of the Assembly under Standing Order 30(2) is in order.

The number of orphan wells in the province and the related environmental impacts raise questions and serious concerns for many Albertans. As you have said – the hon. Member for Calgary-Mountain View identifies in his request for an emergency debate that there is also a large financial cost associated with the reclamation of these wells. It was reported recently that estimates relating to total liabilities for oil and gas in the province may be much too low. I do not doubt that the quoted figure was concerning to those who read those reports. Because a matter is serious, however, does not mean that debate on the matter is urgent, as was argued by the Deputy Government House Leader and the House leader of the Official Opposition. Because a matter is serious, however, does not mean that debate on the matter is urgent.

As noted in *House of Commons Procedure and Practice*, third edition, pages 695 to 696, "matters of chronic or continuing concern . . . have tended to be set aside, whereas topics deemed to require urgent consideration have included work stoppages and strikes, natural disasters, and international crises and events." Furthermore, I must consider whether there are other avenues for debate in the Assembly on this subject matter, as the Deputy Government House Leader outlined. I note that there is a motion for a return presently on the Order Paper, Motion for a Return 18, requesting correspondence pertaining to the criteria for awarding contracts to reclaim orphan wells. The subject matter raised by the Member for Calgary-Mountain View might similarly be an appropriate topic for a written question or a motion for a return, particularly if the member's concerns relate to the value assigned to reclamation costs. A member might also garner this information during question period.

Accordingly, I do not find the request for leave to be in order, and the question will not be put.

Orders of the Day
Government Bills and Orders
Committee of the Whole

[Ms Jabbour in the chair]

The Chair: Hon. members, I'd like to call the Committee of the Whole to order.

Bill 19
An Act to Improve the Affordability and
Accessibility of Post-secondary Education

The Chair: Are there any questions, comments, or amendments with respect to this bill? The hon. Minister of Advanced Education.

Mr. Schmidt: Well, thank you, Madam Chair. It is with a great sense of relief that we reach Orders of the Day. There was a point there not too many moments ago where I thought that maybe we wouldn't make it this far before 6 o'clock, but I'm pleased to be here.

Madam Chair, I rise today to table an amendment to this bill, and I have the appropriate number of copies, that I'd like to submit to you.

The Chair: This will be amendment A1.
Please go ahead.

Mr. Schmidt: Okay. Thank you, Madam Chair. Since its tabling Bill 19 has received tremendous support on all sides of the Assembly. I'm proud that we're taking such strides towards giving the students of this province more affordable and accessible postsecondary education. Based on the debate to date and further consideration around mandatory noninstructional fees, I am proposing an amendment that further increases the transparency and predictability for students as it relates to these fees and to strengthen students' ability to have a strong voice in the cost of their education.

The amendment that I'm proposing, Madam Chair, reads as follows. Section 32 is amended in the proposed section 61 by adding the following after subsection (4):

(5) If the board of a public post-secondary institution other than Banff Centre sets a mandatory non-instructional fee, the board shall set an amount for the fee that is less than or equal to the cost incurred by the public post-secondary institution to provide the goods or to deliver the services for which the fee is set.

(6) The board of a public post-secondary institution other than Banff Centre shall not introduce a new mandatory non-instructional fee unless the board has obtained written approval from each of the public post-secondary institution's students' councils.

Madam Chair, this amendment is brought forward to address some of the concerns that we heard, of course, during the debate at second reading around this bill. The Member for Highwood, I believe, raised some concerns around a lack of transparency when we were putting the processes for the approval of these mandatory noninstructional fees in regulation. So we're moving those into the legislation to enhance the transparency that the Member for Highwood and others on that side raised during the debate on this bill at second reading.

But, more importantly, this amendment reflects further consultations that we had with students since this bill was tabled. Certainly, students expressed some concerns that the regulation didn't offer sufficient protection against actions of future cabinets to change the way that institutions can charge mandatory noninstructional fees. They wanted greater protections in terms of how much mandatory noninstructional fees could reflect the cost of the services that are provided. As well, they wanted to enshrine the

students' voice in saying yes or no to those mandatory noninstructional fees in the legislation.

I'm very pleased, Madam Chair, that our government is proposing this amendment to take those concerns into consideration and to address them directly.

With that, I look forward to listening to the debate on this proposed amendment.

The Chair: Any members wishing to speak to the amendment? The hon. Member for Highwood.

Mr. W. Anderson: Thank you, Madam Chair. It's a pleasure, and I'm pleased to speak to the government's amendment on Bill 19. The amendment looks to be broken into two parts. The first part – and I'm paraphrasing – looks to cap mandatory noninstructional fees at the cost to provide the service which the fee is for. At first glance I don't have any issue with this, no issue with this section of the amendment. Rather, I think it makes sense to keep fees in line with the cost of providing a certain service. This does stop institutions from charging a much higher price for the service than it actually costs and keeping the difference for general revenue.

Now, I don't know how much this is the case with noninstructional fees as it currently is. Perhaps there is some discrepancy between the fee and the cost of the service. However, at this time I'm not aware of any examples. Notwithstanding this, I don't think this part of the amendment should create any problems as it'll keep institutions accountable with the noninstructional fees they charge.

3:20

However, even though at face value this looks like a fine part of the amendment, I believe we're doing a disservice to Albertans if we do not give due consideration to all stakeholders that this amendment will affect, and I mean all stakeholders. Before I can support any amendment, I need to hear from all the parties that should be affected by this amendment. I mean, we had all summer to work on this bill.

Madam Chair, I also have some concerns with the second part of the amendment. This part, if I understand correctly, would require the consent of student union groups if a university wants to create a new mandatory noninstructional fee. Postsecondary institutions should consult with their students. I say: should consult with their students. Lord knows, I was a student council president at my alma mater many, many years ago. I sat on that committee, and I sat on the board of regents at my institutions, so I remember. They should consult with all students when they're implementing new noninstructional fees. I would hope that universities would take those consultations seriously. These fees are going to be a burden for students, so it's important that students are given their input.

However, I'm concerned this amendment will affect the operations of the postsecondary institutions. My question to the government: have they consulted with the institutions to determine whether this is an amendment they can support? I think the government needs to give due time for us to seek input from all stakeholders involved in this matter. I can't say what institutions think of this as our caucus hasn't had time to consult with them.

Now, Madam Chair, the government has been consulting with postsecondary students for two years now, and I'm sure they received much feedback. Why is it that this government needs to introduce this amendment at this time? Why couldn't they get the bill right the first time? I'm sure they received plenty of feedback from stakeholders on these postsecondary matters over the last two years. What changed in the last two weeks which has caused them to abruptly amend their own legislation?

Madam Chair, unfortunately, I just cannot support this amendment at this time for the simple reason that we do not have

time to properly consult with all stakeholders that this change should be made. Perhaps this amendment will be supported by all sides, and I hope it is, but until I have time to listen to all stakeholders, I believe it would be irresponsible for us to vote and pass this.

Again, I'm not discounting the importance of student unions and the input that students need to have the opportunity to give. Student voices need to be heard by the institutions, and their input needs to be taken seriously. However, due to the short notice and the lack of time given to consult with stakeholders, I'm sorry, but I cannot support this amendment.

Thank you, Madam Chair.

The Chair: The hon. minister.

Mr. Schmidt: Thank you, Madam Chair. I think it's important for all members to understand that this amendment is a technical amendment in that we're moving some of the policy decisions that our government made in response to the extensive stakeholder consultation that we've been undertaking for the past two years. We're moving some of those policy decisions from the regulation to the legislation. This amendment that's before us today doesn't reflect any change in the policy intent of our government with respect to mandatory noninstructional fees, how they're charged, and students' roles in approving those mandatory noninstructional fees. All of the stakeholders that the Member for Highwood mentioned have been consulted on this policy matter. Everybody understands that this is coming. The only thing that's changing is that what was in the regulation is now being proposed to be in the legislation.

The Member for Highwood says: what's changed in the past two weeks? Let me be quite clear that our policy intent has not changed in the past two weeks. However, it was only last Monday that the bill itself was tabled in the Legislature, and that was the first time that any of our stakeholders had the opportunity to see the bill as it was written, as it was proposed to the members of this Legislature, and to propose any changes.

With that, of course, we received some feedback from students. They wanted to see some of the policy that was intended for regulation moved into the legislation so that the accountability of the minister around how mandatory noninstructional fees were charged is open to the entire Legislative Assembly and not subject to the decisions that a cabinet would make. We agreed with students that that was the proper place to put this policy decision. You know, it's a testament to the way that this Legislature functions that we had draft legislation tabled, that our stakeholders indicated some ways that it could be improved, and that the government responded to those and brought forward those improvements, Madam Chair.

I'm pleased to support it. I encourage all members of this Assembly to support this amendment, knowing full well that all of our stakeholders have been adequately consulted on all of the policy decisions that we've made that are reflected in the legislation and the regulations and that this simply moves the responsibility for mandatory noninstructional fees and how they are governed to the Legislative Assembly and out of cabinet.

The Chair: The hon. Member for Drayton Valley-Devon.

Mr. Smith: Thank you, Madam Chair. I rise to speak to the amendment put forward here to Bill 19. As has already been brought forward in the Chamber today, it appears that this is broken down into two parts. If I understand it correctly, the first part says that

the board shall set an amount for the fee that is less than or equal to the cost incurred by the . . . post-secondary institution to

provide the goods or to deliver the services for which the fee is set.

It sets a mandatory noninstructional fee, and the board shall set an amount for that fee that is less than or equal to the cost incurred.

Madam Chair, I guess that in some ways that makes sense to me. I can understand and I actually can like the idea of taking something from regulation and putting it into legislation. But I guess I do come back to the question: who has actually been consulted when it comes to this amendment to this piece of legislation? We can see that it does keep an institution accountable, and that's a part of that equation. That's a fair thing to do, but I think it's also a fair question to ask: who has the minister consulted specifically? What institutions has he consulted, and what institutions have actually indicated their agreement to this amendment to the bill?

The second piece of this amendment speaks to the fact that they shall not introduce a new mandatory non-instructional fee unless the board has obtained written approval from each of the public post-secondary institution's students' councils.

Now, I can completely agree with the statements that have come before me here in this House, that student councils need the capacity to be involved in these processes, but that also means that in this particular case they're asking to be able to be allowed to approve. It's not just consultation; it's approval. I would be interested in hearing from the minister just who he has talked to as far as the major institutions, and have those institutions in this province actually agreed to the idea that students would actually have approval over the setting of these noninstructional fees? I would look forward to hearing the minister's response.

The Chair: Rimbey-Rocky Mountain House-Sundre.

Mr. Nixon: Well, thank you, Madam Chair. Thank you to the hon. Member for Drayton Valley-Devon for his comments. I do hope the minister takes a moment shortly to answer some of those questions. My immediate concern, though, with this amendment is – I have a question to the minister with my concern. He's brought a piece of legislation to this Assembly. This House has not been sitting for several months. I assume the minister knew that this was a bill that he wanted to bring to this House to pass during the fall sitting of the Legislature, a bill that, by the looks of it, is going to have broad support, so that's good. But he now has to amend his own bill. That's great if he's caught something. As I've pointed out before, often this government gets it wrong and has to wait six, seven months and come back again and fix it. So maybe, to their credit, they're actually catching something in advance.

3:30

I guess my question through you to the minister is: what happened? Why do you have to amend your own bill? Did this get missed? What was the thought process? Similar to the hon. Member for Drayton Valley-Devon's questions, have you consulted with student associations on this change adequately, to the same level as you did with the bill with the universities, et cetera? Maybe the minister will take some time to answer that as he asks for support for his amendment to his own bill.

The Chair: The hon. minister.

Mr. Schmidt: Well, thank you, Madam Chair. I want to address, first of all, some of the questions from the Member for Drayton Valley-Devon. I'm disappointed that he made it an open-ended question, not a multiple-choice question, as he asked the Minister of Education earlier today, because usually the right answer for those kinds of things is (c). This way I have to show my work, and that makes it harder to get a good mark.

In his question, of course, he asked which universities we consulted on this policy matter that we're bringing forward. I just want to remind all members of this Assembly that this amendment doesn't reflect any change to the policy decisions that our government has made around how mandatory noninstructional fees are charged and the student association's role in granting approval to those mandatory noninstructional fees being imposed upon them. In conducting consultations with all of the universities and colleges across the province, they were fully aware that it was our intent to do this with mandatory noninstructional fees, and they understood that that was our intent, to allow student associations to have final say over whether or not those new mandatory noninstructional fees would be imposed.

To the Member for Drayton Valley-Devon: I can't tell you which ones agreed to this or not. Certainly, it's not the job of a government to receive unanimous consent from all of its stakeholders on any of the policy decisions that we make. However, I can tell the Member for Drayton Valley-Devon that we received broad support from all of the stakeholders in the postsecondary world for the policy decisions that we're making here with the legislation and the associated regulations.

Now with respect to the question brought forward by the Member for Rimbey-Rocky Mountain House-Sundre, why we are changing the bill now, Madam Chair, certainly, you know, I am nothing if not a humble and deeply reflective person, dedicated to continual improvement, and that is certainly the case with the legislation that I propose on behalf of the government with respect to this matter that we're discussing today. We certainly heard concerns from the member's own caucus around the processes around mandatory noninstructional fees and concerns that things would be hidden in the regulation that wouldn't be subject to the purview of the Legislative Assembly. I heard those concerns, and I took them into consideration. I actually acted on the wishes of that member's own caucus.

You know, I would hope that rather than gloating that the government has gotten it wrong again and here they go, they would just admit that our government listens when we bring forward legislation to this House. We take all ideas for improvement into consideration, and we act on the ones that actually improve the quality of the legislation, and that's what's reflected in the amendment today. I'm very pleased, as the Member for Rimbey-Rocky Mountain House-Sundre should be, that because of the work of all of the Members of this Legislative Assembly, this bill will be improved, and it will better serve Albertans, particularly those in the postsecondary world.

I hope that the members opposite will, you know, understand that their good work has not gone unnoticed by this government and that certainly we are very pleased to work together as a Legislative Assembly to present the best legislation possible for all Albertans and vote in favour of these amendments that we are proposing this afternoon.

The Chair: Bonnyville-Cold Lake.

Mr. Cyr: Thank you, and thank you for that answer, Minister. I just have a quick question regarding this amendment. Are we going to start seeing schools shifting – and I apologize – the mandatory noninstructional fees into mandatory instructional fees inappropriately because of this amendment, sir?

The Chair: The hon. minister.

Mr. Schmidt: Thank you, Madam Chair. I'd ask the Member for Bonnyville-Cold Lake to restate his question. I'm not quite sure what he's asking.

Mr. Cyr: I apologize. I understood that my question was a little unclear. Right now I understand that noninstructional fees are going to need to be, more or less – if there are new ones added, the student body needs to accept those new fees. Is there anything in the legislation that prevents the school from deeming those mandatory instructional fees when they're actually noninstructional fees? What if they misclassify, sir? That is what I'm asking. Is there something there that prevents them from doing that? I don't know how else to put that delicately.

Mr. Schmidt: Thank you, Madam Chair, and thank you to the Member for Bonnyville-Cold Lake for the question. Certainly, tuition is defined as the instructional fees that students are charged. Tuition increases, of course, are subject to the cap on the increase that's proposed in the legislation. Mandatory noninstructional fees are related to goods or services that are provided to students on campus that aren't related directly to the cost of instruction at a university or college.

The Member for Bonnyville-Cold Lake certainly raises a concern that we heard from student groups all across the province. What's to prevent a university or college from calling something a mandatory noninstructional fee that is actually being used to support instruction in the classroom or some other unknown project or initiative undertaken by the university or college? Certainly, we have cases across the province where it's not clear where the money collected through a mandatory noninstructional fee is being spent.

That's what's required by this legislation. The university or college has to be completely open and transparent about the good or the service that will be provided by the fee that is charged and be accountable to students as well as the government as to where that money is being spent. We will all hold them accountable to make sure that those fees that are collected are spent on what they were intended for.

I hope that answers the member's question. I'm happy to take any further questions if he has any need for follow-up or clarification.

The Chair: Calgary-Hays.

Mr. McIver: Thank you, Madam Chair. I appreciate that. I was hoping that I could inspire the minister to get on his feet one more time. I've just got a couple of questions if the minister doesn't mind.

I'm looking at section (5). It seems to me to be clear that that just means you can't charge a fee higher than what you actually need to pay for what's going on. That actually makes sense to me.

Section (6). The word is not in there, but it occurs to me that this is giving a veto on noninstructional fees to student councils. I want to know whether the minister agrees with that. Without regard for what his answer is on that, about the veto, is there anything to stop the postsecondary institutions, once the students have a veto on the noninstructional fees, from creating a university renewal fee or just putting other words on a new fee?

Those are my questions, and if the minister would be so kind as to try and answer that, I'd be grateful.

3:40

Mr. Schmidt: Thank you, Madam Chair. The Member for Calgary-Hays can rest assured that he will always inspire me to get to my feet. I'm happy to answer these questions in particular.

The first question that the Member for Calgary-Hays asked was related to the veto that students would have. Certainly, that has always been our policy intent, to give student councils a veto on the fees that they are charged. That hasn't been the case in the past. This is a significant entrenchment of student power on campus, and certainly students will now have a significant voice in determining what the cost of their education is.

The other question, though, that he asked is: is there a loophole that a university or a college can use to circumvent the student veto process? It's our understanding that, no, there is not. A university can charge students either a tuition or a mandatory noninstructional fee. There is no other fee that we are entertaining here that can be charged to students, so we don't anticipate any loopholes that would circumvent a student's ability to say yes or no to the new mandatory noninstructional fees.

The Chair: Bonnyville-Cold Lake.

Mr. Cyr: Thank you. If the government of Alberta or a minister makes a request or a demand of a university to create a mandatory noninstructional fee, is there a way for that university to be able to implement that through this current policy or through this new amendment?

The Chair: The hon. minister.

Mr. Schmidt: Thank you, Madam Chair. We don't as the Ministry of Advanced Education have the power to demand that a university or college implement a new fee. It's entirely up to the board of governors of each institution to decide what their tuition and fees are. Certainly, it's not within the ministry's power to request or impose a new fee or tuition charge on students. In fact, that's not our intent. Our intent is to make sure that students have a full and complete understanding of the fees that they're being charged and a yes or no say as to whether or not that's fair and should be part of the fees that they're charged.

The Chair: Any other speakers to the amendment? Drayton Valley-Devon.

Mr. Smith: Thank you, Madam Chair. I guess the question that I would have for the minister, with his indulgence. These mandatory noninstructional fees have in the past been set by boards. It looks like now they will be set by student associations. Does this mean that now student councils and student associations would be able to roll back fees that have already been set?

Mr. Schmidt: Thank you, Madam Chair. No. Students won't be able to retroactively roll back fees. However, it is our intent to work with institutions to provide more clarity around the mandatory noninstructional fees that universities or colleges charge to student associations. It's certainly our intent, once the Alberta tuition and fees framework is released, to work with the institutions to make sure that they communicate clearly to students what the fees are being charged for.

Certainly, the Member for Edmonton-South West raised the issue of a hallway fee that is charged to University of Alberta students. Our intent is to make sure that University of Alberta students, as with all students, have a clear understanding of where their fees are being spent so that they're better able to hold their institutions accountable for the fees that they pay.

The Chair: Any other speakers to the amendment?
Are you ready for the question?

[Motion on amendment A1 carried]

The Chair: We're back on the main bill. Are there any further questions, comments, or amendments with respect to this bill? The hon. Member for Innisfail-Sylvan Lake.

Mr. Dreesen: Thank you, Madam Chair. I'm pleased to rise in my very first Committee of the Whole and speak on Bill 19, An Act to

Improve the Affordability and Accessibility of Post-secondary Education. I would like to take a moment to acknowledge the work that this government has done with this legislation. The tuition review started back in 2016, and the government took time to consult with stakeholders and listened to those that would be affected most by postsecondary legislation. During this consultation I am sure that they had heard from many different groups that offered their feedback on postsecondary matters. As a result, student groups are supportive of this legislation, and I am happy that the government was able to listen to their concerns and introduce Bill 19.

The main piece of Bill 19 that student groups are happy about is the cap on tuition. If the legislation passes, tuition will be capped at the rate of Alberta's consumer price index, meaning that one-year tuition hikes couldn't go higher than the rate of inflation. This is good news for Alberta's postsecondary students, and I think most members of this Assembly can be supportive of it. No student wants to be facing a massive increase to the cost of their education partway through their studies. Students need to plan accordingly and plan their finances according to their tuition. This is nearly impossible for students to do if they don't know what they're going to be paying in tuition fees. We have to understand that oftentimes tuition is going to be the biggest expense for students who are attending postsecondary studies. These same students are often working two or three jobs just to cover the cost of tuition. We have to respond accordingly, and I think Bill 19 does a good job capping tuition at inflation.

I'm also pleased that Bill 19 includes increased representation for students on boards of governors. Student groups have been asking for this, and it is great to see that the government listened to student groups in Alberta and implemented this change. Of course, some institutions already have two student representatives; however, this standardizes it across all postsecondary institutions. This gives students more access to board decisions and the governance of institutions. The board of governors of a postsecondary institution can control things such as noninstructional fees, international student tuition, and domestic student tuition. Giving students additional representation allows for students to have greater input into these matters of the institution. Oftentimes they are the ones that are going to be affected most by a board decision, so it is vital that students have sufficient input into these matters. I believe that Bill 19 achieves that.

Madam Chair, I do have some minor concerns with the legislation that I would like to discuss. First, as my colleague from Highwood mentioned, there are some parts of the legislation that deal with collaboration between different institutions. The way that I read the legislation is that polytechnic institutions and undergraduate universities must collaborate to provide regional access to programs. Now, this is a good initiative. However, my concern is with our comprehensive academic and research institutions and that there isn't the requirement in the legislation that they must collaborate to provide regional access to their programs. I'm sure the legislation was written like that for a purpose, but I am not sure if it is better if all postsecondary institutions are just treated the same way in the same regard. All publicly funded postsecondary institutions receive government funds, so shouldn't they all be treated the same?

Another concern I have is that this legislation gives the minister the authority to have comprehensive community colleges become either polytechnic institutions or undergraduate universities. This concern was also brought up by the Member for Highwood. I'm wondering why the legislation doesn't create a mechanism to transition all institutions to different sectors of universities. What if an undergraduate university wanted to become a comprehensive

academic and research institution? Is there a way that this can be done? With this mechanism in place will there be significant increases to the number of polytechnic institutions and undergraduate universities, and if so, what does this mean for the government funding these institutions? Of course, in this legislation the minister has the authority to initiate this, but can we trust the minister to get it right?

I also wish to push the Minister of Advanced Education – push in a metaphorical sense – to make sure that he makes public the results of their consultations with stakeholders over the last few years. The reality is that this government has given us lots of reasons not to trust them. From Bill 6 to the increase in red tape to the carbon tax to the minimum wage changes that have cut meaningful hours at work, this government has done much that has not benefited Albertans. As the Official Opposition we have to hold the government to account and ensure that this legislation is in the best interests of Albertans. Stakeholders have reacted positively to this bill publicly; however, we can be certain that this is the case by having the minister release the results of the consultations so that we all know what the stakeholders contributed. Why else would the government try to hide by not releasing this consultation? To use another schooling analogy, I think all we're asking is to prove their proof.

3:50

Madam Chair, another point I can raise with this bill is the amount of power that the minister and cabinet have over postsecondary learning in Alberta. The reality is that the minister could handicap postsecondary institutions and make it really difficult to raise money. Postsecondary institutions are in competition with institutions across Canada to attract students, recruit the best instructors, and acquire research dollars. If postsecondary institutions are not able to raise money, the services they can provide for students go down, which means that fewer students are willing to attend. Furthermore, the quality of education goes down when institutions cannot raise money. As said, institutions need to provide the best education possible for students, and they cannot do that when they have no money to spend.

Of course, this is all hypothetical as the regulations that would govern noninstructional fees and international student tuition have yet to be brought forward, and they won't be brought forward until this bill actually gets passed.

Regarding the regulations, I believe that some of the regulations the minister has talked about publicly could see positive results for Alberta students. As an Alberta MLA I would want to ensure that Alberta has the best postsecondary institutions possible. Alberta has always been a place of opportunity and prosperity, and our institutions should reflect that. Our colleges and universities should be the envy of Canada and attract people from around the world. The regulations need to reflect this and give both institutions and students the opportunity to succeed.

Now, Madam Chair, although there are some concerns with Bill 19, I think overall we are looking at a good piece of legislation. Student groups are pleased with the legislation, and I'm happy that this government worked with them to achieve this. If only they could listen to stakeholders this well on other pieces of legislation that they have brought forward. I call on this government to continue to listen to stakeholders for the next few months in all of the legislation that they do bring forward, that they may actually be able to avoid some previous missteps of the past.

Now, on the regulations I believe that the minister is on the right track with what he said publicly, for the most part. The minister has said that he wants to give international students predictability in their tuition by giving them the entire cost of their degree up front.

This would allow international students to plan better financially as they will have all the information that they require. This may have an added benefit of increasing the number of international students our postsecondary institutions may actually be able to attract, as it will show that we are supportive of international students.

Another regulation the minister has spoken of is to give transparency to noninstructional fees. This means that any fee that a student is having to pay on top of their tuition will include a breakdown and justification for that fee. No student likes paying additional money towards mandatory fees, and if the minister is able to create regulations that give students transparency regarding the fees that they're paying, that would be very beneficial, and I would be highly supportive of it.

Again, it is important that we hold the minister to account so that these good regulations become a reality. However, as I have said before, the most important thing that we can do for postsecondary students is have economic opportunities here for them. We need to get Alberta working again, and students have to have the confidence that there will be jobs for them when they graduate. Unfortunately, too many decisions by this current government have eroded opportunities in Alberta. I'm concerned that too many Albertans are having to leave our great province because they are unable to find jobs.

We need to get good value for our money and ensure that students that we are supporting through universities have the opportunities needed to succeed here in Alberta. So let's bring back the Alberta advantage and bring back the prosperity that we once had in this province. We can do this by cutting taxes, reducing red tape, and bringing back investor confidence to Alberta. If we are able to create this once again in Alberta, jobs will be there for our university students when they graduate. I believe that this is the most important thing that we can do as legislators, to bring jobs back to Alberta.

Madam Chair, in closing, with the exception of a few specifics in the legislation, which I questioned earlier, I believe that Bill 19 will have a positive impact on university students and will be beneficial to Albertans. I look forward to holding the Minister of Advanced Education to account during this privileged time in this Assembly and with the implementation of regulations, to ensure that they respect both the needs of students and the postsecondary institutions. I also commend the government for actually listening to stakeholders this time and producing legislation that is good for Alberta students and good for Alberta.

Thank you, Madam Chair.

The Chair: Any other speakers to the bill? Grande Prairie-Smoky.

Mr. Loewen: Thank you very much, Madam Chair. I just wanted to ask a few questions, if I could, of the minister quickly here. I just wanted to see if he could explain kind of what this bill does as far as the power of students to set administrative fees.

Mr. Schmidt: I just want to respond to the Member for Grande Prairie-Smoky by asking a question of clarification. When he's referring to administrative fees, is he referring to mandatory noninstructional fees or which? Can you clarify what you mean by administrative fees, please?

Mr. Loewen: I guess the fees that would normally have been set by the colleges and stuff like that, but noninstructional fees in particular. Yeah.

Mr. Schmidt: Thank you, Madam Chair, with respect to mandatory noninstructional fees, any new fees that a university or college is considering have to be submitted for the approval of the students'

council at that institution and, of course, cannot be approved unless the students' council has said that it grants approval to that mandatory noninstructional fee, a significant increase in the power of student councils over the cost of students' education.

Mr. Loewen: I just want some clarification on that. You said new fees. Does that include an increase of existing fees, too, or just new fees?

Mr. Schmidt: Thank you, Madam Chair. The member raises an important question. Certainly, if the cost of providing that good or service increases over time, which most goods and services do, the institution doesn't have to go back to the students every year to ask for an increase in the fee. However, if the university or college wants to change the definition, change the basket of goods or services that are being paid for by the fee, then they need to go back to the students, explain what additional goods or services they want paid for and what the fee will be, and request students' approval for the additional good or service that would be covered under that fee.

Mr. Loewen: Thank you very much, Minister. That clarifies that. Of course, the bill is one thing, but regulations and guidelines are an important part of something like this. When will the regulations and guidelines be finished for this bill?

The Chair: The hon. minister.

Mr. Schmidt: Well, thank you, Madam Chair. Of course, our intent is to introduce the regulations associated with this legislation once the bill has received royal assent.

Mr. Loewen: Thank you very much, Minister. For the process of consulting I just want to know the balance of the consulting as far as how much was with students and how much was with the colleges and universities themselves.

The Chair: The hon. minister.

Mr. Schmidt: Well, thank you, Madam Chair. Of course, we've had formal consultations and informal meetings with every student association in the province, every university and college in the province. We've had members of faculty associations and nonacademic staff associations as well give us their input on the bill that's being considered here today. Our consultation with stakeholders has been extensive, and I'm satisfied that everyone has had their chance to give us their input on the tuition and fees framework that we're considering under this legislation.

Mr. Loewen: Thank you, Minister. I think one thing that concerns a lot of colleges and universities is autonomy, being able to make their own decisions. Is there anything in this bill – or what in this bill takes away the decision-making process or opportunity for colleges and universities and brings it to government rather than within the college or university?

The Chair: The hon. minister.

4:00

Mr. Schmidt: Well, thank you, Madam Chair. The member highlights an important policy decision that was made by the previous Conservative government to entirely remove from the legislation the formula for charging tuition and to turn over the charging of tuition and fees entirely to the universities and colleges, and that put us in the awkward position of having some of the highest tuition and fees charged to students in the entire country. So I will freely admit that we are taking away some of the universities'

and colleges' autonomy, but we are strengthening the power of students on campus to have a say in the cost of their education, and we are making sure that the public is satisfied that every student in this province will be able to afford to go to university or college regardless of the size of their pocketbook or their financial circumstances.

This is being done in the interest of promoting affordability of postsecondary education, an issue that the previous Conservative government didn't address. They certainly let tuition, like I said, skyrocket to be the highest in the country. Our government, of course, is concerned about affordability, especially affordability of higher education, and that's why we are taking this step to cap tuition increases and put tight controls around the introduction of new mandatory noninstructional fees, to give students more power over the cost of their education and to ensure that Albertans in every financial circumstance can afford to go to university or college.

The Chair: Any other speakers to the bill? Drayton Valley-Devon.

Mr. Smith: Thank you, Madam Chair. I rise today to deal with Bill 19. I think that our students in the province of Alberta have paid an annual tuition fee of somewhere around \$5,744. It's about a thousand dollars less than the national average for tuition, and we know that the government in 2015 put a tuition freeze at the 2014-2015 levels. They did a review in 2016. They appointed a panel, an advisory group of 20 people, to look into producing a more predictable system for fees and services and tuition fees, and this bill is the result of that consultation.

We've stated before, Madam Chair, that we thought we would support the government in the consultation that they've done on this. They've brought student groups to the table, and they've talked with major stakeholders, and we would suggest that much of this bill we can probably support.

Bill 19 will legislate an inflation-based cap on the increases to domestic student and apprenticeship tuition based on the annual change in Alberta's consumer price index, starting at around 2020-2021.

Now, I guess one of the concerns – and it's not really so much a concern – is a concern that I would apply to every bill that comes before this House. You know, as in most bills this bill tends to give the minister the power to regulate noninstructional fees, international student tuition, and the use of regulatory powers. The minister's office has indicated that the regulations will push noninstructional fees to have more transparency – I think we've had some discussion about that today – and that it will have international student tuition far more predictable, which is a good thing for those people that are coming into our education system from outside the country.

Madam Chair, at the end of the day, because we pass legislation first and then we go to regulations, I would just caution the minister to use his judgment wisely when producing those regulations to ensure that he lives up to the standard of Albertans as they trust the judgment of the minister in making those regulations and that he applies prudence and wisdom in bringing those forward.

Bill 19 also changes the student representation on the board of governors, having two student representatives at all institutions and three if the school has a graduate program, again providing students with more input into their education and into the decisions that are being made surrounding that, and we can support that change.

Madam Chair, as for the inflation-capped tuition, it will provide more certainty for students. I think that over the past three years as I've met with some of the student groups that have come through and lobbied our party and the various parties in this Legislature – you know, they're bright, they're articulate, they've made solid

points to all of us. I think that we see some of those points reflected in this piece of legislation, so it's good to see the government finally listening to Albertans on issues that are obviously important to them.

Revising the tuition framework I believe will give students some of that predictability on what they will be paying in tuition. Having gone through that stage of life and having seen my kids, for the most part, almost get through that stage of life except for perhaps some of the bills that dad will be picking up, you know, we can see that many of our students entering these institutions often have very limited incomes, and they have little room for surprises and extra expenses that show up in their lives. So predictability is a very important thing. Many of them are living close to the edge as far as their finances are concerned, so anything we can do to provide certainty for our students is a good thing. I understand the need for a tuition framework and for predictability for students in our postsecondary institutions.

I believe our students work hard to try and work their way through university and postsecondary education. I happened to be eating at a local institution here last night and was served by a young lady that's in her fifth year of university. You know, it just served as a reminder to me of how many hours these students can put in after their education during the day and often will have to go back and open the books after they've put in a four- or five- or six-hour shift in the evening. So bringing predictability to that kind of a situation is good.

Now, I understand that the NDP government has had a continuous freeze on tuition since 2015 and that this new tuition framework will cap tuition increases to the CPI, but that's not going to start until the 2020-2021 school year. The minister has indicated that the tuition freeze will be extended to 2019-2020. So, I guess, just a real quick question arises for me. Knowing that the new framework for tuition will be passed as it stands in Bill 19, is the minister prepared to fund the rate of inflation for the 2019-2020 year? How are you going to deal with that capped year that's in there?

Mr. Schmidt: Thank you to the Member for Drayton Valley-Devon for his question. Yes, we do intend to provide funding for universities and colleges while the tuition freeze remains in place. More details about that will be brought forward when we present our budget in the spring.

The Chair: *Chestermere-Rocky View.*

Mrs. Aheer: Thank you very much, Madam Chair, and thank you for the opportunity to speak on this bill. It's interesting reading about all of this. Just to give you some background, when I was in university in 1989, it was \$500 a semester. It went up to \$750 a semester while I was in school, and that was a huge increase at that time. I remember how much my meal plan was and all that. I was actually at that time working four jobs, and I didn't end up finishing that particular degree and ended up going into a music degree.

A music degree is one of those degrees in the arts that holds a lot of extra pieces that come along with it. If you're learning orchestra, you have to pay for an instrument, you have to pay for music, you have to pay for a music stand. You have to pay for a lot of different things, whether that's access to music rooms. If we were doing any sorts of larger pieces like oratorio, if you were in an opera background, as I was, you had to pay for all your musicians to come in and play for you for your recitals. It was actually a requirement of making sure that you were able to work with that level of group of people at that level of performance. I ended up actually going to Winnipeg to finish my music degree because I followed an amazing voice teacher that went out that way.

4:10

It was a long time ago, but it wasn't that long ago. I remember what it was like and the struggles that were there, being a young person, working all the time. Plus, again, in my music degree you're usually in around nine courses at any given time, which includes performances as well as master classes and other classes that are theory and whatnot. It's a big degree. My point is that what I learned and the resilience that I built at that time in my life, going to school at that time, are lessons that I think to this day have created an ability to work hard. I think that's what so many of us gain in university, that ability for that resilience, that immense strength that you garner when you're doing so many things at once and you know you can if you're encouraged to do so. These are amazing, amazing strengths that come out of a time that also produces a great amount of stress and for some of us a lot of debt that we take on as a result of going to school.

Also, you gain some of the best relationships and things in your life that actually push you forward in your life. For me I met my husband in university when I was 19, and when I was in Winnipeg, had a baby while I was in school. My little boy, when he was born in Winnipeg, was at 40 concerts before he was four months old. I'm sure that's why he is the amazing tenor that he is now. I have to say, having raised him in that area, as hard as it was – and I have interesting stories of leaving him in a viola case with my girlfriend while she played for him when I went up to my lessons. I'm sure she very much appreciated the baby puke that ended up in that viola case while I was away at my lesson. However, wonderful, wonderful pieces of my own personal history and my education. I'm sure none of us forgets too quickly the ramen noodles and macaroni and the incredible things that you're able to do with macaroni when you're on a very, very tight budget. I will never forget that.

Along with all of that, you know, the tuition piece is such a huge struggle for so many students, and I know that some of the youth in my constituency have felt the pinch waiting for their student loans. You know, they're trying to wait for a stretch of summer to be able to work as hard as they can and try and pay down some of their loans. A lot of these young kids are working just as hard. They're out there. They're putting themselves out there into jobs. A lot of them are involved in politics and door-knocking. I mean, for all of us who are here, we know how much youth are involved in the things that we're also doing at a political level, plus they're going to school, plus they're paying for their tuition. They're an incredible group of people, and I think we need to recognize how resilient and how amazing this group of people are.

I completely empathize with the students at the U of A who protested. Watching that whole thing happen, I would like to add my voice to the students of the U of A. I'm very proud that they stood up for themselves. It's especially not easy being the focus and at the centre of all of that. There are a lot of complications that go along with funding schools and funding universities and all of that. However, I'm very, very happy that they felt strong enough to stand up. We are always saying in this House that Albertans have a strong voice and that it matters to us and that we listen. I'm glad that they did that. I'm very grateful that the government listened to these students and that we're at this point here where we're able to debate a piece of legislation. I think the credit goes to the students and their strength and their ability to come forward and stand up on their own behalf.

An extra couple of hundred dollars a year, Madam Chair, makes a humongous difference in the life of a student. You know, this could mean the difference between staying in school and actually dropping out. We know that that money has to come from

somewhere, and the government does not subsidize international fees or residence fees. Students understand this. I think that part of the problem is always going to be that when situations come, when tuitions need to rise, quite often this has been dumped on students overnight. There's been absolutely no time to plan for that, right? I think that under normal circumstances there are some students and some people who understand that those fees are going to rise. You know, it happens, but what ends up ultimately happening every time is that the students are not made aware of these changes in tuition, and they are just left stranded, trying to figure out how they're going to make that happen. This is a big concern, and that cap on tuition is going to be a huge game changer in terms of stability as to how much a student is going to pay. The adjustment, you know, protects the bottom line of the business of university as well.

Part of the issue that we've seen on the campuses, like at the U of A, in terms of conflict between students and the board of governance comes from a lack of understanding, too, in that conversation. That conversation was very, very difficult for them to have because the communication lines were not open. There was an inherent power dynamic. That is concerning things where the interactions of the students are not being held up by the board of directors. If that voice at the table is not being heard, then it's going to lead to protests and causes, which ends up with these sorts of issues where students feel that they're not being listened to and that their inherent ability to be able to go to school is being attacked.

I also appreciate in this legislation that it increases the student representation on the board of governors at the institutions from two to three of the school's graduate program. That's actually a really crucial first step in empowering a student to have their voice heard. So thank you for doing that and for mending some of the fences between institutions where this has been an issue in the past.

This bill also provides some much-needed predictability for students financially, as I had mentioned, because you've legislated the inflation-based cap.

I also wanted to mention that there are many international students. So many of them have been sent overseas to this beautiful province of ours and to this beautiful country of ours to receive this incredible education and, especially, to participate in Canada, in Alberta and what we offer here as a country and as a province. While many of them are able to pay for school, there are equal numbers of international students that really struggle – they really do – even just to get by in their own domestic colleges, let alone with the privilege of being able to come to such a wonderful place like Alberta.

The students are facing additional barriers, and on top of that, they're away from their support systems. They may not speak our language well, you know, at least to a level that makes them comfortable to be able to go out and participate in life, which, of course, creates isolation, too, and depression and other things. We're noticing large, large increases in anxiety and depression amongst our university students as well, and isolation is a large part of that. Students are valued members in our society, and they enrich our country so much, too.

My point is that these are not people who should have their tuition just unceremoniously hiked. Like, let's give them at least the opportunity to know what that's going to look like and to have an overall picture of exactly what it is that they're going to pay. We have families that are overseas that are saving up for a lifetime to have their children leave their countries to be able to come to other countries and have their education here. I think it's absolutely imperative that those international students know exactly what they're getting into, exactly what they're paying for so that at the very, very least we're giving them all the tools to be as successful

as possible when their families have worked as hard as they have to bring them to this country.

I just wanted to say again: thank you to the government for listening to students. I know the students had to fight really hard to get to this point, and I'm very grateful that they did do that.

Thank you again so much for the opportunity to speak about this.

The Chair: Rimbey-Rocky Mountain House-Sundre.

Mr. Nixon: Thank you, Madam Chair. I just want to rise on the record really briefly. The minister in his comments seemed to indicate that Alberta has the highest tuition fees in the country. You know, some of our members have already talked about tuition being a tough thing to do. We want to make sure that students going into postsecondary are able to afford it. I just think, for the record, that it's important to point out that Alberta students already pay below the national average for tuition, with the average Alberta student paying \$5,744 annually compared to \$6,838 nationally, which is a little different than what the minister indicated.

With that said, I suspect my colleagues on this side of the House are prepared to vote this out of committee.

4:20

The Chair: Any further questions, comments, or amendments with respect to this bill?

Seeing none, are you ready for the question?

[The remaining clauses of Bill 19 agreed to]

[Title and preamble agreed to]

The Chair: Shall the bill be reported? Are you agreed?

Hon. Members: Agreed.

The Chair: Opposed? That's carried.

Bill 21

An Act to Protect Patients

The Chair: Are there any questions, comments, or amendments with respect to this bill? Fort McMurray-Wood Buffalo.

Mr. Yao: Thank you so much, Madam Chair. It's an honour and a privilege to be here. Regarding Bill 21, I'd like to start things off by moving an amendment, and I have the requisite number of copies here. Would you like me to wait for you to receive the amendment?

Madam Chair, Alberta's United Conservatives supported last week's motion for a lifetime ban if a health professional's licence was cancelled due to sexual abuse or misconduct involving a patient. We were surprised that this NDP government rejected that based solely on the fact that it mirrors Ontario's legislation. That is why, even though we would prefer a lifetime ban, we're bringing forward this amendment to extend the ban on reinstatement to 40 years.

Madam Chair, patients put great trust in health professionals. They depend on them for expertise in dealing with critical personal issues, and for that reason patients are in a very vulnerable position when they seek treatment for their physical and mental health. If in the course of treatment a health professional takes advantage of their position of trust to sexually abuse their patient, they are committing an unconscionable breach of trust.

The United Conservative Party strongly believes as legislators in ensuring that health practitioners who have had their licences cancelled because they preyed on patients face sanctions reflective of Albertans' expectations. How can we tell Albertans that we are

protecting them from predatory practitioners, who have been sanctioned by having their licences pulled, when just after five years they can walk back into the college with their application to practise again? That is why I, as the United Conservative Party's Health critic, am introducing this amendment. If approved, this amendment will prohibit a health professional who has had their licence and registration cancelled due to sexual abuse and misconduct from applying for reinstatement for 40 years.

Bill 21 is called An Act to Protect Patients. Let us provide, here in this Legislature, patients with a strong tool that we have available to us, and that's our ability to craft common-sense, responsible laws. Albertans expect nothing less, nor should they.

With this amendment I am moving that Bill 21, An Act to Protect Patients, be amended in section 7(b) in the proposed section 45 as follows: in subsection (3) by striking out "until at least 5 years" and substituting "until at least 40 years" and in subsection (4) by striking out "until at least 5 years" and substituting "until at least 40 years."

Thank you, Madam Chair.

The Chair: Speakers to the amendment? The hon. Minister of Health.

Ms Hoffman: Thank you very much, Madam Chair and to the member for engaging in this important debate with regard to all Albertans accessing health care free of intimidation, harassment, or assault. I appreciate that upon this occasion he and his colleagues in his caucus appear to be participating in this important legislation around protecting and supporting individuals as well as all Albertans who are accessing this service.

I have to say that I appreciate that I believe the intent is around ensuring that Albertans are protected, and certainly I believe that the legislation that we brought forward is incredibly – I believe that it's strict and that it's fair.

I just want to clarify one of the points that was raised by the member opposite. An individual who has had their licence taken away in no way has the ability to walk back in after five years and demand to practise. They have the ability, once their licence has been revoked for that period, to apply for consideration, and that is in no way a guarantee that they will get their licence back after five years. If there are concerns, certainly the tribunal will take that into consideration. Should the tribunal determine, when an individual has applied, whether it's at the five-year mark or any point thereafter, that the individual has not presented a case that gives them the confidence that they should reinstate their licence, they won't be able to apply again for at least six months, and the pattern therefore continues after that.

I just want to clarify that the minimum is five years that we've written into here, not a guarantee that at five years anyone would get their licence back. There still would be the full tribunal process and application process, Madam Chair.

But it is very important to our entire caucus that Albertans have the confidence that their health professional is there to serve them and to do so in a safe, transparent, and ethical way.

I just, lastly, want to reiterate that our legislation has the strictest sanctions in Canada. It parallels what Ontario has. To clarify, no other jurisdiction has gone this far yet. I imagine that many probably will. I hope that they certainly do. I believe that the five-year minimum is strict and fair, Madam Chair.

That being said, again, I just want to recommit that we did consult with survivor organizations, including the Alberta sexual assault centres, and they were supportive of the legislation that we proposed. We're really glad to be standing with them and with

survivors to ensure that everyone can have the confidence that health practitioners are being dealt with in a strict and fair way.

That being said, that's why I will be opposing the amendment as presented by the hon. member. Thank you.

The Chair: Any other speakers to the amendment?

Seeing none, I'll call the question.

[The voice vote indicated that the motion on amendment A2 lost]

[Several members rose calling for a division. The division bell was rung at 4:27 p.m.]

[Fifteen minutes having elapsed, the committee divided]

[Ms Jabbour in the chair]

For the motion:

Aheer	Hunter	Schneider
Barnes	Loewen	Smith
Cyr	McIver	Stier
Drysdale	McPherson	Strankman
Ellis	Nixon	van Dijken
Fildebrandt	Orr	Yao
Goodridge	Pitt	

Against the motion:

Anderson, S.	Gray	Payne
Babcock	Hinkley	Phillips
Bilous	Hoffman	Piquette
Carlier	Horne	Renaud
Carson	Jansen	Rosendahl
Ceci	Kazim	Sabir
Coolahan	Kleinsteuber	Schmidt
Cortes-Vargas	Littlewood	Sucha
Drever	Loyola	Swann
Eggen	McCuaig-Boyd	Sweet
Feehan	McKitrick	Turner
Fitzpatrick	Miller	Westhead
Ganley	Nielsen	Woollard
Goehring		

Totals:	For – 20	Against – 40
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[Motion on amendment A2 lost]

The Chair: Back on the main bill, are there any further questions, comments, or amendments with respect to this bill? The hon. Member for Strathmore-Brooks.

Mr. Fildebrandt: Thank you, Madam Chair. To begin, I want to thank the Minister of Health, the Deputy Premier, for bringing forward Bill 21, An Act to Protect Patients. I think that overall it is a sorely needed bill, a long time coming, and very clearly has all-party support.

I'm disappointed about the last vote. I think that it was a common-sense amendment from the Member for Fort McMurray-Wood Buffalo to improve upon the bill, so I was disappointed that the government decided not to accept the amendment. Overall, it is still a strong bill that is very badly needed, and the government should be commended for it.

But even good legislation can be improved upon, which is why I'm going to be putting forward an amendment in a moment here. Actually, I'll just distribute it before I talk so people can follow along on their TV screens.

The Chair: This is amendment A3.

Go ahead, hon. member.

Mr. Fildebrandt: Thank you, Madam Chair. The amendment I've put forward here amends the bill (a) by striking out subsection (1.1) and substituting the following:

(1.1) When establishing a hearing tribunal where the subject-matter of a hearing relates to a complaint alleging sexual abuse or sexual misconduct towards a patient by a regulated member, the hearings director must make every reasonable effort to ensure that

- (a) if the patient identifies as male, at least one member of the hearing tribunal also identifies as male, and
- (b) if the patient identifies as female, at least one member of the hearing tribunal also identifies as female.

And (b) in subsection (1.2) by striking out "has the same gender identity as the patient under subsection (1.1)" and substituting "identifies as either male or female if necessary to fulfill the requirements of subsection (1.1)".

That is a long way of saying that we just want to clarify, if it's straightforward, that if there is a male who has been alleged to have had abuse or the complainant alleging abuse or misconduct or the doctor, if they are a biological male or a biological female, there will be a biological male or biological female on the tribunal. Also, if they identify as a different sex, if it's a biological male identifying as a female, then there will be a female, the gender they identify with, on the tribunal.

Now, this is something that needs to be clarified. I don't think it would have massive applicability in the vast majority of cases, but it needs to be clarified. New York City, for instance, if I'm not mistaken, recognizes up to 31 different gender identities and expressions, et cetera. Those of you who know me well enough: people can live their lives however they want. It should be none of the government's business how people live their lives, whom they love, or how they identify, but as it involves serious government decision-making and a tribunal of this nature dealing with serious sexual allegations, this is serious business of government, and we are forced to grapple with these issues in that case.

We should be as accommodating as possible so that if someone identifies as a man, we will have someone on the panel who identifies as a man, biologically or not. If someone identifies as a woman, we'll have a woman on the panel, biologically or not, however they identify. What I do want to do is ensure that we're not opening the Pandora's box, that if someone involved here happens to be one of the very, very many on the fluid list of the number of identities – 31 according to New York City; it may have grown – it would be quite unreasonable to expect the authorities responsible to go out and find someone that particularly specific and targeted. Maybe they can find someone, but then you would have that one person who is always on that panel because it might be so incredibly rare.

4:50

My worry is that with the current language of the legislation it is a Pandora's box, opening up the door for having to find a representative on the panel of one of 31 gender expressions or identities, et cetera, et cetera. This still allows for making sure that we have someone on the panel who is there who identifies with the same sex as the person in question. It's just to clarify. It's to make sense of this so that we are not going to be potentially wasting the time of public officials in finding this.

Now, I will note that the current language of the legislation says: "every reasonable effort." It is not requiring the government to find someone of a potentially extraordinarily small number to fit on the panel. It's not a requirement. That should be clarified. I'm sure that the Minister of Health will clarify it in a moment if I didn't. It says: "every reasonable effort." In legislation "every reasonable effort"

means it quite literally. It means they will go to quite extraordinary lengths to find someone.

Where is the boundary of "every reasonable effort"? Does it mean we're going to fly someone in from other provinces or even other countries? Perhaps the minister can clarify if that is the case. "Every reasonable effort": that is a very broad definition. When it's in legislation, public officials are well advised to follow it to the letter of the law so that they are not breaking the law, that they're not going to be held accountable for not living up to it. It would seem to me that unless there are very clear boundaries around what "every reasonable effort" means, we're potentially going to have to bring people in from other jurisdictions just to meet a quota on a panel. I would like that clarified, and I think that this amendment makes sure that we're clear about what we mean.

The Chair: The hon. minister.

Ms Hoffman: Thank you very much, and thank you to the member for the question. While we don't always agree on outcome, I think we do agree on process, that members deserve to and should engage in the process of trying to improve legislation wherever possible. I am happy to provide that clarity. It's actually in the next section of the bill, which is section 4(1.2).

For the purposes of ensuring that at least one member of the hearing tribunal has the same gender identity as the patient under subsection (1.1), the hearings director may select one member from the membership list established by another council under section 15 to be appointed as [an] additional public member.

For example, if we're talking about the College of Physicians & Surgeons, they first would go to their public members to see if somebody had the same gender identity as the person who had launched the complaint. If they didn't, they could go to any one of the other 26 health colleges that we have in Alberta, and they all have public members. I believe the colleges have approximately three or even more than three public members on each of those colleges, so there are approximately a hundred public members. I'm extrapolating my math a little, but I think there are at least three public members on each of those colleges. Within Alberta it's people who've already been appointed as public members on other health colleges, so that's how we tried to make sure that we had reasonable parameters around this to define reasonable effort.

I understand what the member is saying, wanting to ensure that we not slow due process. That's why we did put that parameter in, ensuring reasonable efforts, and then we go on to define that it's within the public members of other health colleges. That being said, I think that we've already taken the point that the member raises about timely response and fair process into consideration. Therefore, I wouldn't be supporting reverting to a binary on gender because I think that we have done a reasonable job of making sure that we defined reasonable efforts but also honouring that not everyone fits into a binary.

Thank you very much, Madam Chair.

The Chair: Any other members wishing to speak to the amendment?

Mr. Fildebrandt: A very quick clarification question I'd like from the minister following on a question I had. Would "every reasonable effort" include bringing in potential tribunal or panel members from outside of Alberta to meet that?

Ms Hoffman: No, because, again, 4(1.2) says:

For the purposes of ensuring that at least one member of the hearing tribunal has the same gender identity as the patient . . . membership list established by another council under section 15.

Section 15 is only Alberta health colleges, so it would have to be a public member who is already part of an Alberta health college within Alberta, and they would have to be appointed already as a public member.

The other reason why we did that is so that they have the training on how to conduct themselves at one of these tribunals. It wouldn't be weeks or even months of training because they're already working as public members on other colleges. Some colleges might have more gender diversity than others on their public appointees, so we wanted to enable the ability to have those public members from those other health colleges serve in this way. They would be within Alberta. They'd already be appointed to health colleges. The college of paramedics, for example, might have somebody that matches their gender identity, so it would be within that reasonable pool, and that's how we defined it. It's on page 3 of the bill as we proposed.

Thank you very much.

The Chair: Any other speakers to the amendment?

Seeing none, I'll call the question.

[Motion on amendment A3 lost]

The Chair: Any further questions, comments, or amendments with respect to Bill 21? The hon. Member for Calgary-Mountain View.

Dr. Swann: Thanks very much, Madam Chair. I have an amendment to put forward, and I'll circulate it before talking about it.

The Chair: Amendment A4.

Go ahead, hon. member.

Dr. Swann: Thanks very much, Madam Chair. This is an important bill, and I think it's challenging to get all the details on such a sensitive issue exactly the way we want them. I think that one of the issues that's been flagged by some of my medical colleagues and by others is the element in Bill 21, An Act to Protect Patients: section 2(b) is amended in the proposed section 1(1)(nn.1) by striking out "and that has caused or is likely to cause physical or psychological injury or harm to the patient". The reason for this is that for any unwanted sexual content or sexual misconduct, it should not be necessary to prove physical or psychological harm. Any such contact would cause physical or psychological harm. The lawyers tell me that the need to prove physical or psychological harm is a barrier to getting convictions and to getting accountability for those who would perpetrate sexual misconduct and sexual abuse.

This phrase, "that has caused or is likely to cause physical or psychological injury or harm to the patient," is problematic in the sense that it is sometimes difficult to prove even though there has clearly been psychological harm, even though there has in many cases been physical harm that may or may not be visible. I think this is a friendly amendment. I hope the government will take it.

In the other two sections there are simply changes to accommodate the striking out of this particular section, Madam Chair. I'm happy to hear further discussion from all sides on whether this is progress and helpful to the appropriate conviction of anyone who is perpetrating abuse or violence against a patient.

Thank you.

5:00

The Chair: The hon. minister.

Ms Hoffman: Yeah. Thank you very much, Madam Chair, and thank you to the member for catching amendments B and C as well as for highlighting this proposed amendment to section 2(b). I have to say that I researched where we pulled this definition from. It was

from our OH and S legislation. Of course, when you're talking about a patient-health care provider relationship, it doesn't make sense to have that kind of requirement in this legislation. That being said, I think this amendment would strengthen the legislation and correct the numbering challenges given this amendment. I will be supporting this and encourage my colleagues to consider doing the same.

Thank you.

An Hon. Member: All three sections?

Ms Hoffman: Yep. Supporting the amendment as proposed. Thank you.

The Chair: Any other speakers to the amendment?

Seeing none, I'll call the question.

[Motion on amendment A4 carried]

The Chair: Are there any further questions, comments, or amendments with respect to the bill? The hon. Member for Fort McMurray-Conklin.

Ms Goodridge: Thank you, Madam Chair. I'd like to move an amendment, and I have the requisite number of copies here.

The Chair: This will be known as amendment A5.

Go ahead, hon. member.

Ms Goodridge: Thank you. I propose the amendment: in clause (a) striking out "Subject to subsection (3), a person" and substituting "Subject to subsections (3) and (4.1), a person"; in clause (b), in the proposed section 45, adding after subsection (4):

(4.1) In addition to the limitations established under subsections (3) and (4), a person whose practice permit and registration are cancelled as a result of a decision under sections 82(1.1) or 96.2, based in whole or in part on a conviction of an offence under the Criminal Code (Canada), may not apply for the practice permit to be reissued and the registration to be reinstated until at least 5 years have elapsed from the date of the completion of the sentence imposed for that offence.

And then in subsection (5) striking out "subsection (3) or (4)" and substituting "subsections (3), (4) or (4.1)."

Madam Chair, as you've already heard this afternoon, the United Conservative Party does not believe that a ban of five years is long enough for serious sexual offenders, but the government has failed to act on our suggestions for improving this bill. I believe that this government, at the very least, will guarantee that the professionals cannot seek to return to their practices while they are still serving a criminal sentence for the very offences that caused them to lose their licence. Amazingly, this bill allows that. This amendment would prohibit them from applying for reinstatement if they are still on probation, parole, or any other court-ordered restriction. It will guarantee a longer ban for the most egregious of offenders.

I want to outline why I believe this is such an important fix. A health professional who commits a sexual crime against a young patient or a major sexual assault on an adult patient could be jailed for 14 years under the Criminal Code, but they could also be out on parole in five years. As this bill is written, as soon as they are released from jail, they could reapply for reinstatement of their licence. Clearly, that makes no sense. It should not even be contemplated. I believe that if Albertans knew this, they would be alarmed. Since the NDP has refused to agree to insert other robust protections into Bill 21, let's at very least fix this oversight. Since we as legislators can do it, why would we not do it?

Thank you so much, Madam Chair.

The Chair: Any other members wishing to speak to the amendment? The hon. minister.

Ms Hoffman: Yeah. Thank you very much, Madam Chair and to the member for the proposed amendment and for the consideration that, I understand from her remarks, she must have taken in drafting this. I just want to add one other thing around the five-year component, and that's that it's important to me that the legislation we bring forward obviously protects patients and ensures that we limit any risk that harm could be done to any future patient, but I also want to ensure that the legislation will withstand legal and constitutional challenges. I am trying to reflect, having just received this amendment, on what some of the concerns might be. I haven't had an opportunity, of course, to address this with legal counsel, so I'm not in a position to be able to say that I believe that this would withstand a constitutional or a legal challenge. That's point one.

Point two is that this certainly, if somebody was still on probation or if somebody was still incarcerated or serving some other kind of sentence, would be part of the consideration that the tribunal committee would take into consideration. I think it would be highly unlikely that if somebody was still serving a sentence, they would be deemed to have met the other criteria by which a health professional receives their practice permit. I would certainly welcome some of my colleagues who have practice permits as registered health professionals to extrapolate on that process if they so choose.

Without having an opportunity to question whether or not the legal and constitutional challenges would be met with this new amendment and knowing that that part of the tribunal process, when you apply to have it reinstated, includes having a criminal record check, I find it likely that it would probably, well, definitely have to surface during that criminal record check process. Therefore, the tribunal, I believe, would probably weigh on the side of not granting the reinstatement.

Again, not having had an opportunity to review this prior to seeing it just at this moment and not having an opportunity to discuss with legal counsel the implications of a legislative or a constitutional challenge, I have concerns that if we were to approve this, it would put us in a weaker position to protect patients. For that reason, at this point I am reluctantly voting against this proposed amendment. I really do want to ensure that we have strict and fair legislation and that we have protection for patients, and I would not want to see that stymied by constitutional challenges. So I think it's important that we reflect upon the intention of the amendment but respectfully vote it down at this point.

Thank you, Madam Chair.

The Chair: Any other speakers to the amendment? Olds-Didsbury-Three Hills.

Mr. Cooper: Thank you, Madam Chair. It's a pleasure to rise and speak to the amendment moved by my colleague. I just want to thank her for her work on this particular issue.

I know that a number of folks in our caucus have been diligent in trying to ensure that the victims are respected in this process. While I can appreciate the minister's comments about the need for more information, frankly I think it's worth having a constitutional challenge take place on an important issue like this with respect to making sure that the safety of patients is put first and all of the other very important issues that have been discussed here this evening.

But the other key point that the minister made was that at this time she recommended voting against such an important amendment, that would require the time served plus five more

years, as mentioned by my colleague. I just think that now would be a great time to take a pause on this particular piece of legislation and allow the minister to get that important legal information that she says that she would like to have so that she can support or not support an amendment like this, so at this time I would like to recommend that we move a motion to rise and report progress.

[The voice vote indicated that the motion that the committee rise and report progress lost]

[Several members rose calling for a division. The division bell was rung at 5:09 p.m.]

[One minute having elapsed, the committee divided]

[Ms Jabbour in the chair]

For the motion:

Aheer	Goodridge	Smith
Cooper	McIver	Stier
Cyr	McPherson	van Dijken
Drysdale	Nixon	Yao
Ellis		

Against the motion:

Anderson, S.	Goehring	Payne
Babcock	Gray	Phillips
Bilous	Hinkley	Piquette
Carlier	Hoffman	Renaud
Carson	Horne	Rosendahl
Ceci	Jansen	Sabir
Coolahan	Kazim	Schmidt
Dang	Kleinsteuber	Sucha
Drever	Littlewood	Swann
Eggen	McCuaig-Boyd	Turner
Feehan	McKitrick	Westhead
Fitzpatrick	Miller	Woollard
Ganley	Nielsen	

Totals:	For – 13	Against – 38
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[Motion that the committee rise and report progress lost]

The Chair: Are there any further members wishing to speak to amendment A5? Calgary-Mountain View on the amendment.

Dr. Swann: Thanks, Madam Chair. I'd like to just address some fundamentals here in these ongoing suggestions. Three basic questions are being asked about health workers, in particular, and sexual abuse. The first question that's being asked is: what is appropriate punishment for somebody who assaults a patient, and who should decide what that punishment is?

The second question is: should there be a loss of professional status, professional position, as a result of a sexual offence? I guess the third question that's being asked here is: to what extent should legislation prescribe the consequences as opposed to the professions who have been charged with, appropriately, I think, making decisions around practice and licensure and conduct? We have delegated these responsibilities to the professions. I guess we're saying also that we have a teaching profession, where we have people who are in positions of trust, and if we're going to single out a particular profession, how far does this go?

But in the first instance, I don't believe that legislation should be prescribing specific punishments. That's for either a court of law or a college. Secondly, to go to the next step and rescind someone's licence to practise, again, we have already delegated to professional bodies. If we're going to take that away, what are we saying about

the roles of these professional colleges, and how are we empowering or disempowering them from doing their job, which is to assess the degree of egregiousness of a particular act that someone has done?

I think that's enough said. Those three basic questions are at the heart of what these debates are about. I don't mind debating these issues because they are very serious, but I think we have to take a step back and say: what are we changing when we start legislating at this level what the punishment is going to be, including how long they have to stay out of their profession? We're undermining the role of the professional bodies if we do so, and if we're going to do that, we need to revamp the whole college process.

Thank you, Madam Chair.

The Chair: Any other members wishing to speak to the amendment? The hon. Member for Calgary-Mackay-Nose Hill.

Ms McPherson: Thank you, Madam Chair. I'll just take a moment. I'd like to address the comments just made by my colleague from Calgary-Mountain View. I like that he laid everything out in a list. That's helpful to put your thoughts out that way.

In terms of punishment he asked: how do we prescribe a specific punishment? Should we be doing that here? To rebut that, I would like to ask: how do we prescribe specific remedies that are sufficient to show survivors of sexual assault in these circumstances that what happened to them has our attention, has gravity, and is being taken seriously? The reason that we're seeing these amendments is because the way the legislation stands right now, many of us and many people I've spoken to do not believe that five years is a sufficient amount of time even if that's the minimum, even if that's not what happens ever. It isn't sufficient to demonstrate to survivors of sexual assault by health professionals that what occurred to them is unacceptable.

Next was the loss of professional status and what the position or the role of the professional college should be. I don't think that anyone here has suggested or recommended that we take away any other authorities from these professional colleges. We're simply asking that the legislation reflect the gravity of this particular kind of offence, whether they are charged criminally or not or if they are found to be responsible by the college, which would include their peers and other people. It's not a matter of trying to take away anything from the professional colleges. It's trying to create a standard that can be followed for any professional college, whether it's for health or law or whatever it is, that sexual assault is unacceptable in our society and that we will create the framework of legislation to reflect that appropriately.

5:20

Finally, the last question: to what extent should this be legislated? Well, to what extent do we support survivors in their recovery from the trauma that is sexual assault? The member had previously moved a really good amendment saying that, you know, it's a foregone conclusion that sexual assault does cause a great deal of physical, emotional, mental harm to the person who is assaulted, and I think that ties into his question. I think it answers his question. To what extent should this be legislated? It should be legislated to the extent that sexual assault survivors in these circumstances know unequivocally that legislators stand with them and that they reject the possibility of sexual assault happening in those circumstances again.

For those reasons, I'm happy to support this amendment, and I commend the member for moving it.

The Chair: Any other speakers to the amendment?

Seeing none, I'll call the question.

[The voice vote indicated that the motion on amendment A5 lost]

[Several members rose calling for a division. The division bell was rung at 5:21 p.m.]

[One minute having elapsed, the committee divided]

[Ms Jabbour in the chair]

For the motion:

Aheer	Goodridge	Smith
Cooper	Kenney	Stier
Cyr	McIver	van Dijken
Drysdale	McPherson	Yao
Ellis	Nixon	

Against the motion:

Anderson, S.	Goehring	Nielsen
Babcock	Gray	Payne
Bilous	Hinkley	Phillips
Carlier	Hoffman	Piquette
Carson	Horne	Renaud
Ceci	Jansen	Rosendahl
Coolahan	Kazim	Sabir
Cortes-Vargas	Kleinsteuber	Schmidt
Dang	Littlewood	Sucha
Drever	Loyola	Swann
Eggen	McCuaig-Boyd	Turner
Feehan	McKitrick	Westhead
Fitzpatrick	Miller	Woollard
Ganley		

Totals:	For – 14	Against – 40
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[Motion on amendment A5 lost]

The Chair: Any further questions, comments, or amendments with respect to this bill? Chestermere-Rocky View.

Mrs. Aheer: Thank you, Madam Chair, and thank you for the opportunity to speak about this. I would like to present an amendment, please.

The Chair: This is amendment A6. Go ahead, hon. member.

Mrs. Aheer: Thank you, Madam Chair. I would like to move that Bill 21, An Act to Protect Patients, be amended in section 7 as follows: (a), in clause (a) by striking out "Subject to subsection (3), a person" and substituting "Subject to subsections (3) and (4.1) a person"; (b), in clause (b) in the proposed section 45 by adding the following after subsection (4):

(4.1) Notwithstanding subsections (3) and (4), a person whose practice permit and registration are cancelled as a result of a decision under sections 82(1.1) or 96.2, based in whole or in part on a conviction of an offence under the Criminal Code (Canada), may not apply for the practice permit to be reissued and the registration to be reinstated.

Madam Chair, I think back about how this came to be and the questions that we asked on Dr. Taher and a pattern of behaviour and what had happened to these women in this particular situation that not only were victimized and then survivors and then had the courage to come forward. To think that in the legislation there is nothing to make sure that somebody who has breached that level of trust doesn't have the opportunity to be able to reapply and be reinstated for their job. This is about trust, completely.

The Alberta United Conservatives supported last week's motion of a lifetime ban of a health professional's licence if it was cancelled due to sexual abuse or misconduct involving a patient. Let's talk

about this for a minute. We did that because we believe that this is an unconscionable breach of trust. Patients display an incredible amount of trust in health professionals. You're extremely vulnerable when you're in these situations, extremely willing to give over information that is particularly intimate about your situation, about what's going on. There are so many aspects to that. That breach of trust, when it happens, is absolutely devastating to the person who has been impacted by that. If they, in turn, are sexually abused by that health professional, it is absolutely imperative for those of us who have the privilege to legislate to ensure that these health practitioners are never ever again offered the opportunity to practise.

This is why the UCP is introducing this amendment. It provides a lifetime ban on health professionals who have been convicted of a Criminal Code offence, and that actually aligns with Bill 21's definition of sexual abuse. It includes the Criminal Code offences that align with misconduct as well if the practitioner's licence has been cancelled for those reasons. Why do we think that this is important? Well, the bar for a criminal conviction is high, and Albertans would be shocked to learn that Bill 21 actually leaves the door open for someone who's been convicted of a serious sexual offence to actually reapply to practise. Think about that for a minute. We're actually leaving that door open for that possibility in the health professional field.

Health is about trust, a hundred per cent about trust. The government is trying to build trust. We're trying to build trust. We're trying to make sure that within our health system, at the very, very topmost piece of that, that trust piece is there. It's absolutely imperative. For the sake of that public trust we must slam the door shut, and this amendment will actually accomplish that.

Thank you.

5:30

The Chair: Any other members wishing to speak to the amendment? The hon. Minister of Health.

Ms Hoffman: Thank you very much, Madam Chair. Again, I just want to reiterate that I think the intent of the amendment aligns with the intent of the bill. I think that the purpose of this legislation, as was stated by the member and, I think, by the Alberta sexual assault centre folks who were at the press conference when we released this bill, says that, of course, we need to be strict and we need to be fair.

I just want to reiterate that we want to ensure that in our legislation – our legislation will be the strictest in Canada – there is a minimum sanction, being a minimum of five years, and that in no way does somebody applying lead to the outcome that they will be awarded their licence back because they've applied for it. I want to remind all folks about that and just reiterate that, through legal advice that we have sought, we want to ensure that this withstands legal and constitutional challenges. Our advice has been that if we went further than five years, that that would be less likely.

Again, I want to reiterate that this is removal of a licence for a minimum of five years, that at the point of five years someone may apply, but in no way does it lead to the likely outcome that they would receive their licence. It's important to us that we have a fair and strict process that aligns with the values that we've outlined through this bill and through speaking and fighting for Albertans who clearly deserve to have a government that's on their side, and that's definitely what we have worked to achieve through our collaboration with sexual assault centres, with survivors, with the colleges. Our government is clear that we want to stand up for women and survivors of sexual assault every day. That's why we've brought forward this bill and other bills earlier in this session, even in the spring session. I think that our record on this matter is clear.

I appreciate the passion with which the member of the Official Opposition speaks to this item and look forward to hearing her voice on all future items, hopefully with the same level of passion that she's been able to bring to this. Again, I want to honour the intent of the amendment. I think it's a good intent. I again, though, want to ensure that our survivors, that people who are in Alberta have the ability to have a bill that will have teeth and that will withstand constitutional challenges. That's why we're proposing a minimum period of five years, Madam Chair.

The Chair: Any other speakers to the amendment?

Dr. Swann: I'll maybe add another comment as well that I haven't actually expressed so far. I appreciate very much the sensitivity around this issue as well. Medical professions, all 18 or 20 or 25 of them, have a special duty of trust and privilege in our professions. I want to remind the member that colleges have the authority to restrict practices to certain types of medical or health care practices. They can limit the scope of the practice of that person if they see a reason to do so, they can use judgment and assess the nature of the harm that individual did and the subjects that that person may be particularly attracted to or damaging to, and they can ensure, for example, that an individual never practises without someone else present. There are a range of options for the colleges to address that don't have the impact of a one-size-fits-all, that we seem to be trying to find here.

I think in all professions there are these risks of people in authority and power positions abusing their power and authority on others, and for us in this Legislature to presume that we can assess each case in its uniqueness and address a common punishment for these folks I think is out of the scope of the Legislature, let me say. That is why we have professional bodies that are supposed to be self-policing, and if they're not self-policing, if they're not doing a good job, they need to be called on that.

In the first instance, the members here who are saying that we need to be more supportive of victims and victims supports and victims services, by all means, we need to do that. But we need to leave to the courts their role, we need to leave to the colleges their role, and we need to leave to the Legislature our role, which is to provide overarching legislation that makes sure that we take this very, very seriously. And I think this bill does take it very, very seriously.

The Chair: Any other speakers to the amendment? The hon. Leader of the Official Opposition.

Mr. Kenney: Thank you, Madam Chair. I'd like to thank my hon. colleague from Chestermere-Rocky View for this thoughtful amendment and indeed the Minister of Health for having brought forward the bill. I discussed this with her in question period last spring and indicated that the Official Opposition would be eager to work constructively with the government to bring forward legislation to address the outrageous circumstances of licences being granted to convicted sexual offenders practising medicine.

I would just briefly like to respond in support of this amendment to the remarks of the hon. Member for Calgary-Mountain View, who essentially said that this matter is better left in the purview of the professional licensing body designated by the Legislature, namely the College of Physicians & Surgeons. Madam Chair, the problem is that the college failed in its duty to protect women. It failed to responsibly exercise the authorities granted to it by this Legislature. The college and other professional licensing bodies are granted the privilege to regulate their respective professions in the public interest for the common good, not to be given carte blanche to essentially look the other way when members of their professions

engage in crimes and are found by our fair legal system, are convicted by that system, of having engaged in such an odious crime as sexual assault.

I would submit to the hon. member that he is mistaken in placing such confidence in a college which failed to protect women in this instance. We as legislators cannot allow that mistake to be repeated. He talked about punishment. Well, darn right, Madam Chair. Physicians and other professionals who abuse their professional relationships with patients or clients for sexual gratification darn well should be punished. They should be punished, of course, under the criminal sanctions of the federal Parliament, but they should also face serious and, in our view, permanent repercussions in terms of their ability to practise their profession.

Finally, Madam Chair, I believe that the measures proposed by the amendment before us and a permanent ban on the ability of convicted rapists and sexual offenders to practise medicine would have a very serious deterrent effect, that before they take the step to violate the sexual integrity of one of their patients, they will realize that their entire career is on the line.

That is why I think most Albertans expect us to support this amendment.

The Chair: Any other speakers to the amendment? The hon. Member for Calgary-Mackay-Nose Hill.

Ms McPherson: Thank you, Madam Chair. I just wanted to get up and give a few more remarks. First of all, thank you to the member for moving the amendment. I think it's a good amendment. I think it's an important one.

One of my concerns in this debate today is that we're really focusing on the professionals, and we're not focusing on the survivors. I think that's where our attention needs to lie, with the survivors. I just want to go through a few reminders, put some context around where we are today.

The Me Too movement isn't a movement to try and trap anybody. It isn't about making sure that someone is punished. The Me Too movement is to let survivors of sexual assault know that they're not alone and that what they've experienced has been experienced by other people. The thing that keeps survivors quiet is shame, shame and guilt and a sense of responsibility for the act that has occurred to them.

Another point that I want to make is that sexual assault is not about sexual gratification. It is always about power. It's using sex as a tool to control someone else. When we think about what prevents people who survived sexual assault from reporting sexual assault, some of the obstacles are a fear of not being believed. To disclose something that feels so shameful publicly or to another person is a terrifying thing to do.

5:40

I know. I've reported being sexually assaulted to the police. I've stood in this House and I've spoken about years of abuse. It was one of the scariest things that I've ever had to do in my life: what if people don't believe me? What if what happened to me doesn't mean anything, it doesn't make any difference? Some of the other concerns are marginalization. I remember that when I did report to the police, I was told by an RCMP officer that they really had a lot of other important things to take a look at and my case wasn't that important. For any survivor, you know, it's a risk to come forward and to disclose what happened. It's a bigger risk to disclose to police, to law enforcement, because that has a lot of gravity to it.

It's taken so much for a survivor to come forward to a college, if they can even figure out that that's an option for them, and disclose what happened to them and to create circumstances where they're

okay sharing their story. It's pretty monumental that they've been able to make it that far. Their credibility is always in doubt. We have a history as a society of laying a lot of blame on survivors and telling them, you know, that they shouldn't have been wearing what they were wearing or they shouldn't have drunk what they drank or shouldn't have been where it was possible for them to be sexually assaulted.

If you think of the circumstances of going to see a health professional and being sexually assaulted, you have that trust, you think that you've already created the circumstances where you won't be sexually assaulted. One in four women will be sexually assaulted throughout their lifetime. All women keep in the back of their head: how can I be safe? We're not able to walk and go about our business in the same way that men are. We always are concerned about our safety. So when you are somebody's patient and you're sexually assaulted, it makes the crime even more egregious. It's already awful, and to contravene, to compromise that level of trust is unspeakable. There should be strict and very severe consequences for behaving that way.

I heard what the minister said about the legislation being the strictest in the country to be introduced, and I appreciate that. I really do. I would say that I'd love to see it be even stricter. I'd love us to be a beacon throughout North America, throughout the world as to how to handle sexual assault in cases of professional misconduct. I think one of the things that I'm hearing in the debate today, especially the hesitancy concerns about the constitutionality of the law, is an undercurrent of fear or concern that we could go that far and there could be a challenge.

I get it, and I'd really like to encourage all of us to act in a different way in spite of that fear, acknowledge that it's there because that's what courage is. If you think about the Kavanaugh hearings and Dr. Blasey testifying, she was petrified. She had to drink her glass of water with both hands. Like, she was scared. That is a really scary circumstance to be in, and she did it anyway. That's courage.

If we have fears about the constitutionality – and we're smart people in this room. There's nothing blatant about the constitutionality that says: oh, please, don't do this right now. I would really encourage us to be courageous and to go ahead and pass this amendment. Right now we have a chance to provoke societal change in attitude about how we address sexual assault, and we need to take it.

For these reasons, I am supporting this amendment.

The Chair: Any other members wishing to speak to the amendment?

Seeing none I'll call the question.

[The voice vote indicated that the motion on amendment A6 lost]

[Several members rose calling for a division. The division bell was rung at 5:45 p.m.]

[One minute having elapsed, the committee divided]

[Ms Jabbour in the chair]

For the motion:

Aheer	Goodridge	Smith
Cooper	Kenney	Stier
Cyr	McIver	van Dijken
Drysdale	McPherson	Yao
Ellis	Nixon	

Against the motion:

Anderson, S.	Goehring	Payne
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Babcock	Hinkley	Phillips
Bilous	Hoffman	Piquette
Carlier	Horne	Renaud
Carson	Kazim	Rosendahl
Ceci	Kleinsteuber	Sabir
Coolahan	Littlewood	Schmidt
Drever	Loyola	Sucha
Eggen	McCuaig-Boyd	Swann
Feehan	McKitrick	Turner
Fitzpatrick	Miller	Westhead
Ganley	Nielsen	Woollard
Totals:	For – 14	Against – 36

[Motion on amendment A6 lost]

The Chair: Are there any further questions, comments, or amendments with regard to Bill 21?

Seeing none, I will call the question.

[The remaining clauses of Bill 21 agreed to]

[Title and preamble agreed to]

The Chair: Shall the bill be reported? Are you agreed?

Hon. Members: Agreed.

The Chair: Opposed? That's carried.

The hon. Member for Banff-Cochrane.

5:50

Mr. Westhead: Thank you, Madam Chair. I would move that the committee rise and report.

[Motion carried]

[The Deputy Speaker in the chair]

The Deputy Speaker: The hon. Member for Calgary-Bow.

Drever: Thank you, Madam Speaker. The Committee of the Whole has had under consideration certain bills. The committee reports the following bills with some amendments: Bill 19 and Bill 21. I wish to table copies of all amendments considered by the Committee of the Whole on this date for the official records of the Assembly.

The Deputy Speaker: Does the Assembly concur in the report?

Hon. Members: Aye.

The Deputy Speaker: Any opposed? So ordered.

The hon. Member for Banff-Cochrane.

Mr. Westhead: Yes. Thank you very much, Madam Speaker. Seeing the time and the progress that we've made this afternoon, I would move that we adjourn the House and call it 6 o'clock and reconvene tomorrow morning at 9.

[Motion carried; the Assembly adjourned at 5:51 p.m.]

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