



Province of Alberta

The 30th Legislature  
First Session

# Alberta Hansard

Tuesday evening, July 2, 2019

Day 22

The Honourable Nathan M. Cooper, Speaker

## Legislative Assembly of Alberta The 30th Legislature

First Session

Cooper, Hon. Nathan M., Olds-Didsbury-Three Hills (UCP), Speaker  
Pitt, Angela D., Airdrie-East (UCP), Deputy Speaker and Chair of Committees  
Milliken, Nicholas, Calgary-Currie (UCP), Deputy Chair of Committees

Aheer, Hon. Leela Sharon, Chestermere-Strathmore (UCP)  
Allard, Tracy L., Grande Prairie (UCP)  
Amery, Mickey K., Calgary-Cross (UCP)  
Armstrong-Homeniuk, Jackie,  
Fort Saskatchewan-Vegreville (UCP)  
Barnes, Drew, Cypress-Medicine Hat (UCP)  
Bilous, Deron, Edmonton-Beverly-Clareview (NDP),  
Official Opposition House Leader  
Carson, Jonathon, Edmonton-West Henda (NDP)  
Ceci, Joe, Calgary-Buffalo (NDP)  
Copping, Hon. Jason C., Calgary-Varsity (UCP)  
Dach, Lorne, Edmonton-McClung (NDP)  
Dang, Thomas, Edmonton-South (NDP)  
Deol, Jasvir, Edmonton-Meadows (NDP)  
Dreesen, Hon. Devin, Innisfail-Sylvan Lake (UCP)  
Eggen, David, Edmonton-North West (NDP),  
Official Opposition Whip  
Ellis, Mike, Calgary-West (UCP),  
Government Whip  
Feehan, Richard, Edmonton-Rutherford (NDP)  
Fir, Hon. Tanya, Calgary-Peigan (UCP)  
Ganley, Kathleen T., Calgary-Mountain View (NDP)  
Getson, Shane C., Lac Ste. Anne-Parkland (UCP)  
Glasgo, Michaela L., Brooks-Medicine Hat (UCP)  
Glubish, Hon. Nate, Strathcona-Sherwood Park (UCP)  
Goehring, Nicole, Edmonton-Castle Downs (NDP)  
Goodridge, Laila, Fort McMurray-Lac La Biche (UCP)  
Gottfried, Richard, Calgary-Fish Creek (UCP)  
Gray, Christina, Edmonton-Mill Woods (NDP)  
Guthrie, Peter F., Airdrie-Cochrane (UCP)  
Hanson, David B., Bonnyville-Cold Lake-St. Paul (UCP)  
Hoffman, Sarah, Edmonton-Glenora (NDP)  
Horner, Nate S., Drumheller-Stettler (UCP)  
Hunter, Hon. Grant R., Taber-Warner (UCP)  
Irwin, Janis, Edmonton-Highlands-Norwood (NDP),  
Official Opposition Deputy Whip  
Issik, Whitney, Calgary-Glenmore (UCP)  
Jones, Matt, Calgary-South East (UCP)  
Kenney, Hon. Jason, PC, Calgary-Lougheed (UCP),  
Premier  
LaGrange, Hon. Adriana, Red Deer-North (UCP)  
Loewen, Todd, Central Peace-Notley (UCP)  
Long, Martin M., West Yellowhead (UCP)  
Lovely, Jacqueline, Camrose (UCP)  
Loyola, Rod, Edmonton-Ellerslie (NDP)  
Luan, Hon. Jason, Calgary-Foothills (UCP)  
Madu, Hon. Kaycee, Edmonton-South West (UCP)  
McIver, Hon. Ric, Calgary-Hays (UCP),  
Deputy Government House Leader

Nally, Hon. Dale, Morinville-St. Albert (UCP)  
Neudorf, Nathan T., Lethbridge-East (UCP)  
Nicolaidis, Hon. Demetrios, Calgary-Bow (UCP)  
Nielsen, Christian E., Edmonton-Decore (NDP)  
Nixon, Hon. Jason, Rimbey-Rocky Mountain House-Sundre  
(UCP), Government House Leader  
Nixon, Jeremy P., Calgary-Klein (UCP)  
Notley, Rachel, Edmonton-Strathcona (NDP),  
Leader of the Official Opposition  
Orr, Ronald, Lacombe-Ponoka (UCP)  
Pancholi, Rakhi, Edmonton-Whitemud (NDP)  
Panda, Hon. Prasad, Calgary-Edgemont (UCP)  
Phillips, Shannon, Lethbridge-West (NDP)  
Pon, Hon. Josephine, Calgary-Beddington (UCP)  
Rehn, Pat, Lesser Slave Lake (UCP)  
Reid, Roger W., Livingstone-Macleod (UCP)  
Renaud, Marie F., St. Albert (NDP)  
Rosin, Miranda D., Banff-Kananaskis (UCP)  
Rowswell, Garth, Vermilion-Lloydminster-Wainwright (UCP)  
Rutherford, Brad, Leduc-Beaumont (UCP)  
Sabir, Irfan, Calgary-McCall (NDP)  
Savage, Hon. Sonya, Calgary-North West (UCP),  
Deputy Government House Leader  
Sawhney, Hon. Rajan, Calgary-North East (UCP)  
Schmidt, Marlin, Edmonton-Gold Bar (NDP)  
Schow, Joseph R., Cardston-Siksika (UCP),  
Deputy Government Whip  
Schulz, Hon. Rebecca, Calgary-Shaw (UCP)  
Schweitzer, Hon. Doug, Calgary-Elbow (UCP),  
Deputy Government House Leader  
Shandro, Hon. Tyler, Calgary-Acadia (UCP)  
Shepherd, David, Edmonton-City Centre (NDP)  
Sigurdson, Lori, Edmonton-Riverview (NDP)  
Sigurdson, R.J., Highwood (UCP)  
Singh, Peter, Calgary-East (UCP)  
Smith, Mark W., Drayton Valley-Devon (UCP)  
Stephan, Jason, Red Deer-South (UCP)  
Sweet, Heather, Edmonton-Manning (NDP),  
Official Opposition Deputy House Leader  
Toews, Hon. Travis, Grande Prairie-Wapiti (UCP)  
Toor, Devinder, Calgary-Falconridge (UCP)  
Turton, Searle, Spruce Grove-Stony Plain (UCP)  
van Dijken, Glenn, Athabasca-Barrhead-Westlock (UCP)  
Walker, Jordan, Sherwood Park (UCP)  
Williams, Dan D.A., Peace River (UCP)  
Wilson, Hon. Rick D., Maskwacis-Wetaskiwin (UCP)  
Yao, Tany, Fort McMurray-Wood Buffalo (UCP)  
Yaseen, Muhammad, Calgary-North (UCP)

### Party standings:

United Conservative: 63

New Democrat: 24

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Stephanie LeBlanc, Acting Law Clerk  
and Senior Parliamentary Counsel  
Trafton Koenig, Parliamentary Counsel

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Nancy Robert, Research Officer  
Janet Schwegel, Managing Editor of  
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|                      |   |
|----------------------|---|
| Jason Kenney         | Premier, President of Executive Council,<br>Minister of Intergovernmental Relations |
| Leela Aheer          | Minister of Culture, Multiculturalism and Status of Women                           |
| Jason Copping        | Minister of Labour and Immigration  |
| Devin Dreesen        | Minister of Agriculture and Forestry  |
| Tanya Fir            | Minister of Economic Development, Trade and Tourism                                 |
| Nate Glubish         | Minister of Service Alberta   |
| Grant Hunter         | Associate Minister of Red Tape Reduction  |
| Adriana LaGrange     | Minister of Education   |
| Jason Luan           | Associate Minister of Mental Health and Addictions                                  |
| Kaycee Madu          | Minister of Municipal Affairs   |
| Ric McIver           | Minister of Transportation  |
| Dale Nally           | Associate Minister of Natural Gas   |
| Demetrios Nicolaides | Minister of Advanced Education  |
| Jason Nixon          | Minister of Environment and Parks   |
| Prasad Panda         | Minister of Infrastructure  |
| Josephine Pon        | Minister of Seniors and Housing   |
| Sonya Savage         | Minister of Energy  |
| Rajan Sawhney        | Minister of Community and Social Services   |
| Rebecca Schulz       | Minister of Children's Services   |
| Doug Schweitzer      | Minister of Justice and Solicitor General   |
| Tyler Shandro        | Minister of Health  |
| Travis Toews         | President of Treasury Board and Minister of Finance                                 |
| Rick Wilson          | Minister of Indigenous Relations  |

### **Parliamentary Secretaries**

|                 |  |
|-----------------|--|
| Laila Goodridge | Parliamentary Secretary Responsible for Alberta's Francophonie |
| Muhammad Yaseen | Parliamentary Secretary of Immigration                         |

## STANDING AND SPECIAL COMMITTEES OF THE LEGISLATIVE ASSEMBLY OF ALBERTA

### **Standing Committee on the Alberta Heritage Savings Trust Fund**

Chair: Mr. Gotfried  
Deputy Chair: Mr. Orr

Allard  
Eggen  
Getson  
Glasgo  
Irwin  
Jones  
Nielsen

### **Standing Committee on Alberta's Economic Future**

Chair: Mr. van Dijken  
Deputy Chair: Ms Goehring

Allard  
Barnes  
Bilous  
Dach  
Dang  
Gray  
Horner  
Issik  
Jones  
Reid  
Rowswell  
Stephan  
Toor

### **Standing Committee on Families and Communities**

Chair: Ms Goodridge  
Deputy Chair: Ms Sigurdson

Amery  
Carson  
Ganley  
Glasgo  
Guthrie  
Irwin  
Long  
Neudorf  
Nixon, Jeremy  
Pancholi  
Rutherford  
Walker  
Yao

### **Standing Committee on Legislative Offices**

Chair: Mr. Ellis  
Deputy Chair: Mr. Schow

Goodridge  
Gray  
Lovely  
Nixon, Jeremy  
Rutherford  
Schmidt  
Shepherd  
Sigurdson, R.J.  
Sweet

### **Special Standing Committee on Members' Services**

Chair: Mr. Cooper  
Deputy Chair: Mr. Ellis

Armstrong-Homeniuk  
Dang  
Deol  
Goehring  
Goodridge  
Gotfried  
Long  
Sweet  
Williams

### **Standing Committee on Private Bills and Private Members' Public Bills**

Chair: Mr. Ellis  
Deputy Chair: Mr. Schow

Gotfried  
Horner  
Irwin  
Neudorf  
Nielsen  
Nixon, Jeremy  
Pancholi  
Sigurdson, L.  
Sigurdson, R.J.

### **Standing Committee on Privileges and Elections, Standing Orders and Printing**

Chair: Mr. Smith  
Deputy Chair: Mr. Schow

Carson  
Deol  
Ganley  
Horner  
Issik  
Jones  
Loyola  
Neudorf  
Rehn  
Reid  
Renaud  
Turton  
Yao

### **Standing Committee on Public Accounts**

Chair: Ms Phillips  
Deputy Chair: Mr. Gotfried

Amery  
Barnes  
Dach  
Feehan  
Guthrie  
Hoffman  
Renaud  
Rosin  
Rowswell  
Stephan  
Toor  
Turton  
Walker

### **Standing Committee on Resource Stewardship**

Chair: Mr. Hanson  
Deputy Chair: Member Ceci

Armstrong-Homeniuk  
Feehan  
Getson  
Loyola  
Rehn  
Rosin  
Sabir  
Schmidt  
Sigurdson, R.J.  
Singh  
Smith  
Turton  
Yaseen

## Legislative Assembly of Alberta

7:30 p.m.

Tuesday, July 2, 2019

[The Speaker in the chair]

**The Speaker:** Please be seated.

### Government Motions

#### Adjournment of Spring Session

26. Mr. Nixon moved:  
Be it resolved that pursuant to Standing Order 3(9) the 2019 spring sitting of the Assembly shall stand adjourned upon the Government House Leader advising the Assembly that the business for the sitting is concluded.

**The Speaker:** The hon. Government House Leader.

**Mr. Jason Nixon:** Thank you, Mr. Speaker. Great to see you this evening. The motion is fairly self-explanatory.

**The Speaker:** Hon. members, this is a nondebatable motion according to Standing Order 3(9).

[Government Motion 26 carried]

#### Committee Referral for Public Sector Compensation Transparency Act

25. Mr. Nixon moved:  
Be it resolved that:
1. The Public Sector Compensation Transparency Act be referred to the Standing Committee on Resource Stewardship and the Committee shall be deemed to be the special committee of the Assembly for the purpose of conducting a comprehensive review pursuant to section 14 of that act;
  2. The committee may without leave of the Assembly sit during a period when the Assembly is adjourned or prorogued;
  3. In accordance with section 14 of the Public Sector Compensation Transparency Act the committee must submit its report to the Assembly within six months after beginning its review, and that report is to include any amendments recommended by the committee.

**The Speaker:** The hon. Government House Leader.

**Mr. Jason Nixon:** Well, thank you, Mr. Speaker. This motion is also self-explanatory.

**The Speaker:** Hon. members, this is a debatable motion according to Standing Order 18. Is there anyone wishing to speak?

Seeing none, the hon. Government House Leader to close debate.

**Mr. Jason Nixon:** Waive.

[Government Motion 25 carried]

#### Voting Rights of Members

9. Mr. Jason Nixon moved:  
Be it resolved that the Legislative Assembly recognize the right of members to vote freely on all matters of conscience.

[Adjourned debate July 2: Mr. Kenney]

**The Speaker:** Is there anyone wishing to speak? I see the hon. Member for Edmonton-Beverly-Clareview.

**Mr. Bilous:** Thank you very much, Mr. Speaker. It's my honour to rise and speak to Government Motion 9. I'm just double-checking with you and the table that we are on Motion 9 and not Motion 10. Excellent.

This is the government motion on matters of conscience. Now, I know the Premier spoke at length earlier today. I don't plan to go on at length on this motion. I know for a fact that this was part of the UCP's platform. This motion obviously relies on standing order changes. What's interesting, Mr. Speaker, is free votes on matters of conscience and the definitions of that. What I find fascinating is that I think that, really, what this is is a way for the government to be addressing very controversial topics. We saw, when we were government, our proposed piece of legislation – actually, that passed – on safe zones, bubble zones for women. I have never in my time in this place, a short seven years, seen the opposition scurry out of this place 13 times, 14 times . . .

**Ms Hoffman:** About that, yeah.

**Mr. Bilous:** Okay.

. . . at least a dozen times, Mr. Speaker, running away from a vote. Now, with this new government motion, I'm not sure if that would change things. I don't know if this is the Premier and the government trying to appease their base wanting some kind of ability within his government.

Now, what's interesting are a couple of things. This is a government motion, which means that it has no enforcement mechanism whatsoever. There is no way to enforce this, nor are any members having to follow this or not follow this. I don't know if this is in part doing the job of the whip on the other side in that maybe then, you know, certain matters need to be whipped or less whipped. I think one way that this could be interpreted is: is this a way as far as providing clarity on matters of conscience as opposed to matters of confidence? That's an interesting conversation.

You know, I think that with this motion – I won't belabour the point, Mr. Speaker – our time is better spent debating bills rather than motions that have no enforcement whatsoever and, really, are either to appease a base or to talk to its own membership rather than actually getting on to more productive matters in this place.

Thank you.

**The Speaker:** Hon. members, Standing Order 29(2)(a) is available.

Seeing none, are there others wishing to speak to Government Motion 9? I see that the hon. Member for Brooks-Medicine Hat has risen.

**Ms Glasgo:** Thank you, Mr. Speaker. Yesterday Canada celebrated its 152nd birthday. At 152 our country can boldly claim to be one of the world's longest lasting democracies, something to be truly proud of, I think. We have seen our democracy evolve over time, changing with public opinion and new political realities. In addition, we have seen our political culture change and adapt. As a nation we should be making a concerted effort to improve our democracy and create a more free and fair system for Canadians and Albertans, specifically, to contribute, share their ideas, and have their voices represented in this Chamber.

In February I was honoured to be on the stage alongside a dynamic and bright group of candidates for our United Conservative Election Readiness convention. There was much applause, cheering, and many exciting promises announced, but the commitment to reaffirming the conscience rights of elected representatives got a resounding applause. I heard from many at the

convention and in my travels during the campaign about just how important this protection is for them. I believe that Government Motion 9, affirming free votes on matters of conscience, is an important step to advancing the freedom of our democracy and its elected officials to represent their constituents ardently and with conviction.

The constituents of Brooks-Medicine Hat represent a broad range of ideas, viewpoints, values, and personal convictions. If as their representative I cannot represent them on matters of personal moral conviction, then I believe that I am failing them.

So much of our political discourse is presently polarized. We have pundits saying one thing, our friends in the media reporting what they see, and in the Twittersphere, well, they're providing their own commentary. There are issues that have been deemed to be politically sensitive or difficult or downright untouchable. I, for one, think that it is a sad state of affairs to see this occurring.

Through the cut and thrust of debate and by allowing MLAs to vote in line with their personally held moral values, we become stronger legislators and are able to serve as a true reflection of the discourse that exists, albeit not on Twitter but across the province.

One thing that I have noticed, Mr. Speaker, is that the Charter of Rights and Freedoms gets referred to a lot in this place. Regardless of partisanship we all look to the Charter as a guide and guarantor for the freedoms that we all hold deeply and as part of our intrinsic understanding of what defines true freedom and democracy more fully. Section 2(a) expressly articulates that all Canadians regardless of religion or background have conscience rights. Any infringement upon conscience rights has, writ large, been deemed to be contrary to our Canadian values.

Historically the same holds true. Some of western civilization's earlier political thought refers to the importance of the conscience rights of individuals. As early as St. Thomas Aquinas, thinkers were saying that conscience was the rational application of knowledge to activity. John Locke, on whose work a number of our democratic principles are based, taught that liberty of conscience is every man's natural right and was ultimately governed by reason.

As for more contemporary examples, Dr. Kimberley Brownlee, a legal philosopher at the University of Warwick, wrote in 2012 that by living by our conscience, it offers us a greater capacity to live much of our life in a range of wholesomeness, including kindness, compassion, generosity, forgiveness, and love.

The first President of the Czech Republic after the collapse of the Soviet Union, who was, by the way, not in any way ideologically aligned with the conservative movement, stated that we must trust the voice of our conscience to be guided by reason and support the truth. The ability to present and debate views that may be outside of the mainstream is the very cornerstone of democracy. Every single voice matters.

If we take a small dive into the history books, we can see examples of where conscience votes were limited. I can assure all members of this House that they do not want to be on the wrong side of history. Take, for example, the gag rule passed in the American House of Representatives in the mid-1830s. As a refresher, the gag rule prevented the presentation of petitions in the House of Representatives denouncing slavery in an attempt to stop the growing abolitionist movement. It was, in the end, pro-abolition politicians that led to the 13th and later the 15th amendments.

7:40

Some may ask why this motion is necessary. After all, conscience rights are protected as a constitutional right, as I've already mentioned. However, we saw within as recently as the last federal Parliament that conscience rights are not guaranteed for all, especially when it comes to receiving summer grants and faith

groups and summer camps who wished to receive funding for their summer jobs program from the Trudeau Liberals. This attack on religious, moral, and conscience rights had organizations choosing whether or not to sign away their convictions in hopes of receiving grant funding for students. Mr. Speaker, this is shameful. This included organizations within my own riding of Brooks-Medicine Hat who are actually taking them to court.

In an example more close to home, here in this House, while not dealing expressly with conscience rights but no doubt dealing with the spirit of the idea that MLAs' responsibilities are first to their constituents, just last session the former Member for Calgary-East was actually kicked out of caucus after writing a letter that stated that there was "a culture of fear and intimidation that leads to MLA's being unable to properly represent their constituents in the legislature."

In sum, this motion reaffirms our government's commitment to the grassroots and to a promise that Charter rights are upheld in the day-to-day proceedings of this Assembly. Unlike the last government, this government is committed to allowing MLAs to represent their constituents. The protection of MLAs' rights to vote to their conscience should be seen as critical to ensuring the continued health of our democracy.

I understand if the Official Opposition is pressured by the party brass to oppose this motion. After all, one of their former MLAs said that she couldn't represent her own constituents as a result of bullying from NDP Party leadership.

Ultimately, the power in our democracy lies within the good faith of those who elected us that we will effectively represent their interests and maintain our own integrity. This motion is a critical step to ensuring that we can do that. I want to thank the hon. House leader for bringing this motion forward. I look forward to supporting it, and I hope the rest of the House will as well.

Thank you.

**The Speaker:** Hon. members, Standing Order 29(2)(a) is available. Anyone wishing to ask a brief question or to comment?

Seeing none, anyone wishing to speak to Government Motion 9? The hon. Member for Drayton Valley-Devon.

**Mr. Smith:** Thank you, Mr. Speaker. It's a pleasure to be able to stand up and speak to this motion tonight. I want to thank the hon. Member for Brooks-Medicine Hat for her comments on this.

"Be it resolved that the Legislative Assembly recognize the right of members to vote freely on all matters of conscience." Mr. Speaker, I would like to spend a little bit of time tonight talking about this because I believe it's a really important issue, one that has been discussed throughout the history of our British Westminster parliamentary tradition. It's important because it deals with the issues of voting along party lines, voting for our constituents, and voting by the conscience of the member that has been elected to this House.

I want to start today by talking about two Albertans and an Englishman sandwiched in between them. I want to talk about Frederick Haultain, I want to talk a little bit about Edmund Burke, and I want to talk a little bit about Preston Manning in my remarks today.

For those of you that know the history of Alberta, you'll know that Sir Frederick William Alpin Gordon Haultain had a huge influence on this province, that Haultain was elected to the bar in the Northwest Territories in 1884, and that he settled in Fort Macleod in southern Alberta. He was elected to the Northwest Territories Legislative Assembly in 1887, and from 1888 to 1905 he spent his time in the Northwest Territories Legislative Assembly.

Now, from 1897 through 1905 he had the position of executive council, which was, in effect, the Premier of the Northwest Territories, and he more than any other westerner, I believe, helped to shape the provincial landscape that we have in western Canada today as he helped to transition us from being a territory in the Northwest Territories to being the provinces of Alberta and Saskatchewan.

Now, Haultain challenged the conventional wisdom of his day by advocating for at least two major ideas. The first was that there should be the creation of only one province, not two. Rather than having an Alberta and a Saskatchewan, he wanted one province, because as he saw Saskatchewan and Alberta at the time, their resource base was there, the people made their living from the same land, they had the same culture and outlook on life, and he thought Canada would be best served by having one province.

His second belief that he was known for was a belief with regard to a political system that he wanted to see modelled, where there would be the abolition of party lines within the Legislative Assembly. He believed that the people of the Northwest Territories and the new provinces would be best served by an abolition of party lines. Now, as you can see, Haultain was very much an independent thinker for his time, and I believe that today's motion points us toward the political balance that he was trying to move towards and necessary, I believe, for a successful MLA and for a successful government. There's always this balance between party lines, your conscience as an MLA and the will and the wishes of your constituents. I believe that he perhaps most famously in the early 1900s shaped that and had that conversation. So this motion is not a motion that's being brought forward without some history behind it.

Governments have dealt with these kinds of issues of how to try to balance these equally important issues for a long time. I would draw you to Edmund Burke, the famous British parliamentarian, who spoke to this balancing of political decision-making. It's a little bit of a long quote, but I think it's a really important one. We've probably all heard portions of it, but I don't know if we've heard significant portions of this. He said:

It ought to be the happiness and glory of a representative to live in the strictest union, the closest correspondence, and the most unreserved communication with his constituents. Their wishes ought to have great weight with him; their opinion, high respect; their business, unremitted attention.

He called us as MLAs to our first calling. It should be to represent the people who have taken their trust and placed it in us as their representative.

It is his duty to sacrifice his repose, his pleasures, his satisfactions, to theirs; and above all, ever, and in all cases, to prefer their interest to his own.

I think that's a really important thing for us as MLAs to remember. Whatever the issue of the day that we are debating in this House, we should always remember that we should be placing and voting and making decisions and speaking to not just simply our interests but primarily to the interests of the people that have placed their trust in us.

But his unbiassed opinion, his mature judgment, his enlightened conscience, he ought not to sacrifice to you, to any man, or to any set of men living. These he does not derive from your pleasure; no, nor from the law and the constitution. They are a trust from Providence, for the abuse of which he is deeply answerable. Your representative owes you, not his industry only, but his judgment; and he betrays, instead of serving you, if he sacrifices it to your opinion.

I believe that Edmund Burke, when he spoke those words, was trying to bring some balance, trying to explain to a young and an emerging democracy in England that it's important for us to listen

to our constituents but that as MLAs, as representatives who do this 24 hours a day, 365 and a quarter days – I'm not sure we ever take a day off sometimes – we have to apply judgment. There are times when we have to ensure that we help our constituents to understand the issues and why we believe that we should move forward. There is a place for conscience, for good conscience for an MLA, and they should never sacrifice that or should rarely sacrifice it.

Mr. Speaker, I believe this motion addresses that delicate debate, that delicate balance that this House and that we as MLAs must maintain: the freedom to represent our constituents, their wishes, their political direction while maintaining both our personal conscience and moving together as members of a larger political party towards a goal that we have, in this case, just recently campaigned on. So I am very happy to see this motion brought before the House.

7:50

Finally, I'd like to bring forward another great Albertan, I believe, one of my heroes, a man that I have worked with, worked for, volunteered with and helped to run his first federal election campaign in 1987, Mr. Preston Manning. I know that in the 1980s when I became involved with the Reform Party, we were faced with an eastern government that was not listening to the will of the people, was not listening to western Canada. For those of you that were around at that time, you heard the slogan of the early Reform Party, The West Wants In.

It was, I believe, an incredibly important political movement that occurred, one that I believe actually helped to save this country. We know that this was during the days of that national energy program, when the federal government was moving in on Alberta's resources, was ignoring the constitutional rights, I would argue, of the province of Alberta, and was creating serious damage to this country. I believe that the Reform Party and that slogan, The West Wants In, blunted this movement of separation in this country because it allowed the people of western Canada to have a voice.

One of the early ideas in the movement of the Reform Party was this idea of a triple-E Senate, free votes, and recall. Each of these things speaks to allowing the people to have a voice in government through their MLA, through their Member of Parliament. I believe that it allows us the people to hold government to account and to reflect the will of the people. It spoke to a need for balance within the federal and, I believe, the provincial scene.

It is for that reason that I can and I will support this motion for it helps to point us in a direction of a political balance that I believe is necessary to ensure a principled and balanced democracy in the tradition of Burke and Haultain and Manning. That tradition, in my opinion, is in the best interests of all Albertans, so this motion will have my support.

**The Speaker:** Hon. members, Standing Order 29(2)(a) is available. Anyone wishing to speak under Standing Order 29(2)(a)?

We are on Government Motion 9. I see the hon. Member for Cardston-Siksika perhaps rising to make a request of the Assembly.

**Mr. Schow:** Yes, Mr. Speaker. I rise to ask for unanimous consent for this Chamber to go to one-minute bells for all motions this evening.

**The Speaker:** Just seeking some clarification from the hon. member, are you speaking specifically to motions or all votes this evening? What are we asking for here?

**Mr. Schow:** Speaking specifically to motions, Mr. Speaker.

[Unanimous consent granted]

**The Speaker:** We are on Government Motion 9. Anyone wishing to speak to the motion? I see the hon. Member for Peace River.

**Mr. Williams:** Thank you, Mr. Speaker. I rise today in support of this motion, Motion 9, and I'm very grateful to speak on it because there are some misconceptions in our public discourse today. The popular misconception that's been circulating for quite some time is that public duties are more important than privately held convictions. As with all good misconceptions and lies, there is some truth in this. Public duty often demands that we forgo our own private opinions and preferences in order to serve the common good. Giving up one's own private interests in order to further the common good has long been heralded as civic virtue in action in our democracies. Cicero stated: not for us alone are we born; our country, our friends have a share in us.

However, deeply held conviction, or what some call conscience, is not simply a private opinion. In fact, enormous harm is done when public duty is used as an excuse to violate one's own conscience. It is for this reason I was greatly pleased to hear, as I'm sure all my colleagues were in this House, the Premier rise earlier today to speak with such force and vigour compellingly in defence of free votes in this House in conscience. Here we have the Queen's first minister of Alberta advocating for the rights and free expression of conscience in our democracy for all members and citizens. We should be well pleased with that.

It has not always been the case that the will of the Crown is aligned so much with the interest of the members of a parliament. The parliamentary drama which I'm thinking of and first comes to mind is that great division under King Henry VIII and Sir Thomas More, which was immortalized by the playwright for our generation, Robert Bolt, in *A Man for all Seasons*. Sir Thomas More in opposition to the King and Crown, defending his belief from a place of conscience, says, "When statesmen forsake their own private conscience for the sake of their public duties . . . they lead their country by a short route to chaos." It is for this reason that we must take such pride and cling so closely to conscience in this House.

What, then, is conscience? As I stated, it is not just personal preference or private opinion. Conscience is a precursor to all moral decision-making. As noted again in the speech from the Premier and again by the Member for Brooks-Medicine Hat, it is the first right enumerated in our Charter, and by no coincidence freedom of conscience has primacy over all other freedoms because it is a prerequisite for all subsequent freedoms. The freedom of religion is listed afterwards. Freedom of thought, belief, opinion, expression, including freedom of the press and other media, of communication, freedom of peaceful assembly, and freedom of association: every one of these is not possible without, first, the freedom of conscience.

Even the activist and progressive jurist Justice Bertha Wilson wrote from the Supreme Court that "conscientious beliefs which are not religiously motivated are equally protected by freedom of conscience." It is a precursor to all moral belief, and we ought not check our morality and ethics as we enter into the public space. Rather, conscience is a moral awareness whereby we judge right from wrong in concrete situations. This moral awareness is not just a matter of opinion. If we look at the word "conscience," we can see that it has two parts from its Latin, "com," with, and "scientia," knowledge, the root word of "science" as well. Therefore, conscience means to act with knowledge. It is not devoid of input from edification and education. We must take what we know and use it to properly exercise our conscience. Conscience requires knowledge and is not subject to simple emotion. The base point I

want to get across is that freedom without conscience is no freedom at all. It hollows all of these freedoms out.

What, then, is conscience? It is the judgment of reason by which the human person recognizes the morality and quality of acts in a concrete way. In other words, it is our ability to judge between right and wrong in concrete, everyday situations. Why must it be free? Without freedom of conscience, without freedom to refuse to do wrong, all other freedoms end up empty. What good is my freedom of expression if I'm not free to speak according to my beliefs and conscience? What good is my freedom of religion if I am not able to believe according to my conscience? What good is my life, liberty, and security of person if I cannot act according to my conscience? These freedoms are all empty tombs filled with dead corpses unless they are first animated by the life-giving spirit of conscience. That is why conscience must be free, so we are advocating for it even in this Chamber.

How do free votes support the freedom of conscience? Free votes ensure that conscience is empowered. They ensure that conscience is not trampled under the boot of government nor obliged to bow before the whip of party discipline. That being said, free votes do not grant freedom of conscience. They merely recognize the pre-existing right for which conscience has always been there. Nothing can oblige anyone anywhere at any time to act contrary to his or her conscience. We might forget we have a conscience. We may act contrary to that conscience. We can never say that we have none. Every individual, no matter walk of life, has a line they wish to not cross. It is not a matter of religion; it is not a matter of one world view. It is a matter of being human that we have consciences. In all offices and public vocations that ought to be respected.

There were a number of our predecessors in Parliament throughout its history who thought that it was a small price to pay to trade their life for their conscience. The pain of death was a pittance and a trifle compared to the grievous harm of betraying their consciences. I would ask, Mr. Speaker, that we give them thought, that we ponder how men and women might trade their lives for conscience. We will further examine that as we quote a final quote that I have from the minister of employment and social development of Canada in 2014, where he said:

The spirit of the age can be a powerful juggernaut that is wont to run roughshod over the consciences of those who would resist it. We remember Thomas More because he was strong enough to stand against the spirit of the age. No neck is strong enough to resist the executioner's axe, but a few courageous souls are strong enough to resist the demands of the one who commands the executioner. A healthy political culture – the kind with which we have been blessed since Canada's founding – seeks to prevent a conflict between the rights and duties of conscience, and the demands of the sovereign and the sovereign's government.

8:00

Here we have the first minister of the Crown advocating for our conscience, advocating that we use these free votes. So my plea to this Assembly, to my colleagues, is not just that we vote in support of this motion but that we use it.

Thank you.

**The Speaker:** Hon. members, Standing Order 29(2)(a) is available. Is there anyone else wishing to ask a brief question or make a comment?

Seeing none, the hon. Member for Edmonton-Glenora has risen.

**Ms Hoffman:** Thank you very much, Mr. Speaker and colleagues, for the opportunity to engage in this discussion. I think I'm of two minds, and I'm going to touch base on a couple of things. This one is with regard to matters of conscience and how I feel that that's



quite an open-ended category. When I think of matters of conscience, I think about – I’ve heard Joe Biden say it recently; I’m sure many others have throughout history – “Don’t tell me what you value. Show me your budget, and I’ll tell you what you value.” Certainly, I would assume that budget votes would be matters of conscience, matters of value decisions.

We saw members of the then Wildrose and PC caucuses – actually, I think it was even after they were one caucus – vote against things like increased funding for rural crime prevention initiatives and then come back into this place and say over and over again that they needed to do more on rural crime. Indeed, when that line item had been broken out, they continued to vote against it. Was that a conscience vote, or was that a matter that was not seen as a matter of conscience? I would say that making sure that we have enough folks on the front lines to protect us is certainly something that I would consider a conscience vote. So that’s one side of this situation for me.

The other side: I went down memory lane. I’m sure many members were there. It was back in May 2018, after a UCP convention, where there was a motion brought forward around requiring minors to get permission from their parents for health procedures. Wilberforce was of course whipping up a lot of votes at that convention. I believe that motion passed with 74 per cent, and the then aspiring Premier, now Premier, said: not to worry. Quote: I’ve been clear that I won’t be bringing forward any legislative measures on abortion. End quote. I would assume that many would argue that abortion is probably a matter of conscience.

Is this creating an opportunity for a private member to bring forward a resolution and for the more than 24 members of Conservative caucuses – I guess it was the UCP at the time who either walked out of the Legislature or have a very active track record, including the Member for Peace River, of opposing women’s bodily autonomy and the right to make our own decisions around our own bodies – creating an opportunity for somebody other than the Premier to bring forward a bill or a resolution and to say: “This is a matter of conscience; therefore, there will be free votes. Therefore, I’m not breaking my promise that I made in 2018, when I was seeking the opportunity to become Premier, because I didn’t bring forward this motion. Somebody else brought forward this motion or this bill?”

I’m of two minds on this. One, I assume that every matter we discuss in this place is a matter of conscience. When I come here every day, I have to consider what my values are and how they have determined which party I sit with, which party I campaign with, and how I carry myself in this place and in my community. That is the one side: show me your budget, and I’ll tell you what your values are.

Does that mean that every money bill we have in here is a matter of conscience? I think it is. I think that we have an opportunity – and I imagine many of us have very thorough discussions. I would hope that the government caucus does as well although I know that the Government House Leader has taken to not calling members of the caucus who aren’t in cabinet members of government but, rather, private members. I would hope that all members who ran for the UCP have an opportunity to express their views and opinions and that when the government brings forward something, that thing that they’re bringing forward represents the opinion of that party and the folks who have chosen to be members of that party, not just the vision of Executive Council or the Premier or the minister who is moving it. I would hope that there is an opportunity for all of us in our respective caucuses to have these discussions and bring forward ideas that we’re proud of collectively.

This is why I am of clearly two minds on this. One, I think that everything we do is a conscience decision. Two, I think the Premier made it very clear that he won’t be moving on matters like abortion.

I think he’s talked about other social issues that he called divisive, that I call standing up for human rights. I think that it is concerning to me that, on one hand, we’ll have somebody say, “Well, it’s important to vote for matters of conscience,” and have, on the other hand, somebody who was running to be Premier, running to govern this place, say, “I won’t legislate on these issues” but then, of course, creating a separate opportunity for people to do exactly that.

We know that there are many people in this place who feel that they are beholden to what I would call extreme sections, feel that they helped them get nominations, feel that they helped them win elections and that they owe them action on certain issues that may or may not be of their individual conscience or the conscience of the folks that they represent, all the folks that they represent in their riding.

That is why I’m of two minds on this matter. Mr. Speaker, I’m happy to listen to further debate on this, but at this point I am of two opinions. One, every decision we make is a matter of conscience, and two, is this just a way for the Premier to legislate on social issues that we should be well past? My right to make decisions about my body should not be revisited in this place. Is that what we’re creating an opportunity for people to do through this motion and for the Premier to not have to own the effect that that’s what is indeed happening? That’s troubling for me.

Thank you, Mr. Speaker.

**The Speaker:** Hon. members, Standing Order 29(2)(a) is available if anyone has a brief question or comment for the hon. member. I see the Premier has risen.

**Mr. Kenney:** Thank you, Mr. Speaker. I’d just like to respond to the unfortunate implication of the hon. the Member for Edmonton-Glenora in which she characterized views of government members as being, quote, extreme. In particular, I think she was referring to those who just offered speeches in favour of the what I thought was universally accepted principle of freedom of conscience, what is certainly the first fundamental freedom enumerated in both the Bill of Rights and the Charter of Rights, a freedom which is enumerated in every major human rights instrument ratified around the world, at least by democracies.

In particular, the member opposite was seeking yet again to slur members of the party which I have the privilege of leading. She has a regrettable tendency to do just that, Mr. Speaker. I would remind members that this was the former Deputy Premier who rose in this seat in a prepared remark to accuse Conservatives in Alberta of being, quote, sewer rats, unquote. I repeat: the member opposite showed her regard for democracy, for civility, for decorum, for the views of the majority of Albertans, as expressed in the most recent election, as being those of, quote, sewer rats, unquote. I can barely think of a metaphor nor a simile which is more degrading, more dehumanizing, more humiliating, more, frankly, disgusting than to characterize people as being, quote, sewer rats.

Earlier today, in speaking in favour of this reaffirmation by this Assembly of a primordial and universally recognized human right, I called for civility. I submitted that respect for freedom of conscience is predicated upon and reinforces our best democratic tradition of civility, which I defined as constituting in part a mutual respect for the views of others with which we disagree. We just heard from that member once again her regrettable habit of insulting the convictions of other people, including those who are democratically elected. She alleged that they were extreme.

If I’m not mistaken, the Member for Brooks-Medicine Hat won what percentage of the popular vote?

**Ms Glasgo:** Sixty-five per cent.

**Mr. Kenney:** Sixty-five per cent.

The Member for Drayton Valley-Devon won . . .

**Mr. Smith:** Seventy-two per cent.

**Mr. Kenney:** Seventy-two per cent.

The Member for Peace River?

**Mr. Williams:** Seventy per cent.

**8:10**

**Mr. Kenney:** Seventy per cent.

Extreme views of sewer rats according to the hon. Member for Edmonton-Glenora.

Mr. Speaker, I disagree with that member on many matters, but I've not alleged that her views are extreme. I've not alleged that those who support her are subhuman vermin, sewer rats. You know, that metaphor, interestingly, is a metaphor that was frequently used in the 1930s in Germany to dehumanize certain people, to condition the public discourse for the full dehumanization of an entire category of people. It is a kind of metaphor which should be completely beneath our public discourse in this liberal democracy or in any parliamentary government.

Mr. Speaker, to stand in this place and to characterize or I should say mischaracterize the views of recently elected members who have been sent to this place by supermajorities of their fellow citizens is, frankly, offensive. As I did less pointedly this afternoon, I rise in this place yet again to appeal to the members opposite to begin to demonstrate a modicum of civility that I think is expected by not just the voters, the 55 per cent of Albertans who elected this government in the single largest democratic mandate in Alberta electoral history, over a million voters. I would ask that the members opposite demonstrate a modicum of respect for those voters, for the supermajority, the 60 and 70 per cent who elected those three members who just spoke. Instead, what do we get from the opposition? A nonstop diatribe of disrespect and incivility. Albertans deserve better.

**The Speaker:** Hon. members, Government Motion 9. I see the Member for Edmonton-Rutherford has risen.

**Mr. Feehan:** Thank you, Mr. Speaker. I'd like to have an opportunity to speak to Motion 9. Of course, I feel a need to respond to the comments of the Premier just given . . .

**Mr. Kenney:** Just another sewer rat over here.

**Mr. Feehan:** Well, I'm glad that he's, you know, heckling me with sewer rat comments because it really points out the point of what it is I'd like to speak about here today.

I think it's important that, you know, in this House we do speak to issues of conscience and we have opportunity to address things that are important to us. Of course, each one of us decides when we get elected which party we're going to run for. Hopefully, we've done our work and spent time researching the values of the various parties and make a decision to run on the basis of that.

Of course, you know, I and members of this party made choices to run for the NDP because we firmly believe in the value of the common good and believe in sharing the good things of this world with the rest of society. As a result, we've worked very hard to try to ensure that everyone benefits, not just the people who have money and have power, as opposed to the nature of the work that's been brought forward by the government today, in which there is a very strong attempt to coalesce both power and financial well-being in very few pockets and to try to ensure that some people are in a better position in society than others.

In fact, there seems to be a regular pattern and habit on the government side of seeking out people who are in vulnerable places and acting to diminish their rights, whether that be through reducing the minimum wage of people who aren't even able to vote and therefore are vulnerable to this kind of attack or whether it be to undermine the collective bargaining rights of public service workers or to undermine the rights of gay and lesbian people to gather together and collect in a safe space where they can come to terms with some of the realities that they are frequently coping with, including issues such as bullying and so on. I think it's very important that we note that on this side of the House our reaction to all of those things has been governed by our conscience, and I think it's very important that we do that.

I do want to take a moment to speak to some of the comments the Premier has just made. I know he has taken great delight in taking a statement made some years ago by the Member for Edmonton-Glenora, a statement for which she apologized but which I feel has largely been taken out of context and again tonight was taken out of context and has been described as, somehow, a statement referring to all Albertans and so on.

You know, sometimes in this House statements come out of your mouth. In this case it was just sort of a rhyming couplet that I think was intended to be mildly amusing. Of course, because it crossed the line, she stood up and apologized for having done that. It gets used over and over again. I think that that's an example of lack of civility: when someone apologizes for something, not taking an apology and refusing to respond.

**The Speaker:** Hon. members, I might just remind all members of the Assembly to keep their comments to themselves. The Member for Edmonton-Rutherford has the call. I think it's best if we allow him to continue the debate, but I would encourage members to stay focused on the issue at hand, which is Government Motion 9.

**Mr. Feehan:** I understand that, Mr. Speaker, and I understand that you also gave five minutes of time to the Premier to speak about an issue that was three years old. I would appreciate the same.

#### **Speaker's Ruling Decorum**

**The Speaker:** I'm back on my feet, sir. You have now approximately spoken for five minutes as well. Let's not be making tit-for-tat on what the Speaker is ruling or what the Speaker isn't ruling. I'm merely suggesting that we stay on the topic at hand, which is Government Motion 9. If we continue down this trail, we will wind up in a significant level of negative decorum. I get it. [interjections]

There's no need to stand under 13(2) because I have not made a ruling. I merely asked all members of the Assembly to keep their comments to themselves, from both benches. Then I reminded the Member for Edmonton-Rutherford to speak to the issue and for us to stay on task. The Member for Edmonton-Rutherford then chose to challenge the rule of the chair based upon the amount of time that the Premier spent speaking about this particular issue. The good news is that the hon. Member for Edmonton-Rutherford has also spent about five minutes speaking specifically to the same issue, and I'm encouraging all members, both from the government side and from the opposition side, to stay focused on the task at hand this evening, which is Government Motion 9.

#### **Debate Continued**

**Mr. Feehan:** Thank you, Mr. Speaker. I take your words to heart. I think I've already made my point about the fact that not accepting

an apology is an example of doing something that we're being asked to do, but it's not being done by the other side.

I'd also like to speak to the fact that speeches in this House from the government side often begin with some kind of a diminishment of the comments being made from the opposition side of the House. It's a rare day when the Government House Leader doesn't stand up and use a word such as "hysterical" or "ridiculous" to describe comments on this side of the House. The fact that those kinds of words are used as a way of diminishing the conversation that goes on in this House tells me that there is a problem of what's good for the goose is not good for the gander with this government, one that I'm going to seek to challenge on a regular basis because, speaking of Government Motion 9, I think that we need to stand up and speak our conscience. As a result, I will stand up and speak to my conscience when I hear that kind of hypocrisy coming across the floor, as it does on a regular basis.

I think that if people do err – and sometimes we do; it gets late here at night sometimes. Your mind moves along and sometimes you say bits of things when you actually mean something much more complex, and it comes across much worse than you intended. That's just the nature of humanity. I think that sometimes we have to, you know, have a little flexibility and let that go, but holding people to that kind of thing for many years after the fact, particularly after they've apologized, seems to me like not an example of the conduct that the Premier has been asking us to engage in.

8:20

Therefore, I am standing today speaking my conscience on the fact that I think there's hypocrisy in that. I do appreciate that everyone here in this House wants to, you know, make sure that we're actually debating things that are serious and important, but the reality is that many times when we stand in the House, we're not able to get across the point that we want in the most easy and articulate way because we just are people that sometimes fail. If that happens, we have to have a little bit of flexibility.

I think it really behooves the government to actually act in the way that they are asking the opposition to act. I'll pay attention over the next number of weeks to see if, in fact, the Government House Leader and other people stand up and routinely describe the language being used across the House with words such as "ridiculous" and "hysterical" because then I'll know whether or not they actually are prepared to live the behaviour that they're requesting of other people on this side of the House. So far I haven't seen it. So far I've seen exactly the opposite. I can tell you that, you know, the worst possible take on everything that's being said is always taken by members of the government side of the House, and as a result we don't actually end up with serious debate a lot of the time.

**Mr. Schow:** Point of order.

**The Speaker:** A point of order has been called. The hon. Member for Cardston-Siksika.

#### Point of Order Relevance

**Mr. Schow:** Yeah. I rise on a point of order, Mr. Speaker, 23(b)(i). We are debating Motion 9 here, not necessarily the decorum of the House but, rather, this motion in particular. I would ask that the Member for Edmonton-Rutherford actually discuss the motion as opposed to his opinions on decorum in the House, which we are trying to raise on a daily basis.

**The Speaker:** I appreciate the interjections; however, there's no point of order here. The hon. member has on numerous occasions talked about how this applies to his conscience and how he's risen to his feet to make the point that he comes here to speak his conscience around these issues. He's well and truly in his right to do so. There's no point of order.

#### Debate Continued

**Mr. Feehan:** Thank you, Mr. Speaker. I do take the words of the government deputy whip seriously. I will speak more specifically about the issue of conscience voting rights, and that is that, I mean, I guess I fundamentally agree with the notion. I think that that's what you should be doing all the time. As one of our Auditors General once said, you shouldn't need a corset of rules if you have a backbone in terms of your decision-making. I think that that's true.

I think that each one of us should be speaking to the issues that are important to us. In my case, for example, that means I will be defending the vulnerable people in our society, that I will be looking for rules and laws that do wonderful things like reduce child poverty in half, which we did in our term; that do things like raise the minimum wage for the most vulnerable members of society, which we did in our term; that build hospitals for people across the province, including cancer hospitals in Calgary, which we did in our term; that build schools for families and children, like we did 244 times in our term.

These are the kinds of things that speak to my conscience and that speak to the fact that I think we should be doing work in this House to ensure that the things that come out of this House are beneficial not just for individuals but, of course, for all society. That means that you can't just treat all society equally. You have to have a preferential option for those people who are most vulnerable. You have to articulate good social structures that will enable and allow those people who are most vulnerable to have a chance whereas through other circumstances in their life they may not have a chance.

We all like to think that we are here because we succeed on our own efforts. That may be true, and I hope it is true. I expect it is, but I can assure you that anybody in this House did not arrive here because you yourself worked very hard. You also arrived here because many other people worked very hard. You are here on the backs of and on the benefits of other people.

Now, they of course have chosen to do that because they share your values, and they hope that you will vote your conscience in the way that they have come to know you. That's what I think we should all be doing in this House. I will continue to do that. I will continue to have that preferential option for the poor, based on the values that have been honed by myself over my almost 60 years here, and I will expect to see members opposite do that as well. I would hope that that does not mean that they will use opportunities like running away from the House to avoid doing that kind of thing, leaving just because they don't like to hear what other people are saying, putting things in their ears so that they don't have to hear it, refusing to even debate a private member's bill in this House so that they don't have to see it.

It disturbs me that over the last week or so we've had the government literally plug their ears and close their eyes. One more monkey, and they've got the full set. You know, I really think that we have to make sure that when we say that we want to have this House debate things fully and in conscience, then we have to act in a way that allows that to happen. For example, if someone brings a private member's bill, let's say on health care, we would not shut it down in committee. Rather, we would bring it into the House and

actually have a discussion about it. The government has a majority. They can defeat it. There's no reason why something like that should not be here so that we can vote our conscience on it. Yet here we have a situation, a conflict, a hypocrisy, as I've mentioned earlier, where the government is saying that we want people to have a free vote on conscience and then putting in some kind of a corset of rules that prevents an actual free vote on a matter of conscience.

In this case, it's my conscience that I believe that health care is a universal good and that health care needs to be universally available and free and publicly provided and that it meets all five conditions of the Canada Health Act. All I was asking in that case was to have a personal conscience vote here in the House, yet the government has denied that. So I'm left wondering what they really believe.

Thank you.

**The Speaker:** Hon. members, Standing Order 29(2)(a) is available. Is there anyone else wishing to ask a brief question or comment of the member?

Seeing none, are there others wishing to speak to Government Motion 9? The hon. the Leader of Her Majesty's Official Opposition.

**Ms Notley:** Thank you very much, Mr. Speaker. It is a pleasure to rise briefly – briefly – on this motion.

Perhaps I'll begin by saying that the reason I want to try and be brief on it is because, you know, the members opposite spend a good deal of time talking about the wise use of taxpayers' money, and I would suggest that this particular motion amounts to an unwise use of that as it relates to our time here in this Legislature. Members opposite understand that these motions are nonbinding. If they were binding, it would be profoundly out of order because, of course, in our parliamentary system the majority of the House does not have the right to dictate the way in which the minority, any minority, within the House operates. Were this meaningful and actually able to bind us, it would be out of order. It is not out of order because it is nonbinding, which raises the question: why are we having this conversation anyway? It's really about the conduct of individual caucuses and the rules that they make for themselves, so not a particularly good use of our time.

So then the question becomes: why are we doing it? I think the members opposite, or members certainly in our caucus, have probably at this point raised the theory that we are doing this because the leader opposite and people leading the government caucus are struggling somewhat with the fact that they have created a bit of a Franken-party. Within that, they have managed to attract a few folks with very closely held views. You know, that's great. Everyone is entitled to their closely held views, and they are entitled to speak them, providing that they don't, you know, run afoul of hate laws and the Criminal Code as it relates to hate laws. But that isn't always very convenient for people in politics, to have members of their caucus speaking about things which tend to be offside with the majority view of the electorate.

8:30

Of course, we've identified already some of those issues that would fall under that category. The majority of Albertans believe that a woman should be able to exercise her basic human right to choose what to do with her body, whether to maintain a pregnancy or end a pregnancy. That is something that the majority of Albertans believe. And the majority of Albertans believe that members of the government should not be weighing in on the right of a woman to make decisions about her body. Yet members opposite have a growing number of members within that caucus who do not agree with the majority of Albertans on that, so much so that in the last

session we, of course, saw the unprecedented example of the opposition walking out of the Legislature 13 times in a clear demonstration of a profound desire to not do their job. That was awkward. Perhaps this is an effort to sort of pander to the same kinds of groups that pushed them into that ridiculous demonstration of parliamentary behaviour.

The other issue, of course, is the matter that we've been already discussing at great length in this House in this first session, which is the hostility that many members opposite feel around the equality rights of members of the LGBTQ community – for example, as evidenced by the only three- or four-year-old statements made by the Member for Drayton Valley-Devon – where we see them saying things like, "Gay love is not real love" and sayings like that and, you know, codes of conduct where students have to promise to refrain from homosexual behaviour, things like that, which clearly demonstrate a belief by some members on the other side that members of the LGBTQ community are somehow less than the majority. Those are very, I would say if I were in charge of that particular group of folks over there, awkward opinions for members of the government caucus to have because they're very much out of line with what most Albertans believe.

Now, I'll be the first to admit that Albertans did not make their voting decisions on the basis of those issues. They chose to vote for the members opposite notwithstanding that many members of the government caucus hold the views which are so incongruent and discordant with the opinions of most Albertans. Fair enough. But it doesn't mean that it isn't a liability for the members opposite and for the government caucus or that it won't become a liability once again. They are offside, Mr. Speaker, with the majority view of most Albertans on these fundamental issues of human rights, rights that should be enjoyed by women, rights that should be enjoyed by members of the LGBTQ community, rights which some members of the government caucus would like to undermine.

Obviously, this is an effort to pander to those folks, to allow them to walk away or to vote a different way as long as the government majority is maintained on whatever vote is under way at that time. I guess that's why this is going on, although, again, to be clear, it's nonbinding, so who knows, really.

Now, the Premier took the time to argue that somehow this and the need for people to acknowledge the right to vote on their conscience were somehow linked to decorum. I'm not going to spend a lot of time talking about that, but I will say just a couple of things. I would urge all members opposite to understand that one of the single biggest threats to decorum is the decision to abandon the need for us to have a common understanding of the facts. I've mentioned this previously in the last couple of weeks, that this is unprecedented, you know, the degree to which members opposite are prepared to operate from a different set of facts. They don't feel at all bound to actually identify a common set of facts, and then we can debate till the cows come home, or maybe not that long. Maybe we'll let the cows stay out a bit later and stop debating at a certain point. But the point is that we'll do that on the application of the facts or the interpretation of the facts or what the solution would be arising from the combination of the facts, but we shouldn't actually be debating what is true and what is not true. There's an unprecedented departure from this idea that we respect a common set of facts with the debate that I've seen in this House since the election, as led by the government caucus.

I will say that I'm certainly not the only person to notice it, and it is the unfortunate development, I believe, of some folks here, particularly those in government caucus, spending a bit too much time learning at the feet of American politicians, particularly American right-wing politicians, and believing that that means of political discourse or that form of political discourse will somehow

improve the political discourse here. If we just, you know, start from disagreeing on whether the sun rises in the east or the west, well, then we can do a very good job of never discussing how to deal with the consequences of the sun coming up earlier than people plan. We never have to talk about a solution if we can't even agree on whether the sun rises in the east or the west. For people who are fundamentally opposed to government, who are fundamentally opposed to collective action, I suppose that it's a legitimate strategy: just debate whether the sun rises in the east or the west forever, and we can avoid doing anything useful. Ultimately, from an ideological perspective, I guess their job is done. Fortunately, I don't really think that that's what people expect of their governments anymore.

As a result, this sort of profound willingness to begin by debating fundamental facts or rejecting fundamental facts like whether the sun rises in the east or the west, for example, creates a tremendous amount of discord. I would suggest that focusing on trying to get back to that world where we have good, healthy debates on a common set of facts, around their application and their interpretation and how they come together, would be a better tool to improve decorum than the motion which we are currently discussing.

The final thing that I will say on the matter of decorum is that, I'd say, in the last five or six days I've seen repeatedly members opposite use as a fundamental tenet to their argument: what you are saying is wrong because we got more votes than you; what you are saying has less value because we got more votes than you; and in fact you don't even have a right to stand and say what you are saying because we got more votes than you. Then at the end of that we are lectured on how we need to develop humility, which is, as you can imagine, probably the kind of thing that starts to undermine decorum.

But I would suggest that members opposite might want to consider learning tools to bring more grace to their victory. They could do so not by – certainly, they would not look to us. Why should they? You know, we are very much at loggerheads all the time, and very few people would ever be able to do that. But look to their predecessors. Back in the day, a very, very, very long time ago, there was an opposition of two Official Opposition members and two independent members. The rest were Conservatives, as led by former Premier Peter Lougheed. I can tell you without a word or a moment or a millisecond of hesitation that never, when my father rose to raise concerns, legitimate concerns, in his role as the Leader of the Opposition, would he have ever been faced with the spectre of Premier Peter Lougheed saying: what you are saying isn't valuable; what you are saying is wrong; in fact, you don't have a right to say what you are saying because we got more votes than you. I know that would never have been done.

8:40

You know why, Mr. Speaker? Because each and every person that got elected here got elected by their constituents, and each and every member of this Assembly is here as a result of those votes. Each of us here has a role to play, and in opposition we have a particular role to play. We were not elected to clap every time the members opposite stand up and announce an initiative. That's not what people elected us to do. They elected us to engage in critical analysis, to ask pointed questions, to ensure accountability, to ask for transparency. These are fundamental things that opposition members who know how to do their job, who are committed to doing their job, who do what the voters ask them to do, do.

That is something that members opposite on the front bench and particularly the Premier need to remember. If they remember that and if they take their roles seriously – just as they take their role to

lead the government and to make decisions about the budget and about the future of this province over the next four years seriously, we too have an obligation to take our role seriously. Walking in and being told that, no, apparently 55 per cent means 100 per cent and we're going to operate as though we got 100 per cent and when you complain that we are operating as though we got 100 per cent, we are then going to accuse you of not having decorum: well, Mr. Speaker, I'm sure you can understand why decorum would start to be jeopardized in those settings.

Again, I would suggest that there are better strategies that the members opposite could use to ensure decorum rather than bringing a motion like this forward to pander to the uncomfortable views held by, I suspect, the minority of their caucus and bringing forward a motion which is nonbinding and/or out of order. We could rather be spending our time here debating the bills which fundamentally undermine basic human rights of a significant portion of the province, of the population or debating a bill that would potentially undermine the rights of elected school board trustees or debating a bill that will undermine the right to the same level of compensation received by employees prior to the bill's introduction. These things matter to Albertans.

Whether or not the government caucus can agree amongst themselves about who gets to vote their conscience and who has to be the one to make sure that the caucus still wins the vote – because, of course, we all know that's the other thing about this that's so ironic. You know, you're always going to do the numbers. You're always going to do the math before you figure out how many people get to vote their conscience, right? There'll be so many, and then after that, nobody else does because, of course, you've still got to win the vote. I mean, that's another thing about this that's so silly.

Nonetheless, that being said, I would suggest that there are many better things that we could debate in this House right now that are more meaningful to the day-to-day lives of people than the political problem solving and issue management that are required by those who are managing this government caucus. I also believe that there are much more productive ways in which we could pursue the matter of decorum than that suggested by the Premier or others in their comments on this motion, Mr. Speaker.

Anyway, with that, I will take my seat. Hopefully, soon we can vote on this.

**The Speaker:** Hon. members, Standing Order 29(2)(a) is available for a brief question or comment. I see the hon. Member for Edmonton-Gold Bar.

**Mr. Schmidt:** Thank you, Mr. Speaker. I feel like the person who was asked to step forward to volunteer and everybody else took a step back. Anyway, I would like to thank the Member for Edmonton-Strathcona for her thoughtful comments on this government motion and for indulging me in a hypothetical question, if she would, because it's been very interesting to me to listen to the members opposite argue in favour of the rights of MLAs to vote according to their conscience. Of course, we've dived deeply into the history of the British parliamentary system, which is something that we all enjoy tremendously. It's odd, the strain of Catholic thought that has influenced the British parliamentary system, which is strange because, of course, it developed in a very strongly Protestant framework. Anyway, I'm getting sidetracked.

One of the questions that hasn't been addressed by the members opposite in this debate is whether or not members of cabinet would be allowed to vote their conscience on government bills and motions that are being brought forward to the House. So if I can engage the Member for Edmonton-Strathcona in a hypothetical, how would she have dealt with the issue of allowing free votes on

matters of conscience and what expectations she would have placed on cabinet members in her government if those things had come up, and what does she think perhaps the members opposite would do if confronted with those issues?

**The Speaker:** The Leader of the Official Opposition if she wishes to respond.

**Ms Notley:** Well, that's a very interesting hypothetical question, and I believe that the member opposite is heading to a hypothetical destination. I'm just not sure what it is. I'm trying to think back. What particular axe does he have to grind right now? Anyway, I'm sure there is none.

But, I mean, I think you raise a very important question because there is a difference. Obviously, members of Executive Council have additional obligations that go above and beyond the obligations that exist within a caucus or within the Assembly, certainly, as they relate to confidentiality and also in some respects with respect to the execution of the functions of Executive Council. It does, of course, raise an interesting question if you have Executive Council moving forward on, let's say, a wise decision to fund additional access to abortion services in order to support the basic human rights of half of the population, and what would happen if members of Executive Council, potentially the Minister of Finance or the Minister of Health, were opposed to that? That would be very difficult.

Another matter, of course, we know already is that we have an Education minister who has previously stated things that are less than supportive of the LGBTQ community. Of course, we have a Minister of Finance who is a board member of an institution which has stated, clear, black-and-white written policies which are very hostile to the LGBTQ community. Interestingly, both are in a position right now to consider whether or not funding should be provided to private schools which are continuing to operate with exceptionally discriminatory policies in place in relation, in particular, to LGBTQ students. Of course, the potential is there, the authority right now is there to withdraw public funding from those schools because why would we give that kind of public money, those taxpayer dollars, which are so, so valuable, to schools that are actually promoting a breach of the Charter and the Constitution and the subversion of basic human rights? Why would we do that?

But then if you as a member of Executive Council have your own ideas around these and you're allowed to vote your conscience, then suddenly there's a conflict.

**The Speaker:** Hon. members, any others wishing to speak to Government Motion 9?

[The voice vote indicated that Government Motion 9 carried]

[Several members rose calling for a division. The division bell was rung at 8:50 p.m.]

[One minute having elapsed, the Assembly divided]

[The Speaker in the chair]

For the motion:

|          |              |                 |
|----------|--------------|-----------------|
| Aheer    | Lovely       | Sawhney         |
| Amery    | Luan         | Schow           |
| Barnes   | Madu         | Schulz          |
| Dreeshen | Neudorf      | Schweitzer      |
| Fir      | Nixon, Jason | Sigurdson, R.J. |
| Glasgo   | Orr          | Singh           |
| Hanson   | Pitt         | Smith           |
| Horner   | Rehn         | Stephan         |

|        |          |        |
|--------|----------|--------|
| Hunter | Rosin    | Walker |
| Kenney | Rowswell | Wilson |
| Loewen |          |        |

Against the motion:

|        |         |          |
|--------|---------|----------|
| Bilous | Gray    | Phillips |
| Ceci   | Hoffman | Renaud   |
| Dach   | Irwin   | Schmidt  |
| Feehan | Notley  | Shepherd |

|         |          |              |
|---------|----------|--------------|
| Totals: | For – 31 | Against – 12 |
|---------|----------|--------------|

[Government Motion 9 carried]

### Caucus Affiliation

10. Mr. Jason Nixon moved:

Be it resolved that the Legislative Assembly express its opposition to the practice of members changing their caucus affiliation unless that member is to sit as an independent or has resigned and been returned to the Assembly after being re-elected in a by-election under the new affiliation.

[Adjourned debate July 2: Mr. Kenney]

**The Speaker:** Is there anyone else wishing to speak to the motion?

**Ms Lovely:** Mr. Speaker, I rise to speak to Government Motion 10. In the previous two provincial elections I was a Wildrose candidate. I'm against floor crossing. The past four years have taught us that a United Conservative government is what Albertans want and need in order to clean up the mess left behind by this previous NDP government.

The Wildrose floor crossing caused much anguish for my supporters. Many of them contacted me to express their disbelief with what happened and shared a sense of collective anger for not being consulted. What bothered my supporters more than anything was the disconnect in the communication which happened. There was no consultation conducted with voters to see if this floor crossing was something that they supported. The Wildrose caucus was not united in their decision to cross the floor. How then could they assume that Albertans would be united behind their decision?

[The Deputy Speaker in the chair]

Another issue which caused considerable upset was the money donated to the Wildrose cause. Those supporters described the sense of sting they felt with the action taken without member consultation. Those donors felt that their money had been wasted as they had intended it to be used for the Wildrose cause.

When the floor crossing happened, it changed the dynamic. The Wildrose opposition failed to continue in the way they had supported. Although many floor-crossers benefited government at that time, voters sent a clear message in the next election. Not one floor-crosser was re-elected.

Floor crossing has been a major issue in politics. It is a selfish, undemocratic process that leaves voters unsatisfied with their chosen representative, who left the party they voted for. Voters want a certain party in, and if their representative doesn't follow those party lines, then they should go back to the voters to determine if they are best to represent them.

It is our jobs as MLAs of our constituents to represent them in the best and most effective way possible. [interjections]

**The Deputy Speaker:** Sorry, hon. member. I'll just take a moment.

Hon. members, it's rather loud in here. I am very close to the speaker, and I cannot hear her. So all sides of the House, please just quiet down. Thank you.

Hon. member, please proceed.

**Ms Lovely:** Thank you.

It is our jobs as MLAs of our constituencies to represent them in the best and most effective way possible. We are the voice of our constituents so that they may be heard at all times. Our government will not accept any floor-crossers without a by-election. This is to determine if that is what their constituents want them to do. It is important to the democratic process that our constituents have a member that will appropriately represent them. It is ridiculous for a member to cross the floor to a very different party without consulting their voters first. They should be able to hold their representatives accountable and ensure that they are representing the voices of their constituents. It is important for the democratic right of our constituents that they have an MLA that follows their beliefs.

However, Madam Speaker, it is undemocratic to have an MLA cross the floor without first consulting their constituents, and if they must do so, they should have an immediate by-election. In the case that MLAs do choose to continue to cross the floor, we ask they resign and then run under their new party's banner in a by-election. If constituents are not happy with the party their MLA is in and want them to leave their current party, they can sit as an independent. However, we want to express how important this is to the democratic system that members should have a by-election to ensure that voters have the final say on who represents them.

Our government wants to ensure that constituents know that they are our bosses and that they have the final say on who represents them. We need to represent our citizens accordingly and reaffirm the role of citizens as the boss. Our government wants to ensure that Albertans have a voice in the House through their representatives and that they can hold their representatives accountable. They should be heard every day, not just on election day. This isn't about party loyalty or party-line politics; it's about democracy. We represent the people who elected us. The people trust us to represent them according to how they voted, and we should honour their decision. If an MLA can't stay with their elected party, they should have a by-election. It is only democratic. Every member here who wants to do right by their constituents and support their democratic rights should support this motion, Madam Speaker.

9:00

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

Seeing none, are there any other speakers? The hon. Leader of the Official Opposition.

**Ms Notley:** Well, thank you very much. Again, I'm not going to take a lot of time to speak to this although I will again be rising in opposition to this motion. The first reason is very similar to the reason that I gave to the last motion, which is that, in fact, it is nonbinding, absolutely nonbinding, and were it binding, it would be out of order.

Again, it's one of those things that the members opposite seem inclined to do, which is to announce that they are doing something and then do something else which is sort of designed to look like the thing that they promised they would do, but they actually all know that it doesn't do that. That's what's going on here again. There are pieces of legislation that they've introduced in this session already: "You know, here we are. We've introduced a piece of legislation. This was in our platform. Look at us. We're doing

the thing we promised we would do." Then you read through the legislation, and it's, like: "No. Actually, no, you're not. This is window dressing, and the legislation does not actually do what you say it does." This motion is much like that.

This motion is absolutely nonbinding. Within our parliamentary system it is not possible to tell individual elected members of this Assembly that they cannot cross the floor should they choose to, so this is meaningless, yet here we are debating it. Now, it's particularly ironic that we are here debating it because when the UCP was in the Official Opposition, it was, of course, at that time entirely made up of people who had crossed the floor.

That is deeply ironic – and I'll get back to that in a moment – but it's also a little bit interesting coming from the Premier and the leader of this party because certainly, as much as they were all very inclined back in the day when they were in the Reform and they were all about democracy and they would say, "oh, no floor crossing" and "everyone should resign" and all these great sort of democratic principles, once they got into government, their story changed. In I believe it was 2006 there was a well-known Liberal MP who was elected as a Liberal, and two weeks after the election he crossed the floor to the Harper Conservatives, directly into cabinet. So strange, all those years . . .

**Member Ceci:** Vancouver.

**Ms Notley:** Was he from Vancouver? Yes. I think he was from Vancouver, David Emerson.

. . . that the former Prime Minister Stephen Harper claimed to be running from the right, from that populist base, talking about a triple-E Senate and all these different kinds of democratic reforms like the one that we are now talking about today and, you know, two weeks into it, suddenly we've got a Liberal crossing the floor into his cabinet. I'm sure that many of the members of his caucus who actually ran under the Conservative banner were not terribly pleased to see that happen, but that is hypocrisy, I guess, in action.

Now, another example, going back to the federal Conservatives, that I think maybe members here should think about a little bit because it's quite instructive: there was another Conservative MP who was under investigation for election fraud.

**Ms Hoffman:** Really?

**Ms Notley:** Yes, he was.

Now, back over there, they were a little bit more concerned about the seriousness of being under RCMP investigation than the members opposite. While he was under investigation for election fraud, the then Prime Minister Harper said: "You know what? You're under RCMP investigation. This is a little dicey. We're not really keen on that in our caucus, so you need to sit as an independent." So he left the caucus, and he sat as an independent.

Now, eventually he was convicted, or he was charged. Maybe it was when he was charged that he had to sit. Either way, eventually, when he was convicted, he had to step down, but he had that little sort of purgatory place, sort of crossing the floor to sit with the independents while he was under investigation or awaiting the outcome of his charges. Just a cautionary tale to the members opposite since we do seem to have an ongoing RCMP investigation into the whole process by which your leader was chosen. I'm just saying that you might want to hold onto that little strategy for some of yourselves in case that becomes something that is necessary and there might be an occasion where potentially crossing the floor to sit as an independent will be a helpful safety net for some of the folks.

Now, going back sort of slightly more seriously, though, I do think that this is deeply ironic that the amount of floor crossing, back and forth, that begat the UCP is unprecedented in Canadian parliamentary history. I mean, I was elected in 2008, and by about – I'm going to go with '10 – 2010 we had then Conservative MLAs: one was kicked out, and two others crossed the floor to join with a fourth one who had actually been elected as a Wildrose. Maybe they elected them afterwards.

Anyway, they crossed, and then they created the Wildrose, and then the Wildrose did their thing, and then leading up to the 2015 election, a big bunch of them crossed back to the Conservatives, and then the election happened and the Conservatives came third, so then there was this whole backing and forth. Some of them wanted to cross, and some of them didn't, and then they created the new party, and some of them crossed to become part of the new party, and some of them held onto their original seats in accordance with the spirit of this motion, actually, and then, of course, lost those seats. Anyway, there were a couple of them that hung onto the original spirit of the motion, that they would finish out their term in the role that they were elected in, but they were by far the minority. The majority went on to essentially create the UCP, so it is deeply ironic that this is coming from this particular group.

Now, that being said, this whole issue would stop with: well, this is meaningless because it's not binding, but, oh, isn't it funny to talk about how this is actually emanating from this group given that nobody has crossed the floor as much as UCPers and the people that are now in the UCP but were previously in other parties. But the other thing that's going on here, which I think is a little bit troublesome, is that this is an effort on the part of the Premier to persuade members within his caucus to not cross the floor again, because, you know, once you do it that many times, it's just sort of like getting up in the morning and putting on a new pair of socks, I guess.

When you forcefully draw together two parties which had clearly divided over a number of issues and force them together in the pursuit of power – what we know is that over four years we will learn that a very small minority of members opposite in that caucus will have any access to any form or any version of power. The rest will be expected to hopefully represent their constituents and hopefully not have to spend too much time explaining to them why it was their school was closed or their hospital was cancelled or their roads were not being paved or their municipal taxes just went up and actually be able to talk about good things that are going on within their riding. Nonetheless, that will be a big part of the work that many of those who are not in Executive Council will be doing.

Given that this party is the product of two parties that had split on their own for, in my observation, relatively significant reasons – you know, there were those who were pro life and those who were pro choice. There were those who were not hostile to the LGBTQ community; there were those who were. There were those who think that funding education appropriately is a good thing; there are others who would prefer to see more private education and just starve public education altogether. There are actually significant differences that, at least at one time, lived within this conglomerate of the UCP. As a result, it would make sense to me that there is a risk that people might want to cross the floor at a certain point.

**9:10**

So it's ironic that the party whose genesis is nothing but floor crossing is now attempting to bring in a motion to ban floor crossing, a motion that actually is technically and legally incapable of banning floor crossing. Again, it is both ironic and an incredible waste of the time of the people in this Assembly because, again, this motion cannot do what it purports to do. It would be

unconstitutional were it to be able to do that. As I said before, I think there are much more important issues that we can discuss other than spending time listening to members of the UCP caucus try to convince their voters that they did a thing that they promised in their platform even when most of them fully understood that they had no ability to make that promise and that right now this motion does nothing to actually fulfill the promise which they actually don't have the ability to make.

With that, I will take my seat and reinforce that we will not be voting in favour of this nonbinding and deeply ineffectual motion. Thank you.

**The Deputy Speaker:** Standing Order 29(2)(a) is available.

**Mr. Hunter:** Madam Speaker, the Member for Edmonton-Rutherford, I believe, got up maybe 30 minutes ago and talked about the hypocrisy of what we on this side of the House have been saying, yet I just heard the Leader of the Official Opposition stand up twice now, talk about how we don't need to be discussing this or debating this, and then she went on to speak for 15 minutes on why we shouldn't be debating this. I would say that that is the meaning of hypocrisy. Hopefully, we can get on with business, and hopefully we can vote on this and see the views of this House.

**The Deputy Speaker:** The hon. Member for Edmonton-Rutherford.

**Mr. Feehan:** Thank you, Madam Speaker. I'm happy to take a few moments on 29(2)(a) to speak to this issue. I think it's important, what the Leader of the Opposition is saying here, because of the fact that the party who is putting forward this motion has its whole existence dependent on doing exactly what they're trying to stop other people from doing now. The party as it exists would not exist if a hundred per cent of the people sitting in the House at the time that this party came together, the governing party came together, hadn't crossed the floor from whatever party they were in into this brand new party called the UCP. A hundred per cent.

I think that says something about them, that they would choose to deny other people the powers that they used in order to create advantage for themselves. This is something I've spoken to in this House before, that for some reason this party, this government party, likes to coalesce power around themselves and then deny power to other people. I find that, you know, quite disturbing. They talk about decorum. They talk about all kinds of things. They present motions that they know are trivial because they cannot be enforced. In fact, they may even be violations of the Constitution. They do all of this so that they can centre the power around themselves and deny other people rights that they have, and then members stand up and say that it's a violation of democracy if somebody crosses the floor.

It makes me question whether or not they've actually spent time looking at the historical democracy of the Westminster parliamentary system. You do not vote for a party; you vote for an individual in your constituency. At no point do you say: I vote for this party, and I will take whatever representative comes from that party. If they want a proportional representation system, they should vote for one, a perfectly legitimate debate to bring into the House. To say that it's a violation of democracy to do what democracy is actually designed to do, and that is to vote for an individual who will go and represent you in the House, is to completely misunderstand the nature of the Westminster parliamentary system.

I find myself a bit flabbergasted that they would sit here and do this at this particular time, that they would actually come forward and propose to do something that they themselves took advantage



of and somehow make it sound like anybody else who does that thing is bad, that they're against democracy and bad human beings. What do you say about a person who says that it's good for me, but it's not good for anybody else? What language do we have to describe somebody who says, you know, "I get to do things and take advantage of them, but nobody else should be allowed to do that"?

Well, I've found myself using the word "hypocrisy" a number of times this evening and have been challenged on that now, yet that's exactly what's happening here: the hypocrisy of actually taking advantage of a rule and then stopping somebody else from taking advantage of it. You climb the ladder and then pull up the ladder after you so nobody else can benefit, so nobody else can actually succeed. What kind of thinking is that? Now I'm back to being worried about allowing them to vote with their conscience because it seems to me that somebody who climbs the ladder and then pulls the ladder . . .

**The Deputy Speaker:** Are there any other members wishing to speak to the motion?

Would the government like to close debate? The hon. chief deputy whip.

**Mr. Schow:** Thank you, Madam Speaker. Yes, we'd like to close debate.

[The voice vote indicated that Government Motion 10 carried]

[Several members rose calling for a division. The division bell was rung at 9:17 p.m.]

[One minute having elapsed, the Assembly divided]

[The Deputy Speaker in the chair]

For the motion:

|          |              |                 |
|----------|--------------|-----------------|
| Aheer    | Lovely       | Schow           |
| Amery    | Luan         | Schulz          |
| Barnes   | Madu         | Schweitzer      |
| Dreeshen | Neudorf      | Sigurdson, R.J. |
| Fir      | Nixon, Jason | Singh           |
| Glasgo   | Orr          | Smith           |
| Hanson   | Rehn         | Stephan         |
| Horner   | Rosin        | Walker          |
| Hunter   | Rowswell     | Wilson          |
| Loewen   | Sawhney      |                 |

9:20

Against the motion:

|         |          |              |
|---------|----------|--------------|
| Bilous  | Gray     | Phillips     |
| Ceci    | Hoffman  | Renaud       |
| Dach    | Irwin    | Schmidt      |
| Feehan  | Notley   | Shepherd     |
| Totals: | For – 29 | Against – 12 |

[Government Motion 10 carried]

## Government Bills and Orders Second Reading

### Bill 13 Alberta Senate Election Act

[Adjourned debate June 27: Mr. Schweitzer]

**The Deputy Speaker:** Any other speakers to the bill? The Leader of the Official Opposition.

**Ms Notley:** Thank you very much, Madam Speaker. It is again a pleasure to rise to speak on this bill and once again to speak against this bill. Let me start by saying that it is interesting that it's worked out this way, that I'm speaking about this bill right after speaking about the two government motions. This follows right along the lines of those motions in that it's one of those things that people tend to point to as an opportunity to enhance democracy, yet as soon as you dig into it a little bit, you realize that it's meaningless. It can't do what it purports to do. It doesn't work within the overall system that we have. It's an empty promise. That is exactly – exactly – what this piece of legislation delivers, yet another empty promise.

This is a piece of legislation that is designed to convince people that somehow we will get Ottawa to listen more effectively to us if we have the Senators, who are elected for life. I need to be very clear: that won't happen. It is, I think, disingenuous for people to advocate this particular strategy as a means to getting better representation for the people of Alberta or other provinces in the west, quite frankly. It doesn't work that way. You know, it's just really, as a result, disingenuous.

You know, we go back to the origins of the Senate. We know that it was originally put in place to establish greater levels of equality between certain regions in the country. The problem is that the regions, as they were defined at the time, were a heck of a lot different than they are now. In fact, the Senate now is an incredibly discriminatory body as far as regional representation goes. Here in the west, where we should have far more Senators than we do in order to actually have the Senate fulfill that purpose of being sort of a more regionalized mechanism of sober second thought, instead what we have is a Senate that is a more discriminatory version of a regionalized opportunity for sober second thought, where we are bound to have the interests of other parts of Canada take precedence over the interests of the west any time that the Senate actually flexes its muscle to do anything of substance.

You know, the Maritimes have more Senators than we do. Even though we're growing much faster and we've long since overtaken them in population and all that kind of stuff, there is an incredibly unequal distribution of Senators. That is part of the Constitution. Until such time as we change the Constitution, that will be the law. As a result, because that is the law, what you then have to do is make sure that the Senate – because it is so unequal, those of us in the west need to not give the Senate more credibility or give it more opportunity to flex its muscles because if we do that, it will ultimately be used against us by the other parts of the country, which actually have way more Senators than we do because the Senate is fundamentally unfair.

Right there, I'm not sure why it is we are embarking upon this particular strategy because it does not deliver what the members opposite suggest that it delivers, yet again another piece in this unfolding pattern of governance by this UCP government. Promise something, put something in the window, say: hey; this product here is going to fix your problem, this thing that we promised to fix, even though it doesn't. It's a strange way of governing.

Now, there is no question that in the last six months or eight months or 12 months we have seen the Senate flex its muscles to some degree and almost succeed in ensuring an outcome that would have been better for Albertans and for the west and, perhaps, even for the people in the Maritimes. Ultimately, it didn't quite happen, but it almost did.

There is a saying out there, for those of us in the legal world, which is: good facts make bad law. What we've done here is that we've got this one little sort of glimpse into an occasion where the Senate almost was an advocate for the interests of the west, and coincidentally one or two of the Senators that were part of that, certainly not the only part but one part of it, were elected and then

appointed as a result of the election. But that is really, Madam Speaker, more of a coincidence than a map for change because it is a function of the particular political dynamics at this moment and the particular issue. You cannot expect it to work that way on other issues. Really, what we saw was a very short-term political situation, political gamesmanship, very much related to the, I would say, at most 48-month political narrative that we are dealing with right now. The problem is that the Senate does not operate in 48-month cycles; the Senate operates for life.

[The Speaker in the chair]

So whether we elect them or don't elect them, once someone is appointed, they are appointed for life. Lots of things can happen over the duration of a Senator's appointment. The Charter of Rights and Freedoms can come into effect, for instance. Governments can change completely. Laws can change completely. Societal norms can change completely. The Internet can be invented, for instance, over a Senator's term. So this idea that we can look to the last six, 12 months as a guidepost for what we can expect over the next 24 years of the Senate is profoundly unwise.

[The Deputy Speaker in the chair]

Let's just go back to the fundamentals of the Senate. The fundamentals are that it is regionally unfair to the west, and it is based on appointments for life. What this purports to do is to have an opportunity for people to elect their Senators, who may then be appointed. Now, quite honestly, Madam Speaker, some people might argue: well, at least if they're elected, then they know who elected them, and they'll function that way. You know, I think the reality is that one of the things that makes politicians accountable to their electorate is the possibility of the next election, Madam Speaker. One election and then, woo-hoo, you're in for life and you've got your pension guaranteed and you've got your 27 houses in your different provinces, depending on all that kind of stuff: all that happens, and you never have to face the voters again.

9:30

You know what? That does not achieve what this bill is telling people who are worried about the Senate it will achieve. Anyone who knows anything about electoral politics understands that it will not achieve it. You get elected once; you get elected for life. The accountability piece is gone and with it, I would argue, the effectiveness piece as well, probably, because most politicians' effectiveness is linked to their accountability. It's linked to the fact that ultimately they're going to have to face the voters again. As a result, this simply won't work, but it will for a brief window in time give more credibility to an institution which is profoundly unfair to the west because we don't have anywhere near the representation that we should.

In addition to this, there are a couple of other things that are happening in this bill which are also troubling. One is that it appears to open up a darn big great old hole in our Election Act in terms of raising the spending limits of certain political parties. Depending on the timing of the election and what else is going on in the election, you can actually end up almost doubling the spending limits for political parties. That is a problem, a very significant problem. One, I don't think there's a soul in Alberta, if you were to ask the question – maybe I'm wrong. Maybe it's only 90 per cent of people who would answer it the way I think they would. Maybe I'm wrong overall, but I think if you went to Albertans and said, "Hey, do you think we need more big money in politics? Is that the answer to our democratic woes?" I'm pretty sure most Albertans would not say, "Yup, we need more money. That's what we need to make our politics better, more money." Yet that's what this does.

A creative trip through the loopholes which are built into this act could actually allow for a significant elevation of the spending ceiling, depending on the timing of the elections.

Now, perhaps when we get to committee, members opposite will consider amendments that will allow us to close that loophole such that we won't perceive this bill to be an end run around the fair elections act and the object that we certainly have, which is to get big money out of politics, and indeed the object that one of the UCP's predecessor parties, the Wildrose, actually agreed with us on. We shall see.

The other thing that I think is very troubling about this act is that, because it allows political parties to come in and spend money on senatorial candidates, it essentially demands that senatorial candidates be partisan. When this idea of having a Senator who is representing Alberta and ensuring that they must be partisan is paired, then, with this fact that they are elected for life, I think it is wrong. If you're going to create a system that encourages or almost demands partisan alignment in order to compete within the senatorial election milieu, then you had better find a way to make sure that that person is not there for life because the two don't work together properly and you're going to end up with a great deal of dysfunction. Frankly, I don't think that we should be injecting the requirement to be partisan into the notion of senatorial politics if we are going to have the notion of senatorial politics. Again, I'm not entirely sure why we're so interested in giving power and influence to a body that is so discriminatory to the west, to western Canada.

Finally, the last thing that this act does, which again should go against the basic bread and butter of the UCP, so I'm surprised again at why we are playing in this pond, is that, of course, it's expensive. It's expensive. We are having a faux election to elect someone, who may or may not actually then have a right to end up in the Senate, to a body that is discriminatory to the west so that a person can be elected for life even if they outlive the partisan group that originally worked to get them elected. I know the UCP thinks that they're going to govern for the next 45 years. You know, I wouldn't bank on that quite yet. Quite frankly, most Albertans would not think that that was a reasonable plan, just as I don't think anyone would be very comfortable with electing somebody for life. But in any event, I don't think they're going to be comfortable with electing somebody for life to a dysfunctional body that discriminates against the west and spending taxpayers' dollars on it.

[The Speaker in the chair]

This will be expensive. You know, for a government that claims to be worried about the bottom line, that is putting thousands of families across this province under great stress because the Minister of Education can't be bothered to tell school boards whether special-needs students will have aides with them when school starts in September because she can't be bothered to actually tell them how much money they're going to get – and I don't know why because they've certainly had more time than our government did in the same situation and we were able to tell them, but for some reason the Minister of Education can't because she has to wait for the blue-ribbon panel to tell her what she can do. But somehow we can still go ahead and create a whole new expense item which is the cost of electing somebody for life to a dysfunctional body which discriminates against the west. Why?

I know you love to tell the story of good Senator Black and what's happened over the course of the last six to 18 months around two pieces of legislation, but that is not the way this works. The Senate is built into the Constitution. It will outlast this legislation. The partisanship around the senatorial appointment will not outlast this legislation. The Senate will outlast all of that. We will be left

with, again, the remnants of trying to breathe life into a body that discriminates against the west, because for one political moment in time there is a thought that there are more Conservatives there than not. You know what? It's not going to work that way. It's going to work against the west. When people wonder why the Senate is not a place that is speaking up for us, they will be looking to this government and why it is that this government chose to try to give the Senate more credibility.

I will say that it's amusing because, of course, I suppose, in one sense it's good that this particular government doesn't get to appoint or recommend appointments because their record almost blew up the Senate. We thought that you needed to change the Constitution to blow up the Senate, but frankly the Harper Conservatives almost blew up the Senate with the outrageously poor selections that they made in their appointments and some of the scandal that ensued. You almost did manage to blow up the Senate. Now it's coming back into more repute, slightly, but, again, waxes and wanes.

Even as these things change, the fact that the west is disproportionately represented and that these people are appointed for life: nobody can change those things without changing the Constitution. Both those elements, to me, render the Senate a fundamentally flawed institution which we should not be spending good hard-earned taxpayers' dollars on propping up for political gamesmanship, which is really what this is about. I would urge members to vote against this because we have better things to spend our money on.

Thank you.

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

Is there anyone else wishing to speak to the bill as I don't believe that Standing Order 29(2)(a) is yet available? Anyone else wishing to speak? I see the hon. Member for Edmonton-Rutherford has risen. And by risen, I mean I don't see that he has risen. Is there anyone else wishing to speak to second reading of Bill 13?

[The voice vote indicated that the motion for second reading carried]

[Several members rose calling for a division. The division bell was rung at 9:40 p.m.]

[Fifteen minutes having elapsed, the Assembly divided]

[The Speaker in the chair]

For the motion:

|           |              |                 |
|-----------|--------------|-----------------|
| Aheer     | Lovely       | Sawhney         |
| Amery     | Luan         | Schow           |
| Barnes    | Madu         | Schulz          |
| Dreeschen | Neudorf      | Schweitzer      |
| Fir       | Nixon, Jason | Sigurdson, R.J. |
| Glasgo    | Orr          | Singh           |
| Hanson    | Pitt         | Smith           |
| Horner    | Rehn         | Stephan         |
| Hunter    | Rosin        | Walker          |
| Loewen    | Rowswell     | Wilson          |

Against the motion:

|        |         |          |
|--------|---------|----------|
| Bilous | Gray    | Phillips |
| Ceci   | Hoffman | Renaud   |
| Dach   | Irwin   | Schmidt  |
| Feehan | Notley  |          |

Totals: For – 30 Against – 11

[Motion carried; Bill 13 read a second time]

## Government Bills and Orders Committee of the Whole

[Mrs. Pitt in the chair]

**The Chair:** Hon. members, I'd like to call the committee to order.

### Bill 2

#### An Act to Make Alberta Open for Business

**The Chair:** We are on amendment A2. Are there any comments or questions? The hon. Member for Edmonton-Gold Bar.

**Mr. Schmidt:** Thank you, Madam Chair. It's a pleasure to rise and offer a few additional comments on this amendment that's before us. Of course, in this amendment we're proposing to change the name to more accurately reflect the intent of the legislation, and that is, of course, to make changes to the employment standards and labour relations acts.

In comments made by my colleague from Lethbridge-West earlier this afternoon, she had indicated in debate that it was really inaccurate to call this act An Act to Make Alberta Open for Business because, of course, there is nothing about lowering workers' wages that will make Alberta open for business.

10:00

We already have, of course, the lowest tax jurisdiction in the country. That's even prior to this UCP government enacting a 4 and a half billion dollar corporate tax giveaway. That became effective yesterday.

Of course, we already led the country in growth in 2017. We were among the leaders in 2018. Even though the economic outlooks that have been issued – well, let me say that the economic outlooks that have been issued for the province of Alberta for 2019 and 2020 put Alberta at the back of the pack when it comes to comparing us to other jurisdictions with respect to expectations for economic growth, and that's in spite of and not because of what the members opposite have enacted as far as legislation goes.

You know, the economic forecasters are well aware of the government's intent to lower corporate taxes. They're well aware of the government's intent to lower workers' wages. They're well aware of the government's intent to stop promoting the renewable energy sector in this province. And in spite of those things or because of those things the economic forecasts for the province of Alberta are not good for the year 2019. In fact, a lot of economic forecasters show that Alberta will lag most of the country in terms of economic growth for 2019, which is unfortunate.

It's unfortunate because at a time when economic growth is stagnating, of course people turn to governments to provide the services that they need, and government is moving quickly to make sure that it doesn't have the financial resources that it needs to provide services to the people of Alberta in their time of need. On top of that, they're piling on by lowering workers' wages, so when Albertans aren't able to get the services that they need from the government, they're not able to draw on their own resources because their wages have been lowered in a number of cases. Who will they turn to? I'm not sure, Madam Chair. It certainly seems that if people are falling upon hard times, they won't be able to turn to their governments, and they won't be able to turn to their own resources because the UCP has worked very hard and very quickly to make sure that neither government nor individuals working in these jobs have the resources that they need to look after themselves and look after the people of the province.

My friend from Lethbridge-West was correct in saying that it is inaccurate to call this act An Act to Make Alberta Open for

Business. In her comments she touched upon some of the things that the government could do to actually indicate that we are open for business. One of the things that she highlighted was investments in postsecondary education. I want to reiterate the importance of those investments. That's certainly something that we saw as important to diversifying the economy and helping Alberta recover from one of the worst recessions in generations. That's why we increased funding for universities and colleges across the province. It's why we froze tuition, to make sure that people who wanted to go back to school faced lower financial barriers to do so. It's why we increased the number of scholarships and grants that were available to students, so that they had more financial resources to do that.

That's also why we proposed to invest \$50 million over five years in tech-related education programs. We had heard clearly from the high-tech sector, who were working in Alberta or wanted to set up shop in Alberta, that access to skilled employees able to go to work in jobs that were available in the high-tech sector was not adequate and that we needed to train more Albertans to be able to go to work in that sector. It's really unfortunate that today in question period the government didn't commit to that education funding that we had committed to, that would lead to a lot of economic diversification in the high-tech sector, lead the high-tech sector to be able to hire people with the skills they need to be able to go to work in that sector. That's something that would truly make Alberta open for business.

Now, Madam Chair, with respect to postsecondary education there are some concerns, of course, that I have with what this legislation does in terms of restricting access to postsecondary education. Now, I knew many students in my time at university who worked construction jobs and worked significant hours of overtime, put in significant overtime hours in the summer while they were going to university, to pay for their schooling. For a very brief period of time students in those situations were able to bank their overtime hours at time and a half, and now the government has taken that time and a half banking away from them. As we've clearly established here during the debate, time is money, and when you're taking time out of students' pockets, you're taking money out of students' pockets, money that could be used, that would be used to further their education in university. By taking away the overtime, it's making it harder for Alberta students to pay for their advanced education, which, of course, will mean that the skills shortage that already exists will not be addressed and will continue to be a problem that plagues a number of sectors, including the high-tech sector.

I did want to raise an issue with respect to the minimum wage, of course, which is related to this legislation. The discriminatory student minimum wage came into effect last week, so now students under the age of 18 are only paid \$13 an hour, which means two things, Madam Chair, that students under the age of 18 who are trying to work a job to save up and pay for postsecondary education have to work that many more hours to be able to save for their education, and of course those who are 18 will have to now compete with people who are 17 years old who are making \$13 an hour, making it less likely for them to be able to get a job in the first place. That will create a lot of financial stress on young people who are seeking higher education in the province of Alberta or anywhere else, for that matter, because, of course, Albertans go across the country and around the world to pursue higher education when the opportunities present themselves.

Whenever a student's personal financial circumstances fall short of being able to meet the costs of pursuing higher education, the province of Alberta has historically stepped in and provided access to student loans, and now I think the government has

unintentionally increased the future demand for student loans in the province of Alberta by making sure that students under the age of 18 can't adequately save up enough money for higher education and those over the age of 18 have to compete that much harder for jobs that would allow them to be able to fund their higher education. That means that that shortfall will fall to the student loan program administered by the province of Alberta.

It was interesting, Madam Chair, to read the annual report for the province of Alberta, that was released last week. One of the items that was listed was the growing student loan portfolio administered by the Department of Advanced Education. In 2018, I believe it was, 2017-2018, the student loan portfolio accounted for approximately 2 and a half billion dollars. In 2018-2019 that grew significantly, to almost \$2.9 billion. That's a 13 per cent increase in the student loan portfolio in one year. Of course, related to the growth in student loans is the growth in the cost of covering the interest rates, the growth in the costs of covering defaults, all of those costs associated with providing the student loans to the students of Alberta.

**10:10**

Now, in addition to that noted increase in the student loan portfolio in the Ministry of Advanced Education, one of the increased expenses unanticipated during the year was the growth in the cost of student loans. There was an additional \$25 million that was unaccounted for when the budget was created in 2018 because the student loan portfolio was growing so quickly that we were unable to account for the growth in the costs of carrying all of those student loans. That, Madam Chair, can only be anticipated to grow if the government continues to make it harder for students to be able to earn enough money from their work during school and during the summer breaks to be able to finance the costs of their higher education.

So it's curious to me what tack the members opposite will take in trying to tackle the deficit, trying to get the economy going again, all while making it harder for students to earn a living sufficient enough for them to be able to pay for their higher education and cap the student loan increases in costs. I would encourage the members opposite to maybe give their minimum wage plan a rethink not necessarily with the lens of job creation, since we couldn't convince them that minimum wages don't have a significant effect on job creation for young people, but if only to see it through the lens of what lower wages for youth mean to the bottom line of the province of Alberta because the government has been quite explicit in its intent to eliminate the deficit and reduce the debt, and they won't be able to do that if the student loan portfolio continues to grow at the significant rates that it grew over the last couple of years, Madam Chair.

The other option is probably the one that I expect the government to go down, and that is to both limit the availability of student loans to students and limit their financial ability to earn enough money to pay for themselves and to continue to leave Alberta students in the lurch when it comes to being able to afford a higher education of any kind. Of course, that was the situation that Albertans were in for a number of years under previous Conservative governments. That's why we lagged the entire country in terms of participation in advanced education, and that's one of the reasons that we continue to struggle with this issue of economic diversification, because when we don't have people pursuing higher education at levels high enough, at levels comparable to other jurisdictions in the country, we will continue to be left behind when it comes to developing new industrial sectors, new commercial sectors in the province. We'll continue to be left behind when it comes to innovation and economic diversification outside of the traditional strengths of the Alberta economy.

In relation to that, additional costs that the government is imposing upon itself by cutting the minimum wage and, you know, the knock-on effect of having to increase student loans is, of course, the knock-on effect of accessibility of the Alberta heritage scholarships. Now, many people here in this House are likely familiar with some of the Alberta heritage scholarships. The Alexander Rutherford scholarship is, of course, available to all students who achieve a minimum grade point average in high school, and it's commonly seen as a birthright of Alberta students, that if they achieve that given level of ability in school, they qualify for the Alexander Rutherford scholarship, that they can take and use to pay for higher education at any institution in the world.

Of course, the costs of administering the Alexander Rutherford scholarship are also growing very quickly, Madam Chair. The government hasn't given us any indication of how it plans to maintain scholarships and grants for students who can't otherwise afford to pay for higher education, and it's, as I've said before, taking away, through a number of measures in this bill before us, the ability of students to pay for their own higher education. I hope that the government doesn't decide to cap accessibility of scholarships as well to control its own costs, because, again, we'll be left in the same situation as with the student loan program. If we cap access to those programs, then students won't be able to earn enough money from their minimum wage jobs to be able to pay for their higher education, and they won't be able to access the financial resources through the student loan program or the grant program to be able to pay for it either.

So it's for these reasons, Madam Chair, that I really think it's inappropriate for this bill to be named An Act to Make Alberta Open for Business. As my hon. friend from Lethbridge-West indicated, a province that's truly open for business is one that invests in its students and makes sure that its students have ready access to affordable higher education. We can see from this legislation, of course, that we're making it harder for students to be able to earn sufficient wages to be able to pay for their education. We've seen it from other movements that the government has made with respect to corporate tax giveaways and a commitment to eliminating the deficit over three years. I fear that we're also going to see significant reductions in the student loan programs and student scholarships and grants. That means that Alberta will be less open for business than it was four years ago, when we were elected. We'll be cutting off access to students' abilities to receive higher education in this province, which is truly a shame.

With that, Madam Chair, I urge all members to truly consider what a province that can realistically call itself open for business would look like. I hope that members reflect upon the hardships that we're foisting upon the young people of this province in terms of them being able to reach their dreams of pursuing higher education. At least be honest with the people of Alberta and call this An Act to Amend the Employment Standards Act and the Labour Relations Act, and do away with this charade of saying that Alberta is open for business when, in fact, we're not.

**The Chair:** Hon. members, are there any other members wishing to speak to amendment A2? The hon. Member for Edmonton-Rutherford.

**Mr. Feehan:** Thank you, Madam Chair. I appreciate the opportunity to speak to amendment A2, which is the amendment to change the name of the act from An Act to Make Alberta Open for Business to a more appropriate and descriptive title, which is the employment standards and labour relations statutes amendment act, 2019.

10:20

Given that we've been hearing a lot of instruction about the desire in this House to be more focused on the debate that should be occurring in this House and less on some of the partisan attacks, I would think that the government would want to lead that by actually being more transparent about their act and not using this as an opportunity just to cloud the conversation with a descriptor which is, in fact, not a very accurate descriptor and one that implies things about the previous government that aren't true. Therefore, it leads to conversation in the House which is considered unparliamentary and should not be instigated by the government. Yet, you know, they stand up at one time and ask us to not go down that road, and then they stand up at another time and begin to instigate difficulties, again back to the "do what I say and not what I do" that the government seems to be pretty consistently engaging in over the last little while in this House.

I have a couple of major issues I need to talk about, and I probably will not be able to finish them both in the time that I have available to me right now, so I will stick around the House and stand again to speak to some more later. I would like to take this particular segment of time to talk about one issue which I think is very important, one that, you know, has always been very important to me as previously having had the privilege of serving as the Minister of Indigenous Relations in this province and still being committed to the issues that were addressed to me as Minister of Indigenous Relations by members of the community and the things that they'd like to see happen.

I think that it's important that we look at the name of this bill, which is An Act to Make Alberta Open for Business. We then immediately have to look at the question of: is it in fact making Alberta open for business for indigenous people? It's an excellent question for us to be asking. We should always be making decisions in this House that are reflective of the needs of the indigenous community in the province of Alberta. In fact, any act that we do engage in that doesn't seek to understand and address the concerns and the needs of the indigenous population would on some level actually be an undermining of the declaration of the rights of indigenous people, the United Nations declaration, commonly referred to as UNDRIP, in which one of the articles refers to "free, prior and informed consent." In this case, we clearly don't have free, prior, and informed consent in terms of how it may affect indigenous people.

I'm very concerned that this government has not yet, by the way, stood up and declared their support for the United Nations declaration on the rights of indigenous peoples. It concerns me that they're this far into their term without having taken a very clear stance on that, and clearly through their behaviour they are also not engaged in behaviour consistent with that declaration.

The issue at hand for us is whether or not this particular bill, which is apparently to encourage business in the province of Alberta, does so for indigenous people. I can tell you that I'm very concerned about some of the choices this government has made. I think it tells me that while they want to speak out of one side of their mouth on the nature of business, they in fact act more closely for the other side, which is not to support business. In this case, I'm particularly concerned about indigenous businesses.

I noticed, for example, that when this government said, "Oh, we are doing things for indigenous people; we've created this indigenous opportunities corporation and have created this possibility that indigenous people can borrow some billions of dollars, with government backstops, in order to invest in the energy sector," they did not say to the indigenous people, "We would like to support your businesses" and say, "We are going to provide you

with the resources that are necessary for those businesses to exist," which they could have done.

This could have been open for indigenous businesses, for example, by talking about resource revenue sharing with the indigenous communities, allowing them the opportunity to benefit from the royalties that are coming off the lands that have been their lands since time immemorial, and they chose not to do that. They didn't create an opportunity for indigenous businesses to avail themselves of the profits from resource revenues, which they could have done. But they chose not to do that, so it isn't supporting businesses in the indigenous community in that way. It's not open for business in that way.

They did announce this indigenous opportunities corporation, but I notice that even in the APTN report on the meeting in which this corporation was announced, Chief Roy Fox of the Kainai First Nation, often referred to as the Blood Tribe, was quoted as saying: we have a 200-megawatt wind farm, and we are proposing another one, another 200 megawatts. End of quote. I think it's very interesting that at that very meeting Chief Fox was saying: we want to be invested in green energies; we have already invested much of our own business energy into green energy, and we'd like to continue to do that. Yet this government, within a few weeks of having had that meeting and promising to participate with the First Nations in creating businesses, without notice, without consultation just cancelled the REP program, that was coming up in the next number of months, that would allow Chief Fox to build his other 200-megawatt wind farm.

It's a big concern for me that he came and said, "The very thing that I'm supporting this for, the thing that I want to do with this, is to build a wind farm," and then two weeks later the government, who says that they're open for business, cancelled the very opportunity to create that business and cancelled the funding on which that was based, through the carbon levy. You can't say that you're open for business and then immediately attack an existing proposal for business because it is a business that you don't happen to support or share.

I notice that in this work that is going on, there's no comment about the fact that one of the most significant and important businesses for the indigenous community had been green businesses. I'm sure that many people in the House have heard me speak about the incredible solar projects that are going on throughout the province. I'm very proud of the fact there are over 30 indigenous communities that have put solar panels up through the money in the indigenous climate leadership program, which, of course, came from the carbon levy, and that many of those communities not only have put up the solar panels, but they have actually begun the process of teaching and training citizens, members of their nations, to become installers and to even start businesses that do this kind of work throughout the province.

I have remarked previously, in the past, how on my early trip in my tenure as Minister of Indigenous Relations I had an opportunity to go to the Montana band, just south of Edmonton, and meet with them about their solar installation project, which, in fact, inspired much of the program that we ultimately put together, and I learned that they had put together an incredible business called Green Arrow. The whole point of the Green Arrow program was to teach people in their community about the installation of solar programs and to build on those programs so that they can not only have jobs in the installation, but they can actually run a business that would derive income from putting installations up in other places throughout the province of Alberta.

This bill does nothing for that. It's wholly inconsistent that the monies that went into that climate leadership program, the indigenous climate leadership program, have been taken away by

the cancellation of the carbon levy, and no monies have been put in through this bill to help replace that. Nothing in this bill is going to help small First Nations put together solar programs and businesses like they would like to do.

**10:30**

I know, for example, that in Maskwacis they continue to wish to build more solar programs. Fortunately, they did receive some monies through the previous government to put together not only solar panels onto the buildings but a one-megawatt solar field, which is going to be opening very soon. I will be very proud to be at that opening and to talk about how the indigenous climate leadership program contributed to that kind of business, which has employed a number of people from the Maskwacis community and will continue to provide income for the Maskwacis community so that they can expand and grow the rest of their businesses.

My concern is that it seems to be that the government has a desire to be open for business but then is acting against it, particularly if it's a business they don't like, if it's a business they don't understand, if it's about saving the planet, if it's about passing the Earth on to our children and grandchildren in a good way. They don't seem to be interested in that, so how can they say that they're open for business? I mean, perhaps if they had labelled it, "Open for the businesses we'd like to pick and choose, that are consistent with our personal value system or the friends that have supported us in the election's value systems," then it might make more sense, but it doesn't even do that, in fact.

What it speaks about instead in this bill is the diminishment of rights of others, the diminishment of the salaries for people who are under the age of 18, the diminishment of people who wish to bank overtime consistent with the rules and regulations across the country, the diminishment of unions to create unions to represent members in terms of their contract negotiations with industry. That's all it talks about. It talks about labour legislation. It talks about those employment conditions, so why not call it a bill about that? Why not call it a bill about employment standards and labour relations? Because you're trying to say something that you're not doing. In fact, you're consistently acting against this with all the other bills that you're putting together.

Now, I look at this, and I think about: what are some of the other businesses that have been started in the province of Alberta by the indigenous community? I look at places like Fort Chip, where the ACFN have put together a business selling groceries because, of course, we know that in northern communities groceries are extremely expensive. I know that a four-litre jug of milk often costs more than \$20. So they decided that they would actually create a business that did two things: that not only created for them a business which they could run, and that business would employ their own members, thereby increasing employment in their community, but derive some income so that they could start other businesses in the community. Those are all good things. Fortunately, our indigenous climate leadership program was around to help them with that project because they were able to bring in sophisticated high-tech refrigerators that require much less energy, based on the support that we provided them through the indigenous climate leadership program.

I look at this bill and say: will this bill help the ACFN sell more groceries or run more businesses in Fort Chip? The answer is no. I don't see that. They may be supporting some business, but so far they're not supporting green businesses, and they're not supporting grocery stores. Also a grocery store in Kainai that, again, Chief Fox is very proud of. But I don't see this bill speaking to the issues that are necessary in order for them to build businesses such as grocery stores or perhaps the other businesses that are built in many other

communities. Grocery stores, of course, are becoming more common because food is a big issue for communities and being able to sell products at a good cost is something that's fundamentally important to the community. But clearly nobody went to talk to the indigenous community and ask them: would you like to continue these kinds of supports that are available now to ensure that food becomes more available at a reasonable cost in these far afield communities?

I also know, in talking to some of the northern First Nations, that they're interested in other forms of advancement. For example, in the Beaver First Nation in northern Alberta they are very interested in construction and very interested in doing things like building fire roads and doing paving and working closely with the forest industry and so on. But again, I don't see this bill providing them any enhancement. They last received a large Caterpillar machine through the aboriginal business investment fund. I see no addition to the aboriginal investment fund in this bill. I don't see any enhancement to that program, which has demonstrated itself to be extremely effective and has helped to start many First Nations businesses across this province and has really led to some great employment levels. That's all taken away.

What I see is us reducing the number of jobs that are available in industries that are extremely important to First Nations communities, jobs that are about local development, jobs that are about the grocery store, jobs that are about reducing their costs by putting up solar panels, jobs that are about taking care of the forest, which is a huge part of their land, their culture, and their relationship to the Earth. I don't see any of that supported by this particular bill, which apparently is about making Alberta open for business. I can tell you, though, that all of that was available under the previous government. Under the previous government we were open to all those businesses. We worked regularly with the communities to ensure that those businesses got developed. How can you say you're now open for business, implying that you weren't open for business before, when, in fact, the opposite is true, that we did indeed have programs that were effective with one of the populations that has not always had the chance to be successful in our Alberta society?

Here we are actually working with the community that most needs that benefit, that is willing to take advantage of new opportunities in the world's transition toward a greener economy, and instead of supporting those jobs and enhancing those jobs, you're taking those jobs away. I can't imagine, I can't support your calling this bill a bill about making Alberta open for business when, in fact, you're not doing that at all. I would really like this government to take some time to stop this bill and to go and to consult with the indigenous community and to ask them about the types of things that would really work in the indigenous community. What is going to help indigenous businesses to thrive? What kinds of mechanisms are available that would provide job opportunities for individual First Nations members and Métis people?

**The Chair:** Are there any other hon. members wishing to speak to amendment A2? The hon. Member for — where are you from? — Edmonton-Riverview.

**Mr. Dach:** McClung.

**The Chair:** Edmonton-McClung. What time is it? The hon. Member for Edmonton-McClung. It is your turn to speak.

10:40

**Mr. Dach:** Thank you, Madam Chair. I'll start now that I've been duly named and identified. I appreciate the opportunity to rise in the

House once again to speak to Bill 2 and the amendment to rename the piece of legislation more appropriately, something other than the open for business act. In fact, calling it an open for business act is a misnomer. It is something that even my 84-year-old mother doesn't agree with.

She gets it. In conversations I've had with her, actually, when I visit, she asks what legislation the House is considering, and of course Bill 2 has been debated for a while in this House. It's a very contentious and divisive piece of legislation, and now the name amendment is on the table for debate. You know, I go and review with her what the legislation is all about, and even at her advanced age she reacts almost immediately to some of the things that I tell her it's about. She says: well, what does it do? I say: well, if you're under 18 years of age, it means that you're going to have your wages cut by two bucks an hour. She says: well, son of a — I won't finish her sentence because it would be unparliamentary. But she wasn't tickled with that at all. She didn't think that was very fair. It was instantaneous. There was no second-guessing what her response was. At 84 years old she knew there was an injustice right off the bat.

She said: "Well, how much is that? I mean, if you're looking at an hourly cut of two bucks an hour, how much is that over the course of a year?" I said: "Well, you know, if you're looking to save for university education, Mom, for your grandson, that's going to be about four thousand bucks that somehow his family is going to have to pick up. That \$4,000 isn't growing on trees. It means that, you know, Uncle Lorne and Grandma Dach will have to fork over for that." Family members of these individuals, these young people who are having their wages cut by two bucks an hour, are going to have to pick up the slack.

[Mr. Hanson in the chair]

So open for business has a second side to the coin. By the behaviour of this government it appears that it's a zero-sum game because opening for business means open season on workers, and it's not only the student workers under 18 who are targeted by this legislation, which is so inaptly named. It's pretty much every worker in the province. The government does not seem to view working people and their role as working people as worthy of rights that are afforded working people in many jurisdictions in the world where labour laws are a little more respectful.

I know I've mentioned in this House before how I've experienced a number of the setbacks that this piece of legislation proposes to impose upon workers in Alberta, whether it be in a unionized workforce or a nonunionized labour force. In all these things even an 84-year-old woman at first glance knows the injustice that's inherently involved. When I talked about the wage differential, she really just couldn't fathom that just because her grandson happened to be under 18, he or she would earn less than the person they were working beside who happened to be over the age of 18 doing the same work.

In the same vein, when I told her that if you were going to be serving liquor as part of your occupation, your wage would be lower because it was expected you'd be making up the difference in tips and hustling for tips rather than being able to rely on a wage that paid you fairly, pitting you against your other employees in a competition for tips that didn't respect the fact that you went to work and should be paid by an employer and shouldn't be relying upon the charity of your customers to determine what you ended up earning at the end of the day.

We often say that the government is an arbiter between competing interests, but with the naming of the original bill, the open for business act, I'm wondering if the government wasn't very

plainly showing their bias and indicating to Albertans quite clearly that they're really not that arbiter. They're not that go-between for competing interests who will look at reacting fairly to what's necessary and just and coming down at some middle ground. What they're doing in this particular case is very clearly stating that workers are less valued by them. They definitely side with businesses owners, seeing that as the Holy Grail for government arbitration, that businesses come out on top and working people are merely pawns in the game.

It's a sad state of affairs when a government doesn't value the humanity that elects them. It's a really sad day when you see the progress that had been made in the previous government, where the government finally, after decades of labour legislation that stagnated, stood up for hard-working Albertans. We made sure that Albertans had modern workplace laws that respected working people and set modern standards and ensured fair treatment, and there was a breath of fresh air in labour circles and throughout the workplace, knowing that there was actual balance coming back to the arbitration between competing interests that government was supposed to play a leading role in.

It wasn't that we were tilting the balance in favour of working people. It was that we were rebalancing the whole scope of labour relations in the province, meaning that both sides had to be respected, meaning that individuals who worked for a living and provided their labour to an employer would be treated fairly. After decades of inaction hard-working Albertans finally had the same rights and benefits as other Canadians. We followed through on our promise to phase in a minimum \$15 wage so people didn't have to go from their jobs to the food bank. Even that is not a true living wage in our major cities of Edmonton and Calgary, which would be closer to \$17 to \$18 an hour. However, we set the minimum wage at \$15 an hour to get as close as possible to a living wage in the economic times that we're in even though we'd hoped to do even more.

That sent a message to the rest of the province, the people working in this province, to young people who were joining the workforce that they were valued, that they meant something to the government that represented them. To now look at the situation where it's reversed and those people who were looking forward to being able to put together maybe in the course of a working summer \$6,000 of savings, they're going to end up with maybe a thousand dollars less over the summer for their university tuition, living expenses. That is something that is a hard reality to take. I'll never forget my mom's jaw dropping and her eyes gaping open wide when she heard that the two bucks an hour was going to cost the average student about \$4,000 a year. Knowing how hard it is to save that kind of money for the average family to put somebody through school, you don't want to end up with, if you can avoid it, huge student loans or family debt.

10:50

Here we have the government talking about how they support Alberta families, how individual families are the bottom line, and how they value people, but this is a direct attack on those people that they claim to value so highly. Believe me, those people, particularly those who are 16, 17 years old right now and in high school, will express themselves within the next two years if they're not already doing so now. I've had calls, and I've talked with students in high schools who are pretty angry about being disrespected in this way after finally having a government that brought to light the holes in the labour legislation and did something to rectify them, including raising the minimum wage to \$15 an hour. To have their knees chopped off from underneath them is something that these young people are not going to easily forget.

Then to further disrespect students by calling it the employment creation wage, it's, like, thank you very much for your contribution to the Alberta balanced budget effort that we're undertaking, but guess what? You're going to pay for it. You can't vote right now, but this is your introduction to politics 101 in Alberta. We're going to cut your wages by two bucks an hour, and it's going to cost you 4,000 bucks over the course of a year. You're going to end up having to come up with the shortfall to pay for your university. You're going to have a huge debt or bigger debt than you otherwise would have. You're either going to pay that off yourself, or somehow your family member is going to end up paying for it. We don't value you, and we think that we're going to incentivize businesses to hire more people because of the fact that they have a lower wage rate when, in fact, we know that that's not going to happen.

It's a cynical effort on the part of the government to buy favour with the business community, but, Mr. Chair, the business community isn't along for the ride in its entirety. The new \$13 an hour job-creation wage for students isn't something that's being universally adopted by employers. There are over 110 employers who've registered and pledged that they're not going to be adopting the new wage rate policy. They're going to be maintaining and pledging to maintain the \$15 an hour wage. There's a growing count of businesses that are joining this pledge to stand firm in their belief that this was an unfair and unjust attack on labour and youth labour in particular.

The very individuals, the very people that this government purports to be responding to, small businesses in particular, a growing number of them are saying: "Uh-uh. Not on the backs of our young people. This is not the way we want to go. This is not something we feel proud to endorse, and we're not going to participate in it." It'll be interesting to watch and see how many more businesses decide to make that pledge and join and put their name on that website to say: "No. We're not sharing the sentiment of this government. We don't believe that we have to go backwards in labour legislation. We've made strides forward. Going back in time on this particular issue is not something that we're comfortable doing. We're in fact ashamed to pass along the government's reduction in wages, and we're not going to participate."

Overtime is another big issue that my mother quickly grasped when she asked what this bill did. Over a cup of tea I explained to her that if you're earning overtime at time and a half, now the employer has the right to enter into an agreement, let's say, and pay you straight time only for the hours that you've worked. Once again she scratched her head and wondered: "What in the world? Why would they want to do that? It's not fair. Like, what did those people do to deserve this type of legislation from a government that's supposed to be serving them?" At 84 years old her reaction was swift and immediate, total disgust. I was actually pretty impressed with how astute and how quick to argue against these changes she was when I mentioned them one by one as I went through them. She's shared reasonable political interest with me over the years. I'm not always on the same track, but when it comes to justice and fairness, we're pretty much on the same side.

I was pretty proud of her reactions. Like I said, we don't always see eye to eye, but this struck her as patently unfair, whereby – you know, she remembered the days when I worked as a rig worker on a service rig. There was no choice in the matter back then. Labour laws were even weaker in the '80s, and if indeed the toolpush said that you're working 17 hours a day, you work 17 hours until the pipe stand was empty and the job was done or the rig was moved. If you didn't like it, somebody else was standing in line for the job. But those straight time hours cost everybody on that rig tens of thousands of dollars even at seven bucks an hour back then. I know



how angry I was that this could happen in my Alberta, in the place that I grew up in and called home, and thought: "These guys on these rigs, they're making a pretty good dollar. They're very profitable, yet they see fit to dig into our pockets."

It seems as though some sentiments haven't changed. Philosophically this Conservative Party is still in the same mindset to pick the pockets of working people. They think they can do so with impunity, but I believe very firmly that they are misjudging Albertans. When these individuals who were affected by this legislation have the opportunity to express themselves at the ballot box next time, this government will find out just how much they disagree with being treated as less than first-class citizens, that hundreds of thousands of dollars for people going above and beyond in the workplace is out of their pockets. If you're an oil and gas worker making average pay putting in 10 overtime hours every week on a 12-week project, that's 120 hours in paid time. The difference between banking that pay at time and a half pay versus straight time is over \$2,500. That's not small potatoes. That's significant money. You will see that reaction from individuals who are having that money picked from their pocket at the ballot box.

[Mrs. Pitt in the chair]

That's not necessarily the reason we're so determined to make our voices heard against this piece of legislation, against the name of the bill as well as the bill itself. It's because we absolutely are committed to supporting those Albertans who every day go out and work honestly for a living serving an employer, whether it be in the service industry or the oil patch. Whatever type of work they're doing, the expectation is in this day and age in Alberta that you're going to be treated fairly, with dignity, with respect. You're not going to be told that you're a second-class citizen and have your wages rolled back as a job-creation project that's going to help you in the end. A patronizing pat on the back.

11:00

**The Chair:** Are there any other members wishing to speak to amendment A2? The hon. Member for Edmonton-Glenora.

**Ms Hoffman:** Thank you very much, Madam Chair and to my colleagues for their thoughtful debate this evening as we consider what I think is a very reasonable and not political title at all. If we wanted to give it a political title, we would have said: the pick-your-pockets bill. That's the title we've used to frame this and the response to the government saying that this is about being open for business.

We do know, Madam Chair, that no other province in Canada has the rules that are being proposed in this legislation, particularly the rules around overtime. Just before we came back this evening, I snuck out for a little bit. I was at a grocery store, and I said to the cashier, "How long have you been here?" She said, "A long time, but, hey, I'm getting overtime." Right? We all know people for whom that little extra incentive of getting that time and a half instead of getting straight time makes the long shift a little bit less long when it comes to your overall compensation, giving you a better outlook on the work conditions or the potential length of your day.

This is what one of the main attacks in this bill is on working people. By simply proposing that we name it about amending the act that it actually amends rather than putting a spin on it one way or the other, I think that that is a fair and reasonable middle ground, that I often hear members opposite say that they aspire for us to find.

What does that pick-your-pockets bill with regard to forcing straight time on workers instead of time and a half equate to? Well, just in the oil and gas sector alone, 27 per cent of oil and gas workers

in our province, in Alberta, according to the last statistics that we were able to gather, earned overtime, and on average it was about \$320 a week. So when members talk about a desire to, you know, embolden the free market and create more opportunities for people to achieve the fullness that is possible through our natural resources, I would say that taking away the overtime premium from workers does not do that. I would say that it does the opposite.

Then what other members will often say is: well, this will create an advantage for us, you know, over other jurisdictions. Because we're going to be paying everyone here less on their overtime, employers will pick up their capital, and they'll come here and set up shop. Well, if that were the case, before we brought Alberta in line with every other province in the country a year and a half ago, Alberta would have had every business, every employer, every opportunity in Canada, and there would have been nobody setting up shop in Ontario or Saskatchewan or B.C. or Manitoba or Quebec or Newfoundland or Prince Edward Island or Nova Scotia or New Brunswick because we had this, quote, advantage of paying straight time instead of paying time and a half.

We've only very recently caught up to the rest of the country by bringing in through legislation the obligation to do this. Many work sites will have negotiated contracts. I know that with the bad-faith bargaining bill, that spoke specifically to public-sector workers and breaking their collective agreements and their right to either sit down at the table again or to enter into arbitration. So this isn't about them. They have collective agreements that presumably give them time and a half, unless that's something else that could be imposed, I guess, through that bill. I hadn't thought about that. Let's hope that that isn't the intention of that bill, attacking overtime on those collective agreements as well.

This is about nonorganized labour, I'd say, primarily, the move from time and a half, that premium, to simply straight time, which, again, is about \$320 a week, not an inconsequential amount for the average oil and gas worker in the industry, the 27 per cent who are earning overtime on a regular basis. Certainly, I would say that in no way does the current bill create a climate that makes us more open for business or slightly more open. I think that it is simply an attack on the work that we achieved in recent years to bring us in line with the rest of the country.

Other areas that it attacks: changing pay for general holiday pay and overtime pay, returning to previous rules where general holiday and banked overtime have been in place for a few years here and bringing in requirements like that employees must work 30 days in the last 12 months before a general holiday in order to qualify for general holiday pay. Well, we know that there are workers who are only hired during those peak times. We know that there are workers in greenhouses all across our province who probably worked on Canada Day and that they themselves wouldn't be entitled to this should this change go through. That requirement of having to work 30 days in the last 12 months when you're a seasonal worker essentially eliminates the ability for seasonal workers to be recognized for working on stat holidays.

Certainly, I believe that stat holidays are there for a reason, not just for long-term employees or permanent employees. I think they're there because we all believe in the concept of celebrating our nation for Canada Day, for example. We all believe that people should have the opportunity to embrace the democracy that we have here and the work that we've achieved over the last 152 years with regard to that democracy and that we are on a path to being able to celebrate with one another. For those who are working on those days – there are some people who work, absolutely. I can think of many businesses in the riding I represent that are open on those days. For them not being with their families and for them not participating in celebrating this general holiday, they deserve a

premium, in my opinion, to be paid a little bit extra for the hard work that they do.

I know there were people working on these Leg. Grounds. Even though it was raining yesterday, there were a lot of people down here at the Legislature. That's their tradition. They come here every year. They participate in the activities on the grounds. Many of them were indoors yesterday, which means that there were even more people probably working on keeping this building in tip-top shape, and I think they deserve a premium when it comes to the work that they do on that holiday.

I don't think the requirement to have worked 30 days in the 12 months before and that, well, maybe they want to work the extra overtime for straight time – I don't think that that's a fair request to put on workers. I think most of the time workers will say yes when the boss asks them to do something. I think that's generally the attitude that a lot of folks have. I think it's up to government to make sure that we set up fair conditions so that bosses ask them to do fair things. I think that that's fair and reasonable.

The other piece that I want to mention is that if a holiday falls on a day that's not normally worked, a day when the employee would not normally have worked on that holiday, then they're not entitled to that pay either. For employees, again, general holiday pay and banked overtime changes would take effect on September 1, 2019, so not long from now. This is something that could, I think, have significant impacts on a lot of families. I know a lot of people who were paying attention during the campaign heard the now government talk a lot about job creation, and we still haven't seen the fruits of those promises made during the election.

I also want to talk a little bit about labour relations and changes to the code. Again, people will talk about restoring that mandatory secret ballot. I know of some work sites that are very small, some work sites where there is even one employee who wanted to form or wanted to be affiliated with a union. To say that you need a 90-day period for the union to provide evidence of the employees' support for certification I think is disrespectful to that one worker or maybe three or four workers, who can have a simple conversation, decide they want to organize, sign their cards, and be part of a union, which is their democratic right. I think that requiring this mandatory 90-day period is not beneficial to respecting people's choice. If there isn't a substantial majority – I believe it was about two-thirds that was set forward in the legislation that's now being proposed to be amended – then there would still be a period to have a secret ballot and the requirement for such, but slowing down the process for employees who have clearly made their voice and their position known I think is not useful for those workers or for the employer either, to be frank.

Also, strengthening the rules for corporate workplace complaints when these complaints involve multiple bodies such as the Human Rights Commission and the Labour Relations Board: okay. Labour relations changes would come into effect upon receiving royal assent: okay. These are all amendments to the act, which is why I think it's very reasonable to have the act actually named as such rather than named as something that it isn't. Even according to their own projections from their platform, I don't think these are considered as being significant in terms of driving up the numbers that are being proposed.

#### 11:10

The other thing that we've talked about considerably and which I know has already actually been enacted on June 26 was the rollback for youth workers, those under the age of 18 for whom the new minimum wage became automatically \$13. I know there are a lot of questions in the community from young workers about what that's going to mean on their next paycheque, and I've talked to

some who've said: "I'm not going to ask my boss because I don't want to raise their awareness, but I'd like to know if I'm going to be making \$15 or if I'm going to be making \$13. They haven't told me. I know that the law has just changed, but I'm not going to bring it up because I don't want to cost myself a toonie every hour for asking and wanting to be able to plan."

This brings me back to the point raised by the Member for Edmonton-Gold Bar. I remember being at a few conventions with him where we were discussing party policy around postsecondary, tuition fees precisely. As you know, members, we brought in – and it was supported, I think, unanimously at the time by the Official Opposition and our government – a bill to index tuition to inflation, a fair and reasonable policy.

It was members of the NDYA, our youth caucus, who said: "Rather than just indexing it to inflation and because people might earn a lot more money in sectors that we aren't able to work in, wouldn't it be more fair and more reasonable to have it tied to the minimum wage? Most university students, college students, technical institute students can get a minimum wage job in the summer, and under the presumption that you're working 40 hours a week, shouldn't there be some sort of formula that assumes that while maybe you'll have to borrow for your cost of living or borrow for accommodations and those types of things, you'd be able to earn enough money in the summer to cover off your tuition?" I thought: fair and reasonable point.

I don't think that we made that policy change, but I think it brings about a very good question about affordability and the relationship between the minimum wage and the things that we all aspire for our families to achieve. Some of you may have spent some time listening to the Democrat nominees for President over the last week. I know that I have, and when I hear them talking about the attainability of the American dream, I think that language speaks to a lot of people in North America. I think it speaks to my family, who definitely wanted me, when growing up, to have the opportunity to achieve the fullest in postsecondary.

I know that my parents both went to university. I said to my mom, "How did you decide to become a teacher?" She said: "I didn't like blood, so I wasn't going to be a nurse, so that meant I was going to be a teacher." My dad said that he needed to go to a program where he could start making money within one year. Fortunately, there was one-year teachers' college at the time, and over many, many years he was able to achieve a degree and then a postgraduate certificate as well in leadership. But that was only possible because he got in and got out quickly. I am glad that both of them had careers that they loved and that they, I would say, created a lot of positive change in our world because of their ending up in those professions. But I think that it would be a more just answer for all if they had said: because I really wanted to be a teacher, because I woke up and knew that this was a calling that I could make a difference in. But it was really about that one-year in and out to start making money.

I worry that with attacks on youth, whether it be attacking their minimum wage or attacking their rights to form support groups and other initiatives or bringing in opportunities for extreme groups to be spreading hate on campus, we're limiting opportunities for our youth to choose careers that they feel inspired by. Again, I'm really glad that it worked out for them, and I think that it worked out for me, but that's probably why they put so much support behind me going to postsecondary when I was young. Even though I grew up in a rural community and it would mean I'd have to move away, it was a priority for them that I go to school and I be in school until I was able to choose a career that I was really excited about.

I think that putting these increased pressures on youth by cutting their wages, particularly the wages for youth who are in school, because, again, there's that escape clause, that if you're not in

school or if you say that you're not in school, you can get paid \$2 more an hour, is going to be counter to what I know the goals of our government were and what I believe were the goals of Premier Hancock when he was Education minister and many others who did the work behind Inspiring Ed in the first place, which was around, as I recall the consultations, going out and talking to those who the school system hadn't well served and finding ways that the system could be changed to meet the needs of learners. Anywhere, anyplace, any time? Any pace, anyplace, any time? I forget the specific mantra. But it really was around taking the opportunity to learn and taking away the barriers that existed for it. Again, through this legislation and through its subsequent regulations, what we're doing is putting more barriers in place to make it harder for people to achieve the postsecondary that they aspire to.

Those are things that I think are counter to the important role of government in terms of creating an opportunity for – again, what the Democratic nominees for President have been talking about is that opportunity to live the full American dream, whatever that looks like for those families. I'd say that those are the values that I think many of us are here to help achieve as well. I think there are some bills where we start to try to chip away at that, right?

I think of the bill that was brought forward around trying to streamline and make more efficient the registration process with regulatory colleges. When I think about the motivation that I hope is behind that bill, I think it's about creating opportunities for people to achieve their potential and work in the career path of their choosing, especially ones that they've already been working in in other jurisdictions, which gave them the points to come here in the first place. Now, those points, of course, don't necessarily mean that they work in that field that they were recruited to come to Canada for, because they had earned those points through the immigration process. So this bill really is counter, I think, to some of the initiatives that are being raised in other bills.

The other one that I want to highlight again is the bill around red tape and the fact that there's a website being created to say, "Hey, send in your great ideas on how to cut red tape," and at the same time there are bills coming forward like this that are going to create more red tape. How do we make sure that we aren't just creating work on one side of the desk to shove over to the new associate minister on the other side of the desk?

Back to that oil and gas worker who is putting in overtime: I think we said 320 bucks a week on average. If you're an oil and gas worker making average pay, putting in about 10 hours every week in overtime on a 12-week project, that's 120 hours of paid overtime or paid time off. The difference between banking that pay at time and a half and straight pay is over \$2,500. I know that for a lot of people that might be the cost to register your kids in summer camps for the whole summer or the cost to pay for hockey or the cost of, you know, making sure that your family gets to go on a vacation to one of our great provincial or national parks right here within the province, or it could actually be the difference in you making your mortgage payment or not.

These are significant differences for people's lives, and I think that we shouldn't be trying to pad or sugar-coat the legislative change. I think that if people want to call it what it is, an amendment act to an existing piece of legislation, that is at least more forthright and less political, to be frank. If this is straight up about public policy and making public policy amendments to existing legislation, let's call it that.

There's also the piece around discussions – and I don't believe it's in this bill, but we know that it's been discussed before by this government, probably before they were government. That was around: if we already have two minimum wages – now we're going

to have a minimum wage for people over 18 and a minimum wage for people under 18 – where do we stop? Do we bring in other ...

11:20

**The Chair:** Are there any other members to speak to amendment A2? The hon. Member for Calgary-Buffalo.

**Member Ceci:** Thank you very much, Madam Chair. It's my pleasure to address this amendment to rename An Act to Make Alberta Open for Business, to strike that out and talk about it as the Employment Standards and Labour Relations Statutes Amendment Act, 2019. The reason why it's important to do that – and I articulated this earlier this evening, and I'm certainly prepared to do it again when I get another opportunity to speak to this act, Bill 2 – is because it's more clear and it's more germane to call it by what is actually located within the act than to come up with some kind of selling point for, I guess, the greater population of Alberta to say: oh, we're open for business.

You know, I had the opportunity, while I was listening to many of my colleagues here make their points, that were helpful for me to think about and, I'm sure, all members of the House, to look at the Measuring Up document, that's in our consolidated annual financial report of 2018-19, that the government of Alberta has just put out and that really reflects on the work of the previous NDP government and its efforts to return to balance and to achieve the outcomes that we set out. There are a number of measures in this, Madam Chair, that I think bear some talking about, especially when we're talking about a new act to make Alberta open for business and just some of strategic priority 1, which was talking about diversifying the economy. I think any review of – and I'd urge all members of the House to review the Measuring Up document. The various ministries put a lot of time into identifying the outcomes they want to measure to see if government is achieving the goals it set out.

There are various programs talked about here. For instance, the petrochemicals diversification program, round 2, was identified in the Measuring Up document, which talked about its outcomes relative to the two companies that have taken up \$150 million in royalty credits to develop an industry that, frankly, had not happened in this province because of the previous PC government's reliance on one industry for the most part, and that's the oil and gas industry and sector in this province. While we know that agriculture and tourism are also very important, I would argue that the PC governments past really just hung their hat on the oil and gas sector. When it did well, Albertans did well and government did well, and when it didn't, when there were the usual downturns as a result of external criteria going on in the world, then of course the oil and gas sector did badly. The petrochemicals diversification program, round 2, is a way to get more value out of the oil and gas sector and to have a steady revenue return rate.

Other parts that we worked on to diversify the economy as a government. The Alberta investor tax credit: that achieved 150 Alberta-based small and medium-sized enterprises being invested in by the venture capital corporation, and 1,850 investors and seven VCCs took part in that. That's really a way for Albertans to show their commitment to business in this province and to give it a leg-up with capital to do better. The capital investment tax credit is another program that was getting off the ground. We had seen that get promoted, and it was supported as well. The interactive digital media tax credit: that was another one where we worked to show that Alberta was diversifying businesses. Of course, there were other programs like that. Then if you flip and look at the outcomes of those different measures, I can tell you that the previous

government achieved their targets in all of those areas, when you scan the work on pages 84 and 85 of the Measuring Up document.

That's, I think, a better way to go, Madam Chair, than to look at the various ways that what we call the pick-your-pockets bill will impact Albertans. Of course, we know that it'll impact the youth and student wage differential. A liquor service differential wage was put on hold, but there are studies to probably bring that in at some point in time. We don't think that those are the ways to go. That's why we want to make sure that Employment Standards and Labour Relations Statutes Amendment Act actually is put on this bill, so that people know what's in it.

You know, the reason for doing all these things to diversify the economy, to bring more steady revenues in is to address the programs and services Albertans require. That's the second aspect or second part of priority 2 of the Measuring Up document, which looks at performance measures and indicators around the ability of government to deliver the services that it commits to deliver.

I'll get into those in a second, but I just wanted to say that under the previous government gross domestic product in this province went up after two years of recession – of course, we know that '15 and '16 were that – but it bounced back at 3.4 per cent in 2017 and stayed at 1.8 per cent in 2018. Of course, 2019 is not finished yet, but we know that it's a challenging one for this province. It looks like it's going to be around zero or just below zero GDP. That's not on this side, Madam Chair. It's on the other side in terms of their activities that will take \$4.5 billion out of the government revenues in the very near future.

I just want to focus a little bit on performance measures that I think, if you relate them back to the bill that the government has before us and our amendment to change that name, would be harmed if the government followed through with this bill. That's around, for instance, access to continuing care spaces, and I'm proud to say that 58 per cent of people who wanted to access continuing care did so within 30 days, so just about 6 in 10 people got into their space within 30 days. That's an improvement, Madam Chair, and likely an improvement over where the Conservative governments were in the past. I see it is.

You know, I don't want to leave off without talking about returning to balance and that strategic priority. Obviously, this whole bill is predicated on bringing in more government revenues as a result of more business being generated, more workers paying personal income tax, more businesses being located here and spending money, and corporate income tax going up. I just want to mention that our priorities under returning to balance, including sustainable operating spending growth – this is something I'm incredibly proud of with the previous Notley government. We were able to bring spending growth down from – and I've said it many times here in the past, and members of previous government, opposition will remember me talking about the sawtooth, jagged operational increases to operating spending growth and then the drops when the revenue dropped in this province, Madam Chair. We were able to flatten that out, as you can see on page 92, and bring that down to 3.4 per cent in our final year of operational spending growth.

We did that because of lower than expected spending in the Ministry of Health. I'm so proud of the former Minister of Health, who was able to constrain health spending to 3.3 per cent from the previous year, growth of 3.3 per cent, where previous PC governments were at 6 per cent spending growth, year over year over year, every year. We were able to constrain that with new pricing agreements, with generic drugs, with a new pharmacy agreement, and work to recover more money.

11:30

The really great thing I want to talk about is the provincial financial wealth ranking, which is number one for Alberta and has been the whole of our term. I think the Premier kind of talked about it, but he talked about it differently than it's talked about here. I think he talked about Alberta's debt per capita, and that's a kind of fast and dirty way of getting away with something that really should have been talked about as: Alberta's net debt was \$6,450 per capita, the lowest among provinces and about one-third of the 10-province average of \$18,000 per capita.

So what we're hearing from the Premier is different than what we're reading in the Measuring Up document, namely that Alberta's net debt per capita was the lowest amongst all provinces. But regularly we hear from the other side that it's unsustainable and we need to – and I think they're softening Albertans up for austerity measures that are coming as a result of the blue ribbon panel, as a result of their giving away money to corporations. That doesn't have to happen because when we look at the interprovincial tax comparisons, Madam Chair, we can see that Alberta has the lowest overall taxes amongst provinces in Canada, with no sales tax, no health premium, and no payroll tax.

I would argue that our amended title for Bill 2 is a lot more accurate than what we're seeing here because what we'll see with An Act to Make Alberta Open for Business is that our provincial financial wealth ranking will drop. We'll see our interprovincial tax comparisons, well, probably stay number one, but they're number one right now, Madam Chair. We will see our operating spending growth – well, that's debatable about where that's going to go. I don't think the austerity will make very many Albertans happy, and if we had a performance measure that talked about the satisfaction of Albertans with regard to austerity measures, like we're finding in Ontario as a result of the Ford government changes there, many, many, many – personal popularity aside for Premier Ford. Just the satisfaction of Ontarians with that government, if that were a performance measure here, as I'm suggesting perhaps it should be in the future, we'll see that drop significantly.

Madam Chair, the performance measures that are in the Measuring Up document really speak to the good work that was done by the previous government and perhaps the challenges that are going to be here as a result of this government's bill, that rightly should be renamed the Employment Standards and Labour Relations Statutes Amendment Act, 2019. Thank you very much.

**The Chair:** The hon. Government House Leader.

**Mr. Jason Nixon:** Well, Madam Chair, fascinating progress so far. I'd like to move to rise and report progress on Bill 2. I believe that's the only bill we've talked about in committee today, but I could stand to be corrected.

**The Chair:** I believe you are correct, Mr. Government House Leader.

[Motion carried]

[The Deputy Speaker in the chair]

**The Deputy Speaker:** The hon. Member for Bonnyville-Cold Lake-St. Paul.

**Mr. Hanson:** Thank you very much, Madam Speaker. The Committee of the Whole has had under consideration certain bills. The committee reports progress on the following bill: Bill 2. I wish to table copies of all amendments considered by Committee of the Whole on this date for the official records of the Assembly.

**The Deputy Speaker:** Does the Assembly concur with the report? All those in favour, please say aye.

**Hon. Members:** Aye.

**The Deputy Speaker:** All those opposed, please say no. Carried.  
The hon. Government House Leader.

**Mr. Jason Nixon:** Well, thank you, Madam Speaker. First, I would like to rise and say that pursuant to Standing Order 3(1.2) I would like to advise the Assembly that there will be no morning sitting tomorrow, Wednesday, July 3, 2019.

Then I would like to move for unanimous consent to go to one-minute bells for the remainder of the evening, both in and out of committee.

[Unanimous consent granted]

### Government Bills and Orders Committee of the Whole (continued)

[Mrs. Pitt in the chair]

**The Chair:** I will call the committee to order.

### Bill 2 An Act to Make Alberta Open for Business (continued)

**The Chair:** We are on amendment A2. Are there any comments or questions?

All right. I'll call the question on amendment A2 as proposed by the hon. Member for Lethbridge-East.

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

[Several members rose calling for a division. The division bell was rung at 11:37 p.m.]

[One minute having elapsed, the committee divided]

[Mrs. Pitt in the chair]

For the motion:

|        |         |          |
|--------|---------|----------|
| Bilous | Gray    | Phillips |
| Ceci   | Hoffman | Renaud   |
| Dach   | Irwin   | Schmidt  |
| Feehan | Notley  | Shepherd |

11:40

Against the motion:

|           |               |                 |
|-----------|---------------|-----------------|
| Aheer     | Lovely        | Sawhney         |
| Amery     | Luan          | Schow           |
| Barnes    | Madu          | Schulz          |
| Dreeschen | Neudorf       | Schweitzer      |
| Fir       | Nixon, Jason  | Sigurdson, R.J. |
| Glasgo    | Nixon, Jeremy | Singh           |
| Hanson    | Orr           | Smith           |
| Horner    | Rehn          | Stephan         |
| Hunter    | Rosin         | Walker          |
| Loewen    | Rowswell      | Wilson          |

|         |          |              |
|---------|----------|--------------|
| Totals: | For – 12 | Against – 30 |
|---------|----------|--------------|

[Motion on amendment A2 lost]

**The Chair:** We are now back on the main bill. Are there any comments or questions or amendments? The hon. Member for Edmonton-Mill Woods.

**Ms Gray:** Thank you very much, Madam Chair. I'm disappointed that the government members were not convinced by our arguments to retitle the bill. But I am certain that I have an amendment that you will all feel compelled to support, so I would like to propose this amendment. I have the original and the copies, and I will give that a moment.

**The Chair:** Wonderful. Thank you, hon. member.

This will be known as amendment A3. Hon. member, please continue.

**Ms Gray:** Thank you. Madam Chair, fellow members of the Legislature, as we have titled many other things, this amendment has its own title. This is the save-Christmas amendment.

I have spoken at length about the changes in Bill 2 to statutory holiday pay, about the fact that yesterday we were all at Canada Day barbecues talking to people, some of whom were getting maybe some time off later or a little bit of extra pay because it was a stat holiday. But after Bill 2 that will not happen for them. That is part of the changes here.

The reason that it was in your platform and that as a government you moved that forward was because of very strong voices from the restaurant lobbyists, particularly because so many stat holidays fall on Mondays, days that restaurants are typically closed. But nobody has asked you to not pay people on Christmas. Christmas will only fall on a Monday once out of seven years. Christmas will only fall on a weekend twice out of seven years. There are leap years in there. That may not be entirely accurate, but roughly Christmas is usually a working day, and when it is not, all Albertans, just like all Canadians, deserve to get the value of that statutory holiday, either in a little bit of time off or a little bit of extra pay.

In this amendment I am asking you to vote for Christmas. Every Albertan deserves Christmas and deserves stat holiday recognition for Christmas. This will not upset those restaurateurs because none of them were asking you to take away Christmas from their employees. They were asking for a particular Monday problem, which remains solved with the changes in Bill 2. What this amendment does is that it makes sure that in that 2022 year, which I've talked about, when Christmas falls on a weekend, there aren't numbers of Albertans who did not get time off with family or a little bit of that holiday pay, which every other Canadian is getting.

[Mr. Hanson in the chair]

Please let me remind everyone, Mr. Chair, that Alberta, with the changes in Bill 2, will be the only jurisdiction where working people may not get a benefit from stat holiday pay. It's something, in my mind, we had fixed when we brought Alberta's employment standards up to that kind of mainstream Canadian standard. Bill 2 rolls that back.

What this amendment does is that it saves Christmas, and it makes sure that Christmas will always be considered a stat holiday. Whether it falls on a weekend or a weekday, whether it falls on a Thursday or a Monday, Christmas will be protected. Just a few question periods ago I was quoting the old Christmas fable, *A Christmas Carol*: it is sometimes good to be children but always at Christmas. That is the amendment that I have before you because the idea that some Albertans will not get stat holidays hurts my heart. The idea that some Albertans won't get Christmas hurts my heart. This is why I'm asking you to vote for this amendment. Very clearly it's an easy-to-read amendment. It simply says:

For the purposes of this Division, and notwithstanding section 27, Christmas Day shall be deemed to be a day that would normally have been a work day for an employee.

All this does is that it treats a single day, Christmas Day, as always being considered a workday no matter which day of the week it falls on. I'll remind you again that it's only going to fall on a weekend 2 out of every 7 years. This is not a big hardship on companies.

This is making sure that stat holiday pay that every other jurisdiction provides is given to workers in Alberta on Christmas. I can tell you from talking to workers – and I believe I've mentioned this during our Bill 2 debates at various phases – the workers who rely on something like stat holiday pay for Christmas are some of our lowest paid, some of our most vulnerable workers, and as your minister has pointed out, the changes in Bill 2 change the minimum standard. Lots of employers can, will, and do better than the minimum, but the minimum is there as a floor to catch the people who need it most.

That is why I've proposed this amendment here today: to save Christmas, to make sure that we always have that statutory holiday. We know that in 2022 Christmas and New Year's Day are both going to fall on weekends and there will be people who work office-type jobs Monday to Friday, 9 to 5, who will get no benefit for statutory holidays happening in that year. We know this because it's happened in the past. It's how the rules used to be. I know from first-hand experience that that happened to Albertans, and I don't want to see that happen again.

I certainly hope that all members will genuinely consider this save-Christmas amendment because it is put forward with our constituents in mind. I don't believe that there is a good reason to not support this amendment given the other changes in Bill 2 are responding to the concerns we've heard from restaurateurs, where stat holidays falling on Mondays and restaurants being closed on Mondays caused consternation and an additional discussion. Here we are simply making sure that Christmas Day will always be deemed a day that would normally have been worked. What that means is that even if somebody wasn't scheduled to work, it's still considered a stat holiday for them, and I would remind this House again: this is how it works in every other province. This is my save-Christmas amendment that I hope all members of the government caucus will give due consideration to, and I appreciate you listening to my arguments. Thank you.

**The Acting Chair:** Members, any other speakers to amendment A3? Recognizing the Member for Edmonton-Ellerslie.

**Member Irwin:** Edmonton-Highlands-Norwood.

**The Acting Chair:** Highlands. That's okay.

**Member Irwin:** Perfect. No problem.

I'm pleased to stand in favour of this amendment, and I very much appreciate the Member for Edmonton-Mill Woods for her strong, impactful, impassioned defence of Christmas.

[Mrs. Pitt in the chair]

You know, I'm proud to be able to stand in support of saving Christmas. My own father actually worked in oil and gas in rural Alberta for many, many years. Actually, for nearly 40 years he worked up in the Swan Hills area of northern Alberta, and in his work he missed a lot of family holidays. He missed a lot of Christmases, and growing up that had an impact for sure. Like many Albertans, he worked and continues to work very hard and had to make a lot of sacrifices. I think about people like him, and I think about all the other hard-working Albertans that do the same. You

know, it made a huge difference for our family, particularly when my mom wasn't working, like, we needed that extra pay from Christmas. Every holiday made a difference.

**11:50**

You know, this is, I think, one of those issues about fairness and about equality and what our values are here, and I really think, to echo the member, this is sort of a no-brainer, and I'd urge the members opposite to think about this, to think about the fairness side of things, and to think as well about what other provinces do. We know that by moving forward with this component of Bill 2, we will not be in step with other provinces, other jurisdictions, and I think it's important we consider that because, again, if you think about somebody working in Lloydminster, for instance, gosh, they'd be hoping they're on the Saskatchewan side, that's for sure.

I'm not going to speak about this too much, but I do urge you to think about the personal impact. Think about those hard-working Albertans like my own father and like many others who sacrifice a lot to keep our economy going. I just think this is one where the members opposite can give a little because this will be a win for you; this will be a win for Albertans. It makes sense. I will end on that, and I just will urge the members opposite to not be Scrooges and to please save Christmas.

**The Chair:** Any other speakers on amendment A3? The hon. Member for Edmonton-City Centre.

**Mr. Shepherd:** Well, thank you, Madam Chair. It's a pleasure to have the opportunity to speak to this amendment. I think it's a good one. I think it's an important one. I think my colleague the Member for Edmonton-Mill Woods has raised some good points here.

We've had the chance to talk quite a bit on this bill about the kinds of effects this is going to have on Albertans, different aspects. We've talked a lot about the challenges that some individuals in this province face, particularly lower income families. You know, as the Member for Edmonton-Highlands-Norwood was just sharing about her own experience and, indeed, I know for myself, this is something that I have thought about a fair amount.

I've had the honour of being part of the stewardship round-table with an organization called EndPovertyEdmonton, an initiative started by the city of Edmonton that's now sort of become its own independent entity but working to end poverty within our city within a generation, and on that stewardship round-table having the opportunity to talk with a number of people who have been focused on the area of poverty reduction.

You know, one of the things, Madam Chair, is that we recognize that folks who are living in poverty, folks who have been struggling in lower income face a number of barriers, a number of stresses that make it very difficult for them to find their way out. With that, we know, comes severe emotional and mental stress. I know from my own experience having gone through some periods in my life where I was very low income as I struggled with my health and as I was going back to school and other things, and I remember the incredible stress there could be from one month to the next, when I wasn't sure if I was going to have enough to cover those bills. That's something that can eat away at you, that can tire you out.

To top that off, for many of these families and these individuals, then, they're working multiple jobs; they're trying to look after their kids; they've got all these other things going on. That means that for them having a day off, having a true holiday is an incredibly rare thing, in part because often they can't afford to take that day off. They can't afford to go a day without pay. Of course, for many of these individuals, they're going to be working in precisely the kinds of jobs that we're talking about and in some cases the kinds of

businesses that were lobbying this government for the changes that they're bringing forward in this bill, individuals that are working in the restaurant industry or in retail or other aspects of the service industry.

Now, we have seen that this government is intent on moving forward with these changes. We've stood and we've made our arguments. We've tried to convince them to make some changes, but so far they've been resistant. They insist they're going to go full steam ahead. Fair enough, but this is one small thing that we could do to make life a little bit easier and a little bit better for these individuals, to give them one day a year, that one day that all of us set aside to be with our families, to truly take that day of rest, and to allow these families, these individuals who so often cannot afford to take that time, to be paid for that day.

As my colleague the Member for Edmonton-Mill Woods noted, this is a small thing. Its impact to the businesses and the folks who have told this government that this is a necessary change in order for them to be able to continue to have their businesses be viable: this would have a very minimal impact on them. Indeed, I'll be honest, Madam Chair, I did have some folks who operate restaurants that did reach out to me and express some concerns around the changes in holiday pay at the time that we brought these changes in. As the Member for Edmonton-Mill Woods mentioned, that was being around the fact that many of them had chosen to keep their restaurant closed on Mondays to get around and take advantage of that provision that was there in the law, and it had helped them save a little bit. But as the member noted, it's going to be rare that Christmas will fall on that Monday. It'd have an impact once every seven years, so that's a small thing. I can't think that there are many restaurant owners that would begrudge that, that once every seven years they would pay their employees for a Christmas day on a Monday.

Here's an opportunity that we're presenting to this government to make one small change that could make a difference in the lives of many people on a day that is traditionally known for being a day of giving, a day when we are more generous with our fellow man, a day when we look to go above and beyond in recognizing the value of each other as human beings and seek to spread peace and goodwill. This is an opportunity for the government to make a bad bill a little bit better. This is the opportunity for the government to show that they have a little bit less of the Grinch and Scrooge, all those wonderful Christmas villains we have. I was thinking earlier of the Heat Miser and the Snow Miser. I don't know how many people remember that one. You know, Christmas specials from the 1970s, indeed.

This is the opportunity for us to show a little bit of Christmas cheer here today while we are still six months out or so from Christmas. I know that the amendment, indeed, was dated June 25, precisely six months before Christmas. This could be a bit of an early Christmas gift to the working people of Alberta. While this government is choosing with this bill to take so much away, to pick the pockets of working Albertans, here is an opportunity to put a little bit of something back, a small stocking stuffer, as it were, to balance out the lump of coal.

It's my hope that members of government would take this opportunity to do one small bit of good on an evening when they have just voted strongly in support that each of them should have a free vote in this Assembly, that they would exercise those conscience rights to do a little bit of good for a lot of people, indeed. I can't think of a single Christmas tradition in any culture around the world that does not include trying to do something good for your fellow man. That is the very meaning of Christmas, isn't it? Here in this amendment we have a chance to exercise that today, and I

would encourage all members of this House to support this amendment and do so.

Thank you, Madam Chair.

12:00

**The Chair:** Are there any other members wishing to speak to amendment A3?

**An Hon. Member:** Question.

**The Chair:** I will call the question.

[The voice vote indicated that the motion on amendment A3 lost]

[Several members rose calling for a division. The division bell was rung at 12:01 a.m.]

[One minute having elapsed, the committee divided]

[Mrs. Pitt in the chair]

For the motion:

|        |          |          |
|--------|----------|----------|
| Bilous | Hoffman  | Renaud   |
| Ceci   | Irwin    | Schmidt  |
| Dach   | Phillips | Shepherd |
| Gray   |          |          |

Against the motion:

|          |               |                 |
|----------|---------------|-----------------|
| Aheer    | Lovely        | Schow           |
| Amery    | Luan          | Schulz          |
| Barnes   | Madu          | Schweitzer      |
| Dreeshen | Neudorf       | Sigurdson, R.J. |
| Fir      | Nixon, Jason  | Singh           |
| Glasgo   | Nixon, Jeremy | Smith           |
| Hanson   | Rehn          | Stephan         |
| Horner   | Rosin         | Walker          |
| Hunter   | Rowswell      | Wilson          |
| Loewen   | Sawhney       |                 |

|         |          |              |
|---------|----------|--------------|
| Totals: | For – 10 | Against – 29 |
|---------|----------|--------------|

[Motion on amendment A3 lost]

**The Chair:** Are there any more members to speak to the bill? The hon. Member for Edmonton-Beverly-Clareview.

**Mr. Bilous:** Thank you, Madam Chair. I rise to try to amend the pick-your-pockets bill, the bill that I know a number of our caucus have spoken to, that is flawed for a number of reasons. I think, you know, I'm going to channel the Government House Leader and Member for Rimbey-Rocky Mountain House-Sundre for all of the times that he stood up trying to amend bills when we were in government, saying: I need to amend this awful bill to make it a little less awful. That's really what I'm attempting to do. I will send the original to you and wait for them to be distributed.

**The Chair:** Thank you, hon. member.

This will be known as amendment A4.

Hon. Member for Edmonton-Beverly-Clareview, please proceed.

**Mr. Bilous:** Thank you very much, Madam Chair. I'll read this into the record. I am moving this on behalf of the Member for Edmonton-Decore. He moves that Bill 2, An Act to Make Alberta Open for Business, be amended by striking out section 1(2).

Now, Madam Chair, I'm sure you're thinking: "Wow. This is a very tiny amendment. What could it possibly do?" But it has a significant impact. What this does is to ensure that employees and workers who have banked overtime will get that banked overtime

paid out at time and a half. It doesn't allow employers to retroactively pay out straight time.

Now, I can tell you, Madam Chair, this is a significant amendment. I know that the government tries to deny that this is a pick-your-pockets bill, but really we've demonstrated through debate on this bill the amount of money that different workers would lose depending on what industry they're in; of course, our oil and gas sector being one of the hardest hit from this change. I know that the government is saying: well, this saves employers money. But I hope that the government recognizes that it is the workers that are the reason that we have a flourishing oil and gas sector. They are the ones that are constructing or improving our province and building Alberta.

We recognize that this government is adamant about moving this bill through, but what this does is ensure that it protects those that have already worked under the impression or under the notion or under the contract, even, that they would be paid time and a half for their overtime hours. It is one thing for the government to say: we are clawing that back moving forward. It is a whole other story for the government to say: "You know the hours that you agreed to work in overtime and you thought you were getting time and a half? You know the paycheques that you're counting on to pay the bills or for special occasions or for summer holidays?" With this amendment now, at least, we have secured or ensured that they will get their time and a half.

I honestly think this amendment is a reasonable amendment. It makes sense, and I think, quite frankly, Madam Chair, if the government votes down this amendment, shame on them. It says that you do not respect the contracts that were agreed to between employers and employees. Don't pull the line that it gives them the option. Well, you know, for those that have been employers, if you had the option of paying out straight time or time and a half, I'd love to see an honest show of hands of how many are jumping up and down to pay the time and a half.

Now, I do know that there are employers who have committed to do this. I recognize that. There are some incredible employers in this province who have said: "You know what? If they have worked and banked those hours already, we promised them time and a half. We're going to deliver." What this does is it ensures that all employers do that for the already banked time. Going forward we recognize, once this bill is proclaimed, that workers will be paid out straight time. I get that it's up to the employer to negotiate with the employee. We've already gone over this. There are some employers that are writing this into contracts so the employee has a choice. They can either take the job and straight time or look somewhere else for a job. I think it's a little bit of a misnomer to say that this is a complete choice and it'll be decided on between the employer and employee. In some cases it will. In all cases, no, it won't, and anybody who thinks otherwise is, quite honestly, deluding themselves.

**12:10**

But what this does is it at least protects those that have counted on that money to pay the bills, to make ends meet. They've worked the overtime. They've banked it. They were under the impression – and they probably wouldn't have agreed to it if they knew that employers can retroactively now refuse to pay them out their time and a half.

So I urge all members of the Assembly, and especially the government and the Government House Leader, to respect the hours worked and banked by workers, the hard-working men and women of Alberta, many of whom live in the riding of Rimbey-Rocky Mountain House-Sundre, who have worked hard and deserve to be paid for their overtime that they've already worked.

Again, this is a small amendment with a significant impact on many families around this province, and I urge all members to support this.

**The Chair:** Are there any other speakers wishing to speak to amendment A4? The hon. Member for Edmonton-Glenora.

**Ms Hoffman:** Yeah. Not to belabour the point, but I want to thank the member for bringing forward this very reasonable amendment. I think that this is fair. I think it says that there won't be retroactive changes to a contract that was entered into or an agreement that was entered into when the rules were one set, which were the rules of the day and the rules that were amended about a year and a half ago, when overtime was paid at a premium. I think it's reasonable to say that if the government wants to change the rules moving forward, they will do that but that we're not going to take pay away from folks that had earned it under one set of rules. This is essentially ensuring that it isn't retroactive legislation on overtime that was earned.

I see the House leader ripping up the amendment. I assume that's because he's got it memorized. He knows how great it is, and he's ready to vote on it, because certainly I think we made the attempt to save Christmas. We made the attempt to name the bill what it actually is. This is an amending act. I think the amendment that's being proposed now is fair and reasonable, saying that time that's been earned before this bill is proclaimed, essentially, not be retroactively taken away. That's, as we said, about \$320 for the average oil and gas worker, 27 per cent of which are earning overtime. So I think it's fair and reasonable at least to make the bill a little bit less bad.

Thank you to the member for the motion to amend.

**The Chair:** The hon. Government House Leader.

**Mr. Jason Nixon:** Well, thank you for the quick opportunity to speak on this amendment. I do thank the opposition for participating in debate and providing some amendments and some discussion about this legislation. It's a pleasant change. Sometimes they spend a tremendous amount of time on amendments, and tonight they seem excited to be able to talk about them, which is exciting. Specifically to this one, I do appreciate all the members recognizing the great constituency of Rimbey-Rocky Mountain House-Sundre. They're right. People sure do work hard in Rimbey-Rocky Mountain House-Sundre.

They also know that this bill, in regard to overtime, would go back to the same rules as before the NDP came into power and started to destroy the province, and it requires employees and employers to enter into overtime agreements before anything can be done with overtime. It has to be a mutual agreement, so employees would have to agree to that. The people of Rimbey-Rocky Mountain House-Sundre, of course, understand that. This amendment, quite frankly, is not needed because, again, Madam Chair, this is something that employees and employers can enter into willingly.

I do know that the NDP has been clear in this House that they don't trust any employer or job creators in general and are generally working against them. The Opposition House Leader even told them that if they struggled to pay the carbon tax, they should check their business plan and that it was somehow their fault that they'd be struggling, but the NDP had, you know, destroyed the economy while they were here. But people understand that it will go to exactly how it was before the NDP came into power and wrecked things. I know that all my constituents and yours – I was in Airdrie the other day, Madam Chair – were pretty excited to see us moving forward past the NDP's mess.

**The Chair:** The hon. Member for Edmonton-Glenora.

**Ms Hoffman:** Thank you very much. I just want to get one point of clarification from the Government House Leader. Is it his assertion,



through you, Madam Chair, that no worker will see their already earned overtime clawed back? He's saying that that's not the case. I just want it to be clear and on the record that if any worker sees their overtime clawed back – the hon. member says that the bill can't do that. So if we find even one worker that says that they earned overtime and that it was paid out at straight time instead of time and a half – I don't know what I'm asking you to do but, I guess, attest that it will not be the case, no matter what. What I think I heard the member say is that no matter what, there will be no workers forced to take straight time instead of time and a half. I'm just wondering: will he confirm that that is indeed the case moving forward and that if we find any workers who say otherwise, he'd be happy to meet with them and provide that clarity to them in person?

Thank you.

**The Chair:** The hon. Government House Leader.

**Mr. Jason Nixon:** Well, Madam Chair, that is the point, that it would be an optional thing between employees and employers. Employees would have to agree to that. That's how it was before the NDP started messing with the system and causing all sorts of troubles, not just in this area but in general. Again, it's optional. It's something that employers and employees would have to work through together. Yes, an employee would have to agree to do this. Nobody can be forced to do anything.

**The Chair:** Any other members wishing to speak to amendment A4?

**Hon. Members:** Question.

[The voice vote indicated that the motion on amendment A4 lost]

[Several members rose calling for a division. The division bell was rung at 12:17 a.m.]

[One minute having elapsed, the committee divided]

[Mrs. Pitt in the chair]

For the motion:

|        |          |          |
|--------|----------|----------|
| Bilous | Hoffman  | Renaud   |
| Ceci   | Irwin    | Schmidt  |
| Dach   | Phillips | Shepherd |
| Gray   |          |          |

12:20

Against the motion:

|           |               |                 |
|-----------|---------------|-----------------|
| Aheer     | Lovely        | Sawhney         |
| Amery     | Luan          | Schow           |
| Barnes    | Madu          | Schulz          |
| Dreeschen | Neudorf       | Schweitzer      |
| Fir       | Nixon, Jason  | Sigurdson, R.J. |
| Glasgo    | Nixon, Jeremy | Singh           |
| Hanson    | Orr           | Smith           |
| Horner    | Rehn          | Stephan         |
| Hunter    | Rosin         | Walker          |
| Loewen    | Rowswell      | Wilson          |

|         |          |              |
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| Totals: | For – 10 | Against – 30 |
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[Motion on amendment A4 lost]

**The Chair:** We are back on the bill. Any comments, questions, or amendments? The hon. Member for Edmonton-Mill Woods.

**Ms Gray:** Thank you very much, Madam Chair. I am a little disappointed that the amendments up to this point have not been accepted by the government caucus, particularly the one to save Christmas, which was near and dear to my heart. That being said, onward and upward. I believe after the hours and hours and hours of debate that we have had on Bill 2, the number of issues that we have raised on how out of step the changes to overtime and overtime banking as well as stat holidays put Alberta, we'd be the only province with systems, employment standards minimums, to do time banking at straight time and the only province in all of Canada that would not give statutory holiday benefit of some kind to all employees. The concerns with the changes to collective bargaining and union certification that have been raised – and, of course, throughout this all we've also been talking about the decision to roll back minimum wage for Alberta's youth in a misguided effort to create jobs when the solution is going to further create problems, add complications. We've talked about a lot of this at length.

I would like to propose an amendment at this point, Madam Chair, that will give us an opportunity to consider all of these things.

**The Chair:** This is amendment A5.

Hon. Member for Edmonton-Mill Woods, please proceed.

**Ms Gray:** Thank you very much, Madam Chair. This amendment – and I realize that not everyone has the benefit of having a copy of it yet. Thank you to the pages who are here at this hour supporting us. Really appreciate you. [some applause] Yes. Make sure you bank that overtime now.

This amendment reads:

On or before October 1, 2021, a committee of the Legislative Assembly must begin a comprehensive review of the amendments made by this Act and must submit to the Assembly, within one year after beginning the review, a report that includes any amendments recommended by the committee.

This amendment does quite a few things. First off, it allows a committee of the Legislature the opportunity to review the amendments made by this act, and it allows that committee the opportunity to talk to stakeholders and to discuss it. It gives the government an opportunity to not only implement its changes but to be able to come back and responsibly discuss them roughly two years after they've been put in place. What impact has the change to statutory holidays had not just on our business environment but on the working people that it impacts? What change do we see, maybe through Stats Canada labour force statistics, when we make the change from having banked overtime at time and a half to straight time? What impact is that having on our major industries, oil and gas and construction, where predominantly these hours are done? It gives an opportunity to consider the impact of the changes on union certification as well. Not only to have a review but also to send that report through to a committee, where we can work in a collaborative way together to review the impacts of Bill 2.

Bill 2 is titled An Act to Make Alberta Open for Business, and as the argument was made numerous times, this side of the House does not believe that this act fulfills its intended purpose. By committing to a review of the amendments of this act, by committing to take a look at the actual impacts, it gives us an opportunity to further evaluate and adjust if a course adjustment is necessary. I consider this to be a very reasonable amendment, one that supports the government's current intent, which is to pass Bill 2, but gives us that opportunity to circle back around, review what's happened, look at it through a committee, and make a determination from that point.

So I hope that all members of the Assembly will be able to support this amendment A5 this evening, Madam Chair. Thank you, all, very much for your consideration.

**The Chair:** Hon. member, just to confirm, you're moving this on behalf of the Member for Calgary-Mountain View?

**Ms Gray:** I absolutely am.

**The Chair:** Thank you.

Are there any other speakers to amendment A5? The hon. Member for Edmonton-McClung.

**Mr. Dach:** I'll just briefly add a small comment. This very reasonable amendment reminds me of a former member of this Legislature who would get up to speak in the long hours of the night and be a real good soldier on many, many amendments. That was the former Member for West Yellowhead. His comment quite often, after reading an amendment such as this, knowing how reasonable and good it was, was to say quite loudly in the House: well, what's wrong with that? That's what I'm reminded of tonight, and I ask the same question. What's wrong with that? Hail, West Yellowhead and Mr. Rosendahl.

**The Chair:** Oh, this hour of the night.

Are there any other hon. members wishing to speak to the amendment?

Shall I call the question?

**Hon. Members:** 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 12:28 a.m.]

[One minute having elapsed, the committee divided]

[Mrs. Pitt in the chair]

For the motion:

|        |          |          |
|--------|----------|----------|
| Bilous | Hoffman  | Renaud   |
| Ceci   | Irwin    | Schmidt  |
| Dach   | Phillips | Shepherd |
| Gray   |          |          |

Against the motion:

|          |               |                 |
|----------|---------------|-----------------|
| Aheer    | Lovely        | Sawhney         |
| Amery    | Luan          | Schow           |
| Barnes   | Madu          | Schulz          |
| Dreeshen | Neudorf       | Schweitzer      |
| Fir      | Nixon, Jason  | Sigurdson, R.J. |
| Glasgo   | Nixon, Jeremy | Singh           |
| Hanson   | Orr           | Smith           |
| Horner   | Rehn          | Stephan         |
| Hunter   | Rosin         | Walker          |
| Loewen   | Rowswell      | Wilson          |

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|---------|----------|--------------|
| Totals: | For – 10 | Against – 30 |
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[Motion on amendment A5 lost]

**The Chair:** Are there any more speakers to the bill?

Seeing none, shall I call the question on Bill 2?

[The remaining clauses of Bill 2 agreed to]

[Title and preamble agreed to]

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

[The voice vote indicated that the request to report Bill 2 carried]

[Several members rose calling for a division. The division bell was rung at 12:34 a.m.]

[One minute having elapsed, the committee divided]

[Mrs. Pitt in the chair]

For:

|          |               |                 |
|----------|---------------|-----------------|
| Aheer    | Lovely        | Sawhney         |
| Amery    | Luan          | Schow           |
| Barnes   | Madu          | Schulz          |
| Dreeshen | Neudorf       | Schweitzer      |
| Fir      | Nixon, Jason  | Sigurdson, R.J. |
| Glasgo   | Nixon, Jeremy | Singh           |
| Hanson   | Orr           | Smith           |
| Horner   | Rehn          | Stephan         |
| Hunter   | Rosin         | Walker          |
| Kenney   | Rowswell      | Wilson          |
| Loewen   |               |                 |

Against:

|        |          |          |
|--------|----------|----------|
| Bilous | Hoffman  | Renaud   |
| Ceci   | Irwin    | Schmidt  |
| Dach   | Phillips | Shepherd |
| Gray   |          |          |

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| Totals: | For – 31 | Against – 10 |
|---------|----------|--------------|

[Request to report Bill 2 carried]

**The Chair:** The hon. Government House Leader.

**Mr. Jason Nixon:** Madam Chair, I move that we rise and report Bill 2.

[Motion carried]

[The Deputy Speaker in the chair]

**The Deputy Speaker:** The hon. Member for Bonnyville-Cold Lake-St. Paul.

**Mr. Hanson:** Thank you very much, Madam Speaker. The Committee of the Whole has had under consideration a certain bill: Bill 2. I wish to table copies of all amendments considered by the Committee of the Whole on this date for the official records of this Assembly.

**The Deputy Speaker:** Does the Assembly concur in the report? All those in favour, please say aye.

**Hon. Members:** Aye.

**The Deputy Speaker:** So carried.

The hon. Government House Leader.

**Mr. Jason Nixon:** Well, thank you, Madam Speaker. Thank you to the opposition for all the progress today. We're moving through at lightning speed, and as such I think it'd be time to move to adjourn the House till tomorrow at 1:30 p.m.

[Motion carried; the Assembly adjourned at 12:40 a.m. on Wednesday]

## Table of Contents

|   |            |
|---|------------|
| Government Motions  |            |
| Adjournment of Spring Session.....  | 1333       |
| Committee Referral for Public Sector     Compensation Transparency Act..... | 1333       |
| Voting Rights of Members .....  | 1333       |
| Division .....  | 1342       |
| Caucus Affiliation .....  | 1342       |
| Division .....  | 1345       |
| Government Bills and Orders   |            |
| Second Reading  |            |
| Bill 13     Alberta Senate Election Act .....                               | 1345       |
| Division .....  | 1347       |
| Committee of the Whole  |            |
| Bill 2     An Act to Make Alberta Open for Business .....                   | 1347, 1357 |
| Division .....  | 1357       |
| Division .....  | 1359       |
| Division .....  | 1361       |
| Division .....  | 1362       |
| Division .....  | 1362       |

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