



Province of Alberta

The 30th Legislature  
First Session

# Alberta Hansard

Wednesday morning, October 23, 2019

Day 32

The Honourable Nathan M. Cooper, Speaker

## Legislative Assembly of Alberta The 30th Legislature

First Session

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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)

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United Conservative: 63

New Democrat: 24

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Glasgo  
Jones  
Loyola  
Nielsen  
Singh

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

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Bilous  
Dang  
Gray  
Horner  
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Jones  
Reid  
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Stephan  
Toor

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

Chair: Ms Goodridge  
Deputy Chair: Ms Sigurdson

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Carson  
Ganley  
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Guthrie  
Long  
Neudorf  
Nixon, Jeremy  
Pancholi  
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Shepherd  
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Lovely  
Nixon, Jeremy  
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Sigurdson, R.J.  
Sweet

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Deol  
Goehring  
Goodridge  
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Long  
Neudorf  
Sweet  
Williams

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

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Deputy Chair: Mr. Schow

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Horner  
Irwin  
Neudorf  
Nielsen  
Nixon, Jeremy  
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Neudorf  
Rehn  
Reid  
Renaud  
Turton  
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### **Standing Committee on Public Accounts**

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Turton  
Walker

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

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Singh  
Smith  
Turton  
Yaseen

## Legislative Assembly of Alberta

9 a.m.

Wednesday, October 23, 2019

[The Deputy Speaker in the chair]

### Prayers

**The Deputy Speaker:** Good morning, hon. members.

Let us pray. Lord, the God of righteousness and truth, grant to our Queen and her government, to Members of the Legislative Assembly, and to all in positions of responsibility the guidance of Your spirit. May they never lead the province wrongly through love of power, desire to please, or unworthy ideas but, laying aside all private interests and prejudices, keep in mind their responsibility to seek to improve the condition of all. So may Your kingdom come and Your name be hallowed. Amen.

Please be seated.

### Orders of the Day

#### Government Bills and Orders

##### Second Reading

##### Bill 18

#### Electricity Statutes (Capacity Market Termination) Amendment Act, 2019

[Adjourned debate October 22: Mr. Ellis]

**The Deputy Speaker:** Are there any members wishing to speak to Bill 18 in second reading? The hon. Member for Edmonton-Glenora.

**Ms Hoffman:** Thank you very much, Madam Speaker. We're certainly looking forward to hearing the government's rationale on this because I can tell you that when I sat around the table making decisions around the market and how we would be able to ensure a reliable, cost-effective, and sustainable energy system, Alberta was certainly an outlier. Alberta and Texas were the only two systems that had the market model that we had at the time, and as a result we saw massive variations in price, massive variations in supply.

Who paid the price were ordinary consumers, often small businesses and individual households, who, of course, have a harder time hedging the market given that – I know I run my dishwasher when it's full, maybe a few hours after it's full, but the ability for me to be able to game the market and to anticipate my energy usage in a way that others might say, "Well, you can just play the market and make sure that you're using it at different times," doesn't really reflect the needs of ordinary families and ordinary Albertans when it comes to their need for energy.

The decision was made to move to a capacity market based on advice from experts, both within government and third parties, around protecting consumers and modernizing our market so that it would give greater stability, certainty, and reasonable prices for consumers.

Seeing that this is being scrapped makes me wonder: where is the advice coming from? If it's not coming from within the public service, where is it coming from? What are the motives behind the desire to move to a system that, certainly, other jurisdictions across North America have shown, through their policy-making and through their own analysis as well as locally here in Alberta, has too much variability and too much risk for ordinary consumers, that certainly would see the price of energy on any given day see huge fluctuations even for a variety of different types of consumers? We

know that the greatest risk is that Albertans will end up paying more for less, that there's going to be less stability, less predictability, and that at the end of the day there will be higher electricity bills that will be passed on to ordinary families.

I remember a time not that long ago – probably a decade-ish ago; in my memory of time not that long ago – where day after day after day electricity bills were being tabled in this House, electricity bills that showed massive variance from year to year in terms of the costs that were coming to local consumers. I know that they were being tabled in this House because grandparents, seniors, and young families were writing in saying: this is what we're dealing with, and you need to make sure the government of the day, then the PC government, is aware of what they're causing in terms of this hardship. At that time the then opposition tabled all of these and pledged to make sure that they brought greater certainty and affordability to Alberta families.

Here we are today seeing the government of today, the UCP government, move swiftly to return to a model that saw these ordinary families in great anxiety and disarray. I certainly hope that we don't end up back to the day when we're tabling the evidence that this failed experiment has yet again failed.

Actually, I probably shouldn't even call it an experiment because what we're going back to is something that was proven to be ineffective. If I was teaching a science fair and a student wanted to redo the same exact experiment that they'd done the year before and the results, we knew, were going to be the same as the year before, I'd say: "You know what? I get that you did this last year and that you had a good time with it and it was fun, and maybe some of your friends thought, 'Wow. That explosion was so exciting, so entertaining. Do that explosion again'." I don't think it would be the responsible thing to say: yeah, let's go ahead and re-engage in something that was an experiment that already failed and had very serious negative impacts for ordinary families.

So I don't even feel right calling it an experiment, because it's not. We know what the outcome is. We know that it leads to probably the same folks who benefited from the \$4.5 billion no-jobs corporate handout benefiting from this type of direct attack on ordinary consumers. If \$4.5 billion wasn't enough, here's a chance to gouge ordinary families yet again.

I have to say that the transition to the capacity market was something that was done in consultation with generators. Certainly, we worked with experts, as I said, within and outside of government to make sure that the supply would be stable as well as the electricity on the grid more affordable than seeing the variants that we see under a solely market-based model.

Again, I believe it was only Texas and Alberta that had such a model. If it was an effective model, I think one could wonder: why aren't other jurisdictions taking on this model? The answer is: because it wasn't effective, because it did have very serious negative impacts for consumers. In a market model, the type where electricity generators are only paid for the power that is actually produced, the price is based on changing wholesale prices, which can swing very significantly and can be very challenging for consumers as well.

I know that Alberta is relatively small and an isolated market in comparison to other jurisdictions, but again in terms of an energy-only or solely market-based model, Texas was the only area that had this model. There were some hybrid markets. Some might say: okay; well, maybe we'll adapt a hybrid market. There are not a lot. There are some of those in the United States, but again not a lot, and then there are a few jurisdictions, New Zealand and Australia, that have engaged in this. By and large, governments and electricity providers have reached a consensus that this model doesn't work.

Again, it begs the question: why are we rushing towards it when we know that other jurisdictions aren't?

When we look at other policies, one of the first things I always ask for is interjurisdictional comparisons. I think it's important for us to be able to see where we are in relation to the rest of the world. I guess my question to the minister and to anyone who can speak on the government's behalf would be: what was the driver here? What was the evidence? What was the motivator? When I asked for all that, it certainly did not point towards a market-based model. It pointed towards a capacity model. At the least I would have expected that there might be some type of hybrid system, but to go solely to – again, it's not even risk, because we know what the consequences are. We know that the consequences are greater instability and higher prices. What's the motivation? Those are certainly some deep concerns that I have.

In terms of the one model that we did talk about, the one jurisdiction, Texas has experienced a few different models. In Texas they had regulated and unregulated areas that were below the national average, and differences between them have lessened over the years. However, their market is highly volatile, and it's significantly larger than our market as well. Texas experienced brownouts, which I think are very concerning, in 2011, '14, and '15 as well as rolling blackouts in 2011.

I know that when I rely on my power and it's down even briefly, it can cause a lot of uncertainty. I know that the Facebook groups for the neighbourhood that I live in light up with people checking on what's happening, and of course the EPCOR lines light up as well. Asking providers to deal with this kind of uncertainty, I think, would be very detrimental to the people of Alberta.

In recent summers Texas had price spikes for electricity that were very significant. Of course, that's a jurisdiction where they rely a lot on cooling energy, so not being able to have certainty on prices when you're dealing with very high heat is maybe just as problematic or could be as problematic as dealing with peaks when we're in the middle of our winter season and the risks that come with those extreme temperatures as well.

**9:10**

Back to Texas, the price peak they saw on June 25 was \$438 per megawatt hour, but on June 26, just one day later, that price variance was \$3,000 per megawatt hour. Moving from \$438 to \$3,000 in one day is highly variable, highly problematic. It's more than 600 per cent above the average of the day before, certainly not giving stability or certainty or affordability to the families of Texas.

I know that government likes to say that they were elected with their mandate because they focused a lot around affordability, one specific issue that they said was about affordability but one specific issue nonetheless. Since they repealed the price on carbon, what we've seen are increases, certainly, to the cost that Albertans will be paying for electricity, increases to insurance, very overt flirtation with increasing postsecondary tuition, already the increases to school fees, including transportation, and now also a very clear, pointed – I can't really say "direction" because they are a separate, distinct order of government, but one that relies heavily on government funding is local governments, municipal governments – almost overt direction in the MacKinnon report to see rates of municipalities go up as well.

These are a number of the different areas. I know that I focused my comments with regard to electricity costs on individual households and individual consumers in that regard, but again some large consumers of electricity include municipalities. So we are very likely cutting the funding that they rely on for MSI and other areas, including policing, and at the same time downloading,

through this move to a market model, more electricity costs onto those municipalities as well.

At the end of the day, members on both sides of the House will say that there's one taxpayer, and that is true. Continuing to meddle in the models that we have, models that are proven to be more cost-effective, supportive, sustainable, and reliable, and pushing to greater uncertainty and greater swings and greater opportunities for producers to hedge the market, with consumers being solely on the hook, I think, is unfair and doesn't speak well of where this government might be moving with other decisions down the road, because this one, again, has been studied extensively. This is one that the research across North America and around the world shows that the direction this government is moving in is not something that will be beneficial from a cost-benefit analysis for the people of Alberta.

I know that there is a significant history of government engagement in the electricity market here in Alberta over many, many years, and I imagine that all members of this House had some experiences, while they were door-knocking, with people talking to them about the cost of their power bills and how much is tied to areas on their bill that are aside from their actual consumption. I think there's a lot of concern around how much individuals are paying for grid access and fees that are outside of some of the areas that government had controlled. So if they wanted to tinker with things in the electricity market, I know that my constituents and, I imagine, many of theirs would have really appreciated it if they'd focused on some of those tie-ons that electricity companies often add to individual consumers' bills.

I remember one household where a woman showed me her bill from the month before and her bill from that month. Her consumption was down by about half, but her bill was almost exactly on par with where it was the month prior. Again, that was because of a lot of the other factors on the bill for tying into the grid and building additional infrastructure, things that have been downloaded onto consumers by Conservative government after Conservative government. I know that that constituent would have really appreciated it, if the government wanted to do some tinkering with electricity, if they focused on those areas where seniors on fixed income certainly have articulated to me their sense of being gouged more than once.

AESO began doing its work evaluating the sustainability of the electricity market back in 2013 – there was a Conservative government at that time – and they determined that the model was ineffective and that it wasn't able to provide the type of stability and affordability that they were tasked to examine. AESO recommended implementing the capacity market, and that was independent from the climate leadership plan. Members on the other side of the House may not be aware of that, so I really want to reinforce that. This isn't something that needs to be done because there was a mandate to eliminate the climate leadership plan, because this was done independent of that.

Thank you.

**The Deputy Speaker:** Hon. members, Standing Order 29(2)(a) is available. The hon. Member for Lethbridge-West.

**Ms Phillips:** Thank you, Madam Speaker. I know that the Member for Edmonton-Glenora has been around as a staffer and so on for many years around this Legislature. I'm wondering if she can talk a little bit more about what she has heard from people over the years around transmission and distribution and other charges, even back in the days immediately following deregulation, those years in the early 2000s, if she can talk a little bit about what she's heard on the doorsteps over the years and what's really bothered people about

the deregulation experiment, particularly in those early Klein years but then even during the economic boom, how much it often put families' monthly bills under stress.

**Ms Hoffman:** Thanks to the member for the question. Yeah, she absolutely hits it. There was certainly a great deal of reluctance to move to a new model, but in those early days it had a chance to prove that it was effective. What happened instead is that it proved that there were greater opportunities for tie-in fees and other types of tariffs that, certainly, a lot of folks on fixed incomes were deeply concerned about their inability, if they really wanted to act like consumers in a market, their inability to be able to dictate how much they were actually paying because of how many of those additional fees were tied in through the new models and the new measures that were being imposed through the deregulation, at that time, experiment. I do have to say that for a market to be effective, in my experience you need to have the ability to control supply and demand, and you need to have an ability for consumers to control some of their own destiny through their consumption. Certainly, we hear members in the UCP talk about the need for energy and electricity, and I agree with that. There is certainly a need, especially in a province with such variable climates but also in a developed society where we all rely on technology in the same ways that we do now, to be able to have reliable, predictable, affordable electricity. By having so many of those additional tie-ins and, essentially, tariffs, it certainly eroded the ability of the market to actually be something that consumers had any ability to control in any way.

Thank you to the member for asking about that. Yeah. I imagine I'll probably be back with a stack of power bills, as will many of my colleagues, in the coming months and years. That certainly doesn't bring me glee. That isn't something that I look forward to. I think that some of the people who voted UCP, many, many, many, many people who voted UCP thought they were doing so because it was going to impact affordability. I know that there was a lot of messaging that: "Don't worry. Once we repeal the climate leadership plan, the cost of everything is going to go down." I have had many people say: you know, haven't felt it, haven't felt it. I worry that not only is this not going to make things better but that this decision is going to make things actually far worse. Thank you to the member for the encouragement to continue down memory lane.

**The Deputy Speaker:** Any other members wishing to speak under Standing Order 29(2)(a)?

Seeing none, any other members wishing to speak to second reading of Bill 18?

**Mrs. Sawhney:** Madam Speaker, I move to close debate on Bill 18.

**The Deputy Speaker:** Adjourn debate?

**Mrs. Sawhney:** Adjourn debate.

[Motion to adjourn debate carried]

## 9:20 Government Bills and Orders Third Reading

### Bill 17

#### Disclosure to Protect Against Domestic Violence (Clare's Law) Act

**The Deputy Speaker:** The hon. Minister of Community and Social Services.

**Mrs. Sawhney:** Thank you, Madam Speaker. I rise today to move third reading of Bill 17, Disclosure to Protect Against Domestic Violence (Clare's Law) Act.

As many in this House are aware, this act was originally intended to be introduced in the next session. However, in late September we heard the story of Dianne Denovan, and it was yet another account of horrific abuse that could potentially have been prevented. This confirmed that we could not wait any longer, that we needed to move as quickly as possible to put this preventative measure in place.

I'd like to thank the Premier for championing this legislation and accelerating it, and I'd like to thank my government colleagues for their support. I'd also like to extend a very earnest and sincere thank you to my CSS department staff, who worked many hours on this bill with great professionalism, expertise, and competence.

I've spent the last few days thinking about all the ways that I have personally been touched or impacted by stories of domestic violence. As I had mentioned earlier, it is quite likely that almost everybody in this Chamber today knows someone who has been a victim of abuse. As I reflected on the numerous situations that I have come across in my capacity as a volunteer or personally, a common thread became evident, and I'll expand on that in a moment.

But first I'd like to share with you three specific stories. I have a friend that I grew up with. We went to school together. We went to university together. Shortly after graduating, she was introduced to a man, and after a whirlwind courtship she married him. Over the years we heard stories of turmoil in her marriage due to his abusive ways, but ultimately she did find the courage to leave.

Over a phone call many years ago, she recounted to me an episode where, in a fit of inexplicable rage, in the middle of the night her husband grabbed her by the hair, pulled her out of bed and down the stairs, where he continued the assault. Madam Speaker, my friend is a physician. She spent her whole life helping other people, helping people with their medical needs and supporting patients through mental, physical, and emotional clinical care. This is what her life had been reduced to in those years, just trying to get through the night unscathed while experiencing undeserved and irrational shame for being a victim of abuse. I can't express in words how difficult it was for me to hear that story over the phone several years ago, but ultimately I can't even imagine how unbearable those years were for her.

I have another story that I'd like to share with you. About 20 years ago – I was a 20-something then – I was a part of a group of friends who welcomed a young couple from India, a young bride who had left the country of her origin under very difficult circumstances. I was happy for her that she was here in Canada and that she had opportunities to further her education, her career and that ultimately she was with the love of her life. About a month later I received a call from her asking me to come to her apartment. When I arrived – and I still remember this vividly – I couldn't find her anywhere in her apartment. Eventually I found her in her room, in the corner, sitting on the floor. She showed me her scratched and bruised arms, and in her left hand she had a clump of hair that had been pulled out of her scalp.

Madam Speaker, I remember asking myself at that time: how is it possible that a couple that's highly educated, both of them from good families – like, how could this happen to them? At the time I didn't know about the situational complexities and cultural constraints that can keep a victim trapped in an abusive situation. I now know better – and I've said this before – that no one is immune from being a victim of domestic violence. The woman I'm speaking of is fine now. She's moved on, and she's also in a career where she helps others.

My final story is about a young woman I met at a social gathering. I'd never met her before, and shortly after meeting her, for some reason she confided in me. Her story was awful. I vividly remember telling her that it was not normal that her boyfriend called her names, that it was not normal that he checked up on her while she was at work, and it was not normal that he shoved her and threatened her physically. I don't know how she's doing because I never saw her again, and my hope is that she found her way out of that situation.

Madam Speaker, the common thread in all of these stories is that none of these incidents were ever reported, and I've talked about this earlier. This is a reality behind the statistics of domestic violence, that the numbers are understated and that the prevalence of this issue is way more common than we think it is. I do know, however, that in at least one of these situations, had the preventative measure outlined by Bill 17 been available, the victim would have made a different choice in her relationship. These victims also may have made a different choice about reporting this abuse if they knew it could save another woman's life after them.

This is why Bill 17 is so important. It is a preventative tool that can change the trajectory of a person's life and not only that person's life but potentially the trajectories of the lives of children that may be involved and the lives of other family members and friends that may be involved. The social costs of domestic violence are immense in terms of lost potential, lost time, and lost esteem. This bill can have far-reaching impacts that we can't even begin to quantify.

Madam Speaker, this past week I've received support and encouragement from my colleagues in the Legislative Assembly for the intent of Bill 17. We've received excellent feedback, and there's been a high level of interest in the legislation. I've heard overwhelming agreement that this law is needed to protect Albertans from domestic violence.

At this point, I would like to share the highlights of what I've heard in this House from my colleagues. My colleague the MLA for Central Peace-Notley said it best when he said:

When we think about the young lady that is somewhat the namesake of this act, Clare, and when we look at her situation, had she known about her partner's violent past, her murder could have been prevented. It is utterly tragic. Our goal is to prevent similar tragedies here [in our province].

My colleague the MLA for Lethbridge-East stated during second reading:

This is a mechanism that will be used to prevent abusers from hiding behind smoke, mirrors, and lies. No one should be allowed to continue to hurt others without consequence due to the failings of the law to fully expose their repulsive actions. We cannot stand idly by while harm is being done to one of the most vulnerable sectors of our society.

My colleague the MLA for Brooks-Medicine Hat eloquently stated:

Our government recognizes that domestic, sexual, and gender-based violence is a persistent issue in our province and across the country. Some organizations say that there is an epidemic. When there is an epidemic due to illness or disease, governments are quick to act in order to save lives. It only makes sense that the same approach be applied when it comes to domestic violence.

My colleague across the aisle the MLA for Calgary-McCall stated:

We believe that no one – no one – should ever face violence in any shape, form, or manner, and when that happens, I think it's the obligation of the government, it's our obligation as society to make sure that all the supports are available to them so they can rebuild their lives.

This legislation will help us address and curb and eliminate domestic violence. I know there have been many questions about what regulations will be required to implement this act and make it work in the Alberta context. Continuing to work with stakeholders and glean additional feedback in the implementation of this bill is a key and critical component to the next phases of engagement. This phase of consultation will build upon our first round of stakeholder consultations, where themes and ideas were identified, and we'll expand upon those in the second phase.

9:30

If passed, we will continue to use the next phase of stakeholder engagement to inform the law's day-to-day implementation. These elements will include things like defining the approach to the application process, decision-making, disclosure of information, definition of terms, protection of privacy, wraparound supports, and more. We're looking forward to continuing to involve stakeholders in our next round of engagement, to build on the plentiful, useful information during the first phase.

My colleague across the aisle the MLA for St. Albert highlighted the importance of ensuring that all stakeholders are invited to the table. I echo that sentiment. We've consulted with members from community organizations such as victim advocate groups, offender advocates, LGBTQ and multicultural organizations, indigenous communities, academics, Alberta police agencies, and the office of the Information and Privacy Commissioner. In the second phase of engagement we will involve a broader range of stakeholders from the community, including those with lived experiences, to inform the law's day-to-day implementation.

I also want to take this opportunity to thank the other jurisdictions who have been so open with us about their experiences in enacting Clare's law. Representatives from the U.K. have provided us with key information, including challenges they faced, to help us begin the process of developing a Clare's law suitable for Alberta. Our colleagues in Saskatchewan paved the way for Clare's law to be introduced in a Canadian context. We have gleaned a lot of insight from others' experiences, and we truly appreciate their openness to providing us with such useful feedback and advice. With this knowledge and through the next phase of consultations I'm extremely confident that we will be able to enact a law suited to the needs of Albertans at risk of domestic violence and to support potential victims to make informed choices.

I would like to conclude by saying that my colleague from Calgary-West said it best: "If we can save even just one life, then it makes [this] legislation worth it." Madam Speaker, I'll go a bit further and say that it is my hope, desire, and intention that this bill will not just save one life but many lives. It's been an honour to introduce and speak to Alberta's version of Clare's law.

Thank you.

**The Deputy Speaker:** Hon. members, the hon. Member for Edmonton-Whitemud.

**Ms Pancholi:** Thank you, Madam Speaker. I'm pleased to rise again, on third reading of Bill 17, to indicate my clear support for this bill. I'd like to once again thank the Minister of Community and Social Services for bringing this legislation forward. It has been a great discussion in this House between both sides of the House, and I think we've been clear that we do absolutely support the intent of this legislation. However – and I don't want to actually start with a "however." I do support the intent. We did have a great conversation in the House, and I do credit that it was a conversation, because it was an opportunity where members of the opposition asked some questions, and I was very pleased to see that the



Minister of Community and Social Services responded to those questions and provided some comments back. I do appreciate that.

You know, in Committee of the Whole yesterday I spoke to this bill, and I said that I was pleased to rise and speak to it because, although perhaps many of the comments that I made might have already been stated by some of my colleagues, I believe there are many people in this House who have a personal connection to this issue and care a lot about it. That's perhaps why we've seen a lot of people choosing to rise to speak to it. It's not to criticize it or to indicate any opposition to it but, rather, because we are honoured to speak to this issue.

For myself, you know, I spent a significant amount of time in my early years at law school working in a clinic that was dedicated to supporting survivors of violence, domestic violence and sexual violence, and I got to work very directly with a lot of women who were in the process of trying to determine their next steps and trying to rebuild their lives and trying to wrap their heads around how they can go forward. Also, they have children to worry about and housing and their jobs. It was a privilege to work with those women, but I realize that it was just the beginning of a lifetime of work, and my piece was very small.

I do want to indicate again that we do support the bill, but there are some concerns and questions we've raised just with respect to the details, which the minister has assured us will be coming in the regulations. I do feel very confident that she has done some great work working with stakeholders to consult on the development of the act thus far. I do think that the bulk of the work in terms of consultation will be on the regulations because we do see a bill that is – and the minister has acknowledged this – a bit of a shell. It's an outline, enabling legislation. It doesn't have the meat of the details yet, and those details are going to be very significant.

One of the things that I just want to reiterate is that I am very concerned about any sense of false security that this legislation might have for women who receive a report that their abuser does not have a history of a prior criminal conviction for domestic violence related charges. My concern, of course, is because of even the information that the minister has given us, which is that it is significantly underreported. Domestic violence is significantly underreported, and as I mentioned yesterday, not only is it underreported, but it is very challenging to get a conviction in our system. Because of that, the question that arises is: what kind of information will be shared with an applicant or a third-party applicant? For this information, what happens if they get a report that indicates that there is no prior history of criminal conviction? Does that necessarily mean that their partner is safe or is not a risk to them? We know that that's not the case. I am concerned about what the content of that disclosure will be so that we don't give women a false sense of security.

I also referenced an article written by the University of Calgary Faculty of Law. I was pleased to hear the minister express some interest in receiving a copy of this article, which I did send to her yesterday, and I will be tabling it as well in the House today. It is an article from October 18, 2019, and it's by a couple of law professors from the University of Calgary, Jennifer Koshan and Wanda Wiegers. The title of the article is *Clare's Law: Unintended Consequences for Domestic Violence Victims*. I only pointed those out because we always have to be cautious. Of course, it's a rule of thumb when we're in the House and when we're passing legislation that we're thinking about unintended consequences. One of the concerns that the authors of this article, I believe, rightly raise is the risk that this bill could increase the likelihood that a woman would be blamed for not leaving a violent situation when they have received information about their partner's prior convictions or that they even could have and chose not to access it. We know that that

could lead to the potential – and it's a very real potential – that women will be blamed for not leaving a situation when they could have accessed or did get information indicating that their partner had a violent criminal past and chose not to leave.

That could lead to what we know already happens, which is that often in situations of domestic violence we see that, obviously, the woman is struggling to take care of herself and her family, and often what happens is that the arm of the law sort of comes down and the state intervenes, and the children are apprehended. I'm not saying that we want any child left in a violent situation at all, but it doesn't necessarily move us further in terms of dealing with the situation to support that family with resources and supports if the response is simply that we are apprehending children. It doesn't actually move the family further ahead.

So it's a complicated situation. I don't raise these issues to be critical of the intent of the bill, only to highlight that there is a lot more to do. While I very much appreciate this bill being brought forward, I am a little cautious about the minister's optimism with respect to the potential impacts of this bill. I would love to see that it does eliminate domestic violence, but I think we know that that is unlikely to be the case. It's hard for us to say with any certainty what a woman who is in a violent domestic situation would have done had she known the information about her partner's criminal past. We do know that there is a complex set of reasons why women stay in violent situations. Sometimes even knowing that their partner has a conviction would not necessarily mean that that woman would leave that situation.

9:40

We hope it would, but of course there are very tangled, complicated psychological reasons why they may not. They may not have anywhere else to go. They may not have family supports. They may have children that they're worried about. So we can't say for certain and we don't have the evidence, because this is fairly new legislation here and in other jurisdictions, to indicate that this would actually lead to more women leaving those violent situations. We hope it would, of course, but we also should not blame those women who choose not to, because it is a very complicated situation.

While I do admire the intent of this bill, my optimism is a little bit more tempered than, I believe, the minister's is. We have no shortage of examples even within our own province. You know, the bill is titled *Clare's law*. That is how it's known, and it is of course referencing the situation from the U.K., but unfortunately we have so many of our own examples here in Alberta of situations where women are in violent domestic situations and have lost their lives. My colleague the Member for St. Albert mentioned yesterday the situation of Jessica Martel, who was right here in Alberta, who lost her life to a violent abuser. She had been in that relationship for 11 years, and that is a significant period of time. She had two young children. I think it's hard to know. I don't know if in that situation her partner actually had prior criminal convictions, and if she had been made aware, I don't know and we don't know with certainty what would have happened. But I do appreciate that women should have the right to know that information and to seek that information because it is very important.

I want to give a couple of examples, too, of the work that we still need to do around domestic violence. We also know that there are a significant number of domestic violence situations that, unfortunately, have led to violent death where the partners have been married for decades. They are partners that have been together for a very, very, very long time. Again, I don't know if there is a history of criminal conviction on either side, but it's hard to imagine a couple that has been married for 40 years where the woman finds

out about a prior conviction from before she was even with her partner, if that would have changed the situation. Again, not to say that this doesn't mean it's not meaningful, but there are many, many domestic violence situations where this would not necessarily be relevant to that situation, so we have to still consider that.

In fact, in Edmonton alone, actually just last year, right around the corner from my children's daycare in a home there was a domestic violence situation where a woman was killed and her partner committed suicide. They had been together for 20 years. You know, we can talk about as well how those kinds of situations are reported in the news. I know there has been a fulsome debate in this province and probably across Canada about naming the victims of domestic violence, but in that situation there were no names, and the police used the code, which we all kind of know, that the woman died of homicide and the man died of noncriminal causes and that there will be no charges laid. We all know what that means. That means that that is a murder-suicide and that there was a domestic violence situation.

Just a year prior to that, in my riding of Edmonton-Whitemud the male partner of a couple that were in their 70s murdered his wife. They'd been married for over 40 years. I just raise this as there are some long-term domestic violence situations that perhaps this bill would not address. Again, there are lots of situations where this would be meaningful and where we hope it would be meaningful, but we need to be conscious that there is still so much more work to do around domestic violence.

To that end, I appreciate the minister's commitment. She has expressed it over and over – and I appreciate it very much – that she will be continuing to consult extensively with stakeholders, going forward, on the regulations. I do hope that this is just the beginning of a more complex strategy to address domestic violence. We know that there need to be resources behind training police services who will be handling those requests for disclosure, supporting those organizations that can support women to either get out of those situations or to survive them, essentially. We need a lot of work on that. While I appreciate the intent of the legislation, so much more is needed.

The other piece of this that I just want to lastly mention about the bill is that if we want women to have access to the rights that are going to be set out in this bill, they need to know they have them. I just want to highlight that it is going to be very important how we educate and how that message is sent out to women who are particularly isolated often, who are racialized, who are poor, who are in remote communities. How are they going to be made aware that this right is available to them and encouraged in a safe way to use it? Again, as we talked about yesterday, it is often at the point where a woman is thinking of leaving a violent domestic situation where things get the most dangerous for her. That is where we see the most likely occurrence of death and extreme injury to women, at the point where they are thinking of leaving. So when we're talking about them receiving this information, it's likely that the woman is along the way of thinking that this might be the point where she might be leaving. That's why she's seeking the information. That is a very critical time. Women need to know that this right is available to them if it's going to be meaningful.

It does raise the risk that partners will also know. Violent partners will also know that their partner has a right to receive this information, which leads to complexities as well.

This is obviously – and I appreciate that the minister acknowledges it – a complicated situation. There are lots of factors that go in, and we can't ignore the need for significant resourcing. I just want to again extend to the minister the offer from the members of the opposition, who've been very clear in our support, and we want to work to make this as meaningful as possible, to

continue to work with you where we can. I appreciate the discussion that we've had in this House today around this bill.

Thank you, Madam Speaker.

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

**An Hon. Member:** Section 29(2)(a)?

**The Deputy Speaker:** There's no 29(2)(a) available. There will be after the Member for Edmonton-Rutherford.

**Mr. Feehan:** Thank you, Madam Speaker. Appreciate the opportunity to speak to this bill. As with everyone on this side of the House, I take pleasure in working with the government to support this bill and bring it forward. I have, you know, expressed concerns in previous stages of the bill to help the government hear some of the problematic areas that may arise as the bill is moved forward, but I don't believe that that should be a reason to stop this bill or other kinds of bills in which good things are happening. I just think that we need to ensure that the complexity of our response matches the complexity of the problem.

In hearing the minister move third reading of this particular bill, I notice she took the time to speak to some, well, frankly, horrific stories of three women that she had had some personal contact with or knowledge of and bring those into the House, which I think has some very clear value. I think, first of all, it honours those women and says that someone was listening to them. She's also honoured them by talking about how they have moved beyond that stage of violence in their life, at least the ones that she happened to know, so I think there's good value in bringing those stories forward. It also, of course, presses upon the listeners to those stories the deep emotional trauma that we're trying to prevent here in moving this kind of bill forward, again, a real value in terms of helping to bridge that experience out beyond the people who experienced it to the rest of Albertans, that we need to support this bill.

Of course, I also think that it's important that it be on the record as the motivation for this bill so that we have a really clear idea of what it is that we are trying to prevent and move forward. So there's lots of value in hearing those stories. I know as someone working as a social worker in the area of family violence for much of my 33-year career, I heard literally thousands of similar kinds of stories. Unfortunately, because my career was often focused on child sexual abuse, they often were coming from six- and seven- and eight-year-olds, so, I mean, another level of horrendousness, I guess, is what we'd say, but equally disconcerting.

One of the things that we found in our practice was that we could get drawn into a slightly erroneous place where we begin to deal with each individual person who comes into the practice as if it's an individual unique story. Of course, you know, in terms of therapeutic intervention it's very important that you do that. You stay present to the person that's in front of you.

9:50

But we also have a responsibility beyond that, and that responsibility is to recognize that this isn't a unique story. Unfortunately, the reality in the world is that violence of various natures is common. I mean, you almost hate to say that, but it's a relatively routine reality in our society. I noticed that the minister quoted the MLA for Brooks-Medicine Hat as saying that domestic-based violence is a persistent issue. I'm glad that she was able to draw that out of that member's speech because it really does speak to exactly what it is that I think is important for us to think about as we move this bill forward, and that is that domestic violence is a persistent issue. It is across cultures. It is across regions. It is across

socioeconomic status. The reality is that we can't view this as a couple of bad apples. Domestic violence is, in fact, a characteristic of our society just as, you know, many other things even though, thank God, it's not a dominant characteristic. It's not representative of most of us, but it certainly is not one that we can say is one in a million or a one-off occurrence.

Because of that, I begin to get worried that we have this systemic problem, but our responses to the systemic problem are often not systemic as well. What we might say in terms of building structures is that they're not structural, that we don't actually look at not just a single, individual case but rather what's happening across society. How do we structure society in such a way that we can reduce the likelihood of these kinds of things happening in the first place and that we can respond to them effectively and efficiently when they do happen after the fact? Very much in the same way that, you know, we look around a city and realize that people need water in their house, we could go drill a well in everybody's backyard or do it one at a time, when somebody comes to us and says: I need water. But at some point you begin to realize it's a silly response. The city of Edmonton, almost a million people if you include the surrounding area, or the city of Calgary, which has a million people I believe: if you went around and tried to deal with each case individually, to drill a well in their backyard, people would say that, well, that's not a very systemic or structural response to the problem here.

What we do instead is that we build a societal-level response, and that societal-level response in the case of water is that we have a centralized water system with piping paid for by society, not by the individuals but by society, to make sure that water is equally distributed throughout the community, whether or not you happen to live in the tony areas of town or the areas of town that need more attention. Everyone would say: well, that's quite reasonable; that's exactly what we should be doing. We use the same kind of pipes when we build in the rich areas of town as we do in the poor areas of town because it's not about the individual case; it's about having the systemic structural response to the need for water in every house in our society.

That is also true in the area of domestic violence. We need strong, structural interventions that look not just at each individual case as they come forward but rather at what we do as a society to transform the things that we need to transform to ensure that domestic violence is, first of all, of course, prevented and, secondly, dealt with in an efficient and effective manner when it does occur. I guess that's the piece I want to bring to us in our discussion of the third reading of this bill.

I will stand and support this bill. I will vote in favour of it, but I will also remind the minister and the members of the government side of the House that there are a number of systemic problems that need to be addressed. You can't say, "I did something about family violence" by doing something as slim and as narrow as this particular piece, even with the inherent problems, which I addressed last night. It is only one step of many steps you must take because your response to a complex problem must be as complex as the problem itself. In this case we have, you know, a number of issues.

For example, we know that in this case women can find out about whether or not the potential partner had a history of domestic violence, but we know that's not the only kind of violence that's a predictor or a preindicator of domestic violence. For example, we know that people that have been cruel to animals, people that have done other kinds of violent acts in the community, that have conflict with work sites and so on also have indicators of potential for domestic violence, none of which will be recorded on this.

I realize it can't be in this situation, but it reminds us that we're really only taking a very small, slim piece of information and

moving it forward, when there's so much more that could be and should be dealt with. I look forward to the government looking at: how do we better inform women about other indicators of potential for violence? Of course, you know from my conversation in the House last night my concerns about creating the list at all. That's an issue.

The second systemic issue is that we often have programs like this or other programs we put in that are intended to reduce domestic violence or to save people's lives, but we have a structural problem with severe underfunding. We put in the program, its intent is good, maybe even its design is good, and we know it may be effective in terms of research evidence, but then if we actually don't put the resources behind those kinds of interventions, they're just as useless as not being there in the first place.

I think it's really important that we not stand up and say, "We've done something about domestic violence," and then not immediately follow it up with, "Here's how we're going to ensure that the dollars and resources that are necessary for the full implementation of this program and the adjunct programs that will support this program are present in our society." That's what I'll be holding the minister to account for, not this bill. This bill I'm supporting. I'll stand up here, but I'm going to ask the same question Thursday afternoon and say, "Did you put money into domestic violence?" because if you didn't put money into it on Thursday, then what do I think about what you were saying to us in the House on Tuesday? I think that's very important that we remember that kind of thing.

We have to remember that the complexity of the problem, especially the complexity of women attempting to leave domestic violence situations, is that there needs to be a variety of other services available to them. We know, for example, that women that have children are more likely to stay because there's fear about what will happen to the children if they do not have an adequate place to go. Does that mean: do we have daycares that are available so that they can have their children cared for while they seek work so that they can provide for themselves because they can no longer depend on the partner who may have been providing for them up until that point? Daycares are extremely important in terms of this type of intervention.

What about women's shelters? Are they widely available? Are they available around the whole province? Are they available on First Nations and Métis communities as well as off? Those kinds of questions. Are they available in rural areas or only in downtown Edmonton, downtown Calgary? Those are the kinds of questions we need to ask. Are they adequately funded? That's very important.

Of course, women leaving a situation of violence also need actual, physical resources such as cash. What kind of transition allowances do we have available for women as they leave domestic violence situations? Are we actually providing supports for them so that they can sustain themselves, or do they return home because they find themselves living on the street with their kids? If we don't have those kinds of resources, we're not really doing what we say we intend to do when we put a bill like this forward.

#### 10:00

A friend of mine, Tim Battle, who worked with Alberta SPCA for many years until his recent retirement, also talked to me about the fact that animals can be one of the reasons why women do not leave violent relationships because they are afraid to leave their animal behind with the violent offender. So what are we doing to ensure that organizations like the SPCA that do extremely good work in our society are receiving the supports that they need in order to facilitate women who are leaving violent relationships but need to make sure that their animals are well taken care of so that

when they set themselves up, they can bring their animal back and help their children feel comforted by the reconstruction of their family, at least with their animal? Those kinds of things are very important.

Of course, the big issue is about social isolation; that is, how are we ensuring that we are reaching into those places and communities where people are confined by social structures? Now, I worry about that in terms of reserve communities, for example. They're often far from central areas and, as a result, don't always have access to the information and supports and immediate resources that might be available in a place like Calgary or Edmonton. Also, there are ethnic communities in which that's true. My experience in working with some of the communities is that people have come to me in my MLA office and said: "I am confined to my home. I cannot leave my home without the absolute and complete control of my husband." How are we going to make sure that that woman has the resources necessary, that she's got the information necessary in order to be able to leave this kind of situation? You know, language may be a barrier, availability in the community may be a barrier, and of course the strict structures of a social system within a particular culture or religion or so on may also be a barrier.

All of these things are things that I ask this government and this minister to consider as they move this bill forward. Thank you.

**The Deputy Speaker:** Standing Order 29(2)(a) is now available. The hon. Member for Edmonton-Highlands-Norwood.

**Member Irwin:** Thank you, Madam Speaker, and thank you to the member for his comments. We were sitting there in awe at just his knowledge and his experience and so many really thoughtful points there. I need to note the point on animals. That's one that I hadn't even thought of, but you're exactly right. This is where he pointed to the fact that without the support, without looking at the systemic issues, we do worry about the efficacy of this bill.

As I talked about yesterday, we know – you know, the minister has been quite clear, and I appreciate that – that this is very much enabling legislation. One of the things that I really want to just hammer home again is the importance of victims knowing about what supports are available. The Member for Edmonton-Rutherford talked about some of those supports, and one of the ones I want to mention and have him speak a little bit more about as well is housing supports.

I know I represent an area, Edmonton-Highlands-Norwood, where we currently have a lot, the bulk I would say, of affordable housing in Edmonton in our riding, but I hear every day, my staff hear every day the need for safe, affordable housing. That's probably the most common concern I actually get, folks who are unable to access safe and affordable housing in our neighbourhoods. I worry about, you know, these potential victims, especially those coming from rural and remote communities, how they're going to be able to access supports like housing. As the member noted, without funding in place, what's going to happen? We can point to examples like Saskatchewan, where Clare's law was implemented earlier this year. There are some folks who've shared their own stories saying that they were in remote parts of that province and unable to access the supports, including housing, that they needed.

This law clearly needs to be part of a suite of measures, and I really appreciate the member's point around that we need to see those measures in place on Thursday. I would just like to ask the member to talk a little bit more about that obvious concern we have about victims lacking proper resources when they are wanting to safely leave dangerous relationships and how else this government can ensure that they feel fully supported when they do take that step.

Thank you, Madam Speaker.

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

**Mr. Feehan:** Thank you, Madam Speaker. I appreciate the opportunity to talk about the resources that are necessary. I think that the underlying theme here is that we need to do multiple things at once if we're really going to address a problem. The nervousness you hear on this side of the House – we support the bill; I'll be really clear about that – is that the complex response that is required is not going to be following this particular initiative, and that becomes dangerous. It becomes dangerous because we start to believe we have done something when we haven't. That leads to complacency and leads to an exacerbation of the problem. Not only do we have the problem in its first right, but we have the problem being ignored secondarily because we say: "Well, we already did something about that. We can move on." That is of deep concern to us here.

We know that these things are not easily resolved. There's not a jurisdiction in the world that can effectively tell us that they have ultimately resolved the problem of domestic violence. That tells us there is no quick, one-off solution, or else governments all around the world would have done it. It is very expensive to allow that to happen. That's not the reason why I think we should do it, of course, but I realize that governments worry about those things.

I think, then, we have to ensure that if we are going to actually resolve this problem as best as we possibly can, we tackle it as a real problem. We know that there are times in our society when we do tackle problems in very focused and complex ways, and we have resolved some incredible problems as we move forward in our society. I mean, when I just look at the accomplishments we've had with the development of the social democracies in the western world with the universal health care, with the universal education, with the universal water and food production and so on . . .

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

**Mr. Schow:** Thank you, Madam Speaker. It's a pleasure for me to stand today and speak on Bill 17, Clare's law. I've listened intently to a lot of the speeches as we discuss this bill, and I'm really grateful for the opportunity to actually have this conversation. I'm grateful to the minister for bringing this forward and seeing the need here, and I'm grateful to the members of the opposition for their input. Certainly, a lot of great points were made by the Member for Edmonton-Rutherford about that domestic violence isn't isolated to one socioeconomic group or one part of the world. I also appreciate similar comments from the Member for Edmonton-Whitemud. I can say her last name properly, too.

In particular, you know, there are two ways I can come at this, and I want to come at this. One is the emotional side and strictly says – I know that domestic violence isn't isolated to men or women. It's certainly both. But as a man what kind of sad sack or sorry individual would ever feel comfortable looking at themselves in the mirror after hitting, laying a hand on another individual, instigating any kind of violence, or even intimidating someone else? I mean, it just really goes to show what kind of a weak person they would be. Speaking more on the other side, it would be more the merits. I have witnessed domestic violence on two occasions in my life. When I saw it both times, it was like I was watching the movie *Jaws* before the shark attacks. That music just builds up in the back of your mind before you have to step in and do something immediately.

What I like the most about this bill is the preventative measures that it takes. You know, I was in Costco the other day, and I saw that you could buy 48 Duracell batteries for 27 bucks, and I'm thinking: that's a lot of money for some batteries. But it's a lot of

batteries. You talk to any firefighter, and they'll tell you that the cost of a home is significantly more than the cost to replace smoke detector batteries. These preventative measures can cost you significantly less – significantly less – if you take them early on.

I think it's important that we are updating our laws in this province to meet the needs of those who live here, especially those getting involved in relationships. If you look at the evolving way that people are meeting each other online, what kind of response would you give if you saw a picture of someone online in one of these dating apps and above the picture it said: 2017, convicted of domestic abuse. Would you even be interested in talking with that person? The answer is no. There is no way to fully eradicate domestic violence, I don't think, with this law, but if anything, any measures that we can take to reduce it even by one case I'm in full support of.

**10:10**

Anecdotally, we hear some of the excuses as to why this happens and why people stay in these relationships that are, in fact, abusive. Again, I have never personally in my life been involved or been the subject of any domestic abuse, so I can't put myself in that situation, but I've heard stories of people saying things like, you know: "You don't know him like I know him" or "It was my fault" or "I instigated it. It was my problem. I made him mad. I made her mad." I often ask myself: how far down the relationship track do you have to get before that kind of an excuse that you tell yourself is acceptable? It's not. We have to find a way to help people get out of the relationship or avoid it altogether before it gets to that point.

As we talked about earlier, from the Member for Edmonton-Rutherford, these issues are not isolated to certain groups. You know, if you look at one of the most famous cases of domestic abuse, Ike and Tina Turner, over the course of 16 years of marriage Ike Turner raped, humiliated, abused, was unfaithful to Tina, and this is one of the most famous cases of domestic abuse that we know of. Sixteen years, Madam Speaker, this went on, this cycle of abuse. We have to find a way to end the cycle. It's also not isolated to men. Recently I was reading a news article just the other day, and I saw that in 2017, in May, there was a woman named Kandee Collind, who stabbed her husband to death in front of her children in the driveway of their home after her ex-husband Scott Weyland was awarded custody of their children. It just speaks volumes that this is not isolated to men only, that women can perpetrate domestic abuse as well. As legislators we have a responsibility to do something about it.

Now, I mentioned earlier that I have witnessed domestic disputes in two cases. One time when I was living in Russia, I came out of the grocery store, and across the street I saw a guy who at the time was clutching and grabbing on his partner's jacket. He was yelling at her, having a big argument in the middle of the sidewalk, so I crossed the street to get closer. What shocked me, as I was getting closer, was that everybody was just walking by. I was shocked. They were just walking by. As I got closer, it began to escalate to the point where he was going to raise a hand to her. By that point I got close enough to step in and break it up. I was really angry at this point. I told the one guy to take a hike, and he reluctantly did so. He walked away. But what was the most discouraging and sad moment of that encounter was that I said, "Are you okay?" She said, "No." I said, "Do you have anywhere to go?" She said, "No." She had nowhere to go. Madam Speaker, it just broke my heart because I could only do so much to break up this altercation in the middle of the sidewalk and send this guy somewhere, but I suspect that they live together, or if they don't, they know where each other lives. If she has nowhere to go away from him, what is there to do? Sometimes you can't get there in time to just break it up.

The second time that I saw a domestic dispute, I was actually coming out of a computer store in Calgary. As my wife and I were driving in the car, we saw across the street – there was a median in the way, so we couldn't go directly across – this man was following this woman and yelling at her and having an argument. I wanted to make sure they were okay, so we went around and got into the parking lot. By the time I got into the parking lot across the street, he was again clutching and grabbing her. I was probably a good hundred yards away from this because I couldn't drive my car on the grass. I get out of my car to start walking towards it, and he starts pushing her and hitting her. I just start full speed going. I start running at full speed, and by the time I got there, he's about to hit her again. I just laid into this guy, my shoulder, put him on the ground because I wasn't able to step in. Like, this was a full on fight at this point.

So we get this guy on the ground – I wasn't going to try a wrap-him-up tackle, but I laid him out – and as soon as I did that, the woman just took off running. I was glad I was able to break it up. But, again, the discouraging part of the story was that one of their friends came over because he saw what happened. I said, "Do you know these two?" He said, "Yeah." I said: "What's going on? Call the police." He's like: "No. I'm not going to call the police." I said, "Why?" He said, "Because this happens every other day. It happens every other day with this couple." I couldn't find out if there was a place that I could help this woman get to because she had run away. By the time the police got there to deal with this, you know, I had learned a little more: that it happens all the time, that they're a couple, and that they're together. That's it. That was the story.

I thought: would this woman, in both instances, ever want to be involved with that man if right at the moment they met, there was, like, a thought bubble above the guy's head that said, "I'm a domestic abuser"? Would they be in that kind of relationship? I think the answer is no, but how do you find that out? I think that this bill is a great measure to get to that point where at least there is some means, some mechanism where those entering into a domestic partnership can get information about their partner's history. I can tell you, Madam Speaker, that if I knew or if anyone else knew the first time they met someone at a restaurant or a bar or on the street and said hi and shook hands or what have you, maybe at the beginning of a courtship, if right at that moment they knew that the person they're talking to would abuse them in three years, they would walk away. At least, I'd hope they'd walk away.

This is a preventative measure, and that's why I love this bill so much. It will help people avoid domestic abuse cases long before they ever happen. It will also avoid the need for people like me to step in. I'm happy to step in any time I ever see this kind of thing happening, but what if that altercation didn't have to happen? What if those two women that I mentioned earlier didn't need intervention because they had the information at hand at the beginning of the relationship to walk away?

Sometimes it's too late to walk away, as in the case of Scott Weyland. Scott Weyland died in his own driveway after being stabbed by his ex-wife. He didn't have the chance to walk away. Maybe she didn't have a prior case or a previous history of violence, but if we can prevent even one domestic assault, if we can prevent even one death, if we can prevent even one case of intimidation, I think that we've seen some level of success.

With some of the concerns from the members opposite – I'll let the minister respond to those – I wanted to stand up and personally voice my support for this bill because I think it's an important measure to support those entering into domestic partnerships, and I think it's a great way for us to show that we are taking concrete steps towards reducing the number of cases of domestic violence in this province. This is a promise we made, it's a promise that we are

keeping, and I'm honoured to be part of this government that is in fact doing that.

Thank you, Madam Speaker.

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

Seeing none, any other members wishing to speak to the bill? The hon. Member for Edmonton-Decore.

**Mr. Nielsen:** Well, thank you, Madam Speaker. I appreciate the opportunity to be able to rise in support of Bill 17, the Disclosure to Protect Against Domestic Violence Act, or what is also sometimes known as Clare's law. As we know, this language was created after a young woman in the United Kingdom was killed by her ex-boyfriend, who had a history of domestic violence. You know, as I've noticed and as the last few speakers have pointed out, this is something that's been ongoing for some time. We all have stories that we're able to connect with. I guess the big thing I want to be able to communicate is that it can happen in absolutely any community. It doesn't matter where it is. Edmonton-Decore has also seen, unfortunately, its fair share as well. Just a mere couple or three blocks from my home a young woman was shot and killed by her spouse through domestic violence.

10:20

I think one of the things that legislators can inadvertently get caught up in is that we bring forth legislation, and sometimes I think we might go: "Well, look what we've laid out. We've put in place the ability to prevent some of these things." Then we kind of just maybe step back and say, "Well, we've done our job" and we wash our hands. It's not enough. You know, we have to be able to follow up on that. Certainly, I'm very pleased that the minister has continued those steps forward.

I think the conversation around domestic violence isn't big enough. It needs to grow. It needs to be something that we're not afraid to talk about. I think we look at some of the steps that were made in the 29th Legislature, where former MLA Deborah Drever brought in private member's Bill 204, which allowed victims to be able to break their leases to be able to flee domestic violence situations. I know the Member for Edmonton-Rutherford had made reference around animals being one of the reasons why a spouse won't leave, because they're afraid that their fur baby will then bear the brunt of that violence. I remember some very good conversations with former MLA Richard Starke, who is a veterinarian, around this subject. It was definitely something that I had never really even considered before that moment. We've seen things like increasing funding for women's shelters by \$15 million, which has supported more than 17,000 women and 14,000 children in 2017 alone.

Some of these statistics are staggering, Madam Speaker. From 2008 to 2017 there were 166 deaths in Alberta due to domestic and family violence according to the Family Violence Death Review Committee. I'm very confidently going to go out on a bit of a limb here: I think that that's only what we know about. When we think about missing and murdered indigenous women, how many of them have been victims of family violence through their partners and we don't know about it? So I think this statistic is a little bit low. You know, across Canada half of all young women and girls who are victims of domestic violence homicide were murdered by someone with a prior conviction. I don't think this conversation is big enough, but certainly Bill 17 is a really good way to get this conversation going.

We look at where Clare's law originated, in the U.K. It was introduced in 2014, and it's just a policy still at this moment. It's

not law. But a new bill was introduced in January of this year with 120 commitments, including legalizing the law. Unfortunately, on October 2 it was held over. One of the other things I want to point out about that is that the national average for England and Wales had 3,612 requests granted from 8,490 requests for information. They also know that the right-to-know aspect is underutilized, and police are still working to improve knowledge and understanding within their own service to increase the use provided for early intervention. According to Sandra Walklate the jury is still out on whether the law that allows police to disclose a personal violent history actually prevents the violence.

One of the things that I guess I also want to know – it's great that we're going to pass this, and I'm in full support of this because every single step that we take forward is something. I'd rather have something than nothing. But I think the members for Edmonton-Rutherford and Edmonton-Whitemud were very, very clear that it's not enough to just stop there. We have to keep going. We have to provide those background supports and the education so that women know about all the supports that are available to them. You know, I think the Member for Cardston-Siksika had talked about: she didn't have anywhere to go. We have to change that. They have to know where to go, but that means backing up the supports in the background to be able to provide that education, to be able to provide the training for police to be able to be part of that equation, to make sure that they know where to go, where they have those supports.

Again, I too am hoping that in the budget tomorrow we will see those kinds of commitments to provide those types of supports to those individuals that are fleeing violence ahead of time, including things like maybe supports to the SPCA or animal groups so that they can take that family pet, put them somewhere safe as well. My gosh. I mean, to stay around because you fear for the family pet: a little thing like that should not hold somebody back. I think that as we move forward, I'm hoping that those supports will be in place in the budget to be able to move this conversation forward, continue that education, make sure that women know there is a lot around, things to help them.

I mean, being able to break a lease: I've still seen a couple of cases come into my office since that was brought in where they actually didn't know, so we need to do better on the education front. We need to make sure that we have the proper police training. We need to make sure that they have the support staff in place to be able to provide those types of services so that when somebody says, "I need to go," they can. I know someone very, very close to me who ended up finding out that their partner was a little bit controlling. Thankfully, she had the ability to grab the cat and say: see you later. She didn't even hesitate. But, again, we don't always see that, so let's provide those supports. Let's make sure that we have everything in place.

I'm happy to support this going forward, but, please, Minister, make sure that, you know, we have that background support, that we have the funding in place so that we can make sure that everything provides women a safe place to go.

**The Deputy Speaker:** Are there any members wishing to speak under Standing Order 29(2)(a)?

Seeing none, any other members wishing to speak to the bill? The hon. Minister of Advanced Education.

**Mr. Nicolaidis:** Well, good morning, and thank you, Madam Speaker. I'm very pleased to have the opportunity to rise today to speak in support of Bill 17. As we know and as we've heard, domestic violence affects us all, and there are no simple solutions to this complex problem. As we've heard, indeed, from some of the

examples already, it can happen to anyone of any age, of any culture, of any socioeconomic status or background or gender. Domestic violence is not just a social issue, a criminal issue, or a public health issue, but it's also a human rights issue. As well, it's important to know that the financial consequences of domestic violence include heavy demands on our health care system, education, social services, the justice system and law enforcement. But, most important of all, the human costs and impacts are absolutely immeasurable.

I want to talk a little bit more about domestic violence and, of course, why it's so important, but I want to talk a little bit more about what we mean when we talk about domestic violence. What we call and record as domestic violence is at the heart of the question about how it is made visible, how it is understood and treated not only by individual service providers but also by society as a whole.

**10:30**

The Calgary Domestic Violence Collective defines domestic violence as the following:

[The] attempt, act or intent of someone within a relationship where the relationship is characterized by intimacy, dependency or trust, to intimidate either by threat or by the use of physical force on another person or property. The purpose of the abuse is to control... [and to] exploit through neglect, intimidation, inducement of fear or by inflicting pain. Abusive behavior can take many forms including; verbal, physical, sexual, psychological, emotional, spiritual, economic, and the violation of other rights. All forms of abusive behavior are ways in which one human being is [ultimately] trying to [assert and] have control... over another [individual and exploit that individual].

This definition of domestic violence has been widely accepted within the community, and it recognizes the lifespan perspective of domestic violence.

Domestic violence includes the abuse of the youngest to some of the most senior in our society, in relationships including dating, cohabiting, marital, grandparent, grandchild, caregiver, and other persons requiring care as well.

Mr. Speaker – excuse me. Madam Speaker – you can tell I haven't finished my coffee yet – Alberta has the third-highest rate of domestic violence in the country. In 2018 the Calgary women's emergency 24-hour family violence helpline fielded 10,300 calls. The total number of clients that the Calgary women's shelter served was 15,400. In 2018 the Calgary Police Service reported that there had been a 13 per cent increase in domestic violence conflict calls. On average the Calgary Police Service receives 19,000 domestic violence conflict related calls per year; 1 in 5 of those calls involves some form of violence.

A study conducted by the Canadian Women's Foundation reported that 74 per cent – 74 per cent – of Albertans knew a woman who had experienced physical or sexual abuse, and the report similarly also found that domestic violence costs Canadians an estimated \$7.4 billion a year.

In that same year, 2018, the Alberta Council of Women's Shelters released a comprehensive report entitled *Strength in Numbers: A Ten-year Trend Analysis of Women*, which looked at and utilized data from annual reports, including 24 emergency shelters, seven second-stage shelters, and other organizations. With respect to shelter admissions it found that 33 per cent of all shelter admissions took place in Edmonton and in Calgary. This report also found that the overall population of women of indigenous and other backgrounds utilizing Alberta's shelters rose from 64 per cent in 2003 to 71 per cent in 2012. It's important to know that indigenous women made up more than half of the shelter population in 2010, at 60 per cent, and this proportion continues to rise substantially,

particularly in Alberta's northern shelters, where in 2013 it was reported to be at 70 per cent.

Each year in Canada it's estimated that approximately 362,000 children witness or experience domestic violence, and when we look at some of the information and data related to dating violence, it's highest among the 15-to-24 age group. Most troubling of all, in Canada a woman is killed by her intimate partner every five days. That's in Canada alone.

Madam Speaker, the statistics are absolutely staggering, and it's important to recognize as well that those are only the cases and the situations that we know about. It's quite difficult for us to obtain a clear picture of the extent of domestic violence in Alberta because it often remains hidden. Individuals who are impacted by domestic violence often experience isolation, shame, embarrassment, and humiliation. Individuals may remain in abusive relationships for fear of the violence escalating if they were to leave. They may not have the financial resources to leave, as we heard from the member earlier. The individual told them that she didn't have anywhere else to go, didn't have any other means, other resources or other places to go.

Madam Speaker, it's clear that we all have a role to play in ending domestic violence and ensuring that all Albertans are able to live safe, healthy lives, free from abuse. Clare's law is an important step forward in the movement to prevent and ultimately end the epidemic of domestic violence. Clare's law is a formal mechanism that can be used to break down barriers that victims or potential victims face when making informed choices about their safety. The law ensures that services and systems communicate with each other about a victim's risk and an individual's past abusive behaviours, which allows for appropriate supports and services to be put in place. There's no question that this law will be an effective tool to empower individuals, communities, and other organizations in the province of Alberta to work together to end domestic violence.

Madam Speaker, violence in our communities and within our families is never justified, and no one deserves to be abused. Clare's law will indeed save lives. It is a priority of this government to make life better for all Albertans, and I am incredibly honoured to be part of a team who is willing and ready to tackle domestic violence in such a meaningful way.

On that note, I want to conclude my remarks and thank the Premier for his leadership and, as well, my colleague the Minister of Community and Social Services for her leadership and dedication to the work that she's done to see this important piece of legislation through. Thank you very much.

**The Deputy Speaker:** Standing Order 29(2)(a) is available. Any members wishing to speak?

Seeing none, any other members wishing to speak to the bill? The hon. Member for Edmonton-Manning.

**Ms Sweet:** Thank you, Madam Speaker. It's an honour to rise and speak to this bill, Bill 17, Disclosure to Protect Against Domestic Violence (Clare's Law) Act. I will be supporting the bill. This will actually be my first opportunity to speak, so hopefully I won't go too long, but there were a couple of things that I just wanted to touch a little bit on around the importance of this bill and then, of course, the implementation of it.

Working in child protection, I obviously worked with a variety of different families, and many times, part of the reason why we would be called and go to work with different families was due to domestic violence. Now, what we know about domestic violence, as the hon. member across indicated, is that it can be demonstrated in many different ways. Of course, we see it through physical violence and sexual violence, but there's also the economic impact

piece, which is not the violence but the financial piece that comes with that, where women or individuals in partnerships aren't able to actually access their finances, so of course they're not able to leave situations to find new housing, to move on with their lives because financially they have no access to any of the funds that they would have.

I think the important piece that we need to also acknowledge is that domestic violence is in all relationships, whether they be married, common-law, dating, same-sex relationships. Those relationships: when we're looking at the LGBTQ community, we tend to not talk about those communities, we don't acknowledge those pieces. It's a community that tends to get forgotten and also a community that, due to resource issues, doesn't always have the same ability to access the supports in place that should be available to all Albertans.

**10:40**

As we look at this and we talk about whether or not people should have access to information around criminal history and specifically around domestic violence, there are some questions and some concerns that, obviously, I have around how this information will be used. I mean, I would be interested to hear, actually, from the Minister of Children's Services around how she sees this legislation being implemented within Children's Services. Obviously, when investigations occur, Children's Services workers do have access to information to ensure the safety of children, but this is a new piece. This is a new tool that staff will have access to. I think it's the question around: for Children's Services workers, is this a tool that they would be then using, or is this a tool that they would be trained on so they can support family members, individuals that they're working with in being able to access this information?

Another question and a thought that's come to mind – and of course, as we see this legislation roll out, I think we'll be able to get better clarity around it – is also supporting Children's Services workers when there may be a call made by a family member that may have accessed this information that may or may not be trying to influence an outcome of an investigation.

An example of this – and I'm not saying that this happens often, and I'm not trying to insinuate any false motives of anybody when they do a report to Children's Services – as a worker there were times where I would be called out to do an investigation where a relationship was falling apart. People were separating, there may be a divorce happening, and custody was becoming part of the problem and part of the discussion, and people would sometimes try to use Children's Services as a tool to influence, maybe, the outcome of a custody dispute, to say: well, Children's Services went out, and they had to investigate this family member. Again, I'm not saying that that's common, nor do we minimize those calls. We always go out when there's a call made around potential safety concerns around a child. But when emotions are high – and sometimes different family members get involved in custody disputes; it could be grandparents, it could be a sibling, it could be a variety of different people – they will sometimes try to influence the court process when it comes to divorce proceedings and custody disputes.

My concern around this – and again I think it just goes back to: how will the bill be implemented, and then how does the minister work with her team around making sure that staff are trained and aware of how to address the issue? – is making sure that this isn't being used as a tool to start influencing custody components, because knowledge is power. We know that. It would be ensuring that this tool isn't being used to try to find out if there's information and just to be somewhat malicious, whether there's validity to it or not.

Again, I'm not saying that if someone has a history of domestic violence, they should have access to their children. What I'm saying is that I would hate to see this tool being used inappropriately for motivation around that piece. So I think that that's just a matter of making sure that, you know, police services are aware of how to use this legislation appropriately, that we're not breaching people's privacy components, and that Children's Services, whether or not they would have access to using this or if this would be a tool that we would be advocating that family members access – I think that that's a fine line, when you look at a Children's Services worker, when it comes to encouraging the use of access to information, what that looks like, because I think, going back to when I worked in Children's Services, I don't know how comfortable I would be sitting down with a parent and saying: well, maybe you should be applying for this information. I don't know if that is the role of a Children's Services worker or not. Again, that would be up to the minister and, of course, her department, to determine how this legislation would be used in those roles.

The other piece, I think, as well is that, you know, if this information does come back to an individual and they find out that someone has a history of domestic violence, the question also becomes – and again this goes back to training and a question that I have for the Minister of Children's Services – does that then perpetuate or does that become a child protection safety issue? Do we start saying that every time a mother – sorry; I shouldn't just indicate gender – or any partner, an individual, is aware that somebody in their relationship has a history of domestic violence, that automatically means that Children's Services becomes involved? Are we saying that because this information has now been provided, this person is automatically putting their children at risk? Does that become a problem? Is that something that the ministry is looking at to try to figure out at what point we say that this becomes harm and a protection issue versus acknowledgement of knowledge, like: you knew; therefore, you chose. I guess that would be the piece that I would ask.

You know, again, I'm not saying that people that have a history of domestic violence will not reoffend. I mean, I'm not saying that. There are indicators that violence can happen over and over, but I also want to make sure that we're not saying that every single person that has participated in domestic violence does not have the ability to rehabilitate and to make better choices around those issues. I would hate to see this being used as a tool to start being more intrusive in families' lives just because of the fact that it now exists. Again, I'm not saying that that's what's happening. I just would really appreciate the minister maybe clarifying sort of what preliminary discussions she's already been having with her ministry, recognizing that this was coming, and just sort of some of the policy development that might be coming because of it.

The other piece – and then I'll close – is just looking that we recognize that it usually takes about 10 attempts before someone is actually successful in leaving a domestic violence situation. You know, people are always, like: why didn't they leave the first time? Well, many people try to leave repeatedly, and due to different scenarios there are reasons why they end up returning to their relationships.

A lot of that has to do with resources and lack of ability to access shelter spaces or new apartments, financial impacts. Like my colleague from Edmonton-Decore indicated, pets are actually a huge factor. People don't want to leave their dogs because they're worried that the abuser may take it out on the animals. They've got children. Maybe they've got lots of children, and they're not able to find housing for all of their children. There are barriers with some of our shelter systems around if you have a 16-year-old child. Some



shelters won't take 16-year-olds, 17-year-olds because of gender issues.

There are lots of different dynamics at play, and I think that as we look at this, we also have to look at: what additional supports can be provided? How can we be creative in ensuring that people leaving a domestic violence situation have access to the information and to the resources that they need?

Again, I'm not saying that I won't support the bill. I absolutely will. I just think that as we go forward, there will probably need to be some regulations or policy discussions within different ministries to ensure that this is being used appropriately and that staff are trained and able to address the issues.

Thank you very much.

**The Deputy Speaker:** Any members wishing to speak under Standing Order 29(2)(a)? The hon. Member for Edmonton-Decore.

**Mr. Nielsen:** Thank you, Madam Speaker. I want to thank the Member for Edmonton-Manning for her comments. One of the things that I just wanted to – I might be putting her a little bit on the spot here in terms of trying to quantify. She had great experience in her former position before becoming an MLA. I, of course, have spoken to this, and she just finished speaking on the supports in the background. I'm wondering if she might be able to make a quick comment around the cases that she has dealt with over the years. You know, if there were supports in place at those times, were they enough? How many cases may have possibly fallen through because those background supports, the funding, weren't there to essentially get those families out?

10:50

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

**Ms Sweet:** Well, thank you, Madam Speaker, and thank you to the member for the question. There definitely were situations where trying to access a shelter bed for someone was definitely a struggle, even in Edmonton. Sometimes they're full. We would look at other neighbouring communities to see if we could find somewhere for someone to go, and sometimes those would be full. That was part of the reason why the legislation was introduced around being able to find apartments and get emergency funds for leaving domestic violence situations. It was because getting someone into an apartment so that their kids could come if they had, you know, teenage children, or different things like that, was always a struggle.

I think the other piece, though – and I know I've said this numerous times in the House – is that when we're talking about families, the complexity of these files, it's never black and white. There are many times when the discussion around intervention services and what supports should be in place: like, those conversations take a long time to figure out. You're looking at the safety of children, but you're also looking at trying to be the least intrusive and all the dynamics that go with that. You know, nobody wants to bring a child into foster care. I mean, ideally we would look at trying to find a family member or someone that the children can stay with so that they're with their family.

Domestic violence is extremely complicated partly because of the judgment that's attached to it, you know, the assumption about: well, why don't people just leave? It's not that easy. The relationships that people have with each other are complex, and you're dealing with a lot of emotions. People in domestic violence situations love their partners, whether they are in healthy relationships or not. So you're not only dealing with and talking about safety issues; you're also dealing with human emotions. The struggle with this is that even with this piece of legislation, even though information is there, it doesn't necessarily mean that that

relationship will be terminated or that relationship will end. If that was the case, we wouldn't have children in care, we wouldn't have domestic violence, and we wouldn't have substance abuse issues. We wouldn't have all of the different things that we talk about in this House when it comes to social issues if we could just fix everything and wave a magic wand.

This is a good step. There are lots of different things that we can be doing. Again, it's just a matter of expanding services, making sure that people have supports – income supports, housing, shelter beds – addressing, maybe, the issue when it comes to teenage children. Like, where do these families go? Can they access shelters? The variety of different services that are supported still need to be there. If not, they need to be expanded so that we can address even more issues. It's definitely complex, and there will never be an easy solution to any of these conversations that we have.

Again, I will support the bill with the caveat of some questions that I'd love to hear about from the Minister of Children's Services. Thank you.

**The Deputy Speaker:** There are 20 seconds left under 29(2)(a).

Seeing none, any other members wishing to speak to the bill?

Shall I call the question? Would the hon. Minister of Community and Social Services like to close debate?

**Mrs. Sawhney:** Thank you, Madam Speaker. I've had the opportunity today to listen to members in this House, and I've been able to listen to their diverse perspectives and the positive feedback. It's clear that there's tremendous support for this bill. I've heard the comments about there being too many bystanders and not enough people willing to intervene in situations when it's required. I've heard the comments indicating that the complexity of the response needs to meet the complexity of the problem, and I've heard the recommendations of engaging other ministries as we navigate the journey of operationalizing the regulations. That's a very important comment to be made, and I just want to assure everybody that we're cognizant of that and working very closely with related ministries to make sure that we address all of the complexities that need to be looked at.

I've heard the comment that the conversation around domestic violence isn't big enough, and I echo that sentiment wholeheartedly. I've also listened very clearly to the comments about the staggering social costs of domestic violence, the social costs to society, particularly to children and particularly to indigenous women, who are disproportionately represented in these statistics that we've been hearing. I've taken all of these comments and all of this feedback to heart, and I will definitely incorporate the learning and the feedback that I've received today as we engage in phase 2 of the stakeholder engagement. It's clear that more work needs to be done to ensure that this legislation meets the needs of Albertans. Of course, I commit to doing exactly that.

Thank you, Madam Speaker. I offer my gratitude and thanks to everyone in this House again for their feedback.

[Motion carried; Bill 17 read a third time]

## Government Bills and Orders Second Reading

### Bill 18 Electricity Statutes (Capacity Market Termination) Amendment Act, 2019 (continued)

[Adjourned debate October 23: Mrs. Sawhney]

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

Shall I call the question? All right. [interjections] Oh.

Hon. members, it's a good time to remind those wishing to speak to perhaps be a little bit quicker, before the question has been called. The hon. Member for Lethbridge-West.

**Ms Phillips:** Thank you, Madam Speaker. I rise today to speak against Bill 18, the electricity statutes amendment act. I think it's important to remember how we got here, what a capacity market actually is, why it was introduced in the first place, why it was recommended by the AESO in the first place, and what the priority is in my speaking against the termination of the development of a capacity market.

I'm ideologically agnostic on the structure of a deregulated electricity market. We see a variety of them across North America and even in other jurisdictions. They have pluses and minuses in terms of how one structures a deregulated market. There are few useful comparisons to nonregulated markets such as Ontario or other jurisdictions, B.C., between the structure of our electricity market and theirs because the existence of deregulation since – well, the original conversation was started in 1996, and then 2001 was when most of the major changes were made. It just sets Alberta apart in many, many important respects.

Let's just go back a little bit in terms of what happened when electricity was deregulated in this province. It means that, essentially, consumers were paying real-time prices for the bulk of their electricity demand, and that can have really difficult effects for consumers. One of the reasons why you end up in that situation is because you have different entities exercising different levels of market power within the system. There are a variety of ways that other jurisdictions have dealt with this in the energy market side of a deregulated market. It became really clear to us over the course of some time. There was some volatility in 2015, in particular, that made us take a second look at the structure of the market.

11:00

We had run on a promise to Albertans that we would have a look at the volatility that was beginning to take hold within the energy-only market and some of the really serious concerns that the system operator, consumer advocacy groups, and others had about the structure of the system. That's why the AESO began looking at a parallel capacity market functioning alongside the energy-only market and began that work in 2013. This is, again, why I sort of go back to how, you know, this is a pretty ideologically agnostic thing. If you're going to be in a deregulated electricity market, then you're going to just have to make particular choices within that rubric that best protect consumers and that best reflect the other circumstances in which we find ourselves. One of those circumstances was the phase-out of coal-fired electricity, that was passed at the federal level in 2012, and the sunset of PPAs in the early 2020s as well. I believe they're all done by 2021.

[Mr. Milliken in the chair]

I'll just go back to some of my own interactions with this file. I remember being given a list, probably in the early summer of 2015, of all the coal plants that were being shut down as a result of Stephen Harper's coal regs in 2012 and a number of other factors, PPAs and so on. I remember saying to people, to officials and others: "So what's the plan? What's the plan for replacing this generation? What's the plan for dealing with the market volatility? What's the plan for the communities that are going to be affected by this?" Bear in mind that we had brought in no coal regulations whatsoever. This is a conversation that's happening in the summer

of 2015 for regulations that had been consulted on and finally passed by 2012, but, I mean, the federal government began consulting on coal-fired regulations probably in around I would say 2009, 2010. Bear in mind, too, that the environment minister that handled the file around the federal cabinet table was none other than Jim Prentice, who then became the Premier here.

You know, everybody was well aware of what was happening in terms of Alberta's electricity sector and in terms of what was going to be happening to facilities like Keephills 1 and 2, but they still hadn't gazetted any regs around natural gas conversions, for example. Like, none of that work had been done, and people just looked at me blankly. I said: "So what's the plan? What's the plan for the communities? What's the plan for the volatility? What's the plan for the new generation? What's the plan for using all of the oversupply, the abundance of low-priced feedstock that is natural gas in Alberta?" The natural gas sector was even at that point hurting. People just looked at me blankly. There was no plan.

Inasmuch as this has any bearing on the introduction of renewables and the overall climate leadership plan – it doesn't, really. It's more about taking volatility out of the system, and not just for the reasons of consumer protection but also to ensure that we're creating the right market conditions to bring in new generation capacity. With the price of electricity at that time and in the subsequent months and years being so low, the economic case for bringing on new generation was quite weak. There needed to be much more of a sort of firm set of circumstances in which companies could make their investment decisions in order to have the stability of supply. But with stability of supply comes stability of price, to a certain extent, and transitioning the electricity market to respond to a number of public policy decisions that predated our government, in some cases by two decades and in some cases by a decade. That was what this was about.

This was also about taking advice from experts. You know, there are a number of expert papers that I could commend to the House. We could all, you know, take several days of our time to read about market design. You could go onto the AESO website and get your first tutorial about how the electricity system works. Then you can dive right into a number of econometric analyses that have been put out to weigh the pros and cons of an electricity-only market versus a capacity market. We can all do that. It's all very complex stuff.

But, really, what this was about was taking that advice from experts, that was given to us on an enormously complex file, to accomplish what was essentially the priority. The priority was a cleaner grid in response to the 2012 Harper regulations, stability of supply, achieving some of our lowest cost greenhouse gas emissions reductions by dealing with the plants that were to be in operation between 2030 and 2060, and dealing with the volatility that we had heard about from consumers. You know, I would challenge anyone to go out there and do a focus group on finding any kind of love for the early years of deregulation. You will find very few Albertans who were much enamoured of those early years of price spikes. They weren't interested at all.

I mean, some of that stuff happened because you had an overconcentration of market power, essentially, in the energy-only market. You know, if we are to move forward with capacity market termination, it would seem to me that there are a number of questions that must be answered while or if we do that. Now, I'm not sure that this government is prepared to answer those questions, because as far as I can tell, they haven't even received the proper advice yet. Their deadline for advice on issues related to energy-only and ancillary services markets in order to address concerns over price volatility and degree of market power: that advice is due from the AESO to the Department of Alberta Energy's review on November 29, 2019. That's not now. This government doesn't even

have the right advice in place to know how to structure this bill. If there are any other pieces that they can deal with within this legislation to provide certainty around the energy-only market, they don't have the answers to those questions, so we're well and truly, Mr. Speaker, "Seat of pants, meet flight" on this one.

The other piece that I've heard this government talk a lot about is protection – I haven't heard them talk about protection of consumers, actually. That was the point I was trying to make. You know, a properly functioning market, Mr. Speaker, in some way, shape, or form should have long-term contracts between commercial entities that are doing forward contracting. This has not previously happened in Alberta, and we could enable that within this legislation. What would ensure that consumers are not exposed to real-time price risk is mandating forward contracting to happen for both load-serving entities and large consumers, that they procure some portion of their load forward on a continuous basis.

Then generators can use that long-term contract to secure financing to construct new generation. The big thing, Mr. Speaker, that people need to realize is that that was the main driver behind the creation of the capacity market. Nobody was able to get financing for a new natural gas plant based on historically low electricity prices and even with a lot of the volatility. That was one of the reasons why many in the sector came to us and said that we need to examine this. That was why the AESO was concerned, too, around new generation. Why? Because, again – let's trace it back – you have a number of coal plants reaching their end of life under 2012 coal-fired regulations.

You know, that contracting, that forward contracting that will then remove some of the risk for investors in new generation as opposed to putting that risk on the public – and consumers can be protected without having to enter into 20-year contracts on their own, which is obviously not practical for most of us – will not happen without a mandate for utilities to procure on behalf of consumers. We need to look out for them. This is one way that the government could write some language into this bill at this point to deal with what will inevitably be part, I believe, of the advice that the AESO gives the Department of Energy.

**11:10**

There are a number of other pieces that this government could put forward in this bill, thoughtful amendments or at least ways to open up the possibility of protecting consumers rather than throwing them to the wolves of volatility. They haven't done that. This is just simply: "NDP bad. This was a bad idea. We're going to repeal this because we listened to a couple of our billionaire friends or millionaires or whatever." A very small handful of companies can then continue to ride the market and ride those price spikes. Price spikes are nice for them. Maybe they can buy a new car after playing around on the market a little bit and generating some nice quarterly returns for shareholders. The rest of us, actually, are paying for that on our monthly bills. That was exactly what the capacity market was designed to take away, in addition, like I said, to ensuring that we had an orderly introduction of new generating capacity and that we had a competitive environment for new generation, too.

I think that's the other really important piece, that one of the ways that you end up with decent electricity prices on the other end is that you have companies that are actually competing against one another to ensure that the lowest cost generation is able to secure financing and come onto the market and bid into the pool at the lowest price possible. You don't want people building large or inefficient plants. You don't want people bidding in at high prices because they paid too much to build their plants. That's not what you want. You want

to use the market to be able to achieve the outcome, which is good prices for consumers.

The way that this is structured right now, where it appears that we're listening to a small group of folks who really, really want to make a lot of money . . .

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

Standing Order 29(2)(a) is available. I see the hon. Member for Edmonton-Whitemud has risen.

**Ms Pancholi:** Thank you, Mr. Speaker. I appreciate the comments from my colleague the Member for Lethbridge-West. In particular, I think she is shedding a lot of light on the decisions, the consultations, and the research that went into the decision to move over to a capacity market. I appreciate her experience, having been part of those discussions as a cabinet member and really understanding what went behind the decisions and the thoughtfulness about that and how the intent was really about looking out for Alberta consumers and having a long-term interest in stability in our electricity market. I'm wondering if the hon. Member for Lethbridge-West would continue to share her thoughts based on her experience having been involved with this matter.

**The Acting Speaker:** The hon. Member for Lethbridge-West, with about four minutes left.

**Ms Phillips:** Sure. Thanks, Mr. Speaker. Well, I think that when you have a number of different pieces moving, the first thing you need to do is kind of understand what the priority is in terms of structuring your electricity market. For us, the priority was phasing in new generation in a way that made it more stable and fair for average consumers.

I'm worried about what my constituents tell me on a daily basis, and not just my constituents who are now hedging against future volatility by putting solar panels up on their roofs, which many are, but also larger, industrial-power consumers who remember very well the days of deregulation and riding that roller coaster and how incredibly difficult that made life for business.

One of the stories that Mayor Spearman tells a lot is from when he was manager of the Black Velvet plant over in the industrial area of Lethbridge. He was one of the really early outspoken opponents of deregulation because of how difficult it made managing the expenditures out of that plant. He will tell anyone who will listen how difficult that was and how difficult it made life for business in the early 2000s.

You know, I think the last piece that I'll talk about here is that electricity grids are decarbonizing around the world because these are our lowest cost emissions reductions. If you believe in climate change – well, I'm sorry. If you understand the science of climate change, because science doesn't care if you believe in it or not, if you understand physics, basic, super basic, like my 10-year-old understands it, then you're going to look at where your lowest cost emissions reductions are, right? Regulatory solutions such as what was put forward by Mr. Scheer and rejected ultimately by the electorate are generally high cost per tonne abatement solutions. You're going to want to look for your lowest cost GHG reductions.

Across the world and certainly in Canada your lowest cost GHG reductions – and to be clear, this was appreciated by the Harper cabinet, who brought in the first, 2012 coal-reduction rules – are going to be, generally speaking, in the electricity grid, not just in the phasing out of coal but also in new technologies with natural gas, new and emerging technologies having to do with storage. I would encourage anyone here to go and tour some of the Enmax facilities downtown and some of the interesting things that they're doing there. Then also give your systems operator a mandate for

efficiency and managing your increased load growth through efficiency, because energy efficiency is actually an energy source. It should be thought of as an energy source.

It's important to remember that this is happening around the world. The lowered cost of renewables and storage technologies and smart grid technologies means that there is a lot of investment interest in this area. There's a lot of opportunity for economic diversification and for companies to de-risk a lot of their future costs by investing in those technologies now. Certainly, we've seen this with a number of companies procuring on a private basis long-term contract renewals. We've seen Google, Amazon do this south the border, and you're seeing some of these arrangements happening up here now, too.

What you want is an electricity system that can respond to these new realities. Electrification, essentially, along with energy efficiency are the two solutions that are both the cheapest and the most readily available for reducing greenhouse gas emissions, because climate is real.

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

Are there any other members wishing to speak to this matter? I see the hon. Member for Edmonton-Manning has risen.

**Ms Sweet:** Thank you, Mr. Speaker. Just following up on some of the comments that the hon. member mentioned, I wanted to speak a little bit about the history of the capacity market in Alberta and why we felt that this was something important that we did under our government and why we've got some questions for the current government about why they would want to move backwards on this issue.

I mean, the reason that we changed to the capacity market was, obviously, to enable the transition to an electricity market that met the goals set in our climate leadership plan, which was to transition off coal and increase renewable energy in the energy mix. I think that's something that we can all agree is important. It's important for reducing our carbon emissions. It's also moving towards a greener future for Alberta, recognizing that solar and wind are something that can be done, that is being done in this province, and that there's actual investment that is currently looking to be invested in Alberta around these things.

Of course, we wanted to make sure that we had the ability to make renewable energy cost-effective and to stimulate the investment in the province. In the beginning of October AESO revisited its forecast for Alberta for renewables, stating that Alberta is now expected to fall short of its renewable targets because of the changes in the electricity market. AESO began its work on evaluating the sustainability of the electricity market in 2013, and they determined that they would recommend a capacity market.

I find it interesting that, you know, now we see this government is asking AESO to go back and re-evaluate and give different advice on a deadline of November 29, 2019. We're only giving them six weeks to come back. Although they've already given advice to this government – and they gave advice to the previous governments around what they felt was an appropriate electricity market – the government is now asking for a different opinion, which I guess should have some concerns for Albertans.

**11:20**

The issue that we have here is that part of the conversation is about protecting consumers. It's about protecting Albertans and making sure that Albertans aren't paying outrageous amounts of money for their basic needs. You know, the government currently likes to talk about the carbon tax and how they feel that people had to pay more. Well, my question would then be: why would you look

at reviewing an electricity market that is going to put and download the cost onto Albertans? This will create a market that can charge whatever rate they so choose to consumers.

Instead of having a cap and Albertans being able to know what their month-to-month costs are going to be, this will now create instability in the market. It will create fluxes. It could create outages. It could create a variety of different things. It doesn't work us towards a greener economy and look at wind and solar and the variety of hydro options that we could be looking at within the province because it doesn't support the investment to come into the province.

AESO also recommended that the reason we would implement a capacity market was to be able to deal with the global growth rates of renewables. Again, this is about Alberta moving forward and not backwards. Looking at the fact that there are other jurisdictions in Canada, there are international jurisdictions that are moving to more renewable resources when it comes to developing their energy and their electricity – yet we see again that this government wants to move us backwards and take away the option and the stimulus for investment when it comes to green energy.

When we were in government, we worked with the Alberta Electric System Operator, who showed us that the capacity market is the best choice to deliver reliable energy, green environmental performance, reasonable cost to electricity consumers, economic development, and the lowest transition risk, so they recommended that we adopt the capacity market.

Before our reforms, the market had less consumer protections and had economic withholdings. The capacity market was a good tool to ensure that the coal phase-out worked smoothly, and it's already saved three times the emissions of Vancouver. The energy-only markets are more volatile and less reliable than capacity markets, and we've seen brownouts in Alberta before.

[Mr. Jones in the chair]

Around 2016 investors were rather negative towards investing in the Alberta electricity market. A capacity market has been seen by some as a market design that would look at the long-term contracts such as Ontario has made, and they were more attracted to them. In 2012 they were very optimistic about the energy-only market, but it seemed to very strongly depend on the short-term market conditions and the long-term forecasts.

Alberta has also hit their retail price caps several times, in April 2018, July and September 2018, December 2018, February 2019, as well as October 2018, according to the Alberta Utilities Commission.

Ontario is using a long-term contract energy market. The model that we had introduced was going to be different than that one, and it wasn't going to have the same negative impacts as we've seen in Ontario.

Now, the government side has made comments about, you know, consultation and how it's important, and they talk to Albertans, and they hear from Albertans. Well, I guess the question that I have is: where is the evidence around the consultation around this issue? You've given AESO a deadline of November 29 to provide advice, which means that the consultation has been probably quite limited. I'm sure that Albertans would love to have some feedback on whether or not they want a price cap and what they would like to see their electricity market look like.

[Mr. Milliken in the chair]

In saying that, Mr. Speaker, I would like to move an amendment. I move on behalf of the hon. Member for Calgary-Mountain View that the motion for second reading of Bill 18, the Electricity Statutes

(Capacity Market Termination) Amendment Act, 2019, be amended by deleting all the words after “that” and substituting the following:

Bill 18, Electricity Statutes (Capacity Market Termination) Amendment Act, 2019, be not now read a second time but that the subject matter of the bill be referred to the Standing Committee on Resource Stewardship in accordance with Standing Order 74.2.

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

We will take a few moments while we pass all the copies around to the House and, of course, bring some to the table immediately.

Thank you, hon. members. Going forward, this amendment will be referred to as REF1.

Hon. Member for Edmonton-Manning, should you choose to continue, you have eight minutes, 45 left. Please continue.

**Ms Sweet:** Thank you, Mr. Speaker. I recognize that I read it into the record before it was handed out. Do you want me to read it again, or are you fine?

**The Acting Speaker:** I actually would, if that’s okay.

**Ms Sweet:** Yeah. I move on behalf of the hon. Member for Calgary-Mountain View that the motion for second reading of Bill 18, Electricity Statutes (Capacity Market Termination) Amendment Act, 2019, be amended by deleting all the words after “that” and substituting the following:

Bill 18, Electricity Statutes (Capacity Market Termination) Amendment Act, 2019, be not now read a second time but that the subject matter of the bill be referred to the Standing Committee on Resource Stewardship in accordance with Standing Order 74.2.

Again, Mr. Speaker, I just want to speak to the importance of consultation. Of course, we’ve seen a movement in this Legislature since this new government has taken over around changing our standing orders to speak to referring things to committee for consultation, for review. We recently saw that with private members’ business and the fact that, you know, they wanted to make sure that there was clear analysis and consultation done. Well, this is a good example of the government walking the walk when they’re talking the talk, and sending this back to committee, and having a very good and concrete consultation on an issue that will impact everyday Albertans, every single Albertan, will impact future investment in this province, will impact economic diversification in this province, will impact jobs in this province, which is something that I believe this government likes to talk quite often about. It might actually even increase some jobs in this province, which I know the government would like to see happen at some point.

I do believe that consultation is extremely important. I think it’s important that Albertans be allowed to come and tell the committee about what they feel is in their best interest as we move forward on this legislation. But I also think it’s important when we look at the industry in itself and hear from the industry, because the government side will say: “Well, the industry has been talking to us. They’re looking at this. This is what they want.” Yet when we were in government, we had validators from the industry saying the opposite.

I will read a couple of different quotes to support the capacity market, in a sense. Dawn Farrell, the Calgary-based chief executive officer of power producer TransAlta Corporation, hailed the overhaul as a courageous decision by the previous government: this opens up our opportunities to invest both in our existing assets and new assets as we move forward. That might be someone that you

think should come to the committee and chat with us about whether or not we look at changing this bill and moving away from capacity markets.

**11:30**

Another one that I have is:

We welcome the clear roadmap emerging with [the previous Premier’s] announcement today of Alberta’s commitment to support the conversion of coal-fired plants to gas.

It is a timely signal to the market that financial [clarity] and stability are necessary to attract new investment, and will help generators ensure competitive electricity costs for businesses and customers as Alberta’s economy begins to recover.

TransAlta has already completed a significant amount of work on the logistics and timing of plant conversions. Accelerating TransAlta’s coal transition, while ramping up our renewables, including hydro, wind and solar, are critical to [helping] Alberta [be] competitive. We look forward to being active participants in the transition.

Capital Power said that a capacity market would encourage not only his company to resume investment in Alberta but probably get interest from larger North American and European producers. I would highly recommend that, you know, Capital Power be invited to be consulted with at the Standing Committee on Resource Stewardship.

Another one would be AltaLink.

New capacity will be needed to back up renewables in Alberta as it transitions to a cleaner energy future. We have seen the [previous] government take steps to ensure low costs for Albertans by requiring new generation be sited near existing transmission, by offering long-term contracts and by focusing on universal, or grid-scale, projects. We are confident the [previous] government will continue on this path and find the lowest cost way to add new capacity for Albertans.

Maybe AltaLink would like to come to Resource Stewardship and discuss what they see the future of the electricity market looking like in this province.

**Western Interstate Energy Board:**

The Western Interstate Energy Board applauds the [previous] Government of Alberta’s decision to transition to an electricity capacity market framework. This transition is consistent with the North American trend to decarbonize the electricity grid, attract needed generation investment and jobs, and provide reasonably priced power, all while maintaining electric grid reliability that individuals, families and businesses [can] depend on. Alberta is an important part of the western interconnected electricity system, and the co-operative efforts to enhance the economy and well-being of western states and provinces. Moving to a capacity market will further these aims.

Maybe we should invite Western Interstate Energy Board to come to Resource Stewardship and talk about how they feel about this bill.

I think that I’ve given a couple of examples where it’s very clear that the industry has supported looking at capacity markets in the past. This speaks to why it’s so important that the Standing Committee on Resource Stewardship actually be allowed to consult on this legislation with Albertans, with businesses, and with the investors that are going to come to Alberta.

If you want to be able to demonstrate that you’ve done good critical thinking on this legislation, that you actually have thought through the process instead of asking for new recommendations for November 29 – well, you said November 29, 2019. How about you have a meeting next week and talk about Resource Stewardship and get some consultation started? You’ve given a deadline of November 29. It’s in the legislation, so consult. You can’t just be consulting with one group of people and being, like, well, they told

us this; therefore, it must be done. You have to consult with everybody: Albertans, businesses, investors. I've given you three examples of organizations that maybe should come and be on the record and be clear on what they're telling this government around how they actually feel about the capacity market.

Again, you represent your constituents. Your constituents should have a voice around whether or not they should have price hikes in their electricity market, whether or not they should have to pay for a decision that is truly being based on the fact that the previous government started it, and therefore we must move backwards because anything that the previous government did, in this current government's opinion, must be undone, apparently. Instead of being ideological about this, maybe do some research and show Albertans that you are willing to listen, that you're willing to consult, and have this sent to committee.

Thank you, Mr. Speaker.

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

Standing Order 29(2)(a) is available should anybody choose to take that opportunity.

Going forward, then, are there any hon. members looking to speak to REF1? I see the hon. Member for Edmonton-Rutherford.

**Mr. Feehan:** Thank you, Mr. Speaker. Thank you for the opportunity to speak to this referral motion, because I'm very concerned about this bill. As I say, it simply does not pass the smell test. The government has a silk bag with gold written on the outside and the essence of manure radiating from the inside. I'm very concerned about that because on the outside it appears that they are attempting to respond to evidence or conversations they've had in the community, yet not that long ago I was sitting in the cabinet with many other people receiving exactly the opposite recommendations from completely impartial people. It wasn't like we came and asked for a move to the capacity market; it was directed, largely from the AESO to us, that we should do this.

In fact, in their October 2016 report, Alberta's Wholesale Electricity Market Transition Recommendation, the AESO said:

The combination of increased renewables and a general global trend of investors and capital away from investing in markets with significant revenue uncertainty meant that the EOM [the energy-only market] is unlikely to deliver an acceptable level of reliability going forward. Even changes to the EOM are unlikely to deliver on the objectives.

I think it's very suspicious that in 2016 the AESO was giving us very specific recommendations to move toward a capacity market. Are we saying, on the government side of the House, that AESO was acting in some devious, nefarious manner to deceive the government of the day as to information that they should use to move forward? That's a pretty bold claim by the government about a respected provincial organization.

I'm very concerned that now, since they've taken government, all of these reports and many other statements made by industry leaders, not only in Alberta but across North America, suddenly have all disappeared. They all changed their minds one day. I'm very concerned that we ended up in this place, that we're getting recommendations from the professionals who do the assessments one day that say that we should move to a capacity market to ensure stability for our community, and I am now being led to understand somehow that the previous government was either being misled or perhaps even specifically lied to by hundreds of executives around the province of Alberta. This does not pass the smell test on any level whatsoever.

It's very important that we send this back to committee in order to have a chance to ask these very people: why is it that you have

made a recommendation one day and suddenly appear to be, you know, not supporting your own recommendation shortly thereafter? I can tell you that I certainly arrived at a place of suspicion about whether or not this is a bill intended to provide appropriate services to the province of Alberta or whether it's simply a bill to manifest a rigid, fundamentalist ideology regarding free markets.

I spent a little bit of time last night piercing that false narrative that had been created by the opposite side of the House, that somehow the free market has been allowed to and been successful in developing the energy industry in this province. I demonstrated last night that there have been dozens of interventions by government that not only made it successful but probably were the only reasons why our energy market became so successful in the province of Alberta.

In this case, I believe, again, that this is an important area where government needs to take responsibility for what is being provided to Albertans, and the only way to do that is for us to properly meet with people who have the information that's necessary. There's clearly confusion here. They're clearly not acting on all of the publicly available information that has been provided by our respected agencies like AESO and the CEOs of major energy producers in this province.

**11:40**

We know that this government believes in referral to committees, by the way, because they introduced a bill in the spring session to force all private members' bills to go to committee before they come into the House. Ideologically, they fundamentally think it's the right thing to do. Why are they not acting on their own belief system at this particular time? Again, there's a smell question about what the intent is here although, you know, the intent of moving all private members' bills to committee obviously was a direct attempt to fundamentally subvert democracy. So I guess we know that there may be darker reasons why they choose to do that at some times and to not be willing to do it at other times. I'm very concerned about this.

Now, the reason why we want to move to having a further consultation around this is that the capacity market clearly does some things that the energy-only market does not do, and I heard yesterday both the minister and the Member for Calgary-Glenmore talk about some of the reasons why they were choosing to move in this direction. The free market they mentioned, but I pierced that one yesterday, so today I want to talk about a different piece that's of concern, and that is that there was concern that we would be paying people for their infrastructure, not for the delivery of energy but, rather, for the development of the structures that would provide capacity at the time that was necessary. They said that they didn't think that was the right thing to do: we should only be paying for actual, delivered goods – that is, in this case, electricity – and not for the infrastructure.

Yet I find a certain duplicity in that argument. The reason why I say that is because it was actually a Conservative government in this province that proposed that we separate out in our electrical bills the use of gas or electricity, separate from the transmission and distribution services in our electrical bill. That was a Conservative move, originally under Premier Klein, and the argument at that time was that even though you may not use a lot of electricity at a particular time, you still needed that infrastructure, that transportation and distribution system, in order to be able to use it at the few times you might be in need of using it. Therefore, you should pay a fair share of that infrastructure in order to receive the goods that you want to receive at the end.

I have an example. A good friend of mine, Jim, once brought me a bill to show it to me. Jim is one of those guys you really admire

because he lives his life deeply in terms of his values, and he showed me that he had reduced his gas use in this particular month down to one dollar's worth of use of gas, yet the bill itself was over \$25. I looked at it and said: why is that? He was paying the cost of the creation of the capacity to deliver his one dollar. He had to pay the transportation and distribution costs to have that electricity arrive at his house, and there's no way he could reduce that. He couldn't say: well, how can I only pay a portion of the transportation because I only use a portion of the gas? If there was a unified bill, if you could pay one price for electricity and reduce your use down to a little, then you would be paying only a little bit toward that infrastructure.

But the Conservative government was the one who said that that does not work for them in terms of their ideology. If you're on the system, you pay. It doesn't matter how much you use it. So the big users are paying exactly the same kind of transportation costs as the small users because you said that you believed that we should develop capacity in this province to ensure that the capacity is there whenever it is necessary for everyone. That's a Conservative philosophical stance. Here you are doing exactly the opposite. After having introduced this system into the province of Alberta that requires only consumers to pay for capacity, now that we're suddenly saying, "Okay; let's make sure that the capacity actually helps consumers by ensuring stability in pricing," all of a sudden you abandon your principles, and you say: "No; people shouldn't be paying for the establishment of infrastructure in this province. We should only be paying for the energy that they submit. That is an energy-only market."

That kind of contradiction is something which I think reeks of a secondary intent, and that's what I'm concerned about. The reason why we need to go to committee is because we need a chance to bring some sunlight to this odorous bill. We need to be able to shine upon it the vision of all of Alberta to ensure that there isn't some reason other than the good well-being of the citizens of the province of Alberta in establishing this choice. I don't see it right now. I don't see that it makes sense for us to move in this particular direction. It contradicts everything else the Conservatives have done in this province in terms of ensuring that the infrastructure is built by citizens and paid for by citizens. Now suddenly, when we say that citizens should then get some benefit out of that by having stability in terms of pricing – oh, no – our old values disappear, and we have a new set of values. I'm suspicious as to who that is that you are serving by moving in this particular direction.

As I said earlier, the October 2016 report from the AESO, Alberta's Wholesale Electricity Market Transition Recommendation, was not a partisan suggestion by an NDP government. It was the experts in the field telling us, as they did their analysis and looked forward, that we needed to move in a particular direction. If you're not receiving evidence from the experts in the field in terms of your decision-making, who are you receiving evidence from? That's what we need to find out in referring this to committee. We need to know who you're in bed with because it isn't with the evidence; it isn't with the experts in the field. It isn't with the structures of policy-making in the government such as the AESO, so it must be with somebody else.

The fact that you have actually introduced a bill into this House to force other people's bills into committee but do not wish to have your own bill go to committee is something that reveals again a hostility toward other members of this House, a hostility toward the traditions of democracy in this House. That has to be brought to light. Again, we need to put sunshine on that to reveal what is going on in the community. I'm very disappointed to see us in this place.

I had a notice that Terry Boston, the former executive vice-president of the Tennessee Valley Authority and former CEO of

PJM Interconnection, who knows a lot about this, had a lot to say about it. I'll report it later because I've run out of time.

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

I see the hon. Member for Edmonton-Highlands-Norwood has risen to speak under 29(2)(a).

11:50

**Member Irwin:** Thank you, Mr. Speaker. I actually do plan to speak as well although I hesitate to ever follow the Member for Edmonton-Rutherford because his high energy – pardon the pun – is tough to follow, for sure, on this topic. I really appreciated his insight, especially his historical overview because I was younger when some of these moves to deregulation happened under Klein, in particular. I would love for the Member for Edmonton-Rutherford to just continue to share what he was about to say there, and if he could again just remind the House why it is so troubling that we're moving forward with this and why we need to urge the House to move this to referral because, again, consultation is so critically needed.

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

**Mr. Feehan:** Thank you. I was just saying that Terry Boston, the vice-president of PJM Interconnection, said:

I spent the last eight years of my career as the CEO of PJM Interconnection, which has a mature capacity market structure. Private investors from around the world have built over 30,000 megawatts of new generation in PJM under this market structure, which kept the lights on at stable prices. Investors have shown a growing reluctance to invest in the riskier energy-only market designs around the world, preferring the price stability and revenue certainty provided by a capacity market structure. I am confident this model will work well in Alberta too, ensuring future stability in your admirable and smooth transition to a lower carbon electricity system.

It seems to me that here again we have somebody with deep levels of expertise making very clear statements about pieces that are important to Albertans: stability of prices, investment and, therefore, the creation of jobs, and talking about how important it is that we have a smooth transition to a lower carbon electricity system, which would be enhanced by this capacity market. All of these things are given to us by people who clearly know more than anybody in this House about the nature of the delivery of energy at a provincial level.

This is why I am suspicious of the intent of this bill and why I believe that we need to move to committee. I think that if we invite people with this level of expertise and with this level of knowledge not only about how to effectively run but also to build energy markets, we will find that the recommendations by this government lack some of the knowledge and virtue that they would like to pretend they have. This is why I believe that essentially we have here a silk purse inscribed with the word "gold" but reeking of manure. I think that when that happens, all of us need to be suspicious and not accept the pig in a poke and instead choose to be responsible with the expectations of the citizens of the province of Alberta and ensure that we do the right thing because it is the right thing to do, not because we have some fundamentalist, ideological reason for moving ahead, which blinds us to the evidence that is available to us and blinds us to good decision-making.

I'd like to thank the member for the question. I will now cede the floor for her opportunity to speak to this bill.

**The Acting Speaker:** Forty seconds left under 29(2)(a).

Seeing no one, are there any members who would like to speak to the referral? I see the hon. Member for Edmonton-Highlands-Norwood.

**Member Irwin:** Thank you, Mr. Speaker. I am happy to rise and speak to this amendment for referral to the Standing Committee on Resource Stewardship. Again I very much thank the Member for Edmonton-Rutherford for his comments. If only I could invoke the animal metaphors and the imagery that he is able to invoke, I would be honoured.

I'm really proud of the fact – and I know I don't have a lot of time here – that the NDP government changed the way that Alberta pays for energy providers to make it more fair and to make it more stable for the average consumer in our province. They made that decision based on advice from the experts, based on consultation, hearing from them on how to protect consumers and how to move forward with the modernization of our electricity market. As we know, this UCP government wants to reverse this change.

You know, this is a huge concern for me for a number of reasons. As the Member for Edmonton-Glenora noted, we all heard a lot at the doors about affordability countless times. I know I've shared it here. A lot of folks in my riding of Edmonton-Highlands-Norwood do struggle with affordability. We have some of the highest rates of child poverty in the province in my neighbourhoods. I worry very much what this will mean, what the impact will be on my neighbours. It's a move back to deregulation. It's a risky experiment that has been proven in countless jurisdictions to cause challenges. As I said, these are the days that I remember as a youngster under the Klein era, which my colleague from Edmonton-Rutherford talked about so aptly. This is a shift to those neoliberal models in which the most vulnerable are hurt and hit the hardest. I worry very much about the impact that it will have on Albertans.

I know I heard the other day one of the members opposite saying that we are fearmongering. I will say in this House that I'm quite certain that we will see these impacts and that this isn't fearmongering at all. Of course, we've got some evidence from other jurisdictions to back that up as well. Capacity markets are better at ensuring reasonable costs to consumers. They've been proven to offer less price volatility.

Our government's move to an electricity market based on capacity would have ensured that Albertans have access to safe, reliable, sustainable, affordable electricity. This was something that I could be proud of as a candidate running and now obviously as an elected official to offer my constituents that certainty. We're quite certain that this move by the UCP could cost some of my constituents 10 times more on their electricity bills. Yet we've got a government here that's willing to give away \$4.5 billion to big corporations while, again, the most vulnerable and the folks who

are, you know, average Albertans just struggling to make ends meet will be hit the hardest.

It's not just the financial impacts, as has been discussed a little bit today. I worry greatly about the larger environmental impacts as well. I can actually think about some of those same folks in my neighbourhood who benefited from the carbon levy rebate. They're, again, going to be hit harder by this, and with the end of the climate leadership plan, obviously they're not getting that rebate, and we've got a government here that's now destroying any of that progress that we made on economic diversification.

Many of us do remember brownouts and blackouts, you know, even just a few years ago, and it's quite fair to predict that these same brownouts and blackouts will happen without a capacity market in place. When there's heavy demand under an energy-only market, particularly when it's the summer and there's hot, humid weather, the power grid is stressed. Again, we're not just making this up. We can point to Texas as a clear case study in what happens when you've got this sort of market in place. For instance, Texas experienced brownouts for a number of years, as well as rolling blackouts in 2011. Prices just maxed out at \$3,000 per megawatt hour, which is huge. Again, I'm concerned about the broader impacts here.

Think about the impact on renewables as well. Again, I'm so proud. I heard so much at the doors from my constituents in Edmonton-Highlands-Norwood about their support of our investments in renewables: 800 per cent growth in solar, for instance. Those are things to be very proud of. I very much worry about what will happen to investment in renewables under a number of measures by this government but as well by moving to an energy-only market.

One thing that I would like to do is just reiterate the importance of moving this to the standing committee for further consultation. It's almost a warning to this government to recognize that as other members on this side of the House have spoken about today, you didn't clearly campaign on this, and I do worry . . .

**The Acting Speaker:** I hesitate to interrupt the hon. Member for Edmonton-Highlands-Norwood.

**Member Irwin:** Okay. Thank you.

**The Acting Speaker:** Seeing the time, under Standing Order 4(2.1) the House stands adjourned until 1:30 this afternoon.

[The Assembly adjourned at 12 p.m.]







## Table of Contents

Prayers .....	1947
Orders of the Day .....	1947
Government Bills and Orders	
Second Reading	
Bill 18    Electricity Statutes (Capacity Market Termination) Amendment Act, 2019 .....	1947, 1959
Third Reading	
Bill 17    Disclosure to Protect Against Domestic Violence (Clare's Law) Act .....	1949

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