



Province of Alberta

The 30th Legislature
First Session

Alberta Hansard

Tuesday evening, November 26, 2019

Day 47

The Honourable Nathan M. Cooper, Speaker

Legislative Assembly of Alberta
The 30th Legislature

First Session

Cooper, Hon. Nathan M., Olds-Didsbury-Three Hills (UCP), Speaker
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Milliken, Nicholas, Calgary-Currie (UCP), Deputy Chair of Committees

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Official Opposition House Leader
Carson, Jonathon, Edmonton-West Henday (NDP)
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Party standings:

United Conservative: 63

New Democrat: 24

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Legislative Assembly of Alberta

7:30 p.m.

Tuesday, November 26, 2019

Government Bills and Orders Committee of the Whole

[Mr. Milliken in the chair]

The Deputy Chair: Please be seated. I'd like to call the committee to order.

Bill 25

Red Tape Reduction Implementation Act, 2019

The Deputy Chair: Are there any comments, questions, or amendments to be offered with respect to this bill? I see the hon. Member for Cardston-Siksika has risen.

Mr. Schow: Thank you, Mr. Chair. I move that when the committee rises, it report progress on Bill 20.

The Deputy Chair: Hon. member, I just want to confirm with regard to your request to rise and report Bill 20: because Bill 25 has been put under consideration, we will have to rise and report both. Is that your intention?

Mr. Schow: Then in that case, Mr. Chair, I withdraw that motion at the moment.

The Deputy Chair: Okay. Are there any questions, comments, or amendments to be offered with regard to Bill 25? I see the hon. Member for Edmonton-Decore has risen.

Mr. Nielsen: Well, thank you, Mr. Chair. I appreciate you recognizing me this evening to further the discussion around Bill 25, the Red Tape Reduction Implementation Act, 2019, one of several pieces of omnibus legislation that we've seen come through this Assembly in this session alone, something, of course, that the Associate Minister of Red Tape Reduction was very firmly against, that kind of a practice. Yet here we are with a bill in front of us that sees 13 different changes across six different ministries, and arguably, I would say, most of it is not really red tape reduction. It's more like, you know, statutes amendments that could have been done throughout different ministries. It seems like a little bit of a reach just to maybe, potentially justify the \$10 million that taxpayers are going to pay over the next four years for this ministry for decisions that are very clearly being made by many, many of the ministries all by themselves.

Nonetheless, we do find ourselves here, so for the moment I would like to key in on just a couple of items with regard to this bill. The first one is around the Safety Codes Act. What that is bringing forward is allowing wood buildings to be higher than six storeys. Of course, we understand that this may be bringing this in line with federal regulation, but of course we have heard that there are, potentially, regulations that'll be coming into force which may allow structures made of wood up to 12 storeys. I know that the Member for Edmonton-Beverly-Clareview had mentioned earlier, in second reading, that this would be a great opportunity for our forestry industry to be able to expand within the province, supplying materials to build these structures. I would certainly agree that that is an opportunity.

But I think what I really want to focus on here, which I really wish had maybe been mentioned within this, is the component around safety, Mr. Chair. When we're looking at building some of

these structures, you know, we look at the types of standards so that in the event of an evacuation, can people egress from these buildings quickly, easily, safely? Certainly, in the event of fire you don't want to have things like a collapse while people are trying to get out. One of the components that seems to have been missed throughout the conversation – and this is widely just around building codes as a whole – is that firefighters have to go into these buildings to try to put them out. While we factor in the numbers for how long it will take people to get out, we tend to forget about the amount of time it's going to take for them to get on-site, to get into these buildings, and then put these fires out before we have any kind of structural collapses.

You know, given the fact that in many other components of other bills that have come before this House across this session, we've clearly seen that there has been very little to maybe almost even no consultation with stakeholders. I would suggest that with code changes of this magnitude we ensure that our first responders – our firefighters, our ambulance, our police – are able to safely get into these buildings to do their jobs before they come down, a very, very important component. I'm hoping that that will be very, very seriously considered, bringing those voices to the table, when we're looking at further expanding what will ultimately be the regulations around the safety code changes.

Again, you know, is this necessarily red tape reduction? I think that for the purposes of discussion here this evening, maybe I'll give the minister this one for tonight on this topic here.

The other section that I wanted to bring up, which I had started making comments on earlier and unfortunately ran out of time, was around some of the changes under the Municipal Government Act. There were some concerns from the RMA around some of the ICFs that they currently have on the go. Some municipalities have as many as 15, and with the timelines that we have here around getting these completed by April 1, 2020, there's a very, very high level of concern around those. I think that, you know, maybe the wisdom of this House might be able to prevail, and we would have the opportunity to maybe make those pressures a little bit less around that.

With that, Mr. Chair, I do have an amendment to present around that, and I will wait for your instructions once you get them.

The Deputy Chair: I'm going to let the pages run around to drop it off for everybody. Given the amendment you can go ahead and read it into the record right now.

Mr. Nielsen: Thank you, Mr. Chair. Obviously, I would propose to move that Bill 25, the Red Tape Reduction Implementation Act, 2019, be amended in section 10 by striking out, "April 1, 2020" wherever it occurs and substituting "April 1, 2021."

The Deputy Chair: Just going forward, this amendment will be referred to as A1.

If the hon. member would like to continue his comments, please feel free.

7:40

Mr. Nielsen: Thank you, Mr. Chair. I appreciate that. In my quick discussions around that component with the RMA, there was a little bit of concern around being able to complete some of the outstanding work that the rural municipalities have on the go right now, with some municipalities having as many as 15 of these ICFs remaining. There's some concern that they're not able to get that work completed.

But also one of the things that I managed to have a quick discussion on: they had surveyed their membership specifically around, you know, Bill 25, some of the implications that it has for

them. This was one of the things that they had identified. They had received responses from 46 of their 69 municipalities, which is approximately 67 per cent of their entire membership. What they noted, Mr. Chair, was that approximately 41 per cent of their respondents were either not so confident or not at all confident that they will be able to complete all the required ICFs prior to this deadline. They noted that there was a lack of time and capacity as the largest challenge for completing some of these.

The second-largest challenge was related to negotiating, of course, with their neighbours and some uncertainty around the municipal budgets on fulfilling cost-sharing commitments. Of course, I guess we can always have a discussion around the great many uncertainties that have been created around this budget that the government has introduced, but this is certainly something that they identified as being part of it.

Approximately 59 per cent of the respondents identified a timeline extension as the most helpful action that the government of Alberta could take to support municipalities in completing ICFs. I guess the last thing that I will note: the capacity challenges associated with completing many agreements in a short timeline are causing significant financial and workload issues for rural municipalities.

What I would suggest that we do is to amend this timeline by simply one year, because what will happen is that if they're not able to complete these ICFs in the required time, it's then going to go to arbitration. It will then take as much as a year to complete those arbitrations. It would probably be just simpler to extend the timeline by the one year, let them complete these ICFs, and then just simply move on with the business of the day.

It is my hope that members across the aisle will support this. Basically, it's a friendly amendment, almost, Mr. Chair, allowing the RMA an appropriate amount of time to complete all of these pieces of work that they need to do and get on with the business of serving their constituents of their municipality.

With that, I will take my seat, Mr. Chair. Hopefully, we'll get some feedback around this, a little bit.

The Deputy Chair: Thank you, hon. member.

Are there any hon. members looking to speak to A1? The hon. Member for Calgary-Buffalo has risen.

Member Ceci: Thank you very much, Mr. Speaker. With regard to the ICFs, the intermunicipal collaboration frameworks, the amendment that's on the floor, I think, makes good sense in that it was surveyed or canvassed with an organization that is supporting many of these municipalities in trying to complete them. It's difficult, time-consuming. I do note that throughout the bill and the changes to the proposed bill that'll affect the MGA, there are things that make it easier for municipalities, but this one remains difficult. The ICFs are challenging in that they need to get their own staff, perhaps hire other staff, contractors, to do the work that their own staff may not have expertise in. As the mover has said, there are a number of these municipalities that have numerous, numerous frameworks that they have to put in place.

So giving them another year from the anticipated date when this should be done is good. They probably will be coming back to their minister and asking for more time, and on an individual basis the minister will look at perhaps extending. But a blanket extension like this really provides them with the time and opportunity that they need to do a good job and be able to hand them in on the date that is anticipated that they hand them in, which is now just one year after.

I think that there's good sense here. I don't know if the member spoke directly to the RMA individuals. I know that he was quoting

from their website and the information that he was able to obtain and did speak with representatives of RMA. They identified this as something that would be particularly helpful.

I just would say that one of the challenges that I've been hearing, with regard to this new government and their consultation with municipalities, is that – and we saw it in a previous bill that was brought here, Bill 7, Municipal Government (Property Tax Incentives) Amendment Act, 2019, in the springtime, and there was a discussion about how that would make life better because municipalities could look at attracting businesses and give them up to 15 years of deferment. The consultation, I think, in that case was woefully inadequate. None of the municipalities were asking for that. They didn't put their hand up and say: this is what we need to get ourselves under way. It was really something brought forward from the other side, an ideological perspective, not unlike the \$4.7 billion tax giveaway to big, wealthy corporations.

This is something that's different. This is something that they are asking for and do wish to see put into place so that they can do the job that they want to do, which is to improve their working relationships, their sharing of services with other municipalities on their boundaries. I would hope that members opposite would give opportunity to support this amendment, which is a reasoned one. I'm hopeful.

Thank you.

The Deputy Chair: Thank you, hon. member.

Are there any other members looking to speak to amendment A1? I see the hon. Member for Edmonton-Mill Woods.

Ms Gray: Thank you very much. I will keep my comments brief because I think that both of the members who have spoken before me have spoken well. Speaking to the government caucus through you, Mr. Chair, I just want to say: please consider this not an opposition amendment but, rather, an RMA amendment, because we are simply listening to feedback that they've communicated to us and, I imagine, directly to the government caucus as well.

It's a very straightforward amendment, very clear to understand. It doesn't prevent the government's intentions. This is really a one-year delay as requested by RMA. I really just wanted to stand up and suggest that this be considered an RMA amendment if that might help the government in considering it. I'd be very interested to hear what the minister responsible thinks of this amendment.

Thank you, Mr. Chair.

The Deputy Chair: Thank you, hon. member.

Are there any other members wishing to speak on this amendment? I see the hon. Associate Minister of Red Tape Reduction has risen.

Mr. Hunter: Thank you, Mr. Chair. I do appreciate the hon. member's amendment, and I agree with him that it's certainly something that municipalities have talked to, many on our side as well, saying that this is very difficult. Some of them have, you know, 12 to 14 of these ICFs that they have to do.

I actually commend the member for bringing forward the amendment. One thing I would say, though, is that what's interesting is that this is actually your doing. These timelines were actually created under the NDP, so I'm not sure what has changed other than the fact that you're not the government anymore. I'm not sure, Mr. Chair, why all of a sudden now there's such an interest in having this pushed back when in reality as the government there was no interest. There was always continual pushing for the 2020 date. I'm not exactly sure what has happened other than the fact that they have become opposition and they're in opposition to the bill, which they have already said.

7:50

Mr. Chair, we will not be accepting this. I recommend to the members on our side that we do not accept this. I think it's important to make sure that these timelines are met where we can, and for those communities that are struggling, I think that the Minister of Municipal Affairs can try to work with them in that spirit.

The Deputy Chair: Thank you, hon. member.

Are there any other hon. members looking to speak to amendment A1?

[Motion on amendment A1 lost]

The Deputy Chair: Moving back to Bill 25 proper, are there any hon. members wishing to speak to Bill 25? I see the hon. Member for Edmonton-Decore has risen.

Mr. Nielsen: Well, thank you again, Mr. Chair. I appreciate that. It's unfortunate. You know, this was again something that the RMA was looking for. I guess what we're going to end up doing is that should they not be able to complete these, we'll be going through the arbitration process, creating a whole bunch of red tape, which your ministry is supposed to reduce.

But on the whole with Bill 25, Mr. Chair, I'm not seeing a whole lot of red tape reduction around this. I mean, you know, we're supposed to be trying to create jobs. We're supposed to be trying to grow the economy. Yet when we are looking at things like how museums are supposed to store their artwork, I don't see how that's creating jobs and growing the economy.

I've also tried to reach out to the Alberta College and Association of Chiropractors. One of the suggestions within this bill is to remove the references to chiropractic services. You know, any time we potentially look at removing language without consultation — and that was the one thing that I was very, very clear, that was communicated to me when I initially had the chance to speak with the association, was that they only found out about these changes when it was announced. So there was no discussion with them about how this may or may not affect them. Certainly, I remember the Associate Minister of Red Tape Reduction going on at length during the 29th Legislature about how consultation was never happening with the former government, yet here we are, you know, not practising what we preach essentially. I think it's a little bit disingenuous when you do those kinds of things.

I would, of course, like to make a few other comments around changes to the forestry act. Again, I heard members during the last Legislature, very concerned about giving yet more powers to the minister directly. I don't know if that's necessarily going to be a bad thing. Allowing forestry management agreements to move a lot faster may prove to be a good thing. But, again, you know, it always seems to be coming back, Mr. Chair, when we're talking about some of the things that we're doing based on some of the things that we've either said in the past or have done in the past that are counterproductive to those kinds of things. So when I hear things like, "Well, we can't be giving more powers to a minister," yet we're about to give more powers to a minister, it's just very, very conflicting information.

We kind of went quite a length during the second reading of this. It just seems to be a bill that's a bit of a — I think one of the members mentioned that it was a bit of a make-work project, trying to justify to Albertans why they need to pay \$10 million over the next four years for this ministry to either make decisions or assist in decisions that, clearly, other ministries are already making all by themselves. I would suggest that if we're looking at things like folding the

Election Commissioner into the Chief Electoral Officer's office so we can save ourselves a million dollars, I mean, I would suggest to the government that I could save you \$10 million. Let the decisions that are already being made around red tape remain within the ministries, and maybe take that \$10 million and give it to AISH recipients.

With that, I look forward to some of the rest of the debate here this evening in Committee of the Whole on Bill 25. At this time I don't feel that I can support this bill going forward.

The Deputy Chair: Thank you, hon. member.

Are there any other members wishing to speak to Bill 25? I see the hon. Member for Calgary-Mountain View has risen.

Ms Ganley: Thank you very much, Mr. Chair. I rise to make a few brief comments with respect to Bill 25. Again we're dealing with a fairly long bill here. I definitely don't object to everything in it. There are certainly some things, I think, that are worth consideration. I will say that I question deeply whether we need \$10 million and a minister to do this work. I do believe that this work can be done within ministries, and in fact I think we heard several times in estimates that ministries were perfectly capable of doing this work on their own. I feel like perhaps having a bill and having a minister and having a ministry is a bit, shall we say, of political theatre, if you will. I think that that's a bit sad.

You know, I think one of the things, perhaps naively, that I felt when I got into politics initially was that I hoped to have some honest conversations with the electorate. I hoped to have some real conversations about real issues that maybe occurred at a deeper and broader and more fulsome level than some of the conversation we've had before. I feel like red tape reduction is, in my view, one of the worst examples of that. It's something that is said. There's no operational definition. No one really knows what it means. It's kind of a thing that people nod along to, but they don't really know what, necessarily, we're talking about.

Mr. Chair, I absolutely think it's a good idea to do things as efficiently as possible, and certainly I took that to heart when I myself was a minister. There were tons of things we did. We implemented criminal e-file, which was a big change. We did a lot of changes to the way certain court processes worked. We made changes to the way enforcement worked; for instance, ensuring that individuals were not having warrants issued for their arrest for C-Train tickets. That saved an enormous amount of time on the part of court clerks, in addition to ensuring that individuals were not being put in jail for C-Train tickets, which is really, I think, not the best use of those jail facilities.

Certainly, there were things that were done in that direction. It's something that I think I was deeply committed to and that I think my colleagues were deeply committed to. This is probably very inside, but, of course, your Minister of Justice generally will chair the Legislative Review Committee, so I saw a lot of regulations that came before me, and I was able to witness a number of different things that were done to ensure that we made processes easier for different individuals. Obviously, the court things are the ones that I'm most familiar with, but there was certainly a lot done by my hon. colleague, now the Member for Edmonton-Beverly-Clareview, who worked very diligently to ensure that there was a one-stop shop.

I mean, we created the ministry of economic development and trade, and that gave businesses a place to go. We certainly heard sort of resoundingly positive opinions on that, because they knew where to go to bring their issues and to bring their concerns and to have conversations about things.

I think that overall in terms of finding efficiencies, I'm absolutely in favour of that. I feel that most of the things in this bill are a bit of window dressing. You know, it's a bit of a political communications act, and I don't know if it's the best use of our time in this House or the best use of the public's understanding. You know, we're dealing with a budget that significantly changes direction. We're dealing with a number of gigantic omnibus bills, so I think that, you know, those things are all concerns for me.

With that, I think, Mr. Chair, that I will end my comments because I certainly know that my hon. colleague has a few more comments to make, so I will resume my place and allow him to make those comments.

8:00

The Deputy Chair: Thank you, hon. member.

I see the hon. Member for Calgary-Buffalo is rising to speak.

Member Ceci: Thank you, Mr. Chair. You know, just looking at some of the proposed changes again in this act, I can tell you that this bill – and, of course, it covers a wide range of things, from intermunicipal collaboration frameworks to intermunicipal development plans to arbitration, which is a really long section in here. It would be really great to hear from the associate minister about why such a substantive, robust section on arbitration is necessary. You know, we proposed giving a little more time to municipalities around the province who are doing ICFs so that they wouldn't necessarily have to involve themselves in arbitration – they could work things out on their own – but that was turned down.

Another thing that's in here substantively is joint-use sites. But I do just want to point out one area that I think is good in relation to municipalities, certainly the ones that are trying to save money, and that's bylaws for sending certain documents electronically – that's under section 608 on page 18 – so it gives a little more flexibility to municipalities to do those things.

As we know, many, many, many people engage with, say, doctors, municipalities, universities, their own local community association bodies electronically, and they're kind of taking those steps to facilitate their contact with all these areas. Certainly, municipalities want to be on the forefront of that as well, to (a) save money, to (b) quicken the connection between themselves and citizens or ratepayers or taxpayers, property owners. The fact that this section has been added – and it looks to give councils the bylaw establishment abilities to send notices under electronic means, where before, I remember, we used to have to send out notices by Canada Post. It takes time, and it's a lot of money, as we all know, on our ad mail in elections, that we were all a part of just recently and in the past.

You know, of all the things that are in here, that seems to be one that's red tape reduction cost savings for municipalities throughout the province. That's a good one. You get a red mark for that. The rest, I think, soften some provisions, and they make, it seems to me, things more onerous for municipalities, particularly in the area of arbitration, and I'm not supportive of those.

Overall, I think that this omnibus bill is another unfortunate way of presenting something to this House, and it does not to me look like there's \$10 million in savings with regard to the presentation here. I know that the associate minister in his presentation earlier said that there are, I think, six reasons why this is a good thing to support, but I think that what I see in here is a little bit more flexibility with regard to how documents can be shipped. That's good. The rest of it, I think, needs to go back to the drawing board.

Both of the large associations that deal with municipalities have some concerns with this bill, and I just think generally that the

government is not in the mood of consulting with municipalities. They certainly didn't do that around Bill 7, that was in the spring, because no one that I know of wanted that bill to go through at the municipal level, but it went through nonetheless.

Those are my comments, Mr. Chair.

The Deputy Chair: Thank you, hon. member.

Are there any other members wishing to speak to Bill 25?

Seeing none, I am prepared to ask the question. Are you ready for the question on Bill 25, Red Tape Reduction Implementation Act, 2019?

Hon. Members: Question.

[The remaining clauses of Bill 25 agreed to]

[Title and preamble agreed to]

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

Hon. Members: Agreed.

The Deputy Chair: Any opposed? Carried.

Bill 27

Trespass Statutes (Protecting Law-abiding Property Owners) Amendment Act, 2019

The Deputy Chair: Are there any comments, questions, or amendments to be offered with respect to this bill? I see the hon. Member for Edmonton-Mill Woods has risen.

Ms Gray: Thank you very much, Mr. Chair. It's a pleasure to rise this evening to speak to Bill 27, moved by the Minister of Justice and Solicitor General. I'm delighted to be able to ask, I hope, questions that the minister might be able to help me understand around Bill 27. In my review of this piece of legislation there seem to be quite a number of changes to the justice system contained within. There are a few different acts that are modified: the Petty Trespass Act, Limitations Act, Occupiers' Liability Act.

The question that I wanted to ask in Committee of the Whole, to the minister and/or any government member who would be willing to explain it to me, is that in Bill 27 there's something happening that seems to be unusual or different than other legislation that I have worked on, in that in two sections – the Limitations Act, section 5.2(4); and the Occupiers' Liability Act – there are references to the date of January 1, 2018, which from my reading I think means that these changes are essentially retroactive back to that date. Now, the reason that I'm wondering about this is because very often – most often and almost entirely, in my experience – legislation is from the date going forward. I'm wondering just about unintended consequences.

Then I did some quick googling because I find the Internet very helpful, especially when we're dealing with legal things. My reading of the legal and practical implications of retroactive legislation seems to indicate that it's something used very, very cautiously because the Charter of Rights and Freedoms has section 11(g), specific to retroactive offences. Because retroactive legislation, from my reading, appears to arise infrequently, it appears to be and many times can be considered controversial. I saw language – this is more lawyer talk – in one article that said: it was against the principles of fundamental justice to have retroactive laws. I'm just quoting things that I read.

Given the past practices of this House and the potential for unintended consequences I'm concerned specifically about those

two sections. I wanted to kind of ask those as questions to kick off my Committee of the Whole comments on Bill 27.

Thank you.

Mr. Schweitzer: When it comes to the date being effective January 1, 2018, typically speaking, for limitation periods there's about a two-year window to bring forward a claim, so the idea with getting this bill proclaimed would be to go back and make sure that claims as they come forward – it distinguishes any potential claims that could be brought. Going back to January 1, 2018, just gives clarity, for people that are law-abiding Albertans, that they won't be facing these claims, because typically speaking you have to bring a claim within two years of it arising. That's the intention of going back to January 1, 2018. We did research it with our department to make sure that that was appropriate in the circumstances, and there's precedent to be able to do that as it relates particularly to tort claims.

8:10

The Deputy Chair: Thank you, hon. member.

Are there any other members looking to speak to Bill 27? I see the hon. Member for Edmonton-Mill Woods has risen.

Ms Gray: Thank you very much, Mr. Chair, and thank you very much to the minister for rising to respond to the concern raised around those dates. Now, in second reading my colleague the MLA for Edmonton-Manning asked a number of questions. It is on her behalf that at this point I would like to move an amendment touching on the sections we were just discussing, and then I will continue to speak to it.

The Deputy Chair: Thank you, hon. member. I would just ask that you read it into the record for us.

Going forward, this amendment will be referred to as A1.

Please feel free to continue with your comments.

Ms Gray: Thank you very much. On behalf of the MLA for Edmonton-Manning I move that Bill 27, Trespass Statutes (Protecting Law-abiding Property Owners) Amendment Act, 2019, be amended as follows: (a) in section 1(2) in the proposed section 5.2 by striking out subsection (4); and (b) in section 2(2) in the proposed section 12 by striking out subsection (6).

The amendment touches on exactly the section that we were just having a quick conversation about. The reason for the amendment is the strong concern about introducing that retroactivity for the changes to the Limitations Act as well as the changes to the Occupiers' Liability Act.

Although the minister has spoken to clarity for Albertans, I'm concerned that by not having legislation that is on a go-forward basis, it would introduce confusion as well as introduce, potentially, discussions around what I found in researching retroactive legislation, the fact that similar provisions to our Charter of Rights and Freedoms, section 11(g), which speaks specifically to retroactive offences, exist in international, regional, and comparative law instruments. Based on my understanding of this piece of legislation and practice within legislating the law, putting in retroactivity to things that have to do with criminal offences appears to be incredibly unusual. I'm very concerned, especially when we start talking about something that – my concern might be that it could become a Charter challenge, given the Charter of Rights and Freedoms, section 11(g), and, generally speaking, just past practice.

Many of the colleagues who have been in the Chamber for a while will understand the phrase "unintended consequences," the potential for unintended consequences when you're putting in these

changes and essentially changing the law and retroactively applying it back to January 1, 2018. The Member for Edmonton-Manning has proposed this amendment. I support the amendment and am pleased to move it on her behalf. What Bill 27 seems to be doing in these particular sections is highly unusual and could have negative consequences or unintended consequences that we want to protect against. I appreciate the opportunity to hear from the minister on this, but I still think that the most prudent course of action would be to accept this amendment and to not have that retroactivity.

Again I will say that I appreciate the minister speaking to give a brief explanation, but in what he said there wasn't something compelling or something that made it seem like this retroactivity was necessary or why this was important and good for citizens and for Alberta going forward. For those reasons, I will be supporting this amendment. I think it's fairly clear in what it's trying to do, and that is simply that the legislation that we pass in this Chamber does not do something unusual, does not do something that might be counter to the Charter of Rights and Freedoms and force the government of Alberta or other parties to have to challenge this through the court system, which so often happens when legislation is not refined to the right degree.

With that, I will end my comments and urge all members to support my amendment to Bill 27. I will also be eagerly listening for additional debate on this amendment.

Thank you very much.

The Deputy Chair: Thank you.

We are on amendment A1. Are there any hon. members looking to speak to this amendment?

[Motion on amendment A1 lost]

The Deputy Chair: We are moving back to the original Bill 27. Are there any members looking to speak to this? I see the hon. Member for Highwood has risen to speak.

Mr. Sigurdson: Thank you, Chair. Today it's a great honour for me to be able to speak to Bill 27, Trespass Statutes (Protecting Law-abiding Property Owners) Amendment Act, 2019. This bill, I believe, if passed, will strengthen protections for law-abiding Albertans and their properties. I believe that this bill is a crucial step in tackling the complex and vast issue of rural crime here in Alberta. In our election platform we made the promise to Albertans that we would tackle rural crime. Albertans gave us an overwhelming mandate supporting that platform. Bill 27 helps us to fulfill one part of that promise to Albertans.

We saw rural crime rates skyrocket under the previous NDP government. When the Official Opposition wants to talk about statistics that show a downward trend in rural crime, I'll be quite clear: rural crime is still on the rise. You only have to walk out into the rural communities right now and listen to the residents to understand that.

People just aren't reporting anymore. They're frustrated and losing faith in the system. When *Maclean's* released their annual Canada's Most Dangerous Places 2019, Alberta had seven places ranked in the top 10. This report was just a small glimpse into some of the problems that Albertans are facing in rural communities right now, today. I can't stress this enough: Albertans deserve to feel safe in their own homes.

8:20

This bill will increase the fines issued to criminals that trespass onto law-abiding citizens' property through amendments to the trespass laws. This includes increases to maximum fines of trespassing, with fines up to \$10,000 for a first offence and up to

\$25,000 for subsequent offences, as well as possible prison time of up to six months. I'll explain why this is important. The strategy of criminals when they're doing these crimes is to send people out to trespass. They case properties, they record what's there to be stolen, and they leave. So trespassing is a major issue. This is a major problem, and we have to have the fines behind this to give support to our enforcement to be able to make it that this is not work they're going to continue to do. We have to get this principal step in how they do this crime – we have to find a way to be able to stop this.

If this bill is passed, it will also introduce amendments to the Occupiers' Liability Act that will better protect law-abiding citizens. I want to be clear about this: law-abiding citizens. Mr. Chair, I cannot stress how important this part of the bill is not only to the residents of Highwood but to every single resident in Alberta. It's absurd to think that any innocent, hard-working, and honest taxpaying resident can be revictimized by the same criminals who break the law, steal their property, and trespass on their land.

Mr. Chair, when I mentioned rural crime, a couple of the first words that always come to my mind will always be Eddie Maurice. His story has shone a light on the issues that exist in our justice system and some of the gaps that need to be filled. An unfortunate reality in many rural communities across Alberta is that these law-abiding citizens have been impacted by what is happening, and they can be impacted in the same way by what's going on to Eddie and Jessica Maurice. This is a story that resonates with all of us. I've gotten to know Eddie and Jessica Maurice, the impact of their story, what has happened to them, two very hard-working people in this province. What is happening to them and what has happened to them in the past has affected every part of their life: their work, their family, the anxiety that's going on in their lives.

This is critical – critical – that we continue to support our rural residents and find ways to prevent this from happening and make sure we actually, finally take a stand and show rural residents that we do support them. This is a story many Albertans know and they understand quite well. Many individuals wonder themselves what they would do if they were in the same situation. They can relate to this. Rural residents are concerned, over and over, about how easily this could be them. They could be in this situation – they could be Eddie Maurice, they could be Jessica Maurice going through this – that is happening right now. Mr. Chair, our rural residents need our support. Support like this bill makes common-sense changes to help bend the curve on rural crime. This bill sends a clear message to criminals, and my hope is that we'll also provide a beacon of hope for our rural residents.

After four years of being ignored, for once they finally have a government that is here to listen, understand them, and truly support them. For four years rural crime was not properly addressed. The opposition can talk all they want about their increase to funding, some small changes they made, but they never set foot in my riding. They never talked to the residents out there. They never listened to their stories, and I have many more than just Eddie and Jessica Maurice. This government represents all rural areas in these seats over here, and we also have a minister that has travelled across this province and worked exceptionally hard, putting himself in front of everybody here in Alberta to hear these very difficult stories, hear the frustration that is here, that is now, and that is today.

The problem of rural crime has reached a boiling point. Rural Albertans don't feel safe anymore in their homes or on their property. Our government understands the anxiety and the trauma that have come from rural crime all across Alberta. During the campaign trail, over and over I knocked on every single rural door that I could, listened to as many rural residents as I possibly could. I've attended every rural crime town hall meeting. The biggest issue I heard, aside from jobs and the economy, was always rural

crime. Many residents of Highwood have been calling rural crime basically a crisis, a crisis that needs to be dealt with, and it needs to be addressed seriously. I agree with that statement. This is a crisis.

I assured voters that this will be one of the priorities that a United Conservative government would tackle if elected. That is why I stand here today in support of Bill 27, the Trespass Statutes (Protecting Law-abiding Property Owners) Amendment Act, 2019. I made a promise to my residents during the campaign, and I want to be clear that this bill is only just the start. This government is committed to a continued effort to address this issue until rural residents once again will finally feel safe in their own homes.

I will always stand up for my community and all of the rural residents across all of Alberta. I will always be there to stand in front of them, listen, and hear their concerns. I want to continue to be a strong voice on this, and I want everybody to know, not just in my riding but across Alberta, that I'll continue to stand up in this House and fight for rural Alberta when it comes to the rural crime issue.

Thank you, Mr. Chair, for allowing me this opportunity to speak to this very critical, important bill. I hope everyone in this House supports it.

The Deputy Chair: Thank you, hon. member.

I see the hon. Member for Edmonton-McClung has risen to speak.

Mr. Dach: Thank you, Mr. Chair. I am pleased to rise this evening to speak to Bill 27. I'd like the House, all members on all sides of the House, to take a moment and listen to a short story, that I'll relay to you, with respect to a situation that I encountered a few years ago. I actually lived in rural Alberta for a while. I had an acreage property that was west of Edmonton, and I quite enjoyed it. I was there with my young family, three children and my spouse then, about 25 years ago. Every time that I have heard about Bill 27 when it's come before the House or when it was first introduced, I always harken back to the night I'm about to describe to members here in the House, that I won't ever forget. It leads me to question exactly what an individual member of this Legislature would do or would have done or would consider would be the right action to have taken. What if it had turned out differently?

What I'm speaking about, Mr. Chair, is a night in the dead of winter when everybody was asleep, about 3 o'clock in the morning, and I heard an ungodly crash. It sounded like somebody had actually come through the patio door. I was up like a bolt and raced downstairs with a knife in one hand and a tire billy in the other, yelling and screaming at whoever might be in the house to get the hell out or face the consequences, ready to defend my family with my life, if necessary. I was convinced that somebody was in the house.

I'm wondering exactly what would have been a defensible action in my case if indeed there was an intruder in the house. What it turned out to be was that above the fireplace we had a wind chime screwed into the wood facing. The wood had dried out, and the screw gave way, and the metal wind chime had fallen down onto the brick hearth. It sounded exactly like the patio window had been crashed into. There I was, standing in the middle of the family room on the main floor, ready to defend my family. It turned out, of course, that there was no intruder. Certainly, sir, I was convinced that there was. You know, had it turned out to be a drunken neighbour or someone seeking immediate help after a road accident and I killed him, then what? Or if I had shot them, what should happen to me then? What consequences there? Would I be absolved of any responsibility?

8:30

This is a situation that I think that we need to really take a hold of and something that I certainly think about whenever I've thought about Bill 27 and the legislation being proposed. It was a situation that was very real to me that cold winter night. I often think: back then, what circumstances would have allowed me to be absolved of responsibility had I actually used deadly force and killed somebody? Should I be absolved of responsibility? I mean, it's an issue that deserves some serious thought. We're talking about a serious issue with somebody coming onto somebody's property, but I think that there's also a responsibility, as is shown in the Criminal Code as well, that you better be doggone sure that you're in imminent danger. Not every situation is black and white. If indeed we are considering legislation which is going to absolve somebody of responsibility for using deadly force, I think that we should be very, very cognizant that not every situation is standard when it comes to the possibility of an intruder on somebody's property and that circumstances had better warrant the action that one takes.

It's not simply black and white, and it's not a rah-rah situation. It's deadly serious, and I can attest to that because I was in a situation where I thought I was going to be involved in a significant, deadly fight. I just wanted to relay that story to the House and have people picture themselves in that situation for real and consider what responsibilities they should have to themselves and perhaps what responsibility they might have to address the situation and make very quick decisions but decisions that have consequences for all concerned, no matter who's involved.

With that, I'll leave that question for members to consider and, hopefully, drive home my point that this is a very, very serious issue which deserves more than mild contemplation.

The Deputy Chair: Thank you.

Are there any other hon. members? Of course, I see the hon. Member for Highwood has risen.

Mr. Sigurdson: Well, I would like to just address those recent comments about the concerns raised by the member opposite about this, and I think that I can put some of those to rest. I mean, the bill specifically states right in the line: Bill 27, Trespass Statutes (Protecting Law-abiding Property Owners) Amendment Act, 2019. Now, anybody that went outside of the law and did something that was a criminal act, of course, would be outside of that, as anybody would be. As the member opposite was saying about coming down and if he had found that it was not a wind chime that had fallen and that it actually was broken glass, it was a mistaken, just drunken neighbour and he had done something that was outside of the law, of course this bill doesn't apply. So I think that it's pretty simple to say that even in the name, just in the header itself, it's pretty self-explanatory and cleans up that entire argument to this bill in its entirety. This bill is designed to protect law-abiding citizens. I think and I hope that just by that statement that it puts those arguments to rest for the member opposite.

Thank you, Chair.

The Deputy Chair: Thank you, hon. member.

Are there any other members willing to speak to this matter? I see the hon. Member for Calgary-Mountain View.

Ms Ganley: Thank you very much, Mr. Chair. I just wanted to make a few comments on the bill and on the subject matter that was raised by the hon. Member for Highwood shortly there before me and by my colleague from Edmonton-McClung as well. I do want to say that I actually don't think that it's quite as simple as the hon. Member for Highwood would propose, that either there is law

abiding or there's not law abiding. When it comes to defending oneself or to defending other people under one's care under the Criminal Code, I actually think that's a fairly complex test in terms of what constitutes self-defence versus what would constitute a criminal act. I think that that's actually quite a complex question when you're talking about someone coming onto your property and what you can do in response to them. I do think that what my hon. colleague from Edmonton-McClung has to say is actually a valid question. I do think that that remains a complicated area of law, and that's what a lot of the concern about this is around in the first place.

I did want to just respond to a couple of things. I think it's a bit of an unfair characterization to indicate that our government wasn't concerned about the issue, because we were concerned about this issue. We were concerned enough that we took action and, I would say, significant action. Ten million dollars is nothing to sneeze at. You know, the actions we took were having an impact. I do think that boots on the ground is a legitimate reaction to crime. Having more police officers is a legitimate response to: we have concerns about crime in our community. The suggestion that that was in some way not doing anything is just false. It was doing something.

In fact, those crime reduction units have been shown to work not just here but in other jurisdictions across the country. That method of thinking about crime, the idea that we ought to target prolific offenders because those are the offenders that are responsible for much of the crime: I think that's correct. Demonstrably in the court data, in terms of people who are coming before the court, it is in fact the case that there is a small number of offenders who are responsible for the majority of incidents, and I think putting in place crime reduction units to target specifically with surveillance, with proactive policing of those particular offenders is good. In fact, we were just in estimates last week. The current minister has confirmed that those units will be continued because they are working. So I think that actually we do have agreement on that, that that is a positive step.

Now, I'm not by any means suggesting that we had solved the problem. I think that as long as one person is the victim of crime, you won't have solved the problem. It's a problem that we need to continue to make progress on. For those victims it's a legitimate impact. It's a legitimate impact on them. So as long as there is one, it's one too many. I don't think I have now or ever suggested that that was the end of the matter. In fact, when we made that announcement, we said that we are going to add police officers, we are going to add civilian staff, we are going to add prosecutors, we are going to add better ways of doing business, we are going to increase funding to rural crime watch associations and to citizens on patrol, and we're going to help with information sharing between different units. We said all of that, and I think that all of that moves in the right direction. We also said that we will continue to monitor the situation to see if additional resources are needed or if additional steps need to be taken. I think that that was a good move. I know, certainly, that despite the UCP having voted against it at the time, it's being continued under this UCP government. It would suggest that they've changed their mind on that issue.

One other thing I did want to suggest: I do think that evidence is the important basis for decision. You know, the hon. members are right when they say: well, maybe that evidence isn't reflective of the reality on the ground. That's sometimes the case with respect to criminal matters in a lot of different ways, right? We're seeing much increased reporting in terms of sexual assaults, in terms of domestic violence. There is an open question: are those increased reports because the instances of those sorts of violence are in fact increasing, or are those increased reports because there is more attention around the issue and therefore more people who have been impacted are reporting? I'm not for a minute suggesting that that's

unrealistic. What I am suggesting is that when the RCMP data indicates that there are, you know, 400 or more fewer vehicle thefts in 2018 than there were in 2017, that data could be said to be fairly reliable because I don't know anyone who wouldn't report their vehicle stolen however frustrated they are. Insurance requires that you make a police report on your stolen vehicle before you can get money back for that vehicle.

8:40

I appreciate that there are some types of crime in which the members may or may not be correct – and we can have an open conversation – but I think that when we're talking about vehicle thefts, there would be a lot of convincing necessary for me to say that those numbers are not in fact reflective. I think the RCMP certainly thinks that this has been an effective strategy and that it's having an impact. Are we there yet? Absolutely not. Should we take additional steps? Absolutely we should. But I do take offence when the members opposite suggest that we didn't care or that we didn't do anything at all because that is not correct.

With respect to this bill, I think the first thing I have to say is that I'm not actually opposed to everything in it. When we're talking about trespassing, certainly, we've seen recent instances of concern, and I obviously won't discuss those because of the sub judice rules. But it is absolutely the case that when you have people who do not understand livestock going into locations where those livestock are located, that is a very dangerous situation. It's also a situation that has the potential to have negative impacts on public health because there are potentially issues of communicable diseases there. I actually think that moves in that direction are not necessarily bad. I think that some of those moves are a really good idea because sometimes people do things without, shall we say, reflecting all the way to the end of those things, and I think that we should act to protect the people who own the property, the public in general, and also the individuals who may not be thinking their actions all the way through, who may be exposing themselves to livestock and to diseases that they don't fully understand, and that we ought to act to protect all of those people. So that portion of the bill I'm actually in agreement with.

I do think it's worth, just given the sort of high-level messaging around this, Albertans understanding that this amends the trespass statutes. This amends the Occupiers' Liability Act, which has an impact on people's civil liability. It does not and cannot amend the Criminal Code because the Criminal Code is not within the jurisdiction of this Legislature, and I think that some of the public debate on this issue suggests that people think that the Criminal Code is being amended. I would just caution Albertans that that is not the case.

The other comment I wanted to make with respect to this issue, because I do understand that people have a lot of fear, was that, just like my hon. colleague for Edmonton-McClung, I just wanted to tell a story. I had had a meeting when we were in government, when I was the minister at the time, with the hon. member for Bonnyville-Cold Lake and the hon. member for – another hon. member.

What is your riding, sir?

Mr. Hanson: It was Lac La Biche-St. Paul-Two Hills.

Ms Ganley: Lac La Biche-St. Paul-Two Hills. That's right.

We had met with a number of residents, a number of councillors, a number of folks representing First Nations, and I remember a chief saying to us something that stuck with me, that really, really stuck with me. That chief had said: "People from my nation, when they go driving around and they're on the roads, if their car breaks down, they don't get out of their car. They stay in

their car and they call someone for help, and they're scared. They're scared to get out of their car for fear of being mistaken for a trespasser." That had a real impact on me because I don't think that anyone should be scared in our province. I guess what I would say to that is that I don't think that residents should be scared. I don't think that people driving in their cars should be scared. I don't think that anybody should be scared. So that was just one issue that I wanted to raise.

With that, having spoken to the bill generally, I did want to add my concerns with respect to a specific section, and I am going to move an amendment. I will wait for that amendment to reach the table.

The Deputy Chair: If the hon. member would please just read the amendment into the record. Going forward, we'll refer to this one as amendment A2. Then please feel free to continue with your comments.

Ms Ganley: Thank you very much, Mr. Chair. I move that Bill 27, Trespass Statutes (Protecting Law-abiding Property Owners) Amendment Act, 2019, be amended in section 2 in the proposed section 12(4) by striking out "or is about to commit".

The purpose of this amendment: I'll read the whole section just so that people can get a sense of this. Again, I do this because there are portions of this bill that I actually think are very important, but there are portions of this bill that I think create a level of legal uncertainty that I am not comfortable with. We're repealing section 12 and replacing it with this, so 12(4) is a new one, and it reads in its entirety:

For the purposes of subsections (2) and (3), a trespasser is a criminal trespasser if the occupier has reasonable grounds to believe that the trespasser is committing or is about to commit an offence under the Criminal Code of Canada.

The reason that I have concerns about this is that when we say "has reasonable grounds to believe that someone is about to commit an offence," my concern is that I think that an individual – because people could be mistaken about things and frequently are – can see someone and believe on reasonable grounds that they are about to commit an offence when, in fact, that person is a perfectly law-abiding individual who is there for whatever reason. Perhaps their car has broken down. Perhaps they've gotten lost. Any number of reasons. I think what concerns me about saying "reasonable grounds to believe" that someone is "about to commit an offence" would relieve the individual doing the injury from liability. I just think that that's a bit of a concern, and the reason that I think it's a concern is, again, because someone could have reasonable grounds to believe that someone else is about to commit a crime when, in fact, that individual has merely become lost or had their car break down. Perhaps they're inebriated, or perhaps they're a young person who's gotten turned around. There's any number of scenarios that the mind can dream up.

Suggesting that now the occupier doesn't owe that individual a duty of care I find a bit troubling. I do find that a bit troubling because it suggests that – yeah. I mean, I think objective tests exist for a reason. I think that this bit about "or is about to commit" just takes it a tiny bit too far, and that makes me very uncomfortable.

My hope is that the government will consider this amendment. I think it would improve the bill, so I would urge all members to vote in favour of the amendment. With that, Mr. Chair, I will end my comments.

The Deputy Chair: Thank you.

Hon. members, I see the hon. Minister of Indigenous Relations has risen to speak to amendment A2.

Mr. Wilson: Thank you, Mr. Chair. We're country folks. If somebody comes on our land looking for help, we give them help. I've taken people to the service station to get gas. I've fixed tires for them. But where I live, if somebody comes to my farm at 4 o'clock in the morning, they're looking for trouble. I'm centrally located. I live an hour from anywhere. I live in the middle of a section. If you're from the city, you probably don't know what a section is. That means it's a half-mile to where my house is from any direction.

8:50

I just want to paint you a little different story than what you've heard. I wish this is the only story I had, but this is one of them. It's 4 o'clock in the morning, 40 below outside. I see some lights come in my driveway. If someone's coming in my driveway – it's treed. Believe it or not, I'm a tree hugger. It's all treed coming up to my house. I see these lights come in, so I look out the window. Whoops, they're at my nephew's truck. Oh, there goes his window. I get on my phone to 911. I say: "I've got somebody breaking in. What do I do?" "Well, what are they doing?" I say: "Well, they just smashed the window out of my nephew's truck." "Well, they're not breaking in your house, then?" I say: "No." "Well, call us if they break in the house." "Are you kidding me?" This is a true story.

I flick the lights on a couple of times. Then another vehicle comes in. They called their buddy because they think they've got more than one car to pick up. Now I've got three people in my yard at 40 below. I'm out on my step, not much on. That would scare most people away, but it didn't scare them away.

They can't get the car started, so now they're kicking the door of my shop in. I'm back on the phone again to 911. "What's your problem?" I say: "Well, I've still got these three people here, and now they're breaking into my shop." "Well, are they assaulting you?" I say: "What do you mean?" "Well, do they have their hands on you?" I say: "No. If they did that, I probably wouldn't be talking to you. We're exchanging colourful adjectives at this moment here." They say: "Well, we're really busy. We can't come out unless they're actually assaulting you." Click.

I'm an hour from anywhere. The next closest police are probably an hour and a half away, coming from Red Deer or someplace. I'm on my own. It's a different situation if you live in the city than if you live in a rural area. It's dangerous out there. Now I'm up here by myself. My wife is home alone. You have no idea what it's like unless you live in a rural area, what crime means.

I wish that this was the only story I had. I've had people with rifles on my property trying to steal things. My neighbours have lost – he's a young fellow. He's a surveyor. They've taken his truck. They've taken his quads. He can't even get insurance on it anymore. What's he supposed to do? There's no work for him out there as a surveyor, and he has lost all his stuff not once, but twice, out of his shop in his yard.

We're unprotected out there, Mr. Chair. We need help out there. To think that all country people are just waiting there with a gun to shoot somebody – we're not. I mean, like I said, we'll go out of our way to help people. We'll take them, we'll help them, but we need help out there.

This bill at least gives us some help. To think that if somebody is stealing my stuff and then they can turn around and sue me for slipping on some ice or spraining their ankle for kicking the door of my shop in – Mr. Chair, we need help out there, and this gives us some help. Thank you.

The Deputy Chair: Thank you, hon. Minister.

Are any other members looking to speak to amendment A2?

[Motion on amendment A2 lost]

The Deputy Chair: Going back to Bill 27 proper, are there any hon. members looking to speak to the bill?

Seeing none, are you prepared for the question on Bill 27, Trespass Statutes (Protecting Law-abiding Property Owners) Amendment Act, 2019?

[The remaining clauses of Bill 27 agreed to]

[Title and preamble agreed to]

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

Hon. Members: Agreed.

The Deputy Chair: Any opposed? Carried.

Bill 21

Ensuring Fiscal Sustainability Act, 2019

The Deputy Chair: Are there any comments, questions, or amendments to be offered at this time? I see the hon. Member for Edmonton-City Centre has risen to speak.

Mr. Shepherd: Well, thank you, Mr. Chair. I appreciate the opportunity to rise today to speak to Bill 21, the Ensuring Fiscal Sustainability Act, 2019. You know, as we were sitting and debating the last bill, I was taking the opportunity, while listening to debate, to also respond to one of my constituents, oddly enough a constituent that I went to high school with who, coincidentally, now happens to live in my constituency. It's always interesting how these things come around. She had written to me to express some of her concerns about the decisions she sees being made by this government. She listed several things, but the very first thing that she listed, that she raised as a concern – actually, maybe I'll just read it here. "Much of what the current government is pushing does not align with their platform commitments, and therefore is disingenuous at best, and more likely, entirely fraudulent."

Now, I spoke at some length about this earlier today as we were debating the yin to this bill's yang, Bill 20, and talked about how on so many fronts the decisions that have been made by this government are absolutely contrary to promises they made in their election platform or are, in fact, simply not contained anywhere within that platform and spoke at some length about how that document was pretty much being utterly dishonest with Albertans about what this government intended to do. Indeed, in Bill 21 we see more of precisely that from this government, more changes that they did not campaign on, more things which they promised they would not do and are indeed doing. There's a word for that, Mr. Chair, but I'm not allowed to use it in this Chamber.

This government is not dealing from a straight deck, particularly when it comes to something like AISH. When we introduced the bill to index to the cost of living, members of this government had the gall to stand in this House and say: well, why didn't you do this sooner? Now, Mr. Chair, they are standing in this House to vote against doing it at all. They are happy to give \$4.7 billion away in a corporate handout that is yet to create a single job but indeed has instead seen companies take their millions of dollars that they've received from this government and take them elsewhere, in many cases while, in fact, laying off Albertans, taking jobs out of our province. But they will reach into the pockets of every single person in this province who receives AISH or social assistance and take out \$30 after they said that they would not do that. There is a word for that, which we are not allowed to use in this House. These members know well what it is, and they know well what their government has done and is doing.

They are increasing, Mr. Chair, interest on student loans by 1 per cent at the same time as they are taking away students' educational tax credits, at the same time as they are allowing tuition to rise by as much as 21 per cent over the next three years. They're spitting in the face of every single postsecondary student in this province.

9:00

Mr. Yao: That's a bit harsh.

Mr. Shepherd: It is harsh, Member. It is harsh. It's incredibly harsh for a student who has been working for years, who has graduated high school, who has spent their summers saving to afford their education, who has planned their budget, to have this government turn to them and say: "Goodbye to your educational tax credit. Six hundred dollars more per year. Your tuition will rise 7 per cent a year." Now we find out that the University of Alberta today announced they will likely be raising their residency costs thanks to cuts from this government. That is harsh, Member for Fort McMurray-Wood Buffalo.

Mr. Yao: You know your comment that we spit on people? That's harsh, sir.

The Deputy Chair: Through the chair, hon. members.

Mr. Shepherd: It is an insult to postsecondary students, Mr. Chair. It is disrespectful in the extreme. But that is what this government is choosing to do. That is the burden they are choosing to put on Albertans.

At the same time, they're also taking away the student temporary employment program, providing no other opportunities for students who, in fact, are then able to get valuable job experience while helping out organizations, nonprofits, other businesses, a win-win situation. But, no, this government would prefer to give those dollars away to corporations that are taking that money and saying, "Thank you very much," folding it into their pockets and those of their shareholders, and not investing a cent back into the province of Alberta. It is utterly disingenuous, Mr. Chair. They did not run on that. They did not campaign on that. Indeed, I'm sure the postsecondary students that went out and knocked on doors, because we know some did, for perhaps yourself, perhaps other candidates that now sit here in government – I'm fairly sure none of you told them. I'm pretty sure none of the members in this House told those students what they intended to do to them and raise their costs.

But this bill is not all about cuts and increasing costs, though certainly some of the other decisions will indeed, I would say, Mr. Chair, increase some costs for government. This, of course, is one of the many omnibus bills which this government has chosen to bring forward this session. Thankfully, they're giving this one a bit more breathing room than they did Bill 22 last week, where they fired the Election Commissioner, who's investigating their party, in a brief four days while the Premier did not take a single opportunity to stand in this House and defend his disgusting and corrupt legislation. Indeed, a noted columnist, Ron Breakenridge, today called that cowardice on the part of this Premier, cowardice which all members of this government chose to support. There's leadership for you.

[Mrs. Pitt in the chair]

Within this legislation we also see some changes in health care. Now, I spoke to this earlier, Madam Chair. Again, we had some students here, resident doctors from the U of A, who came to express their concerns about this government's intent to give the minister the ability to set conditions on issuing practitioner

certificate ID numbers, again, an insult to students, an insult to those who have been going and working under a set of conditions that were set out and a reasonable, I think, set of expectations about the opportunities they would have here in this province, which this government seems intent on taking away along with their tuition tax credits, along with the cap on tuition, along with affordability for their education. Indeed, we have seen how this has failed in other jurisdictions where it has been tried. In fact, the province of New Brunswick, as I spoke on at some length before, is now recanting this policy, recognizing that it did more harm than good, led to a shortage of doctors in urban areas, led to a shortage of doctors in rural areas. It did not at all address the problem.

You know, I had the opportunity to meet last week with the members of the College of Physicians & Surgeons of Alberta and have some conversation with them about their thoughts on this, and I spoke with a gentleman there who himself works as a rural doctor, worked as a rural doctor for a number of years, and said that what incited him to work as a rural doctor and to greatly enjoy that experience, Madam Chair, was the fact that he had had the opportunity to train in a rural area, to take part in a program which gave him the opportunity to try rural practice.

Indeed, there are programs which do this at the University of Alberta and the University of Calgary, and when the student residents were here and when I spoke with them, that was their recommendation as well, that giving doctors the opportunity to practise in a rural setting, where often they face challenges that they would not face in the city, having the chance to learn how to work in those environments, to learn how to deal with the different kinds of equipment they might have access to or the lack of other specialists, finding out how they can still indeed provide quality health care in those settings, gaining that experience is far more effective than putting them at the barrel of legislation and saying, "You will practise where we tell you to practise," a proposal that has lost two constitutional challenges. Of course, we've seen with this government that they don't mind wasting taxpayer money in the courts. They seem to be pursuing that on a number of fronts with pieces of legislation and other decisions that they're making, and that is their prerogative. We'll see how Albertans feel about that eventually. But that is yet another one of the many provisions that are crammed into this omnibus Bill 21.

Now, another aspect of this legislation – I had the opportunity to speak with the minister about this at the estimates process the other week – is giving the government the ability unilaterally to terminate the doctor compensation agreement with the AMA. Now, I spoke about this earlier on Bill 20, Madam Chair, and the fact that this government seems intent on just building distrust with every possible demographic and community and stakeholder in this province, whether it's ripping pensions away from teachers and public health care workers, again without consultation, without mentioning this in their platform, without taking the time to discuss it and ramming that legislation through, again, in a mere four days as those public servants sat and watched in the gallery. That's harsh, almost as harsh as spitting in their face, the level of contempt that this government shows for those individuals and their concerns and indeed the democratic process.

We see that breaking of trust with postsecondary students. We see that breaking of trust with indeed all Albertans in the decision to fire the Election Commissioner in the midst of his investigations into this government's party and the leadership campaign which elevated this Premier to this place. We saw them breaking the trust of all public-sector workers back this spring with Bill 9. We see them breaking their trust in now asking for wage rollbacks, which they said they would not ask for, yet another area in which this government was utterly disingenuous. It is being entirely

hypocritical. We have this government breaking trust with so many sectors of Albertans like education funding, on which this government swore up and down that it would not cut any amounts from education funding. Well, as you yourself, Madam Chair, have attested to, the school board in your area is indeed facing a cut now. You have your thoughts on what they should do in the face of that, but you have certainly in the press agreed that that was, in fact, the case. Yet your government, this government, swore they would not do that.

9:10

Yet another area in which this government is breaking trust: I'll talk about Bill 20, income tax, raising that, once again breaking trust with Albertans. Yet again we have this government saying: we want to reserve the ability to unilaterally terminate the doctor compensation agreement with the Alberta Medical Association. On that, the minister, when I raised this with him in estimates, said: "Well, no, I don't think that puts a chill on our relationship. I don't see why there'd be any reason that the Alberta Medical Association should distrust our government. Trust us. We're the government. We're here to help." Madam Chair, this government is fast exhausting any reason that any Albertan should trust them on any question. When they continue to bring forward legislation like this, which gives them sweeping unilateral powers to break contracts, run roughshod over agreements, I can't see what could be possibly more insulting, more harsh to Albertans.

Indeed, I've talked about, you know, that this bill calls itself ensuring fiscal sustainability. Madam Chair, you do not secure fiscal sustainability by creating chaos. You do not create fiscal sustainability by making enemies of every single partner you have to work with to achieve your goals and ends. This government seems to feel that it can simply impose order by diktat and fiat on every aspect of Alberta. They'll pass their legislation, and Albertans will all fall in line and do as they're told. That is how they intend to ensure fiscal sustainability in this province.

Madam Chair, our government worked collaboratively with Albertans on many fronts. I hear it every day when I go out and meet and talk with stakeholders in any number of fields about how they appreciated working with our ministers, that they felt listened to and heard, that their ideas were accepted, that our Minister of Health was able to speak to a number of folks about some concerning issues without requiring them to sign a nondisclosure agreement, was able to share information with them. Indeed, because of the collaborative relationship she had built, they were able to have those discussions and nothing was leaked to the media. But this government seems to feel that they can simply bully their way through, that they can order Albertans to fall in line, that they can simply pass legislation, ram it through this House without regard, without consultation, without discussion, and Albertans will simply fall in line.

Indeed, that's what we see in the labour provisions in this bill: the minister taking more power for himself, the greater authority to define what an employee is, to set restrictions on unionized employees for what services they can access from government, to repeal the essential services replacement worker ban. Now, on that, Madam Chair, that's a topic worthy of discussion. We saw how quickly members of this government leapt to their feet to call on the federal government to legislate CN workers back to work. They could not have seen a law passed fast enough. That was their first step. But what did we see today? We saw that the standard negotiating process worked.

The Chair: Are there any other members wishing to speak? The hon. Member for Lethbridge-West.

Ms Phillips: Thank you, Madam Chair. I rise – I think it's my first opportunity in Committee of the Whole, certainly – to discuss Bill 21, the Ensuring Fiscal Sustainability Act, 2019, being proposed by the Minister of Finance, an act that amends a number of different pieces of legislation, 19 in all, so there's a lot for members to consider in this act. There might be some places where perhaps the government may want to pause and consider whether it is, in fact, worth it to take some of the steps that have been proposed in this legislation. A number of different people, organizations, groups will be affected by this bill.

Certainly, there's no end to the people that will be affected by the end to the regulated rate cap on electricity at 6.9 cents per kilowatt hour – that's pretty well every household, small business, and farm – who were to have their electricity rates capped until 2021 but now will no longer. While 6.9 cents per kilowatt hour represented the 10-year average of electricity pool prices, it has been the case in a couple of the months under consideration that the price has gone above 6.9 cents. I fully expect that this winter, given what we know about the electricity market right now, people's pool price, the rate, will go over 6.9 and potentially quite a bit higher. The depths of winter and the hottest of summers are when we see the most load on the electricity system and therefore the pool price piece going up considerably.

We know that ordinary people, who already have a number of affordability concerns – we hear affordability concerns all the time from our constituents. We hear them around things like car insurance and other drivers of our monthly bills, property taxes, those kinds of things. We certainly hear from our constituents on that. Certainly, the actual usage of electricity is only one part of the bill, and there are other pieces – certainly, the distribution and transmission charges – that people have quarrel with, and, I think, rightfully so. But there is one thing that government can do to control those costs, and that is to cap the electricity rates. I think it's really too bad that we are just leaving people at the mercy of higher bills.

Another piece that concerns me considerably and that has not had as much debate – and here's where I really do think that the government may want to pause – is around adjusting. It's on page 12. It's the piece that amends the Alberta Housing Act, and what it does is that it freezes the indexation for the amount that, when people are paying – if you're a senior in a standard seniors' lodge, you get an amount over and above your rent that is sort of a basic monthly disposable income amount, that is laid out within the Alberta Housing Act. What this bill does is that it pauses that indexation of that amount every year, so that will also eat into many seniors' disposable income. We're talking, in some cases, you know, \$300 or \$400 a month. Certainly, for nursing homes it's \$322, so it is a small amount of money to government but a large amount of money when that's all you're looking at for your monthly disposable income amount.

9:20

We know that a number of the people that are affected by this are, of course, often women, and they are often on their own, and they don't necessarily have the benefit of a defined benefit pension or even defined contribution, in many cases. They didn't necessarily pay into CPP at the top end for most of their careers, women of that generation. This is an awfully mean-spirited move by this government, to freeze the amounts for monthly disposable income for people in seniors' lodges and nursing homes. Certainly, I have a number of both facilities in my riding, and people are worried. They're worried about what happens when this bill passes. They are, you know, not as worried about, maybe, January 1, 2020, but much more worried about what happens after that as the \$30

become \$60 through the power of compound interest, that we all know very well becomes much, much more over the years.

We also know that on these attempts to take away indexation of various benefits, it's not necessarily a pause at all. It took some 15 years federally to reindex a number of programs, so we know that this is just a grab of cash out of people who can really least afford it.

When you go back to the title of this bill, Ensuring Fiscal Sustainability Act, I think the question that we have to ask ourselves as an Assembly, as 87 people elected by constituents, is: fiscal sustainability for whom exactly? I mean, this is a budget bill that proposes all of these changes to ordinary people's lives, yet it also proposes – and I think we're pretty well past all of the various appropriation acts – the same level of debt at the end of the fiscal period under consideration and a higher deficit, also higher personal income taxes for people, fewer benefits for seniors, student loans that cost more, electricity bills that cost more. This is to say nothing of the other pieces of this bill around things that are proposed for the Alberta Medical Association and so on. Fiscal sustainability for whom? Really, the fiscal picture is essentially the same after all of this pain for ordinary people.

In fact, all of this traffic in e-mails and telephone calls and voice mails and letters written in cursive handwriting that I know all members of this House receive from people, especially older people, about the impacts on their daily lives: I really have questions about whether it's worth it, this \$4.7 billion giveaway detailed on page 144 of the fiscal plan and then all of these political prices to be paid, whether it's with ordinary working people and their electricity bills, whether it is for those who are living in seniors' lodges or nursing homes, whether it is for those who receive AISH, for example, or whether it is for students, who are either going to be paying higher tuition, of course, but then on the back end, once they're finished, also subjected to higher student loan interest rates. The figure that I saw: over the life of an ordinary undergraduate degree, for a 10-year loan people will be paying about \$2,000 more in interest.

Maybe that's not a lot of money to some folks that have six-figure pensions from Ottawa, but you know how it is a lot of money? When you need to replace the dishwasher or the washing machine or the roof and you've got two little kids and you're five years out of university and you've got a job but you're just getting by because you're trying to get rid of those student loans, and then you have an emergency like that. Those are the kinds of real-world consequences of decisions we make as a result of this bill. That's what will happen to folks.

You know, I might propose at some point in these deliberations that the government really take a look and decide: do we really need, for example, to punish those kinds of young families that I just talked about with a 1 per cent higher interest rate on their student loans? Perhaps that's something where there could be a climbdown given that the debt is the same and the deficit is, in fact, higher, so path to balance or those other drivers that the government claims are behind this bill are not actually real. If that's the case, then there might be some things here that – potentially they may either want to consider some compassion or consider some political consequences. Certainly, seniors are known to get their vote on, and they are noticing – folks who live in lodges are noticing that their benefits are going to be frozen, people in long-term care facilities as well – that maybe it's not worth it to finance a 4 and a half billion dollar giveaway that creates no jobs and is just simply a giveaway.

A couple of other things are of keen interest to me, Madam Chair, and those are around the AMA agreement. I am actually quite surprised that it contains within here the power to terminate the agreement. I don't know what useful purpose it serves to put a stick

in the spokes of the ordinary course of discussions with physicians. I do not understand why the government and the minister would want to continue to breach the trust with physicians in order to get to a new AMA agreement. I have no doubt that there are a number of ways in which the existing agreement can be improved upon. That's the way of the world; it can always be improved upon. There's no doubt in my mind that the existing agreement as it is now was much improved over the previous agreement. I don't understand why this government would want to slam the door on further improvements by torching trust with physicians. I mean, physicians have said that the bill clearly identifies that government is not required to live up to terms of future contracts, and doctors have observed that the province is cynically asking them to work towards agreements when it appears they are the only party to be bound by them.

You know, this is about the kind of health care and the kind of expertise that we all expect in those moments of emergency, in those moments of needing acute care, in those moments of needing a specialist, in those moments of bringing babies into the world, in those moments of saying goodbye to our loved ones. Through the whole of our lives there are physicians and other health care professionals there.

I do not know why we would want to introduce this kind of chaos into our health care system were it not for the notion that chaos is actually a feature, not a bug, of this bill and that undermining the basic principles of universality in the health care system, having a rather pugilistic relationship with the five principles of the Canada Health Act and the notion of universality, is in fact the goal of this government. That's the only thing that actually explains this at all, because it has been proven that the AMA agreement can be improved upon through a respectful relationship with physicians. That's not to say that our government agreed with them all the time, and it's not to say that they agreed with us. That is the way of negotiation, and that is fine. When there are adults in the room, everyone recognizes that. But what this does is to posit that the role of government is to take their toys and go home, something of a tantrum. And that is deeply troubling, or it's foreshadowing for how this government is going to conduct itself with respect to our medicare system.

9:30

Finally, I'll turn my attention to this piece around police funding for municipalities. You know, I think it's clear that what's happening here is that that presentation, the sort of chit-chat time, that the province proposed with municipalities, especially rurals, on how to evolve, if you will, the police funding formula is contained within this act. Really, what this shows us is that property tax hikes, if people want to keep their policing, are on the horizon. This gives them the ability to do that.

The fact of the matter, I think, is that if the government wanted us to think that this was benign, (a) they wouldn't have consulted on something that is demonstrably not benign, which is raising the amount that rurals have to contribute to their policing costs considerably, and (b) I think we would have seen a much more robust approach to consultation with municipalities on this matter. So between that and the fine revenue piece, I think what we have is an indication that this is a government that says on the one hand that they are concerned about law and order and that they are concerned about front-line staff, but what they'll really do is turn around and blame municipalities, just as we've seen them blame school boards, for reductions in service in the front line. These are the sorts of things that will be noticed.

Again I wonder if at least some of these initiatives are just simply not worth it. In particular, given that the stated goal is ensuring

fiscal sustainability and given that the debt at the end of the forecast period is pretty much the same as the New Democrats', I can only assume that the government has concluded what we concluded, which is that the lowest debt-to-GDP ratio, the lowest net debt position, and an excellent credit rating were in fact well supported by the structure of the Alberta economy at this time given that their numbers are the same.

There are going to be a number of folks who are very, very concerned about the outcomes of this bill. It might not be in the next four weeks, and, you know, the price politically to be paid may not be demonstrated fully until perhaps a year from now, when we're having these conversations and municipalities have actually had to respond to some of these police funding changes, when people have seen that the small increases to their monthly living amounts, if they live in a lodge or a nursing home facility, are not increasing, when AISH recipients are seeing that their amounts are not increasing and they're increasingly unable to keep pace with the cost of living. These things will add up over time, Madam Chair.

That is why I have proposed to the government that perhaps, for example, the minimum monthly disposable income amount for people who live in seniors' lodges might be something that they will want to back down on so that they can say that they did when they are called to account for this, which they will inevitably be. There are small changes that they could make that demonstrate good faith and goodwill for ordinary people, particularly people who do not have a lot to begin with, and I'm thinking here of the many, many seniors with whom I visit in my riding, in both lodges and in nursing homes, quite often.

The final piece that I will say here is that it really doesn't appear – there are a lot of health care and seniors' pieces within this act, but I've seen precious little appetite to actually improve the system in any way, shape, or form in the six or seven months I've been observing what is happening, both in my own constituency and across the province, with respect to, in particular, Seniors and Housing issues but as those intersect with health care. I'm seeing a few initiatives stuck in the mud such as the dementia care strategy, some aspects of the mental health strategy. In particular, the dementia care strategy: a lot of those folks end up in nursing homes, and they are affected by this bill.

The Chair: Are there any other members wishing to speak to the bill? The hon. Member for Calgary-Mountain View.

Ms Ganley: Thank you very much, Madam Chair. I am pleased to rise and speak to Bill 21. Of course, my colleagues have raised a number of different concerns about this particular bill, and I think I have had the opportunity to raise some concerns as well. I think there are many, many sections of this bill that concern me.

[Mr. Hanson in the chair]

In the main, in addition to the bill itself concerning me, the fashion in which it's being brought in concerns me. I think that these sorts of omnibus bills – and we have two of them before the House still and one which had passed through in what I would consider record time, in under three days, already. I think that that's a big concern because what this is designed to do is to ensure that the public doesn't have a chance to have understanding and to have input. I think that the point of democracy is for the public to have understanding and to have input, so when I see that it is the case that the government is attempting to evade that, it becomes a very big concern for me.

There are various different parts of this that continue to be a huge concern for me. One of the things, I think, that I wanted to draw to the attention of individuals is an amendment to the Provincial

Offences Procedure Act. It doesn't sound very exciting, but what it actually does – in this case, we're talking about returned fine revenue, and initially it was meant to go specifically, essentially, to the processing of those tickets. That was what the province's share was for. Now we're talking about just anything that not only improves the administration of justice but literally any government initiative. Essentially, what that does is that it removes the collars around that. At the same time, the government is taking back from municipal police services a significant portion of that revenue, and now we're not seeing it used to process those tickets. We're seeing it used for anything the government wants. This is essentially a money grab.

[Mrs. Pitt in the chair]

It's interesting that that would be coupled at the same time with stopping changes that we had made. Certainly, it was an initiative led by my hon. colleague the former Minister of Transportation to, as he put it, put the cash cow down humanely when it comes to photoradar. Certainly, we've seen the government make moves to back that off and to allow photoradar that is not based on safety to continue. I think that's a big concern for me, and particularly when coupled with this particular amendment in this bill, it is a concern.

There are a number of other, I think, concerns that I have with respect to this bill. Certainly, some of them having to do with impacts to the Labour Relations Code are of big concern for me.

One of the things that I thought we could do to try and at least improve some portion of this bill, since it is likely that the government will use its majority to move this bill forward one way or the other, is to move an amendment. I will wait for that amendment to make its way to the table.

9:40

The Chair: This will be known as amendment A3.

Hon. member, please proceed.

Ms Ganley: Thank you very much, Madam Chair. What the amendment does: I am moving that Bill 21, Ensuring Fiscal Sustainability Act, 2019, be amended in section 8(7), in the proposed section 8.1, by striking out "and" at the end of clause (c) and by adding, following clause (c), "(c.1) updates on the maintenance of existing capital assets, and."

Essentially, what this amendment is doing is that it's adding to that section the need for the government to report on the maintenance of existing capital assets. This is, in my view, important, because certainly one of the things I think that we've seen past Conservative governments do in an effort to make it appear that they are saving money without actually saving money is that they defer capital maintenance. I think that that's a real problem because ultimately it costs more money in the long run.

Certainly, my mother worked at the old cancer centre, the Tom Baker cancer centre, and for a number of years every time it rained, they pulled out the buckets because so little maintenance had been done that there were holes. The same thing happens here at the courthouse in Edmonton. The state of rural courthouses was quite abysmal, and there are a number of other buildings that are in that position.

Basically, in order to create what I would call a short-term win by making it appear that they've reduced spending, what actually gets cut is capital maintenance, and even though it appears to save money, it actually doesn't. This actually used to drive me crazy before I got into government – there were many things that drove me crazy, and this was one of them – because it's a shell game, right? It's essentially moving money around, making it appear that you've reduced the deficit, but you're doing it by failing to maintain

your infrastructure, which actually costs you more money in the long run, so in fact it doesn't save any money.

I think this is worth noting, and I'm happy to have someone table it at the appropriate time tomorrow. I'm referring here to the UCP's platform commitment which included transparency on this. I'm looking at page 29, which, again, I'm happy to table. We're talking about:

- . . . provide transparency on prioritization criteria, establish predictable funding levels, and ensure adequate maintenance of existing [needs].

There's also a portion that says:

- Prepare and publicly release an annual Government of Alberta Infrastructure Report, as part of the province's Annual Report, to provide detailed information to Albertans on the progress made in meeting the various commitments.

One of the things here we're talking about ensuring is adequate maintenance of assets. Given that this was a commitment that this government made, I see no reason why they would vote against it. Actually, I think it's a very good idea. Sometimes that happens in life, where the party that you stand opposite from suggests something in their platform that actually you agree with, and I think that's happened on a number of different issues, probably, across the House.

It is my hope that this particular amendment will be accepted by the government because I think that in the long term it helps us all. You know, I think this bill is supposed to be, at least according to the title, Ensuring Fiscal Sustainability Act – one might question, based on the clauses within the bill, whether that title is, in fact, accurate. If we're ensuring fiscal sustainability, if it really is the intention of this bill to ensure that long-term fiscal sustainability, I think this is a very good amendment because I think this amendment ensures that we're actually doing that, that we're not merely appearing to do that. I think that that's a very, very important thing.

You know, we talk about deficits – right? – and people look at the numbers. We can look at the deficit this year and see that it's \$2 billion bigger than the deficit was last year. That number is an accurate representation of a certain number of things, but there are also things that come outside of that. In addition to the actual deficit and the actual debt, we have to consider things like infrastructure debt and consider things like: what costs have we pushed forward?

This is one of the things – I mean, there are a number of things that are like this. When we fail to invest in education, when we fail to give elementary school students the support they need and, in fact, even younger than elementary school students, when we fail to invest in affordable child care for young children, when we fail to invest in high-quality programming, we see these adverse childhood experiences that make it difficult for those children to perform later in life. That results in vastly increased costs, vastly increased costs in terms of potentially winding up on government benefits instead of ending up being productive members of society, vastly increased costs in terms of having trauma and conflict that may ultimately lead them to come into conflict with the justice system, and then, you know, we see those increased costs in terms of incarceration, which is extremely, extremely expensive. It would be much, much cheaper to just fix the problem at the outset.

We see those costs, too, in terms of a failure to invest in affordable housing. If we don't invest in affordable housing, when we get, you know, further along, those individuals who are not housed are incarcerated, and that again becomes very expensive.

This is just one more instance of the same thing, where perhaps we're pretending to save money, but really we're not. When you have assets, when you have buildings and you don't do maintenance on them – say, the roof is supposed to be replaced periodically.

When you fail to do that, the roof starts leaking, and that damages the insulation, and that damages the walls. Ultimately, what you wind up having to do is far, far, far more expensive than that which you would have had to do in the first place. You know, essentially, you save \$100 this year, and five years from now you pay \$4,000. That's not saving money; that's a trick, and it's designed, in my view – and this was used very much under former Premier Klein and has been used by other sort of right-wing governments. It's very much used to appear to save money while, in fact, not saving money.

I think this amendment will assist the government not only in fulfilling its platform but also in ensuring that when we're talking about financial sustainability, that's really what we're talking about, that we're really, actually saving money. We're not just playing a shell game that makes us appear to save money when actually we're spending way more money. I think that that's something that Albertans were concerned about in the last election. I think it's something that Albertans are concerned about today. I think it's something that they are rightly concerned about. So I'm very hopeful that we'll see this amendment go forward.

With that, Madam Chair, I think I will close my comments on the amendment and urge all members to vote in favour of it.

The Chair: Any members wishing to speak to the amendment? The hon. Associate Minister of Red Tape Reduction.

Mr. Hunter: Thank you, Madam Chair. I would like to stand and speak to this amendment as moved by the hon. Member for Calgary-Mountain View. I was interested to hear the comments made by the member stating that Bill 21 is a shell game. I had to think about the idea that she sees this as a shell game versus the idea that when the NDP took office on May 5, 2015, they had a \$1.5 billion surplus provided for them. There was \$13 billion of debt, but they had over \$6 billion in a rainy-day fund as well, and they went from \$13 billion in debt to \$63 billion in four years. That is a shell game.

9:50

The truth is that what they've done is put so much pressure now because of the cost of servicing that debt that rather than taking the \$2 billion or \$3 billion that has to be used to service that debt to actually build schools and to provide for that capital investment or infrastructure deficit, as she calls it – we can't do that anymore. We have to send that over to Toronto, to bankers and bondholders. That is a shell game, Madam Chair. This is the place that the NDP has put us in, which is interesting because now they're saying: well, we've got to make sure that we keep maintenance costs and spending going.

Well, Madam Chair, I'm still interested to see the shadow budget that the NDP is going to be bringing out. Based on the information that they've been sending to us, Albertans don't believe that they had any credible ability to balance the budget in four years. So it's left up to us to be able to make some very difficult decisions. This was not an easy task, to be able to get to where we're at, but it was a reasonable approach that we took, finding 2.8 cents on the dollar of savings. Based upon being able to go out and consult with Albertans, we saw that they saw this as a reasonable approach. But, again, there has to be some things that we have to do to be able to bring our spending back in line.

So, Madam Chair, I do recommend to my hon. members that they don't accept this amendment, that they do not vote for this amendment. The NDP had their four years to prove to Albertans that they were going to be fiscally responsible. For them to now say that they're going to try to micromanage how we are fiscally

responsible, I think, is disingenuous on their part, and I would recommend that the members do not vote in favour of this.

The Chair: Any members wishing to speak to amendment A3? The hon. Member for Edmonton-Glenora.

Ms Hoffman: Thank you very much, Madam Chair and to my colleague for bringing forward what I think is a very reasonable and fair amendment. This certainly is about making sure that we maintain the existing capital assets we have as a province.

When I think about capital assets in my riding, I think about the many, many schools that exist, and for good reason, in Edmonton-Glenora. A lot of young families live in the riding. A lot of programs that draw students from across the city and capital region are in the riding. We have schools like Edmonton Christian west and Mac, which is the only French immersion Catholic high school on the north side. We also have Ross Shep, the other French immersion public high school on the north side. When I think about these buildings – both Mac and Ross Shep had renovations recently. Shep's is just about finished, thank goodness. It's been a long haul and something that I'm really glad is finally coming to a conclusion. When it was put on the capital list as a priority for a modernization, it was, I would say, long overdue.

This is something that – I think it's important to have updates about maintenance and existing capital assets so that we as a province, we as the owners of that facility know and understand what the checks and balances are for it and make sure that we maintain these capital assets that we all own. I emphasize "that we all own" because we do have a shared responsibility and a shared opportunity, I think, when it comes to public infrastructure. When I also think about other facilities like the Misericordia hospital, technically outside my riding but certainly a west Edmonton hospital that has punched far above its weight for many, many years and has been long overdue for a new emergency department in particular and other phases of redevelopment on that site, which, I would assert as well, must be a priority, I think it's only fair for us to report publicly and make sure that we are accounting for deferred maintenance that happens in our public assets as well.

We'll hear different numbers from different folks about what the deferred maintenance actually is, which is why I think having updates that are in a standardized provincial process in accordance with this proposed amendment makes the most sense. Some folks, when they count deferred maintenance, count asbestos abatement; other folks don't. Certainly, there would be very varying reports on what those liabilities would be as well as what the asset is valued at at any point in time.

When I'm talking about the schools and the hospital that serve my riding, for the most part I'm not saying that because this is something that only applies to me. Certainly, we know that every single one of my hon. colleagues in this place, Madam Chair, has schools in their riding, and we want to keep it that way. We want to make sure that we are holding to account the government for maintaining education funding and maintenance funding and doing replacement planning in a reasonable way.

I can't help but draw the parallel between us saying that we want to have updates on maintenance and existing capital assets as part of this bill and parallel legislation that we have. For example, when I lived in a condo and was on the condo board, there were requirements that we have a regular, ongoing, updated plan about what the long-term plan was for maintaining the building, our shared asset, we as owners in that facility. We as owners in provincial capital, I think, deserve the same. I think we deserve to know where we're at in terms of risk liability, maintenance, and assets. I think that that is fair and reasonable as owners of public

assets, whether it's a home that you share as a communal asset among other condo owners or whether it's essential public services that we count on in our communities and throughout our province.

I think that this amendment is very fair and reasonable. I think that it's something that is worth due consideration of this House. You know, we've had one government member speak to it, and I would certainly welcome hearing opinions from others because I think many members of this House ran because we wanted to be good stewards of the public purse – hopefully, all members who ran for this Assembly wanted to be good stewards of the public purse – to make sure that we maintain and improve the condition for all, something that we literally say a prayer for every day in this House, and that we do so in a way that gives us the best information to be able to hold one another and ourselves to account in that effort.

Those are some of my main comments with regard to this specific amendment. There are many other pieces in this bill that I think warrant continued conversation and scrutiny. Certainly, this is one of the heavier bills this session, both in terms of the actual weight of the bill itself – it's 66 pages – as well as the number of different pieces that it amends. This is not something that anyone, I think, should take lightly. Sections like the Seniors Benefit Act, sections like the Public Service Employee Relations Act, not sections that I recall being talked about much on the campaign trail: there are many pieces in here that seem to have slid in under this, what many are calling an omnibus bill.

I think that it's important that we have due consideration and that the government entertains important amendments that increase transparency, accountability, and public reporting on things like capital assets that we have in this province. Those are some of the main points that I wanted to make at this point in debate, specifically as they relate to this amendment. I'm happy to discuss the bill and other amendments should they surface.

I hope that reflection upon some of those important public assets in individual ridings as well, I might add – actually, let's do another one. We're in a building right now that has scaffolding on it, and I'm sure many members of this Assembly, like me, thought: "What is happening to this building? What are the kinds of improvements that need to be made?" Particularly at this time we know that there is so much discussion around fiscal accountability, so I think it would be beneficial for the government to take the opportunity to have this kind of fair and open transparent reporting to the public about public assets, because I'm sure there is very good reason why there is scaffolding around the Legislature right now, doing work on this building, but I would certainly feel better if it was discussed and reported very publicly and we were all able to understand why that is.

I know that it's hard for a lot of folks, when they're seeing layoffs in the public as well as the private sector, to understand why government would be spending money on things like buildings, which is why I think increasing reporting about things like deferred maintenance and existing capital assets would be beneficial to all of us when we're understanding and holding to account the government for decisions it makes on its use of capital assets.

Those are some of my comments with regard to this particular amendment, and I look forward to hopefully hearing from other members of the government as to why they might be voting the way that they possibly could be. Thank you.

10:00

The Chair: Any other members wishing to speak to amendment A3?

Seeing none, I'll call the question on amendment A3 as moved by the hon. Member for Calgary-Mountain View.

[Motion on amendment A3 lost]

The Chair: We are now back on the main. Are there any members wishing to speak?

Mr. Schweitzer: Madam Chair, I move that the committee rise and report Bill 25 and Bill 27 and report progress on Bill 21 and Bill 20.

The Chair: Hon. minister, just to confirm, you want to rise and report on bills 25 and 27 and report progress on 20 and 21?

Mr. Schweitzer: Correct.

The Chair: Okay.

[Motion carried]

[The Deputy Speaker in the chair]

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

Mr. Hanson: Thank you very much, Madam Speaker. The Committee of the Whole has had under consideration certain bills. The committee reports the following bills: Bill 25 and Bill 27. The committee reports progress on the following bills: Bill 20 and Bill 21. I wish to table copies of all amendments considered by the Committee of the Whole on this date for the official records of the Assembly.

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

Hon. Members: Aye.

The Deputy Speaker: Any opposed, please say no. So carried.
The hon. Minister of Justice.

Mr. Schweitzer: Thank you, Madam Speaker. We've made a lot of progress here today. I like to see that, people working together to get that done. I move that we adjourn the Assembly until tomorrow, November 27, at 9 a.m.

[Motion carried; the Assembly adjourned at 10:03 p.m.]

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