



Province of Alberta

The 30th Legislature  
Second Session

# Alberta Hansard

Wednesday afternoon, April 1, 2020

Day 13

The Honourable Nathan M. Cooper, Speaker

## Legislative Assembly of Alberta

### The 30th Legislature

Second Session

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Milliken, Nicholas, Calgary-Currie (UCP), Deputy Chair of Committees

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Copping, Hon. Jason C., Calgary-Varsity (UCP)  
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Dang, Thomas, Edmonton-South (NDP)  
Deol, Jasvir, Edmonton-Meadows (NDP)  
Dreeshen, Hon. Devin, Innisfail-Sylvan Lake (UCP)  
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Horner, Nate S., Drumheller-Stettler (UCP)  
Hunter, Hon. Grant R., Taber-Warner (UCP)  
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LaGrange, Hon. Adriana, Red Deer-North (UCP)  
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Yao, Tany, Fort McMurray-Wood Buffalo (UCP)  
Yaseen, Muhammad, Calgary-North (UCP)

#### Party standings:

United Conservative: 63

New Democrat: 24

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Singh  
Smith  
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## Legislative Assembly of Alberta

1:30 p.m.

Wednesday, April 1, 2020

[The Speaker in the chair]

**The Speaker:** Hon. members, please be seated.

### Members' Statements

#### COVID-19 and Religious Observances

**Mr. Amery:** Mr. Speaker, it is hard to believe that it is already early April. Despite what the weather report in my riding would suggest, spring is around the corner here in Alberta. The arrival of spring brings with it the preparation for important holidays for many religious communities. Occasions like Ramadan, Easter, and Passover are cherished times that are usually celebrated with family and friends joining together to share a meal or gathering in their place of worship with members of their community. It is something that many of us look forward to after enduring the cold winter months here in Alberta.

Mr. Speaker, the COVID-19 pandemic has caused all of us to adjust these traditions for the sake of public safety and physical distancing. This will be a challenge. Though these are trying times for our province, we've come to rely on our faith communities for guidance and comfort. The act of attending a sermon or joining in a prayer can be central to coping with the fears and uncertainty caused by this pandemic.

The good news is that we can still enjoy these cherished times. Even though we must be physically distant, that does not mean that we must be spiritually or socially disconnected. Many faith leaders have already transitioned their regular services and messages to online platforms where physical gatherings are not possible. Even though our daily lives have changed, our religious observances need not suffer. In fact, these observances are now more important than ever for many Albertans and can bring comfort as we come to terms with the unprecedented challenges that the COVID-19 pandemic has created in each of our lives.

Mr. Speaker, the sacrifices that Albertans have made are truly impressive. By connecting virtually instead of physically, we can connect with our families and communities while helping to save lives.

Thank you.

**The Speaker:** Hon. members, as way of a reminder, unanimous consent was granted earlier in the day to provide members the opportunity to sit, vote, and speak from any seat in the Chamber to allow for the appropriate social distancing.

#### Education-sector Layoffs

**Mr. Sabir:** Mr. Speaker, two weeks ago this government promised that through this crisis schools would be properly funded. In fact, the Education minister stood in this very House saying that "the well-being and safety of [teachers and students were] paramount" to her. But on Saturday afternoon, without any warning, the minister announced via press release and three tweets that at least 20,000 plus of the very same educational assistants, substitute teachers, bus drivers, and support staff that she had praised in this House and vowed to make their safety and well-being paramount were going to be laid off.

Since the pandemic began, teachers and support staff had been working hard to continue to provide online learning for their students and support them through this difficult time. I've heard

directly from families that staff were working hard to get lesson plans and even deliver food to students who needed it. They, Mr. Speaker, were stepping up to the challenge that this pandemic has presented to them, but this government hasn't done the same. Instead of supporting teachers and staff during this pandemic, they were doubling down and cutting their funding and laying them off.

This government cannot claim that they are trying to create jobs or help the economy when they are solely responsible for one of the biggest layoffs in the history of our province. Instead of focusing on protecting jobs and helping Albertans with the pain of this economic and health crisis, they're making it worse, plain and simple. Mr. Speaker, Albertans expect and deserve far better than this from this government.

Thank you.

**The Speaker:** The hon. Member for Calgary-East has a statement to make.

#### COVID-19 Related Public Health Orders

**Mr. Singh:** Thank you, Mr. Speaker. Yesterday we heard the tragic news that another Albertan had died from complications related to COVID-19. On behalf of all members of this House I would like to extend my deepest condolences to this person's family and friends in this difficult time. The news this week of multiple deaths across the province from COVID-19 is heartbreaking and underlines the seriousness of the disease that we are fighting. Each of these people had a life, and they will be dearly missed by their loved ones.

This is not a joke. To those that think that the public health orders do not apply to them: the lives of your neighbours, parents, colleagues, or friends rely on you doing your part in following public health orders. The reality is that every cancelled gathering, every video call replacing a social visit, and every decision to stay home instead of going into public will slow the spread of COVID-19. Every decision, however small, could prevent the transmission of this horrible death to the most vulnerable.

This week the Angus Reid poll found that 1 in 6 Albertans still considers the response to the COVID-19 pandemic to be overblown. The same poll found that those who are the most skeptical of the sweeping measures in place to contain COVID-19 are also the least likely to engage in hygiene and distancing actions like frequent handwashing, avoiding handshakes or hugs, and staying away from public spaces. This is concerning news as our public health rules will only save lives if Albertans follow them closely. Now is not the time to be selfish. Each decision that we make will either help or hurt our province's ability to fight this disease. Now is the time to come together and help prevent the spread of COVID-19.

Thank you, Mr. Speaker.

#### Education-sector Workers

**Member Irwin:** His name was Gerry. He was the kindest man. He was always there. He would make me feel like what I had to say mattered even though I was just a silly kid. My friends and I would look for him after school knowing that he would likely have a funny story or some of his trademark Twizzlers to offer. Who was Gerry, you ask. He wasn't the school principal. He wasn't a teacher. Gerry was a school custodian. He went by Gerry the Janitor, and like so many educational workers he did an incredible job every single day without fanfare. Many years later I still think about Gerry and all those who left an indelible mark on my K to 12 education in Barrhead. I know there are thousands of Gerrys out there. These are

our educational assistants, our librarians, our bus drivers, our office administrators, and our custodians. These are real humans to whom we owe so, so much. But to the UCP they're nothing but numbers.

Since the Education minister insists that some of these folks aren't essential, I'd like to ask her to help me to respond to some of the countless people I'm hearing from. What do I say to the EA who's been working remotely nonstop since COVID began, supporting her students in tandem with her teacher colleagues, just to ensure that her students, many with complex needs, are cared for? What do I say to the librarian who's just learned that she's nonessential but has been providing learning support through links and resources for teachers in her school from the minute they were told to work from home? What do I say to the bus driver of over 20 years who has shown up for work every day, loves her job, can't imagine doing anything else, and has been helping to transport food and other supplies?

These are real stories I share with you. I ask you – we ask you – to rethink your decision. Please, if not for all those folks, for our students. To all those who have lost your job: we're so grateful for you. We are here for you, and we love you. And, Gerry, even though I haven't seen you in decades, thank you.

**The Speaker:** The hon. Member for Red Deer-South.

### COVID-19, Self-reliance, and Economic Recovery

**Mr. Stephan:** Thank you, Mr. Speaker. Better days are ahead. Wise preparations result in superior outcomes. Alberta must prepare to compete as a jurisdiction to live and work in so that as better days arrive, and they will, Alberta individuals, families, and businesses will benefit.

The government's announcement to provide short-term support to complete the Keystone pipeline is prudent preparation. It maintains Alberta's position as an integral partner, preserving long-term energy self-reliance in North America. This is in opposition to the current predatory dumping by state-controlled producers whose collateral overarching aim is to take away our self-reliance. Mr. Speaker, it is in the public interest to protect self-reliance. Self-reliance allows us to act and not to be acted upon.

1:40

Mr. Speaker, families, friends, and neighbours provide opportunities to act, to serve in love, with patience and by example. For many, faith is an unfailing anchor of strength, peace of conscience, and clear perspective in these times. Faith allows us to see and feel the hand of providence through such times. COVID will pass. Better days are ahead.

Thank you.

**The Speaker:** The hon. Member for Edmonton-Mill Woods is rising.

### Emergency Isolation Support Program

**Ms Gray:** Thank you very much, Mr. Speaker. This UCP government has broken faith with Albertans. A few weeks ago this Premier said that his government was "doing everything we can to keep cash in people's bank accounts." Given the ongoing difficulties experienced by countless Albertans trying to access this government's new emergency isolation support program, it would seem the Premier's idea of "doing everything we can" actually amounts to doing very little.

My colleagues and I have received volumes of correspondence from people who've repeatedly found the emergency isolation support website either offline or in a state of backlog, with client queues reaching as high as 40,000 people, Albertans all waiting at the same time. I have received countless reports of people losing their place in this tremendous digital line due to repeatedly failing government of Alberta technology. And for those lucky few who

do make it through this unusually fraught technical gauntlet, there awaits a nasty surprise at the end: the realization that despite their own very dire circumstances, the UCP government has constructed the emergency isolation support program to be very restrictive, and many desperate Albertans who assumed they would qualify for supports are finding out that that is not actually the case.

When it was first envisioned, the government described the emergency isolation support as a bridge, a program designed to ensure that Albertans impacted by COVID-19 related events would have a financial backstop until the new federal government support programs came online. Unfortunately, it turns out the program is more of a cliff than a bridge, and far too many Albertans are finding themselves stranded without the fiscal means to reach the other side.

It is not too late for the UCP government to do right by Albertans, to make good on their earlier commitment of direct financial support. I encourage this government to immediately ease the overly restrictive criteria to ensure that more affected Albertans can quickly qualify for these important funds, and I call on this government to finally fix the technical issues that have been plaguing this program. Albertans are counting on you.

**The Speaker:** The hon. Member for Sherwood Park.

### COVID-19 Response and Economic Recovery

**Mr. Walker:** Thank you, Mr. Speaker. COVID-19 has had sweeping, damaging effects on Albertans. I have heard from many of my constituents in Sherwood Park on how their families and their businesses have been affected by this pandemic. Our government has brought forward solutions to prioritize the health of Albertans and bring financial relief. We have declared a public emergency and made an additional \$500 million investment towards health care to ensure that Alberta's public health officials have the resources they need to deal with this pandemic. We have also allocated an extra \$60 million to help social services organizations respond to the critical front-line services. We have taken measures to protect renters from eviction, rent increases, and late fees as part of a \$7.7 billion package to relieve the immediate financial burden brought on by the pandemic.

For many Albertans their financial struggles did not begin with the arrival of COVID-19. For the past five years we have had economic stagnation in this province. We are currently facing the lowest energy prices in decades. Mr. Speaker, make no mistake, the day will come when the pandemic will end, and we will have to have a plan in place focused on moving our economy forward. We need to take action with a plan focused on jobs, the economy, and pipelines.

Yesterday, after the culmination of six months of negotiation, our government announced a bold economic recovery plan with a \$1.5 billion equity investment in the completion of the Keystone XL pipeline this year, followed by a \$6 billion loan guarantee next year. This pipeline will provide at least 830,000 barrels per day of crude oil to the Gulf coast refineries and will create around 7,000 jobs in Alberta this year.

Mr. Speaker, our government will continue to take action for the COVID-19 relief effort we need now and work towards getting our economy back on track for the future. Thank you.

### Dickinsfield Amity House Preschool Program

**Mr. Nielsen:** Mr. Speaker, today I would like to speak about a nonprofit organization in Edmonton-Decore called Dickinsfield

Amity House. Dickinsfield Amity House has been providing resources and support services to the wider north Edmonton community since 1972 and has been an enormous help for so many underprivileged individuals and families that I represent. Whether providing child care and education for young families and their children, advocating for people with disabilities, or running their food and clothing programs, Amity House has a long history of working for the people of Edmonton-Decore.

Mr. Speaker, you can imagine my disappointment and frustration when I learned on Monday that an extremely popular teaching tots education preschool program would be cancelled as of March 31, yesterday. Deep cuts in the UCP's rushed Budget 2020 have led to a lack of funding, and Amity House is no longer able to cover the costs of the preschool learning program even with a very generous private donor. This loss will have serious impacts on families in the community who access their services. Although the ongoing COVID-19 global pandemic has resulted in the sensible closure of schools and child care centres across the province, it is still important to look to the future. There will always be a need for high-quality and affordable child care to ensure Alberta's next generation learns skills they need to succeed.

Let me be clear, Mr. Speaker. The cuts forcing the program to close were made a part of this government's initial plan, well before this addressed the COVID-19 crisis. This is just another example of this UCP's priorities while they continue to leave children and their families behind.

#### Support for Businesses Affected by COVID-19

**Mr. Barnes:** COVID-19 has caused major issues for all of us in every aspect. In-school classes are cancelled, out-of-home recreation centres are closed, nonessential businesses are shut down, and our health care workers are labouring tirelessly to combat this. To all of our health care workers: I salute and thank you.

Today, however, I speak on the matter of businesses that are affected. Running a business has risks. Every entrepreneur knows this and puts plans and contingencies in place. However, I think it is safe to say that none of us saw something like this coming. Some businesses have been able to adapt somewhat through online communication with their clients, but others are left with nothing to do but to wait it out. Our businesses are what drive our economy, from the large corporations down to the small businesses on the street corner. As one who believes in free enterprise and its value to society, it pains me to see our businesspeople put in this situation, where they are helpless to do what they do best, create wealth and jobs for all Albertans.

I am grateful to be a part of a government that understands this and has reached out with several methods of support such as deferral of taxes, workers' compensation premiums, and support for government workers. I'm also grateful for the wage subsidies brought in by the federal government for these businesses and workers as well. This is not something I would normally support, but these tough times call for such things and will be of great benefit to businesses, employees, and their families. These things will be key in helping them and our economy recover. I encourage all levels of government to continue to find effective and innovative ways to make the present situation and our future as affordable as possible for businesses, families, and communities.

These are extraordinary times; there is no doubt. We do not know the future, but we do know that Alberta businesses will meet all challenges, as they have in the past, with skill, innovation, and compassion. The people of Alberta thank them.

#### Tabling Returns and Reports

**The Speaker:** Are there any tablings today?

Seeing none, I do have a couple of tablings myself. I have the requisite six copies of correspondence from the Government House Leader relevant to the scheduling of House business, including memos received by my office. That also includes a memo, received today at 12:45, which states, "Please accept this memo as notice required pursuant to Government Motion 10, agreed to on March 17, 2020, that the public interest requires the Assembly to sit beyond the normal adjournment hour on Thursday, April 2, 2020." I will also be circulating that tabling via electronic message to all members this afternoon.

Having said that, it is now 1:50.

1:50

#### Oral Question Period

**The Speaker:** The Leader of Her Majesty's Official Opposition has the call.

**Ms Notley:** Thank you very much, Mr. Speaker. Allow me again to begin by offering our condolences to the families of all Albertans who have been lost to COVID-19 and our sincere gratitude to all the front-line health workers and essential workers across this province who are working so hard.

#### Emergency Isolation Support Program

**Ms Notley:** Now, Mr. Speaker, the Premier's emergency isolation support is broken. Thousands of people can't apply, and thousands more are being rejected. The Premier promised to bridge the gap, but instead he's walking Albertans to the edge and then telling them that the bridge is out. Albertans are asking for help. Why is the Premier not offering that help?

**Mr. Kenney:** Mr. Speaker, I join the Leader of the Opposition in expressing, first of all, our condolences to the loved ones of those whose lives have been lost as a result of coronavirus and our deep concern for all of those who are hospitalized and our gratitude for all of our health care front-line and other essential services workers.

It's regrettable that this remains the only opposition in Canada which is seeking to politicize the coronavirus crisis. Mr. Speaker, it's not the Premier's emergency isolation payments; it's the government of Alberta's emergency isolation payments. I understand that we've now paid out over \$50 million in those supports, and we'll continue to provide that as a bridge until federal EI benefits kick in.

**Ms Notley:** Well, Mr. Speaker, if asking the government to account for the programs they have announced is politicized, then I'm happy to be politicized.

Now, John Michael Burke told Global News that he's been trying to apply for six days. When he calls for help, no one answers. Bryce Krynsky told CTV News that he waits in a virtual queue behind 25,000 people, only to get an error and then be bumped back to the end of the line. He says, "There's obviously a lack of support for this system." So, Premier, how is this an emergency support if no one can access the emergency support?

**Mr. Kenney:** Mr. Speaker, what the opposition leader said is just manifestly false. I just reported a moment ago that we passed \$50 million in emergency isolation payments, more than originally budgeted, but the Leader of the Opposition just said, quote: no one

can access it. We can get an update on the number. I think it's north of 20,000 people who've accessed . . .

**An Hon. Member:** Over 40.

**Mr. Kenney:** Over 40,000 people have accessed these payments. That is not no one, and it's unfortunate that the opposition leader is attacking our public servants, who are doing their best under trying circumstances to get these payments processed.

**Ms Notley:** Well, Mr. Speaker, I will continue to ask this government to account for the thousands and thousands of Albertans who can't get this support; 40,000 is 1 per cent of the province, and many, many more people are asking for it: people on AISH, parents staying home with their kids, people who've been sent home by employers who are closing their businesses. They need help now, not later. Edmonton business owner Victoria Stevens closed her doors. She told the *Journal*, "I'm falling through the cracks because I did the right thing." Premier, you promised you would be there. Your criteria are exceptionally narrow, and people are left behind. Why?

**Mr. Kenney:** Mr. Speaker, ours was the first province in Canada to act with emergency support payments, and I am pleased to see that over 40,000 people have benefited. We've gone considerably past the budgeted amount. The federal government has announced extraordinary employment insurance benefits, including for those who've been laid off because of COVID, and those payments will be available within five days. Our system will continue to try to process those applications as quickly as we can.

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

#### Education-sector Layoffs

**Ms Notley:** Mr. Speaker, yesterday this Premier went on TV to claim that the 20,000 EAs that he fired were, quote, not working. Here's what not working looks like: delivering paper lessons to students who don't have access to the Internet at home, adapting lesson plans and communicating on behalf of nonverbal students, supporting kids with autism to stay calm and focused on their learning when they're anxious and they're scared. Premier, you are wrong. These people were working. Will you apologize to the families who depend on them and reverse this decision?

**Mr. Kenney:** Mr. Speaker, I understand that many of those teaching assistants who were fully engaged have stayed on with the school boards, but the Minister of Education was approached by a number of superintendents and boards asking for guidelines on what to do with staff who were no longer working as a result of the decision of the chief medical officer to suspend our schools. I want to remind the NDP that they were asking to shut down the schools before the public health officer recommended that that happen. Inevitably, this has meant that a lot of people are not working. Yesterday the cities laid off thousands of library and rec centre workers. This is the sad reality in which we now find ourselves.

**Ms Notley:** Mr. Speaker, keeping kids at home does not mean stopping their education. Their education is ongoing unless you have a special need, thanks to the decision taken by this Education minister. Now, the Premier also told CTV that he gave notice to school boards before he fired their staff. That's not true. What he did do was promise them their funding would remain intact and then two weeks later broke that promise, thereby creating huge amounts of chaos for school divisions across the province. Will he admit he's wrong, that he did not give notice, that he did create chaos, and

reverse the short-sighted decision for these very, very vulnerable kids?

**Member LaGrange:** Mr. Speaker, this decision was not made lightly. It was something that we struggled over, but at the end of the day the unfortunate reality is that we cannot afford to continue paying for buses and services that are not required for in-person classes as they are cancelled. The money needs to be spent on our COVID-19 response. It is only a temporary measure, and teachers and other staff such as speech-language pathologists, occupational therapists, mental health workers, physiotherapists, and PUF EAs will continue to provide those specialized supports.

**Ms Notley:** Well, that's not true, Mr. Speaker. They're not, because they've just been told they've been laid off.

Here's the thing. Classes never stopped. Lots of teachers are video conferencing so they can keep teaching from home, and EAs are trying right now to be there so no one is left behind, especially special-needs students. Inclusion Alberta says that this Premier is treating children with disabilities like they're undeserving of help, like people with disabilities are not Albertans. That's what they say. Premier, once again, why is your government hurting special-needs kids the most? Why won't you reverse this decision and support these kids at the time they need our support the most?

**The Speaker:** The Minister of Education has risen.

**Member LaGrange:** Thank you, Mr. Speaker. This pandemic has changed how we all are doing business, especially education business. Like the private sector, we are adapting to a new reality. As I've said, the program unit funding continues to flow to school authorities so that they can tailor their services to continue supporting our most vulnerable students. Teachers and other staff, including speech-language pathologists, occupational therapists, mental health workers, physiotherapists, PUF EAs, will continue to provide specialized supports and services to our students. I want to stress: this is only a temporary measure.

**The Speaker:** The Leader of the Official Opposition for her third set of questions

#### Health Minister

**Ms Notley:** Well, Mr. Speaker, today we see renewed calls for the resignation of the Member for Calgary-Acadia. Experts have described the member's breach of the constitutional principle of ministerial responsibility, the amplified importance of this issue in the face of a pandemic, and the abuse of ministerial authority to threaten citizens for exercising their democratic right of free speech. Now, the Premier has an obligation to protect the health and safety of Albertans before his own political interest of protecting an incapable minister. To the Premier: why won't he put Albertans first and remove the Member for Calgary-Acadia from the role of Health minister?

**Mr. Kenney:** Mr. Speaker, it is truly regrettable to see that this is the only opposition leader in the country, I think, with the exception of her NDP counterpart in Manitoba, who does not grasp the moment that we are in. She just issued a press release speaking about, quote: a dangerous war on doctors, a systematic upheaval. This kind of inflammatory and bellicose hyperpartisan language is completely inappropriate in the circumstance in which we find ourselves. Doctors continue to get compensated fully for . . .

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



**Ms Notley:** Well, Mr. Speaker, rather than be accountable, the Premier attacks those who would hold him accountable. No big news there. Nowhere in Canada, speaking of other parts of Canada, have we seen a Health minister use his ministerial authority in the middle of a pandemic to threaten, harass, intimidate a doctor at his home at night. For these reasons, this member has lost the confidence of the people of Alberta, who themselves need that confidence now more than ever. Why won't this Premier do the right thing, stand up for Albertans, and replace the minister with someone capable of earning Albertans' trust?

2:00

**Mr. Kenney:** Mr. Speaker, speaking to an acquaintance and neighbour about defaming one's spouse does not constitute ... [interjections] Listen to them heckling, Mr. Speaker. They have no sense about the moment we are in.

For a member of this place to approach a neighbour and acquaintance to raise a concern about the defamation of their spouse is not an abuse of one's public authority. It is what any normal person would do, and I am proud to say that this Minister of Health has my full confidence and that of this government as he continues to do remarkable work in the midst of this pandemic. [interjections]

**The Speaker:** Order. Order.

**Ms Notley:** Wow. Mr. Speaker, you know, the Member for Calgary-Acadia's temper is of some note in medical circles. The Premier may want to set his Google alert or, better yet, ask him if he's yelled at other doctors. He might be surprised. This member engaged in bizarre, intimidating, and retaliatory behaviour. By refusing to remove him, it is very clear that the Premier is condoning it and sending a chilling effect to all front-line care providers at a time when they need to know that their boss has their backs, not the backs of their friends and insiders. So, Premier, why will you not have the backs of front-line health care providers and remove this minister?

**Mr. Kenney:** Mr. Speaker, before any provincial government in this country we surged half a billion dollars of additional funding to the health care system to support our front-line workers as they deal with the pandemic. Now, that has nothing to do with how outrageous it is that the NDP amplified an online campaign of harassment, abuse to the point of death threats against the spouse of an hon. member of this place. Why haven't they joined with us in condemning those attacks?

**The Speaker:** The hon. Member for Edmonton-City Centre has a question.

**Mr. Shepherd:** Thank you, Mr. Speaker. What I will do is read from a letter I received from a front-line doctor working in a Calgary hospital:

I risk my safety and possible exposure to my family every day. I'm not asking for an award or thanks. This is my job.

However ... I am absolutely disgusted by our Health Minister and [I] cannot tolerate his behaviour any further ... This is not becoming of someone in public office. I am risking my life for work for a Health Minister that is acting like a child and worse, a bully.

Mr. Premier, what do you have to say to this doctor?

**Mr. Kenney:** Mr. Speaker, I have to say that asking a neighbour and acquaintance to delete a social media post accusing one's spouse of defamation and corruption is what any normal person would do. I don't think that the right of somebody to defend the honour and integrity of their spouse is suspended just because they take up the duty of public service.

**Mr. Shepherd:** Another Calgary doctor wrote, and I quote:

I am deeply concerned about the conduct of the Health Minister ... It is increasingly apparent that he does not have the temperament, requisite knowledge, or even [the] qualification to be at the helm of the Health portfolio. He shows a complete lack of respect to health professionals (physicians, nurses, and other health care workers alike). He has repeatedly attacked these groups and assigns us blame without factual justification for the province's financial woes.

Mr. Premier, what do you have to say to this doctor?

**Mr. Kenney:** Mr. Speaker, the Minister of Health at various times has pointed out that the compensation of physicians in Alberta is significantly higher than in other provinces. It has grown faster than health inflation, inflation generally, growth in our economy, our population, our health care system generally, to point out that there has been a need for general restraint. Now, the minister has also shown flexibility by deferring any change to the rules around complex modifiers and increasing payments for on-phone consults to help ensure primary care physicians can help during the COVID ...

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

**Mr. Shepherd:** Thank you, Mr. Speaker. A doctor in Rimbey wrote, and I quote:

I will continue to serve on the front lines as we battle COVID-19 but also to oppose the devastation this government is levying against health care in Alberta. I will always protect the system and network of professionals that are here to protect you and your family from illness and harm. I took an oath in medical school, a commitment to serve, and unlike our current leaders, I take that commitment seriously.

When will the Premier remove that member from his post?

**Mr. Kenney:** I won't, Mr. Speaker. I stand by one of the most capable ministers of Health that this Assembly has ever seen.

When will the member opposite stop the inflammatory rhetoric in the midst of a historic pandemic? He just said that the health care system is, quote, being destroyed. He issued a press release referring to a, quote, dangerous war on the health care system, a system where physician compensation is not being cut by 1 cent, where we've just increased the budget by half a billion dollars, the most expensive health care system in the history of this province and, on a per-capita basis, in the entire federation.

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

### Energy Industry Concerns

**Mr. Yao:** Thank you, Mr. Speaker. Our world is facing an unprecedented time of fear and uncertainty. It's interesting times indeed. The outbreak of the COVID-19 virus combined with the effects of the oil price war have the potential to devastate our economy, our communities, and our families. This combination of international crises has caused our oil revenues to fall to record lows. To the Minister of Energy: how will this government protect our energy industry from further devastation?

**Mrs. Savage:** Well, thank you for that question. You're certainly right. We are in uncharted waters. Canada's economy is expected to contract by 2.5 per cent. There have been \$6.5 billion in capital cuts to the energy sector, \$150 billion lost in the value of shares. By

some estimates we might be as much as 20 million barrels a day oversupplied. Mr. Speaker, we are actively working with industry to develop workable policies to get us through this.

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

**Mr. Yao:** Thank you, Mr. Speaker. In my constituency, given that lodging at oil camps often requires workers to remain in close proximity to one another in the cafeterias and common areas and that the current health protocols require all individuals and businesses to comply with preventative measures against the COVID-19 such as physical distancing, to the Minister of Energy: what are the government's plans to ensure that work camps are still able to remain operational while being compliant with current health orders?

**The Speaker:** The Minister of Energy.

**Mrs. Savage:** Well, thank you, Mr. Speaker, and thank you for the question. This is a very serious issue, and I know that everyone in the Chamber is not taking this lightly. My ministry is working with the Ministry of Health to deal directly with work camp operators, oil and gas companies, and organizations such as the oil sands alliance to ensure that these sites remain safe. Steps are being taken by industry around social distancing. There's a new way to deliver food services to these camps. They're checking for symptoms, and they're dealing with new ways to transport workers in and out.

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

**Mr. Yao:** Thank you, Mr. Speaker. It is given that Alberta's economy remains heavily tied to our energy industry and that this oil price war will negatively affect Alberta energy companies. Our government is implementing different strategies to provide economic relief to families and individuals and businesses to alleviate the effects of COVID-19. Will the Minister of Energy be able to support the hydrocarbon sector to help them through this difficult time?

**The Speaker:** The Minister of Energy.

**Mrs. Savage:** Thank you, Mr. Speaker. The answer to that is yes. We're working on priorities to support our oil and gas sector. We're focusing on liquidity, jobs, and investments, trying to get them through to the other side. We're looking at ways to help the industry reduce their operating costs, things like waiving the AER levy for six months. We're taking action to increase flexibility under leasing tenures. We've given them tax relief. We've deferred the WCB fees. We're cutting red tape with an immediate focus on reducing operating costs, setting the stage for recovery.

**The Speaker:** It's always a pleasure to see the hon. Member for Fort McMurray-Wood Buffalo but particularly on this very special day.

The hon. Member for St. Albert.

### Calgary's Proposal for Homeless Persons' Housing

**Ms Renaud:** During this pandemic it's critical that we prevent community transmission in our most vulnerable populations. The cities of Toronto and Vancouver have secured hundreds of hotel rooms to house their homeless population. Calgary had a plan to house the homeless in hotels but was overruled by the Minister of Community and Social Services claiming that suicide mitigation

retrofits to hotels were needed. Why is the minister blocking a plan endorsed by some of Canada's largest cities to protect homeless populations?

**Mrs. Sawhney:** Mr. Speaker, I know that there is tremendous worry and concern across the province about our vulnerable populations and the homeless sector, and I share that concern as well. That's why it's important for the government of Alberta to be as transparent as possible in sharing what measures we're undertaking. In my hand I have a letter from the chief medical officer of health regarding exemptions and clarifications for operators of shelters and temporary or transitional housing facilities. It stipulates all the measures in here that we are taking, and we are in compliance.

2:10

**Ms Renaud:** Given that Calgary's mayor said that he thought Calgary's plan to house our homeless in hotels would provide positive mental health intervention in tough times and given that the minister's office was initially unable to give a reason for vetoing Calgary's plan – it actually took them four days to finally claim that it was because of the need for retrofits – will the minister immediately table the data and the medical evidence she used for the decision to cancel the hotel rooms plan and explain why she didn't share it with the mayor's office?

**Mrs. Sawhney:** Mr. Speaker, I was just on the phone with the mayor of Calgary about an hour ago, and we talked about the specific isolation facility that required retrofits. He's very aware of the reason as to why those retrofits took place. We have in certain situations used hotels where appropriate. The idea is that we have to work with the experts, the shelter providers, who understand what their needs are in terms of what their clientele needs, and then proceed accordingly.

**Ms Renaud:** The mayor of Calgary said, and I quote, I'm still a bit nervous about the congregated facilities and disease transmission. Given that Calgary's Alpha House is housing 40 people in a hotel and stated that they didn't have to make any of the retrofits the minister is now claiming are the reason she vetoed Calgary's plan, to the minister. Our vulnerable homeless populations deserve more than mats on an overcrowded floor. I think we can all agree on that. They deserve a bed and a room. Does the minister agree, and will she finally do the right thing and work to secure hotel rooms to protect Alberta's homeless? I get that it's an emergency . . .

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

**Mrs. Sawhney:** Mr. Speaker, first, I want to be clear that the city of Calgary never had a plan. They had a proposed approach. We had a plan that is in compliance with Alberta Health. In regard to Alpha House, their situation is very unique and very different, so hotels made sense, and it worked for them. In regard to every other facility across the province, we have funded \$30 million to all of the shelters that we fund, and every single facility and new shelter area is in full compliance after approvals and inspection by Alberta Health.

**The Speaker:** The hon. Member for Edmonton-Riverview has the call.

### COVID-19 and Seniors' Housing

**Ms Sigurdson:** Thank you, Mr. Speaker. We know that seniors are at great risk of severe illness related to COVID-19. The Alberta seniors' lodge programs serve seniors by providing accommodation,

meals, and other services. Some lodges are operating with only skeleton staff levels currently. This puts a strain on housing administrators and their budgets. They need additional funding now. What are the steps being taken by the Minister of Seniors and Housing to ensure that staffing levels are sufficient and that high-quality care is available for seniors?

**The Speaker:** The hon. Minister of Seniors and Housing.

**Ms Pon:** Thank you, Mr. Speaker. The health and well-being of seniors and vulnerable Albertans is my priority, and I have had a call with the federal Minister of Seniors where we discussed the need for additional and co-ordinated supports in Alberta to provide emergency financial assistance for seniors with no income – for example, food delivery, medical supplies, and protective equipment – to retain their independence in self-quarantine. In fact, recently the federal government also announced \$9 million to help out.

**The Speaker:** The hon. Member for Edmonton-Riverview.

**Ms Sigurdson:** Thank you, Mr. Speaker. Given that yesterday a Slave Lake resident put out a call to the community via social media, and I quote, that Vanderwell lodge is in need of supplies to keep seniors safe during these unprecedented times, and given that the resident says that the lodge is in desperate need of a forehead thermometer and that they're running dangerously low on gloves and given that this is only one of many examples of supply shortages, Minister, please tell us what Alberta is doing about these needs in seniors' lodges.

**The Speaker:** The hon. Minister of Seniors and Housing.

**Ms Pon:** Well, Mr. Speaker, thank you. In addition to the daily call with my department and my team and also that my team has a daily call with all the seniors' service providers, we are giving them very important information every day to address all the issues we need to. Also, a weekly newsletter regarding COVID-19 is distributed to more than 1,400 organizations. We are working with the Ministry of Community and Social Services to ensure services for seniors.

**Ms Sigurdson:** Well, given that calling and writing newsletters aren't really dealing with the issues at hand and given the increase in health and safety measures that limit family members from seeing their loved ones in seniors' facilities and given that staffing levels are stretched extremely thin – seniors isolating require more care and attention than ever before due to restrictions in common areas with their peers and visitation measures that have been put in place – to the Minister of Seniors and Housing again: how are you ensuring that seniors' mental health and social connections are being maintained during these very trying times?

**The Speaker:** The hon. the Minister of Seniors and Housing.

**Ms Pon:** Thank you, Mr. Speaker. My team and myself continue to communicate daily with seniors in all kinds of organizations to address all the issues. Particularly, we have a strategy plan in place to look after all seniors mentally and the food delivery. We're going to address all the major issues. We will take care of our seniors and vulnerable Albertans. That's what we are doing every single day. [interjections]

**The Speaker:** Order. Order. The hon. Member for Edmonton-Riverview will come to order because the hon. Member for Spruce Grove-Stony Plain has the call.

#### **Support for Persons Affected by COVID-19**

**Mr. Turton:** Thank you, Mr. Speaker. The past month has placed unprecedented financial pressures on many Albertan households. The COVID-19 public health emergency has forced people to self-isolate without any income or to suddenly lose their jobs. As we enter the beginning of a new month, many individuals and families are facing the stress of having to pay their rent and bills. In a time when Albertans are being called on to stay home, the prospect of facing late rental payment charges or evictions can make a difficult time much worse. Can the Minister of Service Alberta please outline for this House what our government is doing to protect renters?

**The Speaker:** The hon. the Minister of Service Alberta.

**Mr. Glubish:** Thank you, Mr. Speaker. I announced on Friday a suite of measures to protect renters in this difficult time. The first piece of that was that no one in Alberta will be evicted in the month of April for nonpayment of rent. Full stop. Second of all, I made it very clear that thereafter tenants and landlords need to work together on establishing a meaningful payment plan for the duration of the crisis. So long as renters do that and comply with that meaningful payment plan, they will be protected from eviction for the duration of the crisis. But let me be clear that renters do still have to pay their rent. We understand if they can't pay all of it, but they have to work with their landlords if they want protection.

**The Speaker:** The hon. Member for Spruce Grove-Stony Plain.

**Mr. Turton:** Thank you, Mr. Speaker. Thank you to the minister. Given that our government is committed to easing the burden on Albertans throughout the COVID-19 response and given that our government has worked hard to support Albertans and taken measures that will put money in the pockets of Albertans during these challenging times and given that our government announced recently that Albertans are eligible for a 90-day utility payment holiday in light of the COVID-19 pandemic, to the Associate Minister of Natural Gas: how can Albertans take advantage of deferrals on utility payments at this time?

**Mr. Nally:** These are difficult times, Mr. Speaker. Our government is committed to ensuring that Albertans don't face unnecessary financial hardship as a result of the COVID-19 pandemic. The Alberta Utilities Commission is working with their electricity partners to ensure that all the plans are in place so that any Albertan that requires a utility deferral only has to ask their utility provider for it.

**The Speaker:** The hon. Member for Spruce Grove-Stony Plain.

**Mr. Turton:** Thank you, Mr. Speaker. Given that our government introduced legislation this week to protect renters during the coronavirus public health crisis and given that our government recognizes the extreme financial pressures that COVID-19 is placing on renters across the province and given that this is an issue that affects people right across our province, again to the Minister of Service Alberta: what other measures are included in Bill 11 to support Albertans and maintain protections for residential and mobile-home tenants?

**The Speaker:** The Minister of Service Alberta.

**Mr. Glubish:** Well, thank you, Mr. Speaker, and thank you for the question. In Bill 11, which we passed in this House yesterday, we have ensured that no late fees will be charged from April 1 to June 30 for nonpayment or partial payment of rent, and furthermore no increases in rent will be permitted during the state of public health emergency. More importantly, once the public health emergency has been lifted, because of what we passed in this House yesterday in Bill 11, no landlord will be able to retroactively impose those fines or fees.

Thank you.

**2:20 Education-sector Layoffs**  
(continued)

**Ms Hoffman:** Schools are trying to figure out how to slash \$128 million right now. Boards got the call just a few hours and some just a few minutes before the tweet announced that they were being forced to lay off more than 20,000 education workers. The minister could have called to say, “Hey, what can I do to help you feed children who rely on your school nutrition programs?” or “How many laptops do you need for kids who have no way right now to speak with their teacher and their educational assistant?” Instead, the minister called to lay off more than 20,000 education staff. Why?

**Member LaGrange:** Mr. Speaker, it was a really, really tough decision. My daughter is an educational assistant. I understand the good work that they do. It was not an easy decision to make. We are in very, very unprecedented times. We know that COVID-19 is taking a lot of our resources. This pandemic has changed how our education system functions. Like the private sector, we are all adapting to this new reality. I want to stress that these are temporary measures, unlike many of the people in the private sector who are losing their jobs.

**Ms Hoffman:** Given that the minister is a former trustee, here are some of the things her colleagues said about what she did to students and staff in Red Deer Catholic schools this weekend. They said that they were sad the minister broke her promise, that they were blindsided, that they felt disrespected and disappointed, and that the minister’s words were disingenuous. I couldn’t agree with them more, Mr. Speaker. Why has the minister betrayed Red Deer Catholic schools and all schools and their students by slashing supports for kids when they need them the most?

**Member LaGrange:** Mr. Speaker, these are unprecedented times. We’ve been working around the clock to solve very difficult situations, very evolving situations. Right now the decision that we made is a temporary decision, and I want to speak to all those who’ve been affected by this decision. As soon as we are able to return to in-classroom teaching again, you will be coming back. As soon as those classes are starting again, those dollars will be returned to education.

**Ms Hoffman:** Given that two weeks ago the minister said that they weren’t going to get fired and given that the minister broke her word on that, it’s really hard for people to take her word today with any sort of credence or belief, Mr. Speaker.

Given that the Edmonton public school board told their families yesterday that Saturday’s announcement was a shock as the minister had assured them that they would receive their full allotment of funding and given that this is not what equity or inclusion looks like, Minister, why did the minister hide all weekend and hide from debate on this issue in this House, and why

won’t she face the fact that she is responsible for writing off these kids at the time they need the minister the most?

**Member LaGrange:** Mr. Speaker, as I’ve said numerous times, it was a very, very, very difficult decision to make. It’s a difficult decision that many levels of government are making, including the city of Calgary, including the city of Edmonton. Again, it is a temporary measure. I do want to assure all of the staff that have been affected by this decision that there is work for them when we resume in-class sessions. That being said, we have a number in the private sector that do not have that affordability to know that they have jobs when they come back.

**COVID-19 and Shelter Providers**

**Member Irwin:** I want to give a shout-out to women’s shelter workers who right now are working under extremely trying circumstances. Evidence shows that there is a clear link between times of crisis and increased rates of gender-based violence. This is why so many working on the front lines are worried as women are at home with their abusers and their children are not at school. It’s more important than ever that there are supports, but shelter workers are telling me that the resources being offered by this government are inadequate and that women are being turned away. To the Minister of Community and Social Services: what can I tell those women’s shelter workers who are in desperate need of more resources? Please be specific.

**Mrs. Sawhney:** Thank you to the member opposite for that question. What I want to say from the outset is that we are in continuous dialogue with shelter operators to try to determine what their needs are. We have flowed out \$5 million additional dollars in shelter funding to a number of these shelter operators. If the member opposite could give me more specific information about organizations that are impacted, I would like to have more feedback, and we’d like to help out however we can.

**The Speaker:** The hon. Member for Edmonton-Highlands-Norwood.

**Member Irwin:** Thank you, Mr. Speaker. Thank you to the minister. Frankly, Minister, \$5 million isn’t enough. I’m hearing from multiple women’s shelter workers that they are extremely concerned. They know that women isolated at home with their abusers need their help more than ever. Shelters need to be able to achieve physical distancing requirements. Given that communal bathrooms and kitchens all make this a lot more challenging, without more resources it’s next to impossible. Shelters are more than just beds, Minister; they are a lifeline. I’m urging you to increase funding to women’s shelters immediately. Will you commit right now to doing so, and if not, why not?

**Mrs. Sawhney:** Mr. Speaker, as I said, we have flowed the funding of \$5 million, and we are continuously talking to the shelter providers and getting that feedback. Of course, we will calibrate our response as required. This pandemic is going to see an increase in rates of domestic violence. We do know that, and it’s very uncertain as to what the landscape is going to look like. That’s why we have to keep the dialogue alive with all of the shelter providers to see how we can help out.

**Member Irwin:** I want to again commend those working on the front lines of shelters, both women’s shelters and shelters for those experiencing homelessness. These workers are going above and beyond, and in some cases they’re literally risking their lives. Given

that we're hearing reports of shelter workers not having access to personal protective equipment, PPE, which is extremely troubling and puts workers and those accessing their services at risk, to the minister: are you working with shelter providers to ensure that they're getting access to this critical equipment, and if not, will you reach out immediately?

**Mrs. Sawhney:** Mr. Speaker, absolutely. I am talking to shelter providers on a daily basis, and we have delivered PPE to a number of homeless shelters. There is a universal shortage in supply of this equipment, and our Provincial Operations Centre is working overtime to secure more supply. Yes, we are trying to flow those supplies out as soon as we can, and we know who those providers are that are waiting for these supplies. As I said, a number of the shelters have already received PPE.

### Keystone XL Pipeline Project

**Ms Glasgo:** Mr. Speaker, our province is facing an economic crisis not seen since the Great Depression. A disturbing price war between autocrats in Saudi Arabia and Russia has placed our energy sector and Canada's largest export into a period of unprecedented adversity. Now more than ever our province needs to make forward-thinking investments into our industry and our economy. The time to act is now. Following the announcement that our province has reached an agreement with TC Energy to proceed with the Keystone XL pipeline, can the Minister of Energy please update this House on the benefits that this investment will bring to our province?

**The Speaker:** The Minister of Energy.

**Mrs. Savage:** Well, thank you. Thank you for the question. For the past five years we've all known that we've suffered in this province because of a lack of pipeline capacity, and we've lost billions of dollars from it. We know that with the COVID demand, we will increase, and when we get out of COVID, we need capacity to get our product to market. We need to recover from this. Mr. Speaker, the building of the KXL pipeline will help us know that we can get through this. We can build things in this country, and we can come out of this stronger than ever before. This is a much-needed project.

**The Speaker:** The hon. Member for Brooks-Medicine Hat.

**Ms Glasgo:** Thank you, Mr. Speaker, and thank you to the minister for her answer. Given that Alberta's energy sector has suffered from low commodity prices, obstructionist federal policies, and a lack of provincial advocacy for at least four years and given that the construction of a pipeline like Keystone XL will create good-paying jobs for hard-working and highly skilled Albertans, including many of my own constituents in Brooks-Medicine Hat, and given that Albertans need hope and jobs now more than ever, to the same minister: how will this investment bring much-needed, well-paying, and skilled employment to Alberta in these very difficult times?

**Mrs. Savage:** Well, thank you to the member for the question. Mr. Speaker, our investment in Keystone XL will create 7,000 direct and indirect jobs here in Alberta and over 15,000 jobs across the country. These jobs will start now. We can start construction today, and that's what's happening. That's what Trans-Canada has told us, that we will bring construction now. These jobs are needed now more than ever, and this project would not have happened without our investment.

**The Speaker:** The hon. member.

**Ms Glasgo:** Thank you, Mr. Speaker. Given that we are in an unprecedented period of economic contraction as a result of the COVID-19 pandemic and given that the construction of a large project like Keystone XL will take time before it can get our ethical oil to world markets and given that Albertans are desperate to begin work in these trying times, once again to the Minister of Energy: when can we expect construction to begin on the Keystone XL pipeline?

**Mrs. Savage:** Mr. Speaker, the work on Keystone XL pipeline is beginning today. Today. The company has been planning this and has been staging the construction for many months now, and it's only with the investment from the government of Alberta that they were able to proceed forward and start with construction.

Our investment is actually accelerating that construction in a year that we desperately need jobs. For over a decade that project was tied up in a dysfunctional regulatory system. Today it's being built.

2:30

**The Speaker:** The hon. Member for Edmonton-Mill Woods.

### Support for Postsecondary Students

**Ms Gray:** Thank you very much, Mr. Speaker. The UCP government has rolled out their isolation benefit, but we are all hearing from Albertans that this benefit is incredibly difficult to access, does not provide enough support, or people simply do not qualify. It only covers a select few and does not provide support to a wide range of Albertans struggling right now. This government promised to bridge the gap, and one group being left behind, both by the provincial program and the federal program, are our postsecondary students. What is this government doing to support these students during the pandemic? Please be specific because I'm just not seeing much right now.

**The Speaker:** The hon. Minister of Labour and Immigration.

**Mr. Copping:** Thank you, Mr. Speaker, and thank you to the hon. member for the question. Our government is focused on supporting Albertans through this pandemic, and this is being delivered through a suite of programs, both provincial and federal. On the student side, the provincial government announced a program of relief of student loans, and that was also done on the federal side. On the emergency isolation support, this one-time benefit is a bridge, as indicated by the previous member, to the federal program, which has broad application and which we expect to be in place in the very near future.

**The Speaker:** The hon. Member for Edmonton-Mill Woods.

**Ms Gray:** Thank you, Mr. Speaker. Given that the government's decision to defer student loan payments, while positive, only kicks looming debt payments down the road and given that the federal program is not going to support many, many of our postsecondary students and given there aren't very many jobs for students at the moment, to the minister: will this government be offering unemployed students any further financial supports, how are these students expected to afford rising tuitions this fall given the current economic environment, and does this UCP government have any plan to ensure that Albertans can continue to afford their postsecondary education?

**The Speaker:** The hon. Minister of Seniors and Housing.

**Ms Pon:** Well, thank you for the question, Mr. Speaker. Definitely, we will continue to take care of our students, as always. Definitely. We were working on it and are still with all the principals of the

universities and postsecondary education to make sure that all the students are looked after, particularly in this pandemic situation. We will continue to do that, and the principals and all the stakeholders will continue to have meetings with us and work on the best solutions. Thank you.

**The Speaker:** The hon. Member for Edmonton-Mill Woods.

**Ms Gray:** Thank you, Mr. Speaker. Given that many students will likely not be able to obtain employment this summer, given that they will still have to pay tuition next year or have upcoming student loan payments, given that students need to buy food to eat today, and given that the province of Ontario has stepped up to offer \$25 million to postsecondary students for mental health resources and other COVID-related supports, will this government step up like Ontario has and provide additional supports for postsecondary students during this incredibly difficult time?

**The Speaker:** The hon. Minister of Labour and Immigration.

**Mr. Copping:** Thank you, Mr. Speaker, and thanks again to the hon. member for the question. You know, our government has put in a number of measures to assist businesses to be able to retain workers. These are corporate tax deferrals, WCB premium deferrals, subsidies for small and large businesses in that regard, education property tax deferrals and a freeze. This is all with a view to support employers to be able to hire workers, including students, and I understand, in speaking with a number of large employers, that their intent is to continue to hire students over the course of this summer. Thank you.

**The Speaker:** The hon. Member for Edmonton-North West is rising.

#### Postsecondary Education Funding

**Mr. Eggen:** Thank you, Mr. Speaker. The COVID-19 pandemic has put extra stress on Alberta's postsecondary students and institutions. Now more than ever it is crucial to have a government that will support our colleges and universities. Only a few days ago the University of Alberta reported that as a direct result of this government's budget the university would see a loss of over a thousand jobs. Why is the Minister of Advanced Education pushing a plan that will only result in more people joining the unemployment lines in the midst of a global pandemic?

**The Speaker:** The hon. the Minister of Seniors and Housing.

**Ms Pon:** Thank you, Mr. Speaker. As I mentioned before, our department is working very closely with all of the presidents in postsecondary education. As well, we have a plan to make sure that all of the students are not missing any classes and that they are well taken care of. We will continue to do that with all of the stakeholders and all of the presidents of advanced education and postsecondary institutions.

**Mr. Eggen:** Well, Mr. Speaker, given that this minister is directly responsible for a thousand lost positions at the University of Alberta, almost 500 layoffs at NAIT and SAIT just a couple of weeks ago – I'd hardly consider that to be working with universities; it's more like taking a wrecking ball to our universities – and given that while the minister was continuing to double down on his plan to lay off these people during this pandemic, his office only responded with month-old talking points about overspending, will the minister at least do the bare minimum and temporarily reverse the cuts and protect postsecondary workers during the pandemic?

**The Speaker:** The hon. Minister of Seniors and Housing.

**Ms Pon:** Thank you, Mr. Speaker. Yes. It's very important, and we, as I said to the member, are working very closely with the Minister of Labour and Immigration as well as crossministry to make sure that all of the students are looked after during this COVID-19. We will definitely continue to create an action plan to meet the needs of students.

**Mr. Eggen:** Well, given that I would think that we would all agree here that a global pandemic is the very worst possible time for a government to throw people onto unemployment lines and given that the University of Alberta research department working on actual COVID vaccines and treatments also experienced cuts due to this budget from a couple of weeks ago, why won't the minister stop the plan that will only create unemployment and make life more difficult for our students during a global pandemic and an economic crisis?

**The Speaker:** The hon. Minister of Seniors and Housing.

**Ms Pon:** Thank you, Mr. Speaker. As I mentioned, the plan is to continue working with all of the ministers crossministry. We didn't stop for one day because we do care about all of the students. We're going to continue to support our students and make sure that they continue their education, make sure that financially they get support from the three different levels of government. This government is committed to looking after our students.

**The Speaker:** The hon. Member for Drumheller-Stettler.

#### Food Processing Plant Safety

**Mr. Horner:** Thank you, Mr. Speaker. Last week the Canadian Food Inspection Agency partially closed the Harmony Beef packing plant after one of its workers tested positive for COVID-19. The plant also sent home those who were working in the same area as the infected person. Given that food processing plants such as Harmony are vital to our supply chain, especially during COVID-19, can the minister of agriculture tell this House what our government is doing to ensure that food processing plants remain safe for Albertans to work at and that those plants will continue to function during this public health emergency?

**The Speaker:** The Minister of Agriculture and Forestry.

**Mr. Dreesen:** Thank you very much, Mr. Speaker. We are having daily calls with Alberta's dozen major food processors. We're having weekly calls with farmers and ranchers and agriculture commodity groups across the province. We're constantly monitoring and prepared to act on any upcoming food supply chain issues, and we have called on the federal government to declare a food supply chain as an essential service just as we have as a province. We're also developing a rapid-response plan to resume operations as soon as possible, working with AHS, OH and S, workers, inspectors, and food processors across the province.

**The Speaker:** The hon. Member for Drumheller-Stettler.

**Mr. Horner:** Thank you, Mr. Speaker. Given that Alberta has seen an increase in the number of people infected by COVID-19 and given that there will be more Albertans and potentially more food processing plant workers who will be infected in the days and weeks to come, to the same minister: can you inform this House how our government is helping food processing plants such as Harmony ensure that they can continue to function even when they have workers in self-isolation?

**The Speaker:** The hon. Minister of Agriculture and Forestry.

**Mr. Dreeshen:** Thank you, Mr. Speaker. Under the advice of our chief medical officer food processing facilities have implemented additional sanitation procedures to ensure that the safety of their workers and their inspectors is paramount. In saying that, it is important to note that COVID-19 is not a food-borne illness. These enhanced measures will ensure that staff are safe.

Mr. Speaker, we are working with the federal government to ensure that inspector capacity is stable so that facilities can continue to operate, and we remain committed to supporting all levels of the food supply chain, ensuring that both provincially and federally registered facilities . . .

**The Speaker:** The hon. member.

2:40

**Mr. Horner:** Thank you, Mr. Speaker. Given that the Canadian Food Inspection Agency has jurisdiction over federally regulated plants such as the one in Balzac and given that Alberta is the largest producer of beef products in Canada and that it is conceivable that the Canadian Food Inspection Agency could potentially close more food processing plants in the near future, to the minister of agriculture: how is our government going to ensure that these plants vital to the food supply chain will not be closed by the Canadian Food Inspection Agency during this pandemic?

**The Speaker:** The minister.

**Mr. Dreeshen:** Thank you, Mr. Speaker. We have been working hand in glove with the federal government and CFIA to maintain and to build our food inspector capacity. We are providing additional training to our provincial inspectors so that they will meet the requirements of these federally regulated facilities, and that work is under way. We are developing a plan to bring back retired provincial food inspectors as well. Our goal is to increase inspector capacity in the province to ensure that our food processing facilities can continue to operate, and we will have more details in an announcement later today to clearly demonstrate our commitment to ensuring that our food supply chain remains intact.

**The Speaker:** Hon. members, in 30 seconds or less we will proceed to Tablings to the Clerk.

### Tablings to the Clerk

**The Clerk:** I wish to advise the Assembly that the following document was deposited with the office of the Clerk: on behalf of hon. Mr. McIver, Minister of Transportation, responses to questions raised by MLA Loyola, hon. Member for Edmonton-Ellerslie, on March 5, 2020, Ministry of Transportation 2020-21 main estimates debate.

**The Speaker:** Hon. members, we are at Ordres du jour.

### Orders of the Day

#### Government Bills and Orders

#### Second Reading

#### Bill 10

#### Public Health (Emergency Powers)

#### Amendment Act, 2020

[Adjourned debate April 1: Mr. Schow]

**The Speaker:** Is there anyone wishing to join in the debate for second reading? I see the hon. Member for Edmonton-Glenora.

**Ms Hoffman:** Thank you very much, Mr. Speaker. I want to begin this by acknowledging a few things. One, I appreciate that we all agreed that we should create opportunities for us to move around and have as much physical distancing in this place as possible. I think it's good for our own health and safety but also the health and safety of everyone else in this building and everyone we go home to at the end of the day. I want to acknowledge that.

[The Deputy Speaker in the chair]

I also want to acknowledge my friend Derrique, who gave me a fidget to play with to try not to touch my face while I'm talking. It's something that I think is important for all of us to try to do, and it certainly relates to the fact that we're here in the midst of this pandemic. I believe we're the only Legislature that's still sitting in the nation. With that in mind, I certainly had hoped that we were coming here to do things that we weren't already doing through MO or OIC. I have deep respect for this place and the work that we all do in here as legislators, and I think that it's important that we take the opportunity to do things that can address the pandemic in a real and meaningful way. I fear that coming here to essentially make a bill that's already law through an MO isn't exactly reflective of the best advice that we're receiving from medical officials from throughout our country, including the chief medical officer of health for Canada, who is certainly nervous about the curve this week in Ontario, Quebec, and in Alberta.

That being said, we are here, and we do have a piece of legislation before us. It relates specifically to the Public Health (Emergency Powers) Amendment Act, 2020. I also want to acknowledge that there are many people who have already passed away or have been hospitalized from COVID-19, and there likely will be many more in the days to come. Our heart is, of course, with all of them as we as Albertans I think need to do everything we can to flatten that curve and create as few environments that will result in the public spread of COVID-19 here in Alberta.

I also, of course, want to express my sympathies to the families and the friends of those who have died so far and also to the health care workers, who I know probably have all of their nerves on heightened alert right now as they are responding to this significant pandemic. I saw some pictures and I saw a post recently from a nurse, a nurse who talked about how, until this struck, the most difficult day in their job was sitting beside the grieving parents of a five-year-old. That still is a very difficult memory for her, but when she has to don the personal protective equipment that she has now and walks in and knows that everyone in that health care facility is at risk, it adds an additional level of gravity for her.

I think that there are some things in this bill that are good, and I think most of them, probably all of them, have already been dealt with through the ministerial order. I want to say that I think ministerial orders are something that happen for a reason. I think that there are times we need to make laws that are for specific times, specific instances, and that's why we have that tool, so to compel the Legislature basically to continue to, you know, rubber stamp a ministerial order doesn't seem like the best and most prudent use of this precious public resource and the amount of time that we're spending in here on something that has virtually already been done.

I believe that all the necessary powers of the government are already enshrined in legislation, in this act or in the Emergency Management Act, and in our briefings when we asked about what's new, why this legislation was necessary, and what additional powers this was going to seek to implement during the pandemic –

because that's why we're here right now, the only sitting Legislature in the country, because we were told that this was really important to fight the pandemic. In the briefing there was no answer. This is about times after the pandemic, so again, why are we doing this now? Why are we rushing it? This is not about powers to help today. This is about potentially giving the minister the ability to make some decisions down the road.

I think that if we are here, it should be to deal with new and pressing issues, and certainly I think the opportunity presented yesterday to debate the mass layoffs of more than 20,000 education workers. Some say that, well, that money needs to be moved to fight the pandemic. I would say that fighting the pandemic: one of the ways we do that is by giving families the support they need to stay at home, giving families the tools that they need to support their children when their children are going through one of the most distressing times in their lives so far.

I spoke with a mom – I guess it was about a week ago now – who has a teenage son who is nonverbal autistic and has a number of behavioural challenges as a result of his special needs, and he has been acting up to such a degree physically that she's had to call the police twice and take her son to the hospital once. She said that she was really looking forward to having some of the care through their respite team and through their educational assistants returned to them – this, of course, was in the middle of spring break – because she was hopeful that once he was able to hear the voice of his respite worker and see the face of his educational assistant on the computer, that would give him some more calm and some more assurance.

I would have rather that we were using this time to debate how we can return those supports to Alberta families and how we can expand on the care that they need to feel safe and to be supported trying their best to keep their kids safe, show them love, but also help them move forward in their learning journey. Instead, what we have is a bill that I struggle and the very hard-working, well-intending public officials who were briefing us struggled to find the purpose for during the pandemic.

I don't say this lightly. I know that we have members of the public service who are working diligently right now around the clock drafting legislation. Is that the best use of their time right now? I think that there are other things they could be doing to help make sure that we are responding to this, especially since they had already drafted an MO that essentially did much of this work. I think we should be having our public health officials focusing on the pandemic rather than creating a piece of legislation that might have value possibly down the road. If it does, let's do this bill properly when we're not in the midst of this, when we're through the pandemic, when we don't have the Legislature being one of the only places that's exempt – and homeless shelters, I guess – from gatherings of more than 15 people in our province.

2:50

It seems like we could certainly debate additional sweeping powers at a time when we have the ability to properly as government and as opposition consult with the folks of Alberta on these changes because what's being proposed here is to make this law in perpetuity. When you do that, I think you owe it to the public to ensure that you have canvassed the public and that they, indeed, feel that the law is in good purpose and will serve good purpose in the years and months to come.

So we asked a few questions. This certainly increases the fines enshrined in the legislation that are already in force and effect, and the Premier noted already when this was announced that this was already made law. He stated that the new fines and obeying the orders of the chief medical officer were – and I quote – an absolute legal requirement. So the Premier has said that this is already law.

Why are we in here doing this right now? Why does the government view it necessary to bring forward these amendments to the Public Health Act to change in legislation what's already in effect through the order? Can the government explain why the legislation needs to be passed and what's changed between March 25 and today, when we're here debating this, when the order actually came forward on the 25th? That's when it became law.

The powers given to the government under the Public Health Act and the Emergency Management Act during the crisis are enormous, and that's a good thing. We need to ensure that our chief medical officer of health has the powers to be able to protect us all and keep us safe and do what's in the public interest. So the government can do – well, the chief medical officer, essentially, can do pretty much what's necessary now, in my opinion, and I don't see how modifying this act beyond the ministerial order gives any additional powers or protections to the chief medical officer of health and, in turn, to the public.

I also have to say that since there are no specific powers being requested through the amending act, I guess I have some additional questions. Can the government explain in plain language to all Albertans – there are a lot of Albertans paying attention right now from home, right? We're finding new ways to fill our days. A lot of people who don't normally scour the Legislative Assembly website are actually listening to what we have to say here. So I would love if somebody from the government can stand up and in plain language say what the new powers in legislation are that they're trying to urge through this legislation. In the couple of days that we've had to review this, essentially a day, a day and a half, I still struggle to find them. In their view, in the government's view, what would they be able to do once this bill passes that they can't do after the ministerial order came into effect on March 25?

In normal times government does have a responsibility of significant public disclosure, and any changes with regard to legislation, for example, must be brought through the House, through multiple readings, and there's usually an extensive engagement, an opportunity for folks to give feedback, but under the Public Health Act during a time of pandemic or public health emergency the government has significant power to do almost everything, including modifications to laws that govern Albertans. However, under the Public Health Act there is no requirement for immediate public disclosure. In the amendments package that's being brought forward by the government that we're considering here today, there are no additional transparent public disclosure requirements.

My question is: why did the government not bring forward immediate public disclosure requirements on any order issued during the public health emergency, this public health emergency or any other? What message does it send to Albertans about government transparency during an emergency, when we are rushing so quickly to get this through without adding any of those additional precautions?

This bill amends emergency powers in the Public Health Act, and it clarifies that any minister can amend an act they are responsible for – any minister – if that minister by MO at the discretion of, again, that minister views that it's in the public interest. That's huge. That's a huge, sweeping power during the time of a public health emergency whereas I understand that today or at least it was in the past that things need to be related to the public interest in terms of a health public interest. So for any minister being able, in their opinion, to change legislation through MO, legislation that has been debated in this place for at least the last 100 years through the standing orders that we all agreed to, to be able to throw those standing orders out the window and change things because that minister believes it's in the public interest I think is not representative of good democracy or fair and forthright decision-making.



The changes that that minister makes, however, cannot impose an increase to taxes or appropriate public revenues or create a new offence with retroactive effect. Okay. I guess that's good, but it is pretty minimal, the barriers there to the changes. The unamended legislation: if it previously lacked clarity, as has been suggested by some folks in the government, then perhaps authority to amend that law had to flow from the Minister of Health, or perhaps we could have actually considered amending that law at a later time and had the opportunity to give clear and consistent clarity in this House. Again, the Premier has been very clear in his press conferences. The chief medical officer has been very clear in her press conferences. What was announced on March 25 already came into effect earlier that day, so again I struggle to know why us being here today and rushing to bring through a bill, when it's already law through an order, is a priority for this government.

I know what it's like to be a minister when you're dealing with a crisis that's localized to one region in the province. I know that when the Fort McMurray wildfires were happening, I was in on constant briefings. I was constantly getting updates about what was happening with the actual hospital, what was happening with the patients, how we were going to make sure that they were all moved out, what we were doing around lodges to make sure that the patients in the lodges – I guess they are patients; they're residents – the folks who lived in the lodges would be properly housed in other communities once they were removed. Technically, they're independent living, but I think all of us know folks in lodges who can't independently find their own housing in another city in the middle of a crisis like the wildfire.

I'm sure the Minister of Transportation when he was dealing with the Calgary floods felt an immense sense of responsibility when he was navigating those systems and trying to make sure that the folks in his ministry and the folks he represented in Calgary and in the entire province, frankly, had his focus on what was most important. So my question is: is this the most important right now? I think I know the answer. I think the answer is: not so much.

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

**Mr. McIver:** I don't want to take up too much time, but I'll try to give a bit of a response as briefly as I can. I think we tried to make it clear that we're putting these things through now because we don't know for how long how many of us will be healthy. Hopefully, all of us on all sides of the House will remain healthy the whole time, but since we can't predict that currently, we are putting these things through so that we can get on to dealing with the emergency. We will be judged in the fullness of time on how well or how poorly we do that. We just need right now to have the authority to do it, which we're asking the House for. I don't actually mean this disrespectfully, but to the hon. member: this isn't her first term, so the hon. member knows that how long we are here talking about these things is very much in her hands.

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

**Ms Hoffman:** Thank you. The minister also knows, unless he thinks every single one of us in here is going to end up unable to work, that there will always be a minister. There will always be the ability to bring forward a ministerial order. I think that the more we put ourselves in this place, the higher the risk that we actually could potentially, one of us and therefore many of us, get ill. The government is who calls this House back. The government is who already said that this is law. The government already brought through a ministerial order, and now the government is calling people from all across this province. I'm sure many members here would like to be able to be at home helping their children home-

school or helping with – I know a lot of folks in Kinuso, where I grew up. You know, cows are still calving. It'd be really nice to be able to be there and help out the people that you've hired to help you and your family, so I'd like to know that things that we're actually doing in this place are actually going to make a difference, and I don't think that that's too much to ask.

This is already law. A minister has the ability to grant another ministerial order at any time. We don't need to have a bill passed in this place to be able to give the minister the ability to continue on with what's already law and became law on the 25th. I appreciate that the Minister of Transportation did rise to respond to my remarks. I wish there was more about what the actual purpose of this bill was and the necessity of the bill rather than telling us that we should, you know, essentially wrap things up and pass this bill that's being brought through under the cover of a pandemic, when I don't see the purpose of this bill.

3:00

I think that it is a troubling precedent to set, when no other Legislature in our country is sitting, to call us back to rubber-stamp ministerial orders. I don't think that that is becoming of a government. I don't think it's great modelling for the public. I, of course, am here because I think that there are a number of things that the government has done that they didn't bother to bring to this House, like massive amendments to their budget that we just passed two weeks ago – massive amendments to that budget – that resulted in the biggest single-day layoff notice to working Albertans in the history of our province. I struggle to have anyone else tell me another single day where there were more than 20,000 layoffs issued through three tweets and a press release. Those are the kinds of things that I think we certainly owe it to the public to have full and thorough debate on. The ministers and the Premier said so passionately that we must pass a budget, that we must give that certainty to the people of Alberta, and then 13 days later they torched that budget and laid off 20,000 public-sector workers.

You know, here we are debating a bill that's already law, and I think that's disrespectful to the private members of this Assembly, I think it's disrespectful to the cabinet members of this Assembly, and I think it doesn't demonstrate that we are indeed doing what we can with this time to make the best decisions in the public interest, because these things essentially have already been decided. The Premier already said that they're law. He's right; they are. They were law on the 25th. Don't break the law. And I also would say: don't come to this place and pretend you're doing things that matter when there are things that we could really be doing in this place that do matter.

We could be making active steps right now to make sure that families, workers, small businesses – I have been hearing from small businesses that are already deciding that, you know, it's nice if they could take a \$40,000 loan, but if that loan is only to pay money to a landlord for their lease for their place of business and they can't make any money because they've been ordered nonessential – they're shutting down their businesses this week – what are we doing about that? What are we doing to ensure that we're saving those small businesses in our communities, those jobs and those services in our communities?

**The Deputy Speaker:** The hon. Member for Edmonton-Highlands-Norwood.

**Member Irwin:** Thank you, Madam Speaker. It's an honour to rise today. I haven't had a chance to speak a lot about just the situation that we're in and the response to COVID, so I'll bring in a little bit of that when I speak about Bill 10 today.

I really want to start, however, by expressing my sympathies to the families of all those that we've lost due to COVID-19. We know that these are humans that have stories, and I think we always have to caution, you know, when giving the daily updates and whatnot, to know that those deaths aren't just numbers.

I'd like to take a quick moment, if you'll indulge me, just to talk about one of the people who died most recently – I'm quoting from a news story, so I will share that with you in *Hansard* – the youngest, in fact, death in Canada to date, and that was 34-year-old Shawn Auger. I just want to point this out because, of course, there's some misinformation right now about this being an old person's disease, and that's certainly not true. The chief medical officer of Canada, Dr. Theresa Tam, talked about the fact that the young are not spared and that adults under 40 accounted for 10 per cent of hospitalizations just yesterday.

Of course, Shawn Auger passed away. You know, he was a loving husband, he was a father, he was a son, and he was a brother and an uncle. I didn't know him personally, but I know some folks who did know him, and my heart goes out to them. He was a mentor; he was a friend. His sister said that he was a fantastic father, husband, provider and that he went above and beyond for his family. He was funny, he was a jokester, and he loved taking photos of people eating and then posting those on Facebook. His dream was to open up a group home in the hamlet of Grouard, which is in northern Alberta, so their family is hoping to achieve that legacy for him.

Again, I just wanted to point out that one example of someone who has lost his life. It just reminds us of how short life is, and it also reminds us to reflect on the crisis and reflect on what really matters as we're dealing with this collectively. Again, my heart goes out to Shawn and to his family and to all those who have lost a loved one.

I want to just thank all the doctors, all the nurses, all the front-line health care workers, who are putting in extremely long hours right now and, you know, just working under the most stressful of conditions to try to protect us all. As I noted earlier, too, I want to just point out and thank as well those working on other front lines. That's shelter workers in women's shelters, shelters for those experiencing homelessness, and, of course, all the others who are the front lines who are helping indirectly – right? – even grocery store workers. They are helping to keep us safe as well and to keep us nourished.

I'm going to echo some of the comments of my wonderful colleague from Edmonton-Glenora in really just hammering home the importance of asking questions around Bill 10, the Public Health (Emergency Powers) Amendment Act, 2020. I have to reiterate the fact that we're truly not certain why we're debating this legislation when many of these increased measures outlined in the bill, including higher fines – I just touched my face; I've got to stop doing that – are already in effect. [interjection] Thank you. Hand sanitizer. A little PSA for hand sanitizer as I'm speaking here.

Truly, there is no need for a bill when the government has already increased the fine levy amounts without it.

The legislation that we're debating really doesn't give the government a lot more power because we know that they are already enshrined in legislation in this act, in the Emergency Management Act. We know a number of my colleagues have asked really pertinent questions, and we haven't really gotten clear answers from officials and from the relevant ministers about the why, you know, the clear need for this legislation. I know that the Government House Leader, in fact, was asked about this and, frankly, kind of just ignored the question and said that this needs to be debated.

I can tell you, you know, that just even right now I can see lots of e-mails coming into my inbox, my Edmonton-Highlands-Norwood e-mail, and folks are really focused on the essential issues of the day: supporting health care workers, supporting education, ensuring that we have a safe place. Especially in my riding, I'm hearing a lot of concerns about ensuring that we have safe places for those who are experiencing homelessness. I have to say that I have not received one e-mail that's about this bill and about this act. And we do. I mean, as the hon. Member for Edmonton-Glenora spoke about earlier, a lot of folks are tuned in. The former social studies teacher in me is very excited about the fact that people are really engaged in politics right now and that people are telling me that they're watching me right now online, which is great. People are tuned in, and people are paying attention, and they're hopefully learning more about the important role that we have here in the House. Like I said, they're asking questions about a number of issues right now, but I'm not hearing any concern about this one.

Again, I can certainly say that I am not a lawyer, and I can rely on a lot of my lawyer colleagues in our caucus to explain things to me, but from my review I just don't see the necessity of Bill 10. However, we are here, and we are debating, so we want to as the Official Opposition get on the record some of the questions that we have about said legislation.

Now, the first one I want to speak about is the increased fines. We know that the fines that are enshrined in Bill 10 are already in full force and effect. I mean, again, I agree completely with the measures that governments have taken across this province to ensure that there are fines – right? – that people are obeying the law. The chief medical officer has been very clear about this. You know, it's absolutely essential. Absolutely. But why is it necessary to bring forward these amendments to the Public Health Act to change legislation which is, really, already in effect? So I'd like the government – and I know my colleague asked the same question – to more clearly outline: if and when this legislation passes, what will have changed? What will have changed? Please be quite specific about that because, again, it's not clear to us.

3:10

The powers given to the government under the Public Health Act and the Emergency Management Act are quite substantial. They're quite significant. The government could – and this is the concern – pretty much do anything right now under these powers. I think we have to be really cautious. There have been some good analyses, by folks smarter than me, about the ability for governments to not only restrict civil liberties during times of crisis but to fundamentally shift the direction of a jurisdiction, so I think we have to be careful of government overreach. This is why – this is why – we are taking the time to debate this legislation thoroughly in this House. We can't act abruptly when we don't know the full scope of this legislation's impact.

This could be a lot of things. I mean, this gives the government power to do anything from confiscating property to the conscription of our citizens. I mean, there are no new specific powers being requested through this amendment. There are some slight changes to processes, but ultimately there are no new ultimate powers that we can see.

Again, I want to hammer home what my colleague talked about. Like I said, I'm clearly not a lawyer – I often need things explained to me in non lawyer person language – but from the conversations I've had with my colleagues and with others, I need to know in plain language: what are the changes? We're not seeing them. What are those new powers? I know some of the members opposite are speaking a little bit amongst themselves and were earlier when my

colleague was speaking as well, so I hope that maybe some of them will rise and speak a little bit more thoroughly to this bill. I believe they didn't speak this morning either, so if you could, I would appreciate you answering a few of these questions for us.

Let's go on to another issue here. In normal times the government has responsibility for significant public disclosure. We know that any changes to legislation must be brought before this House, as we are right now. Under the Public Health Act during a public health emergency the government has significant power to do almost anything, which includes modifying any laws that govern Albertans. But – and here's the but – under the Public Health Act there is no requirement for immediate public disclosure, and in the amendment package brought in by this government, there are no additional transparent public disclosure requirements.

Again, this is a time that calls for absolute transparency from our government. Our citizens need to know that they can have faith in their government. What message does that send to Albertans about government transparency during an emergency? In my opinion, it sends a questionable one, and again it merits conversation.

Now, I want to talk about a couple of other issues that have been brought to me when it comes to Bill 10. We know that it amends the emergency powers in the Public Health Act. We know that it clarifies that any minister can amend any act that they're responsible for by ministerial order. That's a lot of things. I mean, I think back to my days of working in education. The ministerial orders that could be just easily modified in education, as an example, would be quite alarming. Of course, the government might say, "Well, that's not what we're talking about here," but again this change will allow those powers. We know that it can't impose or increase new taxes, but as I said – and it has to be very clear – any minister, any minister over there, can amend any act for which they are responsible. Those are significant, significant powers.

Now, we know as well, coming back to the issue of fines, that the bill increases fines for those who are in contravention of a public health order, but I want to again reiterate the fact that those fines have already been increased because of a ministerial order, and they are already clearly in force and effect. Again, why the need for these amendments?

Now, just to kind of summarize my points, it's really unclear to us what the bill does ultimately. It's very likely – I mean, it's pretty certain, in fact – that sufficient powers to do all the things listed in this amendment package already existed in legislation, whether that was the Public Health Act or the Emergency Management Act. I have to bring back, too, hearing what our Health critic, the Member for Edmonton-City Centre, has spoken about – he asked in the briefing, kind of just to dig in a little bit on why this is needed now, just to get that clarity: why? Like, truly, not being partisan here, we just want to understand why this is needed at this time. Why now? They couldn't answer. They couldn't answer immediately, yeah, which is a bit alarming at a time of a pandemic, which we're facing right now, unprecedented times, as I keep hearing the members opposite talk about, right? These are absolutely unprecedented times.

I believe those officials did follow up later and noted that it's "needed to increase transparency" – I'm quoting here – "ratify powers originally exercised by ministerial order, and ensure the validity of stricter penalties." Now, again let me come back to each of those pieces to make it very clear why we're concerned about this. It's not increasing transparency, not even a little bit. Yes, it certainly does ratify the powers originally exercised by ministerial order, but that's a concern: why those changes that give potentially sweeping power to every minister in this House?

Again, I need answers. We need answers. "Ensure the validity of stricter penalties for violating orders of the Chief Medical Officer": those penalties are already enforceable, and we know that Albertans broadly are very much following the advice of the chief medical officer. We've heard that there are, you know, bylaw officers and police officers and whatnot who are extremely vigilant right now, ensuring that Albertans are following these measures. Again, it's not clear to me why this is needed. Why at this time? There lacks a clear reason for the immediacy, the need to push this through.

For those watching at home, of which there are more than usual . . .

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

**Ms Gray:** Thank you very much, Madam Speaker, and I want to say thank you to my colleague from Edmonton-Highlands-Norwood because I found her remarks on Bill 10 to be well informed, certainly raising a lot of questions for myself.

One of the things that I really took from my colleague's debate on this piece, that I just wanted to respond to quickly, was around the ability for ministers to change legislation through ministerial order, simply because this really does expand the powers. In my view, having the Executive Council members, the ministers, able to override or change decisions of the Legislature is something that we should be approaching with utmost caution. I think we need to make sure our eyes are completely open around the necessity of that. We want to make sure that the powers that are used, even during a time of pandemic, are reasonable, measured, required, that there isn't an overgranting of powers, and that they are used in a clear and fully disclosed way.

One of the things that I'm curious about and through the debate at second reading and into Committee of the Whole I hope to hear more about is: how will the public transparently know when these powers have been used? How will the public know when legislation that was debated fully in this House, which is accessible to Albertans through *Hansard* and through the video feeds – I understand a number of people are watching the debate today. If legislation passed here is changed through ministerial order as a result of the pandemic, how does the public find out about that? How does that change?

Also, even during his press conference I know I heard the Premier talking about potential sunset provisions, which the legislation does not currently contain. In granting a great deal of additional power to the Executive Council, power to change things that this House decides, which is a great power indeed, how long will these powers be in place? Right now, as it's drafted, this legislation appears to put those powers in place forever.

3:20

These are some of the things that, listening to my colleague from Edmonton-Highlands-Norwood respond to Bill 10 at second reading, come to mind for me. I appreciate this opportunity under 29(2)(a) to respond to the comments from my colleague.

The one piece I didn't hear my colleague talk about that is a concern of mine – so I will simply ask the question. As I understand it, Bill 10 gives the government power to conscript peace officers from the cities without having to talk to the municipalities. I know that was something that jumped out at me as potentially concerning. I'm just wondering if the member had made note of that portion of Bill 10 or has any thoughts on that.

Thank you.

**Member Irwin:** Thank you to the Member for Edmonton-Mill Woods for those additional comments. Yeah. I mean, that's

certainly a concern as well. Again, it's very much buried in this legislation.

I'll just finish my thought because I left the viewers at home hanging. What I was saying for those at home: you know, I was urging this government to think about adjusting some of the features of this bill and wanting them to answer why, in fact, we are debating this. The reality is, for those at home, that this government does have a majority. They will likely pass this, and I really want to hammer home the fact that we are quite concerned about the powers given within this piece of legislation.

I would urge those members opposite to think critically about Bill 10 and about the need for it at this time. Again, all of the analysis that we have done really leaves us with a whole lot more questions than answers, and I think we have to be really wary of this sort of creeping potential government overreach. I'm saying "potential" because I'm hopeful that this government will listen to our concerns. I'm hopeful as well that some of the members opposite will speak to this bill because I would just love some clarity here. I would love some answers on some of the really important questions that myself and all our members here in the Official Opposition have, again, our biggest concern, just to recap, being around . . . [The time limit for questions and comments expired]

Thanks.

**The Deputy Speaker:** The hon. Minister of Culture, Multiculturalism and Status of Women.

**Mrs. Aheer:** In the wrong seat. Thank you, Madam Speaker, and thank you for the questions, too. I just wanted to say that one of the huge privileges of being able to be here is to actually debate legislation.

Just to speak quickly about a ministerial order, depending on how one views the House, a ministerial order can be enforced, but only law can be made here in the House. I think it's really important, especially because there are a lot of questions, as I can imagine, for everybody, especially the beautiful folks that we represent in this province, the amount of information that is just being brought to them in massive quantities at a time when there's a crisis, when we are losing people that we love.

To speak to what the member has said about the loss of our loved ones, we are all just feeling that at such a deep level, trying to understand within our own families and lives and the culture of where the world is right now. This is a global situation. It's not just Alberta. We can't just put a bubble around our province and assume that we're the only ones that are being impacted. These impacts are being felt long and far and wide. I have family in India and am hearing every single day what they're going through. We have, you know, 1.2 billion people there that are literally on top of each other, trying to figure out how they social-distance.

I feel very privileged to be in this country, where, you know, having a seat between us in the Legislature to be able to come back here and debate this is probably one of the biggest privileges of my life, to be able to do this, as hard as it is. To the point, of course, most of us would like to be home with our families right now and helping out in any way that we can, especially because our neighbours need our help. So many do.

But I would love to also say that a ministerial order is different than passing a law. To the point that the member said, there are a lot of questions and, you know, good questions, that are necessary, and we appreciate those questions; hence the reason transparency happens when you open something up for a debate. We can debate as long as you want about whether or not we should be here. I, myself, will be here as long as is needed – and I'm sure I speak on behalf of my colleagues as well – to do whatever is necessary to save as many lives as possible, to direct dollars to the front lines, to make sure

that we save as many lives as humanly possible within our capacity and what we have available to us.

I'm very, very proud of our Premier and all of our colleagues here and our opposition as well for the work that they're doing on the ground. I know that everybody is getting a ton of e-mails and a ton of questions, but one thing that is the most important is that there's so much rhetoric that is going on out there right now that is not positive, not helpful, and is hugely impactful when you add to that the fear of what's going on in everybody's homes right now. The ability to have clarification and have a moment to have a discussion is very, very important. When you have a debate, when you're able to have a discussion like this, a lot of those things come to the surface, things that not everybody can think about at all times; hence the reason we have a democracy and we have the ability to do this.

The other member was talking about our budget and the need to get it across the finish line: we had to get that across the finish line as fast as possible. They're correct: things have changed. But hasn't the world changed, Madam Speaker? Where were we three weeks ago? Did we think that this is what we would be debating right now? I can honestly tell you that in my lifetime I didn't think I'd be standing here right now, on the precipice of opportunities to make sure that we're able to protect the people of our province, the very people who put all of us here, to be able to look into the eyes of your constituents knowing that you've done your level best to make sure that dollars end up in their hands and the work that the Premier and emergency cabinet has done with the Prime Minister and the ministers across the federal level, too, to help them understand the unique needs of Alberta.

These are all things that we'll walk away from one day in this House, and as the Minister of Transportation said, we'll all be judged for sure on how it is that we handled this crisis. But I can honestly say here, standing with my colleagues, that it's extremely profound to work with a group of people who care so deeply about the people of this province, always have and always will. I would hope that we can work together on this collaboratively to figure out how it is that we move forward. We're asking for that collaboration. We're in need of that collaboration. Questions are always a good thing, but this is really about adjusting. If the member is concerned about pieces being buried in this bill or anything like that, the reason we're here is so they're not.

This piece of legislation does give a lot of rights to the ministers and to the government. We want to make sure that everybody in this province knows that, that when you enact something like this, you don't do it lightly. To just do it through a ministerial order and not have the opportunity to debate it in front of the House and in front of the people who we represent and who put us here, I think, would be highly inappropriate.

Thank you very much for the moment. I hope that provides some clarity over ministerial order versus the laws. Thank you.

**The Deputy Speaker:** The hon. government whip.

**Mr. Ellis:** Thank you very much, Madam Speaker, and I thank the hon. minister for her comments. I guess, as one of two police officers that are in this Chamber, I feel obligated to speak as I was listening this morning and listening to the hon. members on the other side talk about peace officers and talk about police officers. Certainly, I've had the opportunity to read their concerns, you know, as I look at Bill 10 and I look at the section which they're referring to. As I read it, Madam Speaker – and I don't want to read the entire section here – however, what I do take from this is that it's not granting any extra powers to those peace officers. It's really understanding that in an emergency sometimes decisions are made

in exigent circumstances. I'm taking this from a position of somebody who has experience in these situations, Madam Speaker, dynamic situations where people's lives are certainly on the line. Sometimes you need to redeploy resources, and by eliminating a certain step in redeploying those resources, it is how you effectively get those resources to where they need to go in order to save lives.

3:30

If I need to take that extra step – and I've brought up here the current Peace Officer Act, which, when I read it, talks about talking to the peace officer's employer and getting essentially permission, we'll say. That's not a direct quote. I'm sorry. The printing is a little small there for me to read. Well, sure, right? If it wasn't exigent circumstances and people's lives weren't on the line, then, yeah, I guess you can follow through normal processes, that I would call, from a police perspective, bureaucratic processes. But in these situations, decisions are made, and they need to be made quickly, and people need to respond quickly.

Having been somebody who was a first responder in the 2013 flood, I can tell you that any peace officer and any police officer: "You tell me where to go, sir, ma'am – that's all I was asking for – and I will go, and I will do my job." Any peace officer, from a parking attendant peace officer all the way to the fully empowered police officer, was more than happy to go wherever they were being deployed. They weren't wanting consent or permission from their supervisor. They knew that lives were on the line, and they said: "You know what? You tell me where to go, and I'm going to do it."

You know what? When I sit here and read this: again, exigent circumstances in an emergency situation. The minister or his designates have to redeploy resources sometimes as quick as a snap of the finger – right? – and to eliminate that step only helps to save lives in these situations. Again, I'm not talking from a position where I'm trying to talk about a subject that I know nothing about. I'm talking from a position of experience, somebody that has been in command of very dynamic situations that really – to be honest with you, decisions have to be made and made quick.

To be honest with you, when you take those, I would say, steps that sometimes can be seen as bureaucratic, that's when you start to put the lives on the line. That's why in these situations you have a central point of command. You don't have a bunch of people in various departments making decisions over here and over there and all over everywhere. That's why you have a central point of command, and that commander is getting all the necessary information that they're getting from all the people around them and then executing and making the necessary decisions that are going to save lives. So when I see this, I see it as a good thing. I see it as a way to redeploy peace officers in ways that we – we – can use to save lives in extraordinary and exigent circumstances.

Madam Speaker, I want to thank you for this opportunity to stand up. You know, like I said, I listened very closely to what the members opposite were saying this morning, closely enough that, quite frankly, I wanted to make sure that I read every single line of this proposed section, especially as it relates to peace officers and police officers.

Thank you very much.

**The Deputy Speaker:** Any other members wishing to speak? The hon. Member for Edmonton-Ellerslie.

**Member Loyola:** Thank you, Madam Speaker. Always a pleasure to get up and address bills before the House, in this instance Bill 10, Public Health (Emergency Powers) Amendment Act, 2020. Before I begin, I also want to express, as many of my colleagues have, my sympathies for the families, especially those Alberta families but all families, Canadian and even all across the world. The minister

across the way just mentioned her family back in India or people back in India. We're all connected to communities globally, and I just want to express to everyone that may be impacted, has someone that is sick or someone who has passed away my sincere sympathies. My prayers are with you all in hoping that we're going to get through this and make sure that we can do the very best as a province to make sure that we get through this.

[Mr. Barnes in the chair]

Of course, we couldn't do that without the incredible work being done by front-line workers: doctors, nurses, you name it. I've heard from so many of them in my own constituency and the concerns that they have and what we could do as a government in order to help them – I mean, even volunteers as well. I want to express to them as well, people in the communities that are just coming to me with suggestions – I want to thank all those people that are coming to me and expressing their concerns and ideas, of course, those passing on to colleagues and then, of course, presenting them here in the House.

Specifically, I want to address the Sikh community because, of course, April is Sikh Heritage Month. I want to say thank you to the members of the Sikh community that have reached out to me because, as many in the Chamber may know, it is customary for Sikhs at their gurdwaras to provide food when people go and worship. Of course, the gurdwaras are closed right now. People are not being recommended to go to the gurdwaras, of course, because there are just too many people in one place. The Sikh community, though, has that practice of providing food to members of the community that are in need.

I want to thank those members that have reached out to me to ask me specifically: well, hon. member, how can we make sure that we can continue to get food to the people who are in need but at the same time respect the law and what's been recommended by the chief medical officer? I want to say thank you to those individuals that have reached out to me. I've recommended to them to follow what the chief medical officer has stated on what they should do, and even with all those restrictions they're still making sure to get food to people in their communities that they know are in need of that food. It just goes to show how amazing Albertans are, that even going through a global pandemic like the one we are going through right now, they're still making sure that people in their community who are in need are getting the help that they need.

So thank you once again to the members of the Sikh community, and I want to wish you well. Considering what we're going through, at the same time I still want to wish you a wonderful Sikh Heritage Month and thank you for the contribution of Sikhs to this province, this community. You make us a better province because of your contributions and your dedication to helping those in need.

[The Deputy Speaker in the chair]

Of course, I want to make sure that we're recommending to all Albertans that they're following the recommendations of the chief medical officer so that they can contribute to reducing the impact of this global pandemic. Now, I know that many people are going through difficult times because everyone is being encouraged to stay home. I'm sure that that's taxing a lot of people, to not be able to have that opportunity to get out and socialize as much as they would. I mean, all that we can recommend is that you do as much of that online as you possibly can. Stay connected with your loved ones, your families, but make sure that you're taking into consideration all the recommendations of the chief medical officer.

Specifically, being someone from a faith community, I just want to also speak to the members from all faith communities. I know

that this is a tough time because you're so used to – I mean, I for one am finding it difficult not being able to get together with my community, especially for prayers. It's a difficult time, not being able to connect, because, I mean, of course, so much of prayer in our community is about getting together and being able to pray together. I understand that that's very difficult for all faith communities, and I want to thank you for making sure to follow through with the recommendations of the chief medical officer even though our faith calls us to pray together. I understand how difficult that may be.

3:40

That being said, I'm really puzzled why we're here in the House to debate this specific bill, Bill 10, Public Health (Emergency Powers) Amendment Act, 2020. I mean, I understand the importance of making sure that the higher fines – and I want to state that that's important. It's important that we have people following through, making sure that when they are out in public, there's appropriate social or physical distancing. I understand that that's very important, that we need to have that in place.

More broadly, the amendments in the legislation that are being debated do not give the government any more power than they already need. Even in the briefings, when officials were asked to explain, "Okay; well, why is this legislation necessary?" they were having a hard time explaining and justifying, struggling to articulate exactly what this bill would actually do. It calls into question: well, why are we here? Why are we debating this if even officials can't articulate why it's important to do? I mean, people have gotten up from the other side, the government side, even private members from the other side, to explain certain things, I understand. But there's nothing that can't be done through a ministerial order, and it's highly puzzling why we're actually here actually debating this.

With that being said, Madam Speaker, I'll end my comments there. Thank you very much.

**The Deputy Speaker:** Standing Order 29(2)(a) is available. The hon. Minister of Culture, Multiculturalism and Status of Women.

**Mrs. Aheer:** Thank you very much, Madam Speaker, and thank you to the member for all of your wonderful comments, especially about what's going on in the world right now and also, of course, mentioning Vaisakhi, that's coming up, which is also a Hindu celebration. Thank you for that.

I think I'll just answer quickly, but I believe that the title, Madam Speaker, Public Health (Emergency Powers) Amendment Act, 2020, is clarification. This has been done very few times in histories of Legislatures and parliaments and at this global level. We've never seen anything like this. These are unprecedented times. Clarifications around this are simply that powers are being given to government to be able to move things ahead should resources need to be allocated in the areas that are needed, towards the front lines, police services, and other things. Again, I believe that the officials were probably fairly clear – I wasn't in the meeting – but I would suggest that Public Health (Emergency Powers) Amendment Act, 2020, would suggest enough clarification.

Thank you.

**The Deputy Speaker:** Any other speakers under Standing Order 29(2)(a)?

Seeing none, any other speakers to the main bill?

Seeing none, would the minister like to close debate? The hon. Minister of Culture, Multiculturalism and Status of Women.

**Mrs. Aheer:** I know. The title doesn't get any shorter, Madam Speaker. I'm sorry. I don't know if I can close debate. I apologize.

**The Deputy Speaker:** No? Okay. We will just vote, then.

[Motion carried; Bill 10 read a second time]

## Bill 12

### Liabilities Management Statutes Amendment Act, 2020

[Debate adjourned April 1: Mr. Ceci speaking]

**The Deputy Speaker:** Are there any members wishing to speak? The hon. Member for Calgary-McCall.

**Mr. Sabir:** Thank you, Madam Speaker. I rise to speak to Bill 12, Liabilities Management Statutes Amendment Act, 2020. I think the bill deals with an important, critically important, issue relating to oil field and environmental liabilities and certainly an issue that I'm particularly interested in, that Albertans are interested in. Albertans have a vested interest in this subject. However, we are seeing this bill, this important piece of legislation, brought forward at a time when we are sitting with a reduced number of MLAs, who were called back to deal with things that couldn't wait during this pandemic. Dealing with an issue of utmost importance, utmost interest to Albertans with a reduced number of MLAs I think is a disservice to Albertans on this particular issue, on all issues. I think Albertans deserve to have their voices heard in this Legislature. Albertans deserve to have their representatives be present in this Legislature when issues of this much importance are discussed in this Assembly. Well, here we are, though.

Also, I would say that as much as this issue is important, environmental liabilities, oil field liabilities – their management is important – that's an issue that has been out there for the last three, four decades, if not more, and I don't see why it was that urgent for the government to call the session back in the middle of this pandemic and rush through this bill, which deserves considerable debate. As I said earlier, all Albertans should be represented when this bill is discussed.

If we talk about the particulars of this bill, it deals with the mandate of the Orphan Well Association. It, in fact, expands its mandate in a way that they may be able to deal with the properties where some care is needed and necessary. They may be asked by the Alberta Energy Regulator to step in to look after these facilities, oil wells, other than the work they are doing, so that's a considerable expansion of their mandate. Again, that's an important expansion, and that needs and deserves time to be considered. Also, it impacts industry, these independent organizations. It impacts landowners. It impacts taxpayers, Albertans as a whole. It also impacts the AER and other entities. Again, these are important concerns that have been touched on in this piece of legislation, and I think rushing it through at this time is not sensible or appropriate.

The bill may have some changes that are sensible, but again, at the end of the day, these are changes to an issue that is of the utmost importance that has been out there for many, many years and deserves our full attention when the House is sitting in full and all the MLAs are able to be here and represent their constituents.

3:50

There are a few other things I would like to highlight. It expands significantly the government's role in managing this association

and managing the orphan well inventory in this province, and I can point to a number of sections in this bill; in particular, one which deals with the reg-making authority for the government that gives government pretty much *carte blanche* to do whatever they want to do with this fund. Prior to these changes this organization was an independent organization that was working with a mandate from the AER, but now what government is doing with this is that

the Lieutenant Governor in Council may make regulations necessary to carry out the provisions of this [act] . . .

and the powers they are giving include:

(a) respecting the administration of the orphan fund.

So now it's not AER; rather, the government is giving itself the power to administer this fund through regulation without any oversight of the Legislature and without full discussion of the full House in this Legislature.

They are also giving themselves power

(c) respecting the purposes for which the orphan well fund may be used.

I think that organization exists for a certain purpose, but now it seems like the government has the power to pass regulation, pass an order in council so that they can change the purposes for which these funds are used.

Similarly, they're also giving themselves the power of

(b) limiting, regulating and controlling the exercise of the Regulator's discretion with respect to the orphan fund.

Discretion, by its definition, is something that you have control over. So if the AER has some discretion, it means that it is within their purview the way they do something or conduct certain business. In here what the government is doing is that they're giving themselves legislative power, that through an order in council they can restrict, they can limit, and they can control the AER's discretion.

I think that, short of completely taking over this Orphan Well Association, the government has at least given them every power possible to control this organization, and they're doing it in a really rushed manner when representatives of all Albertans can't be here.

When we were in government, especially from my colleagues from rural constituencies, I used to hear a lot of concerns about property rights, owners and landowners. A couple of things also relate to property rights, owners and landowners here as well. If the AER delegates, for instance, to the Orphan Well Association the task of providing reasonable care of a well, facility, or some site, they are protecting the lease owner's right in that the delegated authority will be required to seek consent from the owner before they can produce or do anything. The thing is that the AER, a government will only delegate that authority in circumstances where they know that the owner is not providing that reasonable care and there needs to be somebody instead of the owner who should provide that reasonable care. They are still protecting the owner's right here. But, on the other hand, if a delegated authority needs to enter a private landowner's land, they can do that without their consent. Two sets of owners are treated differently, and I'm sure that MLAs from rural Alberta constituencies, if they are landowners, will have a lot to say about this as well.

I think the language that's being used in this piece of legislation is also subject to a lot of interpretation. For instance, terms like "providing reasonable care and measures": that's opening up a floodgate of litigation. What's reasonable care? In any given circumstances that could mean something different. Someone, whether it's AER or, in the event people don't agree with their decision, the courts, will have to interpret what that reasonable care looks like. The same thing: words like "reasonable costs" are used here. According to even AER estimates that liability that we have in

terms of oil field environmental liability: it's somewhere in the billions. Some estimates say that it's close to \$300 billion. At what point won't those costs be reasonable? Who will decide whether these costs are reasonable or not? How much cost can the OWA incur? So all those kinds of things.

Then there are provisions within this piece of legislation that deal with the liabilities among the working interest partners. I think that when people start some businesses, they make joint ventures or corporations, and they are in it for the benefit of that. They're in it if there are losses as well. But here I think they are carving out the ability that the regulator can step in and apportion liability among the working interest partners. I think those in the oil and gas sector may have to say more about it as well. We are talking about situations, circumstances where, I think, companies are in trouble, they're not managing sites properly, and there is need for government or a delegated authority on behalf of government to step in so that there will be legal consequences for insolvency in those areas. I think that if we reach out to somebody who is practising in those areas, they will have something to say about that as well.

In short, I think that, in principle, I agree that the government of the day, every government needs to take this liability seriously and needs to take steps to make sure that we are remediating, we are suspending, we are doing that work in a way that has minimal impact on our environment and that the development we are making is made in a way that has a minimal adverse impact on the environment. That's an important job. But I think it's too important a topic, too important an area that we should be rushing through with a reduced number of MLAs present in the House and at a time when I think Albertans have many other things that they would want this government to prioritize.

4:00

**The Deputy Speaker:** Standing Order 29(2)(a) is available. The hon. Minister of Culture, Multiculturalism and Status of Women.

**Mrs. Aheer:** Thank you very much, Madam Speaker, and thank you to the member. I believe that in the middle of this pandemic, where we are right now, it has been my experience in the privilege that I've had in speaking with thousands of Albertans over the last few weeks that not only are they looking to the government for immediate action, which they're seeing, but they're also looking for a vision for the future.

The member knows that many discussions around orphan wells happened in the past five years, the need to be able to clean these wells up, the environmental parts of that. Not only that, wide consultation that will happen with landowners as well. The assumption that that won't happen because of the bill wanting to be passed at this point in time is not appropriate because it's absolutely imperative, but more than that, it's the ability to be able to work on a project that needs to be taken care of. In fact, I can remember on several occasions debating the need to have legislation and to work with the AER on what the process would be in order to take care of these orphan wells. In fact, I do believe the member opposite brought this up on many occasions, about the need to be able to take care of this issue. I also recall, having had the privilege of being the critic for Energy at that time, asking about what that would look like. What would we do? What could we do? It was an absolutely imperative issue.

Albertans are going to be looking for, Madam Speaker, not only what we're doing now but where are we post COVID? What is our plan for the economy? How do we bounce back? How do we re-engage all of the important things that all of us are doing when we get out of our homes and reconnect with the people that we love

and start to put this province back together again? In case the member didn't realize, we've been hit in a very, very difficult way not only with COVID but also with what is happening with oil and gas in the world right now, and the impact that that's having on this province is a double whammy hit. For those of us who are actually thinking forward and into the future and what that's going to look like in that jumping-off point, this is one of those things that we can do.

Not only is it the right thing to do, but it is a job creator for those who will be seeking to come back, to be able to bring people back into this province once we are healthy, once we are well, once we have taken care of the immediate crisis at this point in time. It would be my hope that the opposition would look at this as an opportunity to be able to bring forward a piece of legislation collaboratively even if we are in smaller numbers at this point in time, to do something that is in the best interest of our environment, our province, our industry, and globally in terms of how people respect and understand our sector here in this province.

In case the member didn't remember, we are the best, greenest, cleanest, and most unbelievably appropriate group of people in the world to bring resources out of the ground in responsible resource stewardship. It starts here. Canadian resources are absolutely the most responsibly resourced in the world. Not only that, we're going to bring forward legislation with the help of the opposition to be able to look at how it is that we clean up an issue of orphan wells that has been an issue in this province for some time.

I look very forward to being able to work alongside with the industry and the opposition in finding ways as to how we can help put our people back to work post COVID. I hope that the member opposite is asking questions in light of being able to support us in this legislation so we have a trampoline, we have a jump-off point post COVID to put our people back to work, to get our energy resources to market, to support pipeline access, and also, in doing so, supporting everything: schools, roads, jobs, everything that makes our economy function. I look forward to his support.

Thank you.

**The Deputy Speaker:** Any other speakers under Standing Order 29(2)(a)?

Seeing none, would the hon. Member for St. Albert like to speak to the bill?

**Ms Renaud:** Madam Speaker, it's my pleasure to rise and speak to – sorry; I'm just getting a little confused here – Bill 12, Liabilities Management Statutes Amendment Act, 2020, and I would like to move an amendment. Do you want me to wait?

**The Deputy Speaker:** Yeah. Just give me one minute, hon. member.

This will be known as amendment REF1. Please proceed.

**Ms Renaud:** Okay. Thank you. Do you want me to read out the amendment?

**The Deputy Speaker:** Yes, please.

**Ms Renaud:** Okay. Moved that the motion for second reading of Bill 12, Liabilities Management Statutes Amendment Act, 2020, be amended by deleting all of the words after “that” and substituting the following: “Bill 12, Liabilities Management Statutes Amendment Act, 2020, be not now read a second time but that the subject matter of the bill be referred to the Standing Committee on Resource Stewardship in accordance with Standing Order 74.2.”

Just to follow up with some of the comments from my colleague, the reason that we are making this referral amendment is that . . .

**The Deputy Speaker:** My apologies, hon. member, for interrupting. You're moving this on behalf of the hon. Member for Edmonton-North West?

**Ms Renaud:** Yes.

**The Deputy Speaker:** Thank you.

**Ms Renaud:** As I said, just to follow up with some of the comments made by my colleague, I guess the main reason that we are trying to not stop or prohibit the work from going forward on this really important file is to actually take the time to do the work that's required. I think anybody watching in this place or watching at home understands that we are certainly in very trying times, a really unique situation right now. As people at home can see, there are not very many of us here, which is a really good thing. I think there's enough space now. Particularly with the doors open, there's enough space so that we can be as far enough apart from each other as we need to be to be as safe as possible in this place to do the work that Albertans sent us here to do.

But what is missing is the other members. There are 87 of us that were elected to come to this place to represent the people that sent us here. I think that to really do our jobs properly, all of us, whether it's government members or opposition members, we need the time to be here to debate this, to consider the amendments, to consider the different pieces of the bill. It actually is quite a complex piece of legislation. More than that, we need to allow ourselves the time to do the work, to consult the people that really matter, and those are our constituents and then, of course, the stakeholders.

A couple of weeks ago I think I did a member's statement talking about the importance of democratic systems. I think they're certainly always important. I believe that all of us are here because of many hundreds of years of work by people that came before us, that worked very hard to establish the rules and the norms and the processes of this place. I mean, sometimes they're a little bit clumsy and sometimes, you know, they take a little bit of time to figure out and to work through, but there is a reason that they're in place.

Our democratic systems are some of the most important and precious tools that we have in our society to ensure that every Albertan has a voice. Sometimes it's a little hard to understand because it's a representative voice. In my case, if I represent 50,000 people, I'm the person that they sent here, I am the person representing them, so it is my duty to take the time to consider the legislation and then to invest the time to understand the legislation, the implications of the legislation, the implications of the supporting pieces of legislation, and then to go back to the community that I represent and ask them what they think.

4:10

Of course, because this is very specific legislation that – let's be honest – a lot of our constituents will not readily understand, it's then incumbent upon us to let them know what it means and then seek out the stakeholders that will actually be the experts in this field on both sides, on all sides. It's important to get their perspective and understand fully: what are the implications of this bill for right now, for during this emergency, for immediately following the emergency, and then in the many years to come?

I think that if we rush a piece of legislation and we rush a piece of legislation with very few people in this Chamber, very little time – and I think we can all agree that we're all human beings. We understand that we're all under really unique stresses right now, different from what we're used to. We're worried about all kinds of different things that are going on as a direct result of the economic emergency that we're just beginning to see unfold in addition to a global health emergency. I think it's incumbent on us to take a deep



breath and to say that, absolutely, this is important legislation. These are absolutely vital discussions for us to have in terms of our economy, in terms of our environment.

It's so important that I think it's incumbent on all of us to ask for the time to do our jobs properly, and that requires time to consult with our constituents, to find the experts that can help us fill in the gaps of the pieces that we don't understand. We're not all lawyers here. We aren't all landowners. We aren't all impacted by this piece of legislation. Certainly, we can understand that our economy is impacted by this, but we don't understand the details of the bill just yet.

Now, I may be the only one that hasn't had time to consult my whole community and stakeholders and read the bill and read the supplemental legislation, but that's where I am. I'm saying that I have not had the time to appropriately consult my constituents. I've not had the time to reach out to stakeholders or experts, whether they're legal experts, whether they're academics, whether they're experts in this particular field, whether they're landowners. I've just not had the time to do that. I think that trying to figure out how we deal with the immediate, emergent needs of Alberta has been the priority. That has been my priority anyway, Madam Speaker.

I would suggest the importance of our democratic system and the importance of thoughtful debate – thoughtful debate – not partisan discussion about: we must do this now because, you know, our future depends on it. Certainly, our future may depend on it. Absolutely, our future may depend on it, but what the people of Alberta depend on is for us to do our jobs properly and thoughtfully, and to do it takes time.

Back to some of the comments from my colleague. I appreciate the government's need to bring us back here to address some emergent legislation that will make their jobs a little bit easier. Their primary job right now is to ensure the health and wellness of the people of Alberta and to do what we can to get through this and then to have the tools that we need to rebuild once we get through the emergency. That is the focus. I am happy to be here to do my job to do that. However, I would like to say that I don't think it's a good idea to rush through a piece of legislation that truly is a really important piece of legislation that really will impact our future, our economy, the people of Alberta. I think that that requires time, and I don't believe that in the middle of a global health emergency and an economic emergency in this province that is just still unfolding is the perfect time to do this work.

I'm pretty sure that most of us in this Chamber can remember some of the discussion that we had – I don't know when it was; maybe the last session – where the government talked about the need for private members' bills to go to committee first. I heard person after person pop up and talk about the need for debate and discussion and research and time to really look at it. At the time, I have to admit, Madam Speaker, I was a little bit cynical, thinking: "Well, is that partisan? They just don't want opposition members to have the opportunity to introduce bills before they go to committee." Anyway, they had a majority, so that changed. Now those bills go to committee for second thought, for review, for discussion, and then come back to this place. Yet after all of that debate and all of those reasons and all of that argument, the government is choosing to take this very complex piece of legislation, highly complex for people that are not familiar with this file – it's huge, and the implications are huge. I find it sort of disingenuous, actually, that government would, under the cloud of an emergency that we have never seen the likes of – not since I've been alive, anyway – choose this time to do this.

So the referral amendment by the Member for Edmonton-North West, I believe, is a smart one. It's time to look at this legislation, talk to your people, get some expert advice. Now, this bill might indeed be making a number of sensible changes, but, as I've said,

given the situation, there is absolutely not enough time to consult or debate this bill properly. I don't believe there is. In the midst of a global pandemic this is not the time to use your muscle to push through legislation in a time frame with very few people in this Chamber. That's not ideal. That's not how you prop up support and strengthen democracy, Madam Speaker.

Democracy requires time. It requires all of us to be here. It requires all of us to have the opportunity to look at this, to debate it, to get input and feedback before we come in here and vote. We aren't just voting for ourselves. When we stand up and vote on a piece of legislation or on a motion for that matter, we are representing thousands and thousands of people, so I think it's very important to take that time to get that feedback.

[The Speaker in the chair]

As we understand it, this bill – and I think my colleague mentioned that earlier – isn't needed immediately for the economic stimulus that the government has announced. The government is already able to make loans to the Orphan Well Association, so this is not urgent in that sense either. This bill gives the government very extensive regulatory powers, which would warrant more extensive debate maybe when the pandemic is over, maybe once we have sort of emerged from this really difficult time in all of our communities and our families and have the time to focus on this piece of legislation that is indeed important. But I think that we need to pause and put the people of Alberta first, not our partisan agendas, and that requires people to say: we need more time.

Now is not the time. I mean, I could count – there's so few of us in here. I don't know if I'm allowed to say how many.

**Ms Hoffman:** You're not.

**Ms Renaud:** I'm not allowed to say how many there are.

There's not very many in here. I could . . .

### **Speaker's Ruling Referring to the Absence of Members**

**The Speaker:** I'd like to provide some caution that you might not be referring to the presence of any member particularly – I understand that you're not doing that individually – but I think that there are lots of times when Members of the Assembly may have other things to do, and it would prevent them from being here. To refer to the total amount of members in the House certainly may not be in the best interests of both the Assembly as well as in tradition with the Westminster parliamentary system.

### **Debate Continued**

**Ms Renaud:** Thank you, Mr. Speaker. However, I do think there was a press release by government talking about reduced numbers in this place, so I'm just sort of following up on that. My point to do that was to point out the fact that democracy requires participation and time and investment, and I don't believe now is the time to rush through a piece of legislation that has not been given the time for those very things that I talked about.

I'll never forget – just indulge me for a moment. This was years ago now. I think that when we first formed government, we learned some really important lessons early on. I think, in a rush to make changes that had been long needed or adjustments, there was a piece of legislation that was put forward that – oh. The hand is going down. I'll have to tell my story another time.

4:20

**The Speaker:** Hon. members, I believe Standing Order 29(2)(a) is available if anyone has a brief question or comment for the hon. Member for St. Albert.

Is there anyone else wishing to speak to the amendment, REF1? The hon. Member for Calgary-West and the government whip.

**Mr. Ellis:** Thank you very much, Mr. Speaker. You know, I went for a run last night. I didn't realize how cold it was, to be honest with you, and I don't recommend it when it's as cold as it is, going for a run outside, when it comes to that. But anyway, I digress.

Mr. Speaker, I just want to say that, look, I've been here for the 28th Legislature, the 29th Legislature, and now the 30th Legislature, and I would say one of the things that all three have in common is discussion in regard to orphan wells. You know, I have certainly observed, had discussions with, partaken in conversations, as have members in this House who have also been part of previous Legislatures had discussions, in regard to orphan wells. Now, my understanding in regard to Bill 12 is that it increases the authority of the Orphan Well Association to accelerate the cleanup of oil and gas properties, and this in turn will create jobs as well as help the environment.

Look, I mean, again, in emergency situations you always have to plan for the future at some point. I really hope that at some point, although nobody seems to know when, this COVID-19 virus is going to reach a peak, and then hopefully – I only say hopefully in optimistic terms – at some point it's going to come down. Whatever that new normal is going to be, the government, I think, would be negligent, quite frankly, if they weren't prepared to put people or help people get back to work. We have seen so many of our friends, our neighbours, people who have lost their jobs. Grocery stores I go to: for the most part shelves are empty, right? I mean, people are preparing, obviously, for certain scenarios that may or may not come. Quite frankly, Mr. Speaker, I don't think anybody at this time, not just in Alberta but around the world, really knows. That is scary for some people, and I totally understand that.

But, you know, the wheels of this government must continue. I think people understand and respect that. We must plan for certain contingencies, and one of those contingencies is that when and if this comes to, at some point, an end, we have to have the ability to help restart this economy, get people back to work. If we can do so by cleaning up some orphan wells, which, again, we've talked about for at least as long as I've been here, which is going on, well, since 2014, so that's at least six years – I mean, that's a long time. That's a lot of consultation. Quite frankly, the previous government, I know, consulted with stakeholders. Now, whether they acted upon that, I mean, that's a different story. But that's not what we're here to talk about. We're here to talk about what we have in front of us, and what we have in front of us is Bill 12, Liabilities Management Statutes Amendment Act, 2020.

Having listened to the minister and having listened to other colleagues, we have to prepare to get people back to work. I think that's only fair. I think that's reasonable. If this is something that is going to provide some form of possible norm, we'll say, to people post this virus, then, again, I think – I will say this; I'll reiterate this – it would be negligent if this government was not planning ahead. I think it is only poor planning, I think it is poor foresight if we weren't planning for different circumstances, different scenarios. I know that in many of my roles past and present we always have to have contingencies, and this, quite frankly, is a contingency to help get people back to work. For that, I certainly support the minister in going forward with Bill 12.

With that, I am sorry, but I cannot support this amendment, and I certainly recommend all of my colleagues within this Chamber also to not support this amendment.

Thank you, Mr. Speaker.

**The Speaker:** Are there others wishing to speak to REF1? I see the hon. member – oh. Sorry. Standing Order 29(2)(a) is available if anyone has a brief question or comment for the hon. Member for Calgary-West.

Seeing none, the hon. Member for Edmonton-Highlands-Norwood would like to add in the debate.

**Member Irwin:** Thank you, Mr. Speaker. Well, it's an honour to rise and speak to the referral on Bill 12, which is, of course, the Liabilities Management Statutes Amendment Act, 2020. I want to echo a lot of the comments from my colleague from St. Albert. I think she had a lot of very pertinent points, and I really, really want to stress a couple of things. I can admit, just as she did, you know, that I'm certainly not an expert on this issue. I've tried to learn what I can and have heard the opinions of a few folks on this who I do trust have a very strong understanding of these issues.

Now, I think our biggest concern is around the fact that it's not necessary to rush through this bill at this time. My hon. colleague, before her time was cut off, started to mention the fact that consultation is so critical. She mentioned that when she was, you know, part of the NDP government, they learned some lessons, admittedly, around the importance of consultation and engaging with stakeholders. I also know in my short time in this House that the members opposite have spoken a lot – I should do a quick search of *Hansard* for how often they spoke – about the importance of consultation and engaging thoroughly with stakeholders. So to push this through, a bill that does make sweeping changes, without appropriate, adequate time to consult, is quite concerning.

This is a really important issue to a lot of folks. It might not be a pressing issue in my riding, but I know it's a pressing issue in other ridings. I know that some of my colleagues have certainly heard that feedback. This is going to affect a lot of people: landowners, industry stakeholders, taxpayers. They need the opportunity to weigh in on this substantial piece of legislation. Absolutely. I'm hoping the member opposite will share her comments soon.

You know, why we're recommending it goes to committee is for a number of reasons, and I'll echo some of the reasons that my colleague shared. We would have an opportunity via committee to actually have every Member of this Legislative Assembly in on a phone call. While, of course, not everybody sits on that committee or would have an opportunity to speak to the bill, if we deferred it to committee, we could then allow for all members of this House to hear that debate and to take the time that is needed.

We understand. I know one of the members opposite just spoke recently about the need for job creation. Absolutely. We understand that. But as we understand from our analysis of the bill, it's not needed for the economic stimulus that this government has announced. We know the government is already able to make loans to the Orphan Well Association, so this is not urgent. The urgency simply is not there.

There's too much. There's too much in this bill. I can admit I've read what I can about this, but I, too, like the Member for St. Albert, need more time. There's a lot in here, and again it impacts a whole heck of a lot of Albertans. For those watching at home, this is a pretty substantive bill to be pushed through in a time of a global pandemic. It gives this government quite extensive regulatory powers, which, as I said, very much warrant an extensive debate. We are so willing to engage in that conversation once this pandemic is over. We know. We are not debating the importance of this

conversation. In fact, we welcome it. But why now? Why rush this through?

4:30

Again, I can admit that we've tried to talk to some stakeholders. We've heard some feedback, but from the ones we have heard from, we know that this is going to make it harder for landowners to ensure that reclamation is happening on their property. There are certainly some concerns from the position of the landowner. So this whole conversation about landowners' rights is a big one, and it merits a deep conversation.

What I would like to do: I'll end my comments by just talking again about the need to very much refer this to committee. Let's engage in a fulsome conversation. Let's engage more stakeholders. Let's have written, perhaps oral submissions from some of these key stakeholders. I can't imagine some of the members opposite being able to speak and face some of their constituents without being able to say with certainty that we've engaged in robust consultation on such an important issue. Again, I urge the members opposite to think about that.

Thank you, Mr. Speaker.

**The Speaker:** Hon. members, Standing Order 29(2)(a) is available. Is anyone wishing to join in under 29(2)(a)? I see the hon. minister of the status of women.

**Mrs. Aheer:** Thank you very much, Mr. Speaker, and thank you for the opportunity. I just wanted a few quick comments. Thank you to the member opposite for the discussion around this.

One of the things I want to be really clear about: we've been talking about orphan wells for a really long time. I know it might seem new, but the consultations have gone on really consistently for a really long time, and it is, actually, in the best interest of the landowners. It's actually the landowners along with associations that are looking for these issues to be resolved. It's the landowners that are most impacted by the fact that wells are not being cleaned up by companies that may have gone bankrupt or other things. We have not only orphan wells, but we have legacy wells and abandoned wells as well. It's a major issue across the province and something that I know, when we were in opposition, we talked about significantly.

I'm sure there will be other members that will talk about it that have more expertise in the industry, but I can honestly tell you that if you look at even recent articles when the Premier did his announcement about this and the ideas behind what the Minister of Energy is talking about, landowners already came forward explaining the difficulties they had because their land was no longer being rented by them. There's no rent, there's no lease, there's nothing, so they're left with this piece of infrastructure on their land that they cannot farm or put animals on. Actually, some of them are just outside of Edmonton, in fact.

There are quite a few reasons. I know it might feel like a rush on this piece of legislation, but for those of us who've been working on these files for a really long time in conjunction with the AER, landowners, property owners, and also the associations that are impacted by this – not only that, but also the fact is that there is no way to move forward on this because the companies that had originally put those wells in there either no longer exist or have gone bankrupt. It's actually in the landowners' best interests, and it's been my experience, for whatever it's worth, with the discussions that I've had. We have a lot in my area. Also, I used to have the riding of Chestermere-Rocky View, and many of them were on First Nations as well, on Tsuut'ina. It was one of the major, major discussion points when I had this file.

Just to let you know, just to maybe put your mind at least a little bit at ease, the discussions have gone on for a long, long time, and this

isn't a piece of legislation that's coming forward lightly, by any stretch of the imagination. However, as with any piece of legislation, consultations will continue. The most important thing that we can do right now is to look at the environmental aspect of that, how it is that we clean up these wells. It's a job creator. All of us, every single one of us in this House, are going to be looking at how we can put people back to work as fast as possible post COVID.

Thank you very much for your comments. I hope that's helpful.

**The Speaker:** Standing Order 29(2)(a) is still available. There are about two minutes left. Is there anyone else wishing to provide comment under Standing Order 29(2)(a)?

Seeing none, it appears to me that the hon. Member for Brooks-Medicine Hat is keen to join the debate.

**Ms Glasgo:** Yes, Mr. Speaker. I'm looking for unanimous consent to move to one-minute bells.

**The Speaker:** Hon. members, a request for unanimous consent to move to one-minute bells has been made. That request will stand till 6 o'clock this evening.

[Unanimous consent granted]

**The Speaker:** We are on REF1. It is the referral amendment. Is there anyone wishing to contribute to the debate?

Seeing none, I am prepared to call the question.

[The voice vote indicated that the motion on amendment REF1 lost]

[Several members rose calling for a division. The division bell was rung at 4:36 p.m.]

[One minute having elapsed, the Assembly divided]

[The Speaker in the chair]

For the motion:

Gray	Irwin	Renaud
Hoffman	Loyola	Sabir

Against the motion:

Aheer	Lovely	Sigurdson, R.J.
Amery	Madu	Singh
Barnes	Nally	Smith
Ellis	Neudorf	Stephan
Glasgo	Rosin	Walker
Hanson	Rowswell	Wilson
Horner	Sawhney	

Totals:	For – 6	Against – 20
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[Motion on amendment REF1 lost]

**The Speaker:** We are back on second reading of Bill 12. Is there anyone else wishing to speak to second reading?

4:40

Seeing none, I'm prepared to call the question.

[Motion carried; Bill 12 read a second time]

### Government Bills and Orders Committee of the Whole

[Mr. Hanson in the chair]

**The Acting Chair:** Thank you very much, everyone. I'd like to call the committee to order.

**Bill 12**  
**Liabilities Management Statutes**  
**Amendment Act, 2020**

**The Acting Chair:** Are there any comments, questions, or amendments to be offered with respect to this bill? The hon. Member for Calgary-McCall.

**Mr. Sabir:** Thank you, Mr. Chair. I rise to speak to Bill 12, Liabilities Management Statutes Amendment Act, 2020. I think, broadly speaking, I would say that the liabilities – oil field liabilities, environmental liabilities – are an important issue. It's important for Albertans, and it's something that should be dealt with. These liabilities have been accumulating for a while, so these need to be addressed.

However, when the Legislature resumed, I think we were here to deal with things that cannot wait and that were needed and necessary for the operation of government during this pandemic. In no way, shape, or manner is the bill absolutely necessary, and I think that under the veil of the pandemic, when people are concerned about their health and well-being, when people are concerned about their livelihoods, their jobs, their businesses, and the overall state of the economy, the government is moving this piece of legislation among other things that do need discussions at length. The government is also giving a lot of power to itself so that they can control, essentially, all the operations and all the entities impacted by this legislation.

I will move an amendment to this piece of legislation. Do you want me to read it?

**The Acting Chair:** Thank you.

**Mr. Sabir:** Yeah. I move that Bill 12, Liabilities Management Statutes Amendment Act, 2020, be amended by striking out section 1(16)(b).

**The Acting Chair:** We'll call this amendment A1. We'll just wait for it to be distributed, and then we'll go ahead. Member, we'll just wait until everybody has got a copy, and if you could carry on as soon as we do that. Okay.

I'd just like to thank the young pages for distributing so quickly. Go ahead, Member for Calgary-McCall.

**Mr. Sabir:** Thank you, Chair. What this amendment is doing, what this piece of legislation is doing among changing the mandate of the Orphan Well Association, changing the mandate of the Alberta Energy Regulator, changing or at least making provisions with respect to property rights owners, mineral rights owners, and many other things, among all those things this government is giving itself power through an order in council to make regulations respecting many things, including

- (a) respecting the administration of the orphan fund;
- (b) limiting, regulating and controlling the exercise of the Regulator's discretion with respect to the orphan fund;
- (c) respecting the purposes for which the orphan fund may be used; [and] ...

There are a few other provisions; I won't read all of them.

- (f) respecting the determination and allocation of costs under section 30.

If we were to believe that to this government it was important to create jobs right away and whatnot – I think that in 2017 we added \$235 million to this association and began that work, and in two years the number of wells that were reclaimed or the work that was done, I guess, tripled in those two years. I think we were glad to see that the government added a hundred million dollars to that project,

continued with the work we started, and also we were the ones who called for additional funding from the federal government as well to continue doing this work. I don't think that the legislative regime as it stands now was insufficient for the Orphan Well Association to continue doing their work, which they have done, and in fact they tripled the number of wells that they were able to clean and deal with.

With this amendment, with this piece of legislation, the government is essentially trying to retain all control with respect to administration of the orphan wells.

**4:50**

The Orphan Well Association, who administers the orphan wells, is a nonprofit, arm's-length, independent organization. What the government is doing, especially the members who used to be on the opposition benches – they used to argue along these lines whenever there was any regulation-making power, much less on this scale – is giving itself power to basically make any regulation with respect to administration of the orphan fund. Essentially, the government is interfering with the work of an independent nonprofit that used to operate at arm's length from the government. That's way too much. That's *carte blanche* that government is giving itself. Nobody from the front bench has given us any good reason why this Legislature should pass this piece and give government this power. No one. And if anybody wants to justify that the government needs this power, we will be happy to hear that.

The second thing. The government is giving itself power to limit, regulate, and control, to exercise the Alberta Energy Regulator's discretion. Not only is government giving itself power to administer the orphan fund; they are also even making sure that if the regulator has any discretion in this regard, they have the power to control the regulator's discretion. As I said earlier, discretion is something, by its definition, that you're free to exercise, and here we have a government that is giving itself power to limit, regulate, and control an arm's-length organization, an arm's-length party's discretion. The people we have working at the Alberta Energy Regulator, the people we have working at the Orphan Well Association are experts in their areas. They have done that work for a long time. It is institutional knowledge that's sitting with those organizations, and in no way, shape, or manner is government better situated to administer those funds than those organizations, who have been doing that for decades. There's no way that government is better situated to know this business better than industry, better than the Alberta Energy Regulator and the people who work there and have been working there for a long time.

Every time we brought forward any regulation – we didn't bring anything near that – that would be something that they would characterize as socialism and government getting into the businesses and markets. And here we have a nonprofit, independent, arm's-length organization, and we have a government which is pro markets giving itself power to basically make any regulation respecting the administration of the fund that that independent organization operates. We have heard these arguments about the federal government intervening in markets. That's a clear intervention. I think it's more than intervention. It's just a complete takeover of an independent organization.

Again, with respect to the Alberta Energy Regulator, they have expertise, and in order to operate efficiently, in order to operate in the best interest of the industry, they need to have some room, and they need to have some discretion on how these things are managed. They're the ones on the front lines of this business, and they work collaboratively with industry, with businesses. Again, we have a government here which is giving itself power to intervene in that independent market, that independent operation, and even restrict

their discretion, not just in some operations but even in their discretion. They want to retain control to control the Alberta Energy Regulator's discretion.

They're also giving themselves the power to make regulations respecting the purposes for which the orphan fund may be used. That organization has existed for a while now, and the purpose for which they exist is very clear: they are the ones who are dealing with oil field and environmental liabilities. They're doing so in collaboration with industry, because it's industry levies that pay for those operations. Here we have a government that wants to retain power, that wants to give itself power so they can redefine the purposes for which that fund can be used, the fund, the very fund, that is collected to deal with oil field and environmental liabilities. What other purposes can one think of that the government may use these funds for? Again, anyone from the front bench can get up and help us understand: what other purposes can be contemplated with the meaning of this provision?

The government is giving itself power to authorize the Regulator to pay any or all of the money in the orphan fund from time to time to a delegated authority for the purpose of the delegated authority's carrying out of the powers, duties and functions in respect of the orphan fund that are delegated to it or that it carries out under an order or directions of the Regulator.

Since this piece of legislation adds to the mandate of the Orphan Well Association, now there is a possibility that this association may be asked to take over some operations as well, along with the work of remediation, reclamation, and all that important work. The government is retaining control of how that fund may be used, so there is at least a theoretical possibility that the bulk of the fund may be directed towards the operation of the sites which may get delegated to the OWA. The focus may not remain on its primary function of remediation, reclamation, and dealing with the liabilities of abandoned and orphaned wells.

5:00

Then I think the government also wants to give itself power respecting all matters relating to the making of the payments referred to in clauses (a) to (d). Again, they are retaining control. They are giving themselves all the powers so that they can be completely in charge of the funds within that orphan well fund. In this way I think that they're attacking the independence of these arm's-length parties, and they're taking so much power so they can control essentially everything these organizations are doing. Short of taking over completely the Orphan Well Association, I think that in this section the government have given themselves every power to manage this orphan well fund. It's a complete kind of takeover of this fund and their functions, and so far no one from the government has been able to explain why these broad powers are needed by the government. There are other changes, too, but I won't go there.

Was there any reason for the government to believe that AER, or the Orphan Well Association, was not doing their job properly so that the government has to retain the power to direct them and to take over the orphan fund? Help us understand why these broad powers are needed within this piece of legislation at a time when our Legislature is sitting with reduced numbers and when not all Albertans, not all constituencies are represented in this House. These are the matters that are discussed in this piece of legislation.

I indicated earlier that they deal with one of the most important issues relating to liabilities in the history of this province. The magnitude of these liabilities is estimated to be \$300 billion. It's a hugely important issue, and it also relates to the provisions contained in this legislation that relate to mineral owners', landholders', leaseholders' rights. There are provisions that deal with owners' surface rights. When we were in government, there

were many of my colleagues from the 29th Legislature who were always very passionate about surface holders' rights and how they need to be treated with respect, how they need to have more agency.

**The Acting Chair:** Thank you very much, Member.

Are there any other members wishing to speak to amendment A1? The Minister of Municipal Affairs. Go ahead, sir.

**Mr. Madu:** Thanks so much, Mr. Chair. It's always a pleasure to stand before this House to speak on behalf of proposed bills. I just wanted to say, listening to the Member for Calgary-McCall, that it's always a thing of a surprise when you hear members opposite talk about big government, more control, more socialism. You know, these are words that anyone around the world understands are to be used to describe the members opposite in terms of their philosophy, so using these phrases to describe this legislation that we have put forward, that is aimed to make sure that we are able to repair the damage done to our world, you know, is mind-boggling.

This Bill 12, what the members opposite have proposed in their amendment – I will ask anyone in this particular House and anyone listening from home to take a look at section 77(1). The amendment that is being proposed essentially says to strike out all of the amendment that we proposed in section 77(1.1) that would further clarify an already existing set of regulations, provisions contained in section 77(1) of that particular act. Oftentimes lawyers like to argue about stuff, but section 77(1) is very clear, including section 77(1)(b). By the way, these are the provisions that give the Lieutenant Governor in Council the right and the power to make regulations, nothing else, with respect to certain things.

The amendment that we have proposed also gives the Lieutenant Governor the right to make amendments with respect to certain things, largely aimed at making sure that when we are done with all of this response to the pandemic, we are ready and prepared to be able to rebuild, including cleaning up the orphan wells. We on this side of the aisle are working so hard every single day to make sure that we work with the federal government to get the type of help that we need to be able to reclaim these wells, clean them up, and put our people back to work.

You know, Mr. Chair, as the Minister of Municipal Affairs, who has to deal with the municipalities and our stakeholders, these landowners, every single day and week and month, I can tell you that this is a huge concern for them. Quite frankly, as the Minister of Municipal Affairs I was so thrilled to see this proposed amendment put forward before us because this is something that the landowners have been asking for for years. I may be a newcomer to this particular House, but I am someone who has followed very closely the proceedings in this House, and I know that this has been a burning issue for years. You would think that the members opposite would gladly support this amendment, but again I am not surprised because we already know their view when it comes to the oil and gas sector and when it comes to our ability to put people back to work. You would think that a political party that is environmentally conscious would support everything they can to make sure that we clean up these wells and use that opportunity to put people back to work.

Mr. Chair, again, I was referring to section 77(1), that says:

The Lieutenant Governor in Council may make regulations . . .

- (f) respecting all matters related to the making of payments referred to in clause (e) to the delegated authority including, without limitation, the power to enter into agreements in respect of the payments, the imposition of terms and conditions, the times at which and the manner in which payments are to be

made and the repayment of unused or improperly used money.

I am reading from an already existing provision contained in section 77(1) of this particular act.

If we then go back to one of the provisions proposed by this amendment that we have put forward, for example, section 77(1.1)(d) again essentially reflects what I have just read, and (1.1)(a) says “respecting the administration of the orphan fund.” The term “delegated authority” is contained in both the existing provision as well as the amendment that we have proposed.

5:10

So the insinuation that all of a sudden, magically, we are giving to this government, either directly or by implication, an unknown set of powers that were not there is ridiculous. Again, it is not surprising that the members opposite will always make every issue before this particular House actually partisan when something that we ought to agree on – this should not be a controversial piece of legislation. This is a bill that they should be proud to support.

Mr. Chair, I am going to keep it very, very brief. Obviously, I am in strong opposition to this amendment proposed by the Member for Calgary-McCall, and I will urge all members of this particular House to vote down this amendment. Thank you, Mr. Chair.

**The Acting Chair:** Thank you, Minister.

Any other members wishing to speak to amendment A1? The hon. minister of . . .

**Mrs. Aheer:** The long title. Culture . . .

**The Acting Chair:** All kinds of things.

**Mrs. Aheer:** Yeah. Thank you very much, Mr. Chair.

**The Acting Chair:** Sorry. I've been away for a while.

**Mrs. Aheer:** That's okay. I'm also in a different seat.

I was going to say that I'd like to thank my colleague for his explanation of some of the legal pieces, that are very important. Let me again state that this is not in any way to take powers away from those that are making these decisions. In fact, this is to strengthen the ability of the regulator. It's actually stated firmly in the information that was provided to all members of this House when this bill was being brought forward. In fact, not only does it strengthen the regulator, but it strengthens the regulator and the Orphan Well Association, which, right now, at this point in time, Mr. Chair, doesn't have the authority to be able to go in and work with these associations as they need to.

As we all know, orphan wells are a liability. When you have a liability and the issues that come with that – it's very difficult to sell a liability. You can't. What ends up happening with this – and the Premier has put in a hundred million dollars more to be able to deal with these liabilities and to clean up these orphan wells on behalf of the property owners. But more than that, this gives them the ability to do this whereas the Orphan Well Association didn't have the legal ability to do that before. Because it was considered a liability, you can't sell it. So even if you're looking at somebody who is going to default on their payments of the wells or anything like that, we end up with a piece of infrastructure that no longer can do what it's supposed to do, and that liability not only is left with us or with the landowner who can't use that land, but we have no way of moving forward. It becomes another piece of inventory that is put into the Orphan Well Association, which they're dealing with and trying to figure out what to do with this piece of infrastructure.

There are so many opportunities. You know, I love this industry. Coming into this portfolio, my knowledge was pretty minimal, and the industry was just absolutely more than generous with me in educating me, as many members of this House were, on this file. One thing that I can tell you is that the industry is changing day by day. There are opportunities for re-entry. There are opportunities to take these and turn them into actually working pieces of infrastructure. There are so many opportunities, but if we don't give the ability to the association to do the work that they need to do, we end up continuing to grow our inventory of these wells.

I might add, too, that policies of previous governments in this House added a detrimental – detrimental – amount of terrible policy into oil and gas that really, really led to the inability of companies to be successful. It's something that we have to take a look at to see how we engage with this industry at this point. I mean, a barrel of oil is less than a Starbucks coffee at any given moment. It's terrifying. We have to be able to look not only at how we can incentivize the industry but how we put people back to work, and this is one of those options.

I would like to mention again that the member opposite keeps saying that there's some sort of nefarious thing that's happening. Actually, we're looking for a way to be able to help create jobs but also clean up the environment, and the member knows that these discussions have been going on for years. Mr. Chair, you know, I know, many people in this House know how long we've been asked by property owners about how it is that we clean up this infrastructure. What is our responsibility collectively for that?

That member had four years to take a look at his own policies within that Ministry of Energy to find out what it was that they could do better, and I can't even find out, for the life of me – I went through my old legislation just now – where orphan wells were even mentioned in energy policy. There was certainly policy that created a boondoggle with the electricity industry and the PPAs and the suing of their own province and the energy regulators. There were certainly many boondoggles around how it was that we do energy policy, including, you know, pulling taxes from people's pockets into a carbon tax, that certainly didn't help our industry at the time. I can think of many, many other things that we debated infinitely in this House around energy policy.

I find it interesting that this member would come forward suggesting that because we've empowered the AER and the Orphan Well Association along with the ability to clean up, along with the ability to give property back to the property owners so they can put their cattle on and use the land that is theirs and are putting \$100 million into this so that we have economic stimulus for the people in these industries after – we don't know what this is going to look like, Mr. Chair. We have no idea what we're looking at. How much is a barrel of oil going to be worth once we're post-COVID? We don't know. We don't know what it's going to look like, what our pipeline access is going to look like. We're certainly working on that right now, too.

We're looking at every single aspect, but let me tell you that the people of this province are asking – in fact, no, they're demanding that we look at these opportunities and see how it is that we as a government can remove some of the barriers to them being able to do better work. We are the number one resource developers in the world for resource recovery. This puts us in a completely different space of resource recovery, looking at how it is that we take care of our liability, potentially turning some of those liabilities into assets. It's something we've talked about in this House, at least on this side, at least a hundred times. How is it that we transfer that into something that is workable and is good for our province and for the people of this province? I must say that the idea and the suggestion

that we've never had this discussion before is inappropriate. This discussion has been going on for a long time.

I would suggest that the member potentially reach out to some of the members in my area, especially because I surround you on many sides in a rural riding, and ask the folks in my area about how they feel about this and how they've been consulted and the ideas. These ideas came from the industry. These ideas came from the industry. I'm very proud that we have an Energy minister and a Premier who are willing to look beyond COVID, to find out how it is that we put people back to work in this province.

There are a lot of things that could happen. There are a lot of problems. There are a lot of issues – I get that – and so many things that we can do. If we're going to debate these pieces of legislation, let's debate the need that maybe there are other things that need to be done – that's fair – but to suggest that something is going on in order to somehow not help the industry that we know we're going to be looking to to help us bounce back from this at the end, that means that that member is not only deciding, you know, to cast aspersions on the government but on every consultation, every oil and gas person that has ever reached out to us about this looking for advice, the money that is going to be spent on that, all of those things. That member is saying yet again to the oil and gas sector that those people are not worthy of being able to clean up this mess, fixing it, putting people back to work, and continuing on and being the best in the world when it comes to our energy.

Thank you, Mr. Chair.

**The Acting Chair:** Thank you, Member.

Anybody else wishing to speak to amendment A1?

Seeing none, we will call the question.

[Motion on amendment A1 lost]

5:20

**The Acting Chair:** Moving on, we're back to the main bill, so we can continue on with discussion. Would anybody like to speak further to Bill 12? Thank you very much, Member for Edmonton-Mill Woods.

**Ms Gray:** Thank you very much, Mr. Chair. I've very much appreciated the debate that we've been having on Bill 12, but at this point I would move that we adjourn this debate.

**The Acting Chair:** Sorry. We just voted on the amendment.

**Ms Gray:** My apologies, Mr. Chair. My language was not specific enough. With the amendment now voted on, I move that we adjourn this debate on Bill 12.

[Motion to adjourn debate lost]

**The Acting Chair:** We have . . .

**Mr. Sabir:** Thank you.

**The Acting Chair:** Just, you know, one second. So you're going to continue debate on Bill 12?

**Mr. Sabir:** Yes.

**The Acting Chair:** Thank you very much. Go ahead, Member for Calgary-McCall.

**Mr. Sabir:** Thank you, Chair. I would make some comments with respect to a couple of comments that were made by my colleagues from the other side. The question I asked when I moved the

amendment was with respect to the government's overreach into an independent organization's mandate, into an independent organization's affairs and the government giving themselves the ability to make regulations respecting the administration of the orphan fund. That's the language that they're using, and they're giving themselves the ability to administer the orphan well fund through regulation.

What members have to say about it is: "No, no, no. You don't wear an I Love Oil and Gas shirt. You're not in favour of this industry. We know best. These things were asked for by industry, and people have been asking about it. It was important to do it since we already cancelled the carbon tax, and we know the environment best as well. That's why it's needed." That was not the question at all to the front bench. The question I asked was why the government thinks that it's necessary for them to retain control through regulation of the orphan well fund.

That fund historically and, I would say, fairly successfully had been managed by the Orphan Well Association, that has a representation of industry, that has an independent board, who brings forward expertise to deal with these liabilities. The best way to help them had been and would be that we provide them with the resources that they need to deal with that liability that has been left there by the previous Conservative governments, who had the charge for 44 years. That liability grew to \$300 billion. That didn't grow overnight. That didn't grow within the four years that the NDP was in charge out of those five decades. That grew under consecutive Conservative governments' watch. It's a huge liability that they never turned any attention to, and no Albertan will trust that they're dealing with that liability because their record speaks louder than what they are saying here. They have ignored this liability, and if the liability is sitting at \$300 billion today, that's the direct result of inaction from previous Conservative governments.

Now we should believe that by retaining control of the orphan well fund, the government will do something to address that liability? No. We cannot trust this government because had they done something previously, we would not be talking about this liability today. We would not be talking about a \$300 billion liability. Had we implemented a polluter-pay principle in all those years and made polluters pay, we wouldn't be talking about this liability. In all those years, with the exception of the years from 2015 to 2019, Conservative governments were in office, and they just sat on it. They let it grow for years and years, decades and decades. That's why it's sitting where it is.

When we were in government, we took action. We worked with the Orphan Well Association. We gave them \$235 million, and they were able to speed up the work they were doing. They actually in two years were able to triple the number of wells they were able to reclaim and clean up. I'm glad to see that the government is following in our footsteps and added another \$100 million, but what concerns us now that there is money, now that they have added some money, is that they also want to retain control and take over the orphan well fund altogether. As I said before, their Bill 1 was to get rid of Alberta's environmental leadership plan, so their record on the environment is such that they cannot be trusted with these funds such that they would retain control and use them to manage the environmental liability, which they didn't do for four or five decades.

The second thing. I think one member said that they are giving the AER powers to deal with all of that. If I am reading it correctly, the provision reads that "the Lieutenant Governor in Council may make regulations," including regulations "limiting, regulating and controlling the exercise of the Regulator's discretion with respect to the orphan fund." What this provision is doing is not giving any extra powers to the Alberta Energy Regulator. It's taking powers

away from the regulator. Government is stepping in, and they are even trying to retain control so that if need be, they'll be able to limit, regulate, and control the discretion of the AER.

In both these instances what the government is doing, a government that believes in the free market, free enterprise, a government that stands against any government intervention into businesses, a government that included more than a hundred times the words "red tape reduction" in their budget documents so far, is that they are creating more red tape. They are getting in the way of organizations like the Orphan Well Association, an independent nonprofit that has operated independently of the government for a long time. They are getting in their way. They are also getting in the way of the Alberta Energy Regulator by controlling their discretion.

5:30

That was the question we were asking: the government has not yet justified why they need these powers. The government has not explained, given their record, given their poor, abysmal record on managing these liabilities, why they think that they should get these powers where they can take over administration of the orphan fund just through regulation, without coming back to this House. They haven't justified why they need this power to regulate an independent arm's-length body, namely the Alberta Energy Regulator, at their discretion. Why do they need that?

Not just that, I think I will be more concerned that government is giving itself power to make regulation with respect to the purposes for which the orphan fund may be used. Since they never dealt with this liability, the liability we are talking about today is a direct result of their inaction over decades, and now letting them retain power to change the purpose for which the fund, that is established to deal with environmental liability, can be used, I think nobody will trust them, and we cannot provide that power.

I guess that with that, I will make a few other comments. [interjections] I'll make some other comments at a different time.

Thank you, Mr. Chair.

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

Anybody else wishing to speak to Bill 12 in committee?

**Mr. Ellis:** Mr. Chair, I would like to move that we adjourn debate on Bill 12. Thank you.

[Motion to adjourn debate carried]

### Bill 10 Public Health (Emergency Powers) Amendment Act, 2020

**The Acting Chair:** Are there any comments, questions, or amendments to be offered with respect to this bill? The Member for Edmonton-City Centre.

**Mr. Shepherd:** Thank you, Mr. Chair. I appreciate the opportunity to rise and speak again to Bill 10, now as part of Committee of the Whole. I had the opportunity to open debate in second reading this morning and discuss some of the thoughts around the bill. I noted that, of course, we had only just received the bill just recently and had the chance to review it, and we were digging deeper. At that time I felt that, well, generally there didn't seem to be anything this bill was going to allow the government to do that it couldn't do already. We've had a chance to do a bit of a deeper look, and we've had a chance to consult with Parliamentary Counsel, and that's led us to a few thoughts and concerns.

Now, I recognize that we are in the midst of a pandemic, and during these difficult times, of course, government does have extraordinary powers, powers that aren't normally available during normal times, and indeed that is appropriate. There have been a number of steps that have been taken by recommendation and order of the chief medical officer of health and that indeed the government has taken; for example, the fines that are in place. We are in support of that. We believe there should be something in place. Indeed I understand that Alberta Health Services has received already over 5,000 complaints where people are noting that people are not following the guidelines that have been set out by the chief medical officer of health, so I think it is reasonable to put some penalties in place, and indeed in this case the government passed a ministerial order, an order in council, that allowed those fines to be raised to ensure that we were providing the proper motivation for people.

Again, as we've said, we are willing as the Official Opposition to work with the government to pass legislation and do so expeditiously when needed. Indeed, we were able to do that with Bill 11 and get that through quickly. I think we can all agree that we see that the government does need all reasonable tools in order to manage a crisis, but in a democracy we also need to make sure that those powers are properly scoped. I think there needs to be limitations. It's reasonable to give government extraordinary powers, but of course I think it's reasonable that we want to limit how extraordinary those powers might be. We need to ensure they don't go too far and ensure that our democratic traditions are not put at risk. We recognize the standard is that when we are making significant changes to legislation, that is done through this House, in full sight of the people of Alberta, with the opportunity for all elected representatives to weigh in and participate in that debate.

Today as the Official Opposition I will be putting forward on our behalf an important amendment to this legislation.

**The Acting Chair:** Thank you, Member. Can we have that amendment distributed, please?

This will be Bill 10, amendment A1. Member, perhaps while we're distributing it, you could go ahead and present it, if that's okay.

**Mr. Shepherd:** Certainly. I'd be happy to, Mr. Chair. We have the notice of amendment to Bill 10. I move that Bill 10, the Public Health (Emergency Powers) Amendment Act, 2020, be amended as follows:

- (a) in section 3
  - (i) by striking out the proposed section 52.1(2), and
  - (ii) by adding the following immediately after the proposed section 52.1(2.4):
    - (2.5) The person who makes an order under subsection (2) must, within the applicable period set out under subsection (2.6), publish the following on the Government website established to communicate information to the public during the public health emergency to which the order relates:
      - (a) a copy of the order;
      - (b) in addition to the publication of the details of the order as required under section 52.4, the statement described in subsection (2.7).
    - (2.6) The period referred to in subsection (2.5) is
      - (a) in the case of an order made after the coming into force of that subsection, within 24 hours of the making of the order, or



- (b) in the case of an order made during the period commencing on March 17, 2020, and ending on the day on which that subsection comes into force, within 24 hours of that day.
- (2.7) For the purpose of subsection (2.5)(b), the statement referred to in that subsection must
  - (a) be made by the person who made the order to which the statement relates, and
  - (b) set out the person's grounds for making the order in consideration of the circumstances of the public health emergency to which the order relates, specifically by including the following:
    - (i) the detailed facts on which the person relied to make the order;
    - (ii) each provision of an enactment to which the order applies;
    - (iii) an explanation as to how the application of the order in respect of other enactments
      - (A) protects the public from the risks associated with the public health emergency, and
      - (B) is necessary and reasonable in the circumstances.
- (2.8) Despite section 52.8, an order made under subsection (2) during the period commencing on March 17, 2020, and ending on June 30, 2020, lapses at the earlier of the following:
  - (a) July 1, 2020;
  - (b) the day on which the order lapses in accordance with its terms and conditions.
- (b) in section 4(b)
  - (i) by striking out the proposed section 52.21(2), and
  - (ii) by adding the following immediately after the proposed section 52.21(5):
- (6) Sections 52.1(2.5) to (2.8) apply with necessary modifications to an order made under subsection (2).

**The Acting Chair:** Thank you, Member. Do you wish to continue?

**Mr. Shepherd:** If I may continue.

**The Acting Chair:** Please.

**Mr. Shepherd:** Thank you, Mr. Chair. This amendment essentially does three things. First, the amendment puts forward a sunset clause on all the ministerial orders issued by the government during the pandemic. If this amendment were to pass, the orders will expire on July 1. If in the view of the government they need more time, then certainly we would be happy to come and reconvene the Legislature to extend that time frame. In our view, in a free and democratic society we cannot and should not allow ministerial orders that supersede the Legislature to continue indefinitely solely at the discretion of cabinet. I think it's a reasonable amendment that ensures that extraordinary powers that are invoked by the government are time limited. Indeed, I've had constituents reach out to me to ask precisely that: in the ministerial orders that are being put in place, how long is the government able to keep them in place? Now, we are asking government members to vote in favour to ensure that our democratic traditions are protected.

5:40

Now, secondly, this amendment also compels the government to publicly disclose each ministerial order they issue within 24 hours

and compels the government to explicitly state why the order was issued. So, Mr. Chair, for the folks watching at home I think it might even seem a little surreal that the government could issue an order and change a law without immediate public disclosure during the pandemic, but that is actually currently how the law is written. I think that in these extraordinary times where powers of government are to some extent nearly unfettered, the public deserves nothing less than at least full disclosure.

Indeed, again, when I requested from the staff of the ministry with whom I had the briefing on this bill the reason for why the government needed to bring this bill, one of the chief reasons they gave was to increase transparency. That's precisely what this amendment would do. In normal circumstances the public can watch debates in this Legislature such as we are having here now. They can hold their elected officials to account, and they can listen to the rationale of their elected officials when they consider new laws or changes to those laws, but of course we recognize that we are not in normal circumstances.

I think the least we can do is ask that cabinet tell the public a few things on the government of Alberta's COVID-19 website about the orders that they issue with the stroke of a pen. Indeed, if those orders are for the good of Albertans and for the public good in a public health emergency, there's no reason that they cannot be made public. For example, this amendment would require publication on the COVID-19 website of the text of every ministerial order, the grounds for making that order, the detailed facts which the minister relied on to justify that order, and each new power conferred on the minister or any other person. I think that's a reasonable requirement for public disclosure, and I think government members would agree that is in the public interest.

Third and finally, Mr. Chair, this amendment ensures that powers given to all ministers are within reason. Now, in the past few hours the Official Opposition has received considered legal advice that the amendment act as presented by this government, in fact, goes too far. Currently, the legislation allows ministers only to modify or suspend any law in order to protect public health. Now, that's an enormously powerful provision, and some might think that's already too far, but in the view of the Official Opposition, this enormously powerful provision is appropriate in the context of a public emergency like a pandemic. However, this bill takes it to another level. This bill takes it too far. In addition to allowing the minister to suspend or modify any law, the proposal by the government also allows any minister – any minister – to write and implement an entirely new law by ministerial order if, in the minister's view, it's the right thing to do. A very subjective test.

That's an enormous new power. That is significant. Let me say that again. This legislation allows any minister to bypass this Legislature and write any new law and bring that law into force and effect, and the only real test of adequacy for that new law is the judgment of that minister. Mr. Chair, that goes too far.

I would like to thank the legal experts who reached out to our caucus to raise this as a concern because they are correct. We are taking their advice. We are incorporating it into our amendment. This amendment will ensure that ministers have the appropriate level of authority to address the pandemic, and as we've seen, the government has been able to take every step that has been necessary to respond to the COVID-19 pandemic. Again, none of the persons with whom we spoke during the briefing were able to name any objective or anything that needed to be done that they had not been able to do or that this legislation would allow them to do that needed to be done. This amendment, therefore, ensures our basic democracy is not stripped of its most fundamental foundations.

[Mrs. Pitt in the chair]

In summary, Madam Chair, our amendment does three things. We're introducing a sunset clause to ensure that extraordinary powers aren't in place for too long, we're compelling public disclosure of the orders issued by government and the rationale for why they were done, and we are ensuring that ministers have reasonable powers in the context of a pandemic, nothing more and nothing less, powers that include the ability to modify laws or suspend laws but not write entirely new laws based exclusively on their judgment and the stroke of a pen. Again, we support the actions that the government has needed to take so far. We recognize that, indeed, there may be further actions that need to be taken to combat the COVID-19 pandemic. We do not feel that the extraordinary powers that this legislation would afford above and beyond what currently exists are necessary to achieve that.

Thank you, Madam Chair. With that, I will yield the floor.

**The Chair:** Are there any members wishing to speak to the amendment? The hon. Minister of Transportation.

**Mr. McIver:** Thank you, Madam Chair. I appreciate the opportunity to rise on the hon. member's amendment that he has just brought forward on Bill 10, and I thank him for his contribution and his debate and context around that contribution.

Let me say this, Madam Chair. Much of what the hon. member just said I agree with in terms of the concerns for overreach and for public transparency and those types of things. I would say that on those issues I would agree with him a hundred per cent. I think he's right in having these concerns. In fairness to the hon. member and hopefully in fairness to me as well, because this is indeed an emergency, we're doing some of these things faster than we normally do. We believe that the concerns that the hon. member rightly raises are already looked after in the bill.

The hon. member made reference to getting some legal advice, and that's always good for any member of this House to do because we're making law here, so getting legal advice seems like a good idea, and I in no way will criticize that, but the advice I have on this is that the — let me say this. One of the questions was around wanting the ministerial orders published on the COVID-19 website. Madam Chair, the ministerial orders are already on the website and will continue to be published on the COVID-19 website. Therefore, in that way, I believe, the amendment is not needed. We continue to be open and transparent with Albertans throughout our COVID-19 response, and this won't change.

I think that one of the questions asked was: why is the bill even needed? Well, Madam Chair, we believe on the government side that the changes are necessary to protect the health and safety of Albertans during a state of public health emergency. Bill 10 updates the penalty structure set out in the act to increase fines for those who commit offences, clarifies the authority of ministers during a state of public health emergency and pandemic, including authority to move more quickly and deploy law enforcement, and increases clarity on the executive officer. The public health inspector can be accompanied by police when performing an inspection or carrying out an order.

I think one of the other issues was about a sunset clause as of July 1. My advice on this is that that's already in the legislation, which makes that part of the opposition's amendment redundant. The changes made by ministerial order expire 90 days after they are made or sooner by order in council unless we come back to the Legislature and pass something else.

I'm not going to criticize the hon. member for his intentions. He has reasonable and genuine concerns. I'm just trying to go through it to point out that I think we have made those allowances for what

the hon. member rightly would want us to make in the legislation as it exists.

I think one of the questions was: can we remove the ability of the minister to make new laws, and why is this needed? Well, I guess that's kind of the point. It's important for ministers during a state of public health emergency or pandemic to have the authorities and tools that they need to protect public health. As things evolve, it may not be clear to us which of those authorities or tools will be needed, and that's okay. The hon. member is shaking his head; he disagrees. That's fair enough. What we're here for is to debate and sometimes agree and sometimes disagree. But it's not really a new provision under Bill 10. The Public Health Act currently enables ministers to make changes to the act in the public interest during a state of public health emergency or pandemic. That's what's there already. The changes simply provide more clarity as to the extent to which the authority can be used and make the changes retroactive to March 17 in the bill, which we put on the floor when the state of public health emergency was declared.

I'm not trying to be harsh or critical. I just think that the genuine concerns of the hon. member are met already in the bill that we've put forward. Consequently, the government will not be supporting the amendment.

5:50

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

**Ms Hoffman:** Thank you very much, Madam Chair. I want to begin by acknowledging that I appreciate that there was some common ground found between the first two speakers. I want to clarify that this act that we are debating, and now the amendment with regard to the act, is the Public Health (Emergency Powers) Amendment Act, 2020. It isn't the COVID-19 act or the pandemic of 2020 act. This is about creating legislation that will be law in perpetuity. The ministerial order is about making law for this current public health emergency, and I think that is totally fair and reasonable, and that's why we have the power for ministerial orders.

What is being proposed in this bill is about creating huge, sweeping powers in perpetuity. When the minister says, "Well, there's the 90-day clause," what he's speaking about is with regard to this current pandemic. And I agree. If we only used this bill for this current pandemic, that clause would be redundant. But this bill is about any public health emergency at any point in time in perpetuity, and what this amendment offers is a finite timeline and a sunset clause.

I'm reminded of somebody I know who, when she had a baby, said: you know, I'm so amazing; I created life. It was true. She did create life. She had a tremendously difficult labour, and she got through to the other side. And she said: but I need to remind myself that I'm not the first woman to ever give birth and I won't be the last.

That's what I want to remind all members of this Assembly. At this point in time we're thinking about who all the ministers are right now, and we might be thinking: well, of course, I would only ever use my ability to make laws outside of the Legislature in a reasonable way. But you aren't the first minister to have this responsibility, and you won't be the last. So making sure that we have reasonable checks and balances for the public, for democracy, to ensure that laws outside of a public health emergency have a reasonable sunset clause, is what's being proposed here by the member, I think, putting some frame around the sunset clause as well as around reasonable powers, reasonable powers around using this incredible privilege that we have.

What we're being asked to do here as representatives of the province — and typically there would be 87 representatives of the province — is to give up the power of the Assembly and give it

specifically to ministers, and I think that that is a potential threat to democracy. I think that it is our responsibility. When we ran for office, we said that we were going to be a voice for the folks that we represent in this place around making laws. I think that it is important for us to ensure that we don't shirk that responsibility, don't give it away thinking about the reality of today.

That's why no other Legislature is sitting right now, because they have the parameters under the public health authorities to bring in safety measures. When we come back after this pandemic, when all has settled, I sincerely hope that if this is indeed what you think is the most important piece of public legislation, you bring it forward at that time, when the public has an opportunity to consider it. Right now, during this pandemic, we have all the powers necessary for this pandemic.

Thank you very much.

**The Chair:** The hon. Minister of Transportation.

**Mr. McIver:** Thank you, Madam Chair. At 5:55 p.m. I thank all the speakers today, and I move that we rise and report progress on bills 12 and 10.

[Motion carried]

[The Deputy Speaker in the chair]

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

**Mr. Hanson:** Thank you very much, Madam Speaker. The Committee of the Whole has had under consideration certain bills. The committee reports progress on the following bills: Bill 12 and Bill 10. I wish to table copies of all amendments considered by Committee of the Whole on this date for the official records of the Assembly.

**The Deputy Speaker:** Does the Assembly concur 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. Member for Calgary-West.

**Mr. Ellis:** Well, thank you, Madam Speaker. We've certainly made a lot of progress today, and I certainly thank all members of the House for the hard work they've been doing this afternoon. I would like to move that the Assembly adjourn until 7:30 this evening.

Thank you.

[Motion carried; the Assembly adjourned at 5:56 p.m.]







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